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## A BILL

To amend the law relating to imprisonment in default of sufficient distress in Summary Proceedings.

[MR. R. E. O'CONNOR;—13 October, 1892.]

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**B**E it 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:—

5       1. Section twenty-two and the proviso to section nineteen of the Act eleventh and twelfth Victoria, chapter forty-three, regulating summary convictions and orders, adopted by the Act of Council fourteenth Victoria number forty-three, and the Act of Parliament thirty-second Victoria number six, amending and extending the same  
10 are hereby repealed: Provided that the repeal of such enactments shall not affect the powers and duties of any justice of the peace to proceed under the said enactments or either of them in the case of any conviction or order made before the passing of this Act.

Repeal of sec. 22 and the proviso to sec. 19 of 11 & 12 Vic., c. 43, and of 32 Vic. No. 6.

15       2. In all cases of convictions or orders by any justice of the peace, where the statute on which the same are respectively founded provides no remedy in case it shall be returned to a warrant of distress thereon that no sufficient goods of the party against whom such  
20 warrant shall have been issued can be found, or where the statute on which the said convictions or orders are respectively founded provides no mode of raising or levying any penalty, compensation, or sum of money adjudged or ordered to be paid, or of enforcing payment of the same, it shall be lawful for the said justice of the peace, in any such  
25 conviction or order, to sentence the party against whom such conviction or order shall be made to imprisonment for any term not exceeding three months in case it shall be returned to a warrant of distress thereon that no sufficient goods of such party can be found. And thereupon such proceedings may be had and such steps taken as if the said sentence of imprisonment were authorised by the statute on which the said conviction was founded.

Justice may, in conviction or order, award imprisonment in default of sufficient distress.

30       3. This Act shall be read with and construed as part of the said Act eleventh and twelfth Victoria, chapter forty-three, and may be cited as the "Summary Proceedings Amendment Act."

Act to be read with 11 & 12 Vic., c. 43.

Short title.

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20 no mode of raising or levying any penalty, compensation, or sum of money adjudged or ordered to be paid, or of enforcing payment of the same, it shall be lawful for the said justice of the peace, in any such conviction or order, to sentence the party against whom such conviction or order shall be made to imprisonment for any term not exceeding  
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Act to be read with 11 & 12 Vic., c. 43.

Short title.

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