

Mr. J. Palmer.

JURIES ACT 1880 AMENDMENT.

ANALYSIS.

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| Title. | 6. Judge to have power to subpoena witnesses before finding. |
| Preamble. | 7. Expenses of witnesses. |
| 1. Short Title. | 8. Judge to notify finding to Crown Prosecutor. |
| 2. Functions of grand jury to be done by Judge. | 9. Amendment of Act of 1880. |
| 3. Judge to inquire into cases before commencement of criminal session. | 10. Interpretation. |
| 4. Announcement of finding. | 11. Repeals. |
| 5. Procedure after finding. | |

A BILL INTITULED

AN ACT to amend "The Juries Act, 1880."

Title.

WHEREAS it is desirable to dispense with grand juries, and to allow all the functions, acts, and duties performed by them to be done, exercised, and performed by the Judge: And whereas it is desirable to pay all common jurors a uniform fee for their attendance as jurors:

Preamble.

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

10 1. The Short Title of this Act is "The Juries Act 1880 Amendment Act, 1891."

Short Title.

2. The functions, duties, and powers heretofore exercised by grand juries shall, from and after this Act shall come into operation, be done, exercised, and performed by a Judge instead of by a grand jury.

Functions of grand jury to be done by Judge.

15 3. The Judge shall previously to the commencement of each criminal session of the Court over which he presides inquire into each case in the manner in paragraph six hereof set out, and after such inquiry shall indorse on the indictment of each case respectively either "true bill" or "not true bill."

Judge to inquire into cases before commencement of criminal session.

20 4. The said Judge shall at the opening of each criminal session announce in the Court in what cases he has found "true bill," and in what cases "not true bill," respectively.

Announcement of finding.

25 5. On the finding "true bill" as aforesaid the trial of such case shall proceed in the same manner as if such finding had been made by a grand jury, and on the finding "not true bill" as aforesaid such case shall be dealt with in the same manner as if such finding had been made by a grand jury.

Procedure after finding.

Judge to have power to subpoena witnesses before finding.

6. The said Judge shall inquire into each case by reading the depositions in each case, or in such other manner as he may think fit, and shall have full power to subpoena to appear before him at any time to be examined by him any witness or witnesses he may desire to examine in regard to each indictment.

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Expenses of witnesses.

7. Such witness or witnesses so subpoenaed shall be allowed the usual expenses and allowances while so attending the said Judge as aforesaid.

Judge to notify finding to Crown Prosecutor.

8. The said Judge shall, as soon as he conveniently can after such finding as aforesaid, notify the Crown Prosecutor or solicitor for the Crown (as the case may be) of such finding as aforesaid, and if such finding be "not true bill" it will be the duty of such solicitor or Crown Prosecutor as soon as possible to notify all witnesses in such last-mentioned case or cases of the finding of "no true bill," and that their attendance is unnecessary.

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Amendment of Act of 1880.

9. Section one hundred and sixty of "The Juries Act, 1880," is hereby amended by, in line two thereof, leaving out the words "to try civil issues and assess damages," and by leaving out the last two words of the said section and inserting in lieu thereof the words "eight shillings." Section one hundred and sixty-five thereof is hereby repealed.

Interpretation

10. In this Act, if not inconsistent with the context, "Judge" means a Judge of the Supreme Court and a Judge of the District Court hearing and exercising jurisdiction in trying criminal indictments.

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Repeals.

11. All other Acts, in so far as they are repugnant to this Act, are hereby repealed.