

*This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and having this day passed as now printed is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.*  
*Legislative Council,*  
*23rd May, 1888.*

*Hon. Sir F. Whitaker*

JUSTICES OF THE PEACE ACT AMENDMENT.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Form of recognisance on grant of rehearing.</p> <p>3. Bail for indictable offence may be received by any Justice at any time.</p> | <p>4. Recognisance of prosecutor and witness may be taken before any Justice.</p> <p>5. Any police officer may prosecute for felony or misdemeanour in inferior Courts.</p> |
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A BILL INTITULED

AN ACT to amend "The Justices of the Peace Act, 1882."

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

5     1. The Short Title of this Act is "The Justices of the Peace Act Amendment Act, 1888." Short Title.

2. Section one hundred and sixteen of "The Justices of the Peace Act, 1882" (hereinafter termed "the said Act"), shall henceforth be read as if the words "before such Justice in manner provided for by section two hundred and thirty-eight of this Act" were omitted therefrom, and the following shall be read as substituted in lieu thereof, that is to say,—

10     "before such Justice or some other Justice or Justices, with or without a surety or sureties, and in such sum as the Justice taking

15     such recognisance shall prescribe, conditioned to prosecute the proceedings for rehearing without delay and with effect, and to pay such fees and costs as the applicant may be directed or adjudged to pay in respect thereof; or shall, in lieu of such recognisance, deposit in the hands of the Clerk of the Resident Magistrate's Court such sum

20     as to the Justice or Justices shall seem meet on the like conditions.

"The applicant for rehearing shall at the same time pay such fees for and in respect of the rehearing and recognisance as are specified in the Third Schedule to this Act, or shall for the time being be fixed under the provisions of this Act."

25     3. The following shall henceforth be read as a subsection to section one hundred and thirty-seven of the said Act, that is to say,—

"Or any other Justice may discharge such accused party upon

No. 4—2.

Bail for indictable offence may be received by any Justice at any time.

his entering into such recognizance (No. 1) as aforesaid: Provided that the Justice before whom such accused party originally appeared or was brought shall have certified on the back of the remand warrant (No. 16) his consent to such accused party being bailed, and shall have certified the amount of bail which ought to be required. Such Justice may also, if he think fit, by such certificate require that the accused party shall give to the prosecutor or his solicitor reasonable notice of his intention to put in bail, with the names, abodes, and occupations of his proposed sureties." 5

Recognisance of prosecutor and witness may be taken before any Justice.

Any police officer may prosecute for felony or misdemeanour in inferior Courts.

4. Section one hundred and forty-six of the said Act shall henceforth be read and construed as if the words "or any other Justice" were inserted after the words "as aforesaid" in the second line of the said section. 10

5. Upon the hearing in the Resident Magistrate's Court of any information laid by a police officer for an offence amounting to felony or misdemeanour, any police officer, although not the actual informant in such proceeding, may appear and conduct the prosecution in such Court in the same manner as such officer may now do in the case of proceedings under "The Police Offences Act, 1884." 15