

5. Section 45 of the Magistrates Ordinance, 1890, provides that where a magistrate imposes a sentence of imprisonment, and the defendant "is then in prison undergoing imprisonment on a conviction for any other offence", the magistrate may order that the subsequent sentence shall commence at the expiration of the previous sentence. This section is defective in several respects. In the first place it limits the power of imposing consecutive terms to two sentences: see *R. v. Martin* (1911) 2 K.B. 450. In the second place it is not quite clear that it applies to cases where the imprisonment has been ordered in default of payment of a sum of money. In the third place it fixes no maximum aggregate. The wording of the section is also rather inappropriate to the common case where a defendant is convicted and sentenced for two offences at the same sitting of the court. It has been held in *R. v. Cutbush* (1867) L.R. 2 Q.B. 379, that the corresponding section in the English Act does apply to the above case, and *R. v. Cutbush* was cited with approval in the House of Lord in *R. v. Castro* (1881) 6 A.C. 229, but the opportunity is taken of making the wording more appropriate. The proposed new section 45 is partly based on section 18 of Criminal Justice Administration Act, 1914, and it endeavours to remedy the defects mentioned above. The proposed new section provides that where two or more terms of imprisonment imposed by a magistrate or magistrates are ordered to run consecutively, the aggregate of the said terms shall not exceed twelve months. In the English Act the maximum aggregate is six months unless the sentence include at least two sentences for indictable offences dealt with summarily by consent or on a plea of guilty, in which case the maximum aggregate is twelve months.

6. Clause 9 of the bill increases from \$50 to \$100 the amount which may be ordered to be paid by an offender as compensation to a person who has suffered injury or loss to his person or property by any offence.

J. H. KEMP,  
Attorney General.

15th January, 1926.

**NOTICES.**

**COLONIAL SECRETARY'S DEPARTMENT.**

**No. S. 32.—Statement of Sanitary Measures adopted against Hongkong.**

Place or Port.	Nature of Measures.	Date.	Reference to Government Notification.
Manila.	Inspections outside Manila harbour from 20th April. Third class passengers and new crew must comply with the vaccination requirements.	16th April, 1924.	—