

(234)

BILL.

An Act to amend the Act to facilitate the performance of the duties of Justices of the Peace, out of Sessions, with respect to Summary Convictions and Orders.

WHEREAS the discretionary powers conferred upon Justices of the Peace by the Act passed in the Session held in the fourteenth and fifteenth years of Her Majesty's Reign, chaptered 95, and intituled, "*An Act to facilitate the performance of the duties of Justices of the Peace, out of Sessions, with respect to Summary Convictions and Orders,*" tend to compromise the liberty of the subject; and whereas the said powers exercised in an arbitrary and despotic manner have already had their victims, and Her Majesty's subjects have suffered persecution and even imprisonment, and to prevent the repetition of similar acts of inhumanity, and protect the liberty of the people of this Province, it is expedient and necessary to amend the Act above cited so as to restrict the powers thereby conferred on Justices of the Peace; Be it therefore enacted, &c.,

Preamble.
Act 14 and 15
V c. 95 cited.

That the power conferred on Justices of the Peace by the Act first above cited, to commit the Defendant to prison at the time of and during the continuance of the adjournment of the hearing of any information or complaint, shall cease whenever the Defendant shall offer to such Justices sureties for his appearance at the time and place to which such hearing shall have been adjourned, and that the Justice or Justices of the Peace shall then be bound to discharge such Defendant, on his entering into a recognizance with such sureties to appear at the time and place mentioned in such recognizance.

Sect. 15 amended.
Defendant to be discharged whenever he offers sureties for his due appearance.

II. And be it enacted, That this Act shall have force and effect immediately after the passing thereof.

Commencement of act.