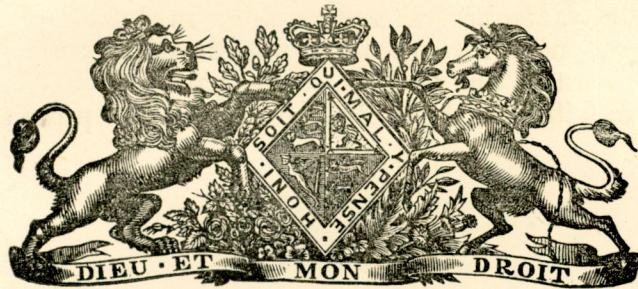


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 1 February, 1876. }*

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO TRICESIMO NONO

VICTORIÆ REGINÆ.

No. .

An Act to amend the Law regarding Sureties of the Peace and for good behaviour.

WHEREAS it is expedient to amend and extend the law whereby Preamble.

Justices of the Peace are empowered to require persons to enter into a recognizance to keep the peace or be of good behaviour Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows :—

1. On any complaint on oath being made before a Justice of apprehended injury or violence from any person to the person of either Person may be bound over to keep the peace or be of good behaviour after examination of both parties to the complaint.
10 complainant or his wife or his child or any other person not exceeding fourteen years of age in complainant's care or service or of injury to his property or requiring any person to be bound over to be of good behaviour it shall be lawful for the sitting Justice to examine on oath the complainant and defendant and their respective witnesses if any
15 as to the truth of the matters alleged and if it shall appear to the said Justice that any defamatory or offensive or threatening words have
178— been

Recognizance to keep the Peace.

- been spoken by the defendant or that the defendant was guilty of any offensive conduct tending in any such case to a breach of the peace he may require the defendant to enter into a recognizance with or without a surety or sureties to keep the peace or to be of good behaviour
- 5 Provided that in any case of alleged apprehended violence or injury to person or property it shall not be necessary for the sitting Justice to require any recognizance to be entered into if he shall be of opinion that such apprehension is unreasonable.
- 10 2. No such recognizance as aforesaid shall extend beyond the period of six months or be in any greater sum than fifty pounds principal and sureties inclusive and in default of any such recognizance being entered into forthwith the defendant may be imprisoned for a period not exceeding three months unless the recognizance shall be sooner entered into. Recognizance not to be for longer than six months nor amount more than £50.
- 15 3. The sitting Justice in any such case as aforesaid may award costs to either complainant or defendant to be recovered as costs in summary jurisdiction cases are recoverable by any law in force for the time being. Costs may be allowed.
- 20 4. Provided that instead of the Justice requiring a recognizance to be entered into as aforesaid he may inflict a fine not exceeding together with costs the sum of ten pounds and adjudge in default of immediate payment imprisonment for any term not exceeding three months unless the fine and costs if any shall be sooner paid. Fine may be imposed in lieu of recognizance.
- 25 5. This Act may be cited as the "Recognizance to keep the Peace Act of 1876" Short title.

RECOGNIZANCE TO KEEP THE PEACE BILL.

SCHEDULE of the Amendments referred to in Message of 1st March, 1876.

- Page 1, Preamble, line 1. *Omit* "and extend"
" clause 1, line 10. *Omit* "other"
" " " line 11. *After* "or of" *insert* "apprehended"
" " " line 16. *After* "that" *insert* "the apprehension stated is reason-
" able or that"
Page 2, clause 1, line 1. *Omit* "defamatory or offensive or"
" " " line 5. *After* "behaviour" *omit* remainder of clause.
" " " lines 11 and 12. *Omit* "or be in any greater sum than fifty pounds
" principal and sureties inclusive"
" clause 2, line 14. *Omit* "unless the" *insert* "or until such"
" " " line 15. *Omit* "sooner"
" clause 4. *Omit* Clause 4.
-

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,
Sydney, 1 February, 1876. }

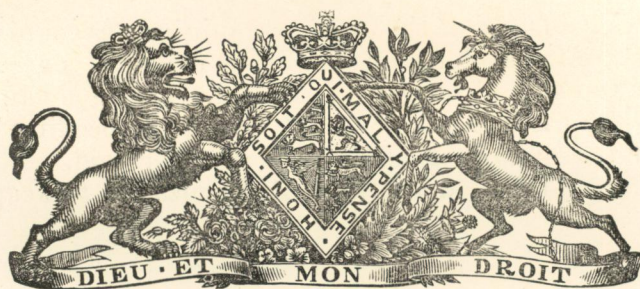
STEPHEN W. JONES,
Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber,
Sydney, 1st March, 1876. }

For JOHN J. CALVERT,
Clerk of the Parliaments,
ADOLPHUS P. CLAPIN,
Clerk Assistant.

New South Wales.



ANNO TRICESIMO NONO

VICTORIÆ REGINÆ.

No. .

An Act to amend the Law regarding Sureties of the Peace and for good behaviour.

WHEREAS it is expedient to amend ~~and extend~~ the law whereby Preamble.

Justices of the Peace are empowered to require persons to enter into a recognizance to keep the peace or be of good behaviour Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows :—

1. On any complaint on oath being made before a Justice of the Peace Person may not apprehended injury or violence from any person to the person of either to be bound over complainant or his wife or his child or any other person not exceeding to keep the peace fourteen years of age in complainant's care or service or of **apprehended** or be of good injury to his property or requiring any person to be bound over to be behaviour until of good behaviour it shall be lawful for the sitting Justice to examine after examination on oath the complainant and defendant and their respective witnesses of both parties to if any as to the truth of the matters alleged and if it shall appear to the complaint. the said Justice that **the apprehension stated is reasonable or that any** defamatory

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Recognizance to keep the Peace.

- defamatory or offensive or threatening words have been spoken by the defendant or that the defendant was guilty of any offensive conduct tending in any such case to a breach of the peace he may require the defendant to enter into a recognizance with or without a surety or
- 5 sureties to keep the peace or to be of good behaviour ~~Provided that~~ in any case of alleged apprehended violence or injury to person or property it shall not be necessary for the sitting Justice to require any recognizance to be entered into if he shall be of opinion that such apprehension is unreasonable.
- 10 2. No such recognizance as aforesaid shall extend beyond the period of six months ~~or be in any greater sum than fifty pounds principal and sureties inclusive~~ and in default of any such recognizance being entered into forthwith the defendant may be imprisoned for a period not exceeding three months ~~unless the~~ **or until such** recognizance shall
- 15 be sooner entered into.
3. The sitting Justice in any such case as aforesaid may award costs to either complainant or defendant to be recovered as costs in summary jurisdiction cases are recoverable by any law in force for the time being.
- 20 4. Provided that instead of the Justice requiring a recognizance to be entered into as aforesaid he may inflict a fine not exceeding together with costs the sum of ten pounds and adjudge in default of immediate payment imprisonment for any term not exceeding three months unless the fine and costs if any shall be sooner paid.
- 25 5. 4. This Act may be cited as the "Recognizance to keep the Peace Act of 1876"

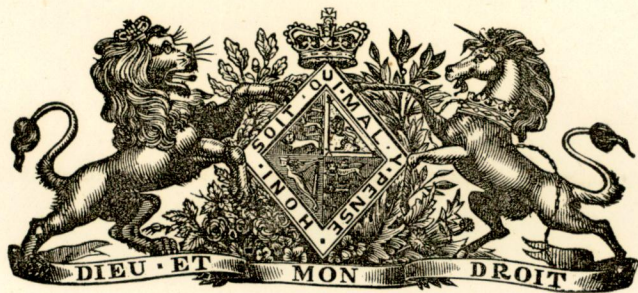
Recognizance not to be for longer than six months nor amount more than £50.

Costs may be allowed.

Fine may be imposed in lieu of recognizance.

Short title.

New South Wales.



ANNO TRICESIMO NONO

VICTORIÆ REGINÆ.

No. XXVII.

An Act to amend the Law regarding Sureties of the Peace and for good behaviour. [Assented to, 29th March, 1876.]

WHEREAS it is expedient to amend the law whereby Justices of the Peace are empowered to require persons to enter into a recognizance to keep the peace or be of good behaviour Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows :—

1. On any complaint on oath being made before a Justice of the Peace on apprehended injury or violence from any person to the person of either complainant or his wife or his child or any person not exceeding fourteen years of age in complainant's care or service or of apprehended injury to his property or requiring any person to be bound over to be of good behaviour it shall be lawful for the sitting Justice to examine on oath the complainant and defendant and their respective witnesses if any as to the truth of the matters alleged and if it shall appear to the said Justice that the apprehension stated is reasonable or that any threatening

Preamble.

Person not to be bound over until after examination of both parties.

Recognizance to keep the Peace.

threatening words have been spoken by the defendant or that the defendant was guilty of any offensive conduct tending in any such case to a breach of the peace he may require the defendant to enter into a recognizance with or without a surety or sureties to keep the peace or to be of good behaviour.

Recognizance not to be for longer than six months.

2. No such recognizance as aforesaid shall extend beyond the period of six months and in default of any such recognizance being entered into forthwith the defendant may be imprisoned for a period not exceeding three months or until such recognizance shall be entered into.

Costs may be allowed.

3. The sitting Justice in any such case as aforesaid may award costs to either complainant or defendant to be recovered as costs in summary jurisdiction cases are recoverable by any law in force for the time being.

Short title.

4. This Act may be cited as the "Recognizance to keep the Peace Act of 1876."

By Authority: THOMAS RICHARDS, Government Printer, Sydney, 1876.

[3d.]

VICTORIÆ REGINÆ

1876