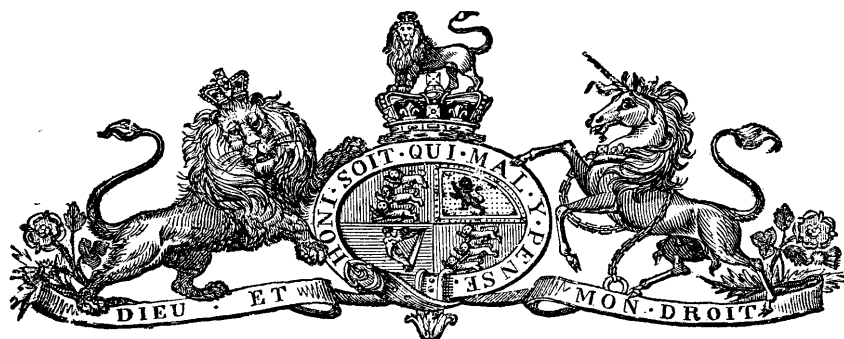


NEW ZEALAND.



ANNO VICESIMO PRIMO ET VICESIMO SECUNDO

VICTORIÆ REGINÆ.

No. 27.

ANALYSIS:

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| Title.                                  | 3. Fees to be taken.   |
| Preamble.                               | 4. Summary Proceedings Ordinance repealed so far as repugnant. |
| 1. Acts specified in Schedule, adopted. | 5. Short Title of Acts adopted.                                |
| 2. Construction of Terms.               | 6. Commencement of Act.  |
| 1. County.                              | 7. Short Title.  |
| 2. Clerk of Peace, &c.                  | Schedule.  |
| 3. Stipendiary.                         |  |

AN ACT to bring into operation within the Colony certain Acts of the Imperial Parliament, relating to Justices of the Peace. Title.  
[8th July, 1858.]

WHEREAS the several Acts of Parliament specified in the Schedule hereunto annexed have been passed for the amendment of the Law relating to the duties of Justices of the Peace and their protection in the execution of their Offices, and it is expedient that the same should be adopted and brought into operation within the Colony, Preamble.

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

I. The several Acts of the Imperial Parliament, specified in the Schedule hereunto annexed, shall be taken to extend to this Colony, and shall be applied therein in the administration of Justice in the same manner as acts of Parliament passed before the establishment of the Colony are applied, excepting Acts specified in Schedule adopted.

*Justices of the Peace.*

section 35, of the 11 and 12 Vic., Chap. 43, the Act secondly specified in the said Schedule, which shall not be taken to so extend and shall not be so applied: Provided always that any information or complaint which may, by any Law in force in New Zealand, be heard and determined in a summary way, may be heard and determined under the provisions of the said Act 11 and 12 of Victoria Chap. 43.

Construction of terms.

II. In the construction of the said Acts the words and expressions following shall have the meaning, hereby assigned to them unless there be something in the subject or context repugnant to such constructions, that is to say,

County. The term "County" shall mean Province established or hereafter to be established in New Zealand.

Clerk of Peace &c. The terms "Clerk of the Peace" "Clerk of Sessions" and "Clerk of Indictments" shall respectively mean Registrar or Deputy Registrar of the Supreme Court, or Clerk of the District Court, as the case may be.

Stipendiary. The term "Stipendiary Magistrate" shall mean Resident Magistrate.

Fees to be taken.

III. The fees to be taken under the said Acts shall be fixed, varied, and abolished, as the Governor in Council shall from time to time direct and appoint, and shall be paid as the Governor shall from time to time direct to the Colonial Treasurer, for the use of Her Majesty for public uses of the Colony: Provided always that the fees now fixed in respect of proceedings before Justices of the Peace shall be deemed to have been fixed under this Act.

Summary proceedings Ordinance repealed so far as repugnant.

IV. An ordinance passed by the Governor and Legislative Council of New Zealand, Session 2, No. 5, intituled "an Ordinance to regulate summary proceedings before Justices of the Peace is hereby repealed so far as the same is repugnant to, or would prevent or interfere with, the operation of the said Acts hereby adopted: Provided always that all sums of money which any person shall be bound to pay under any recognizance taken before any Justice or Justices of the Peace may be levied under the said Ordinance as though this Act had not been passed: Provided also that in all cases of summary conviction where the person convicted shall be sentenced to imprisonment such imprisonment shall be with or without hard labour at the discretion of the Court.

Short Title of Acts adopted.

V. The several Acts specified in the Schedule to this Act may for all purposes be cited by the several Short Titles thereto respectively annexed in the said Schedule.

Commencement.

VI. This Act shall come into operation on the 1st day of January, 1859.

Short Title.

VII. The Short Title of this Act shall be "The Justices of the Peace Act, 1858."

*Justices of the Peace.*

## SCHEDULE.

Years and Chapters of Statutes.	Titles.	Short Titles.
11 & 12 Vic. Chapter 42.	An Act to facilitate the performance of the duties of Justices of the Peace out of Sessions within England and Wales, with respect to persons charged with indictable offences.	"Indictable offences Act, 1848."
11 & 12 Vic. Chapter 43.	An Act to facilitate the performance of the duties of Justices of the Peace out of Sessions within England and Wales, with respect to summary convictions and orders.	"Summary Convictions Act, 1848."
11 & 12 Vic. Chapter 44.	An Act to protect Justices of the Peace from vexatious actions for acts done by them in execution of their office.	"Justices Protection Act, 1848."