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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,
5th September, 1883.*

Hon. Mr. Whitaker.

JUSTICES OF THE PEACE ACT 1882 AMENDMENT.

ANALYSIS.

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| 1. Short Title. | 6. Repeal of certain sections of "The Justices of the Peace Act, 1882." |
| 2. Interpretation. | 7. When evidence may be given on appeal Court hearing same to have all the authority Justices had to receive evidence. |
| 3. Amendment of section 178 of "The Justices of the Peace Act, 1882." | 8. Amendment of section 249 of "The Justices of the Peace Act, 1882." |
| 4. Certain charges may be dealt with in a summary way. | |
| 5. Adjudication valid although value greater than proved. | |

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, 1883."

Short Title.

2. In this Act "the said Act" means "The Justices of the Peace Act, 1882."

Interpretation.

10 3. The term of imprisonment mentioned in the one hundred and seventy-eighth section of the said Act shall be *six* months instead of three months; and in the third part of the Second Schedule to the said Act the words "*five* pounds" shall be inserted in lieu of "forty shillings."

Amendment of section 178 of "The Justices of the Peace Act, 1882."

15 4. Notwithstanding anything contained in the said Act, whenever any person shall be charged with any offence mentioned in the second or third parts of the Second Schedule to the said Act, the Justices before whom such charge shall be made, if satisfied that the value of the property being the subject of such charge does not exceed *forty* shillings, may, in their discretion, hear and determine such

20 charge without giving the person charged the option of being tried by a jury, and, except as herein provided, all the provisions of the said Act and this Act shall apply accordingly.

Certain charges may be dealt with in a summary way.

25 5. No adjudication under the said Act or this Act shall be invalidated although it should subsequently be proved that the value of the property exceeded five pounds or forty shillings, as the case may be.

Adjudication valid although value greater than proved.

Justices of the Peace Act 1882 Amendment.

Repeal of certain sections of "The Justices of the Peace Act, 1882."

6. The one hundred and ninety-first, one hundred and ninety-second, and one hundred and ninety-third sections of the said Act are hereby repealed; but every conviction purporting to have been made under the said repealed sections, or either of them, and subsisting at the date of the passing of this Act, shall be deemed valid and effectual for all purposes whatsoever. 5

When evidence may be given on appeal Court hearing same to have all the authority Justices had to receive evidence.

7. Whenever an appeal shall be heard before the Supreme Court or District Court in which it may be allowed by or under the said Act that evidence should be given on the hearing of such appeal, any such Court shall have all such jurisdiction and authority to hear and receive evidence as the Justices from whose decision such appeal is made had or could have exercised. 10

Amendment of section 249 of "The Justices of the Peace Act, 1882."

8. In the first paragraph of the two hundred and forty-ninth section of the said Act the words "to the Court" shall be read "of the Court." 15