

Justices Protection.

A BILL INTITULED

AN ACT to make further provision for the Protection of
Justices from Vexatious Actions for acts done by
them in execution of their office. Title.

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

1. The Short Title of this Act shall be “The Justices Protection
Act Amendment Act 1871.” Short Title.

2. This Act shall be read and construed with and shall form part
of “The Justices Protection Act 1866” but the provisions of this Act
shall not affect limit or alter the provisions of or the protection
given by “The Justices Protection Act 1866” but shall be additional
thereto. Act to be read with
“The Justices Pro-
tection Act, 1866.”

3. In any action brought against any Justice of the Peace for
anything done by him in the execution of his office the plaintiff shall
on application by or on behalf of the defendant made to the Court in
which such action is brought or to any Judge thereof at any time
after the commencement of the action and not later than three days
before the day fixed for the trial of the action be ordered to give
security for the costs of the action to the satisfaction of the Court
in which the action is brought or the Registrar or Clerk of the Court
and if such security be ordered to be given the Court or any Judge
thereof may direct that in the meantime all proceedings shall be stayed
and if any one of the sureties become insolvent the Court shall on
the application of the defendant order the proceedings to be stayed
until the plaintiff shall have found a new surety. In actions against
Justices security for
costs to be given.

4. In any action brought against a Justice of the Peace for the
recovery of any penalty or sum of money paid or for the recovery of
damages for any imprisonment suffered or for or by reason of anything
done or suffered or for or by reason of any money or costs paid under
or by virtue of any conviction or order made by such Justice the
plaintiff shall not recover any such penalty or money or damages
or costs if it shall be proved that the plaintiff was actually guilty
of the offence of which he was convicted or was actually liable to pay
the sum he was ordered to pay and with respect to any imprisonment
suffered or undergone that he has not undergone or suffered any greater
punishment than that assigned by law for the offence of which he
was convicted or for the nonpayment of the sum he was ordered to pay. In actions against
Justices for anything
done under a con-
viction or order no
damages to be
recoverable if the
plaintiff actually
committed offence
or liable to pay the
money ordered to
be paid.