

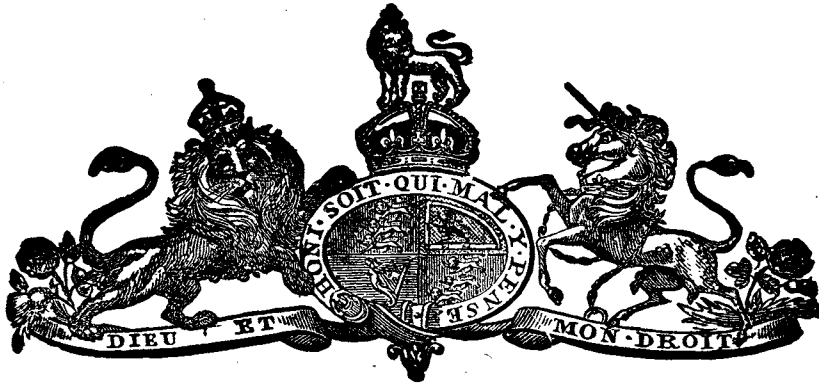
TASMANIA.

THE JUSTICES PROCEDURE ACT 1934.

ANALYSIS.

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|---|---|
| <p>1. Short title.</p> <p>2. Repeal.</p> <p>3. Amendment of 10 Geo. V. No. 55.
 Attorney-General may discharge persons by his certificate.</p> <p> New section 99.
 <i>Ex parte</i> order may be set aside.</p> <p> New section 132A.
 Enforcement of orders where defendant resides.</p> <p> New Divisions I., IA., and IB. of Part VII., sections 146 to 154.
 Judge's order to review.
 Grounds to be stated in order.
 Return of order and terms on which it may be granted.</p> | <p>Powers of court or judge on return of order.
 Cause may be shown by justices.
 Affidavits.
 Alternative mode of appeal in certain cases.
 Appeal by way of stated case.
 Justices may state case without appeal.</p> <p> New section 162.
 Limitation of appeal provisions and meaning of "order" in this Part.</p> <p> New section 162A.
 Costs on appeal.</p> <p> Schedule (2).
 New form 25A.
 New form 36A.</p> <p>4. Further amendment of Principal Act.</p> |
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TASMANIA.



1934.

ANNO VICESIMO QUINTO

GEORGII V. REGIS.

No. 66.

AN ACT to amend the *Justices Procedure Act* 1919. [13 December, 1934.]

A.D.
1934.

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

- 1 This Act may be cited as the *Justices Procedure Act* 1934.
- 2 The enactments enumerated in the first schedule are hereby repealed to the extent indicated in the third column of that schedule.
- 3 The Principal Act is hereby amended—
 - I. By inserting after subsection (3) of section thirteen thereof the following new subsection (4)—

“(4) One justice may examine into a charge of an indictable offence and may commit the defendant for trial, or, if the defendant pleads guilty, may commit him for sentence.”:

Short title.

Repeal.

Amend-
ment of 10
Geo. V. No.
55.

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II. By substituting for repealed section twenty the following new section twenty :—

“**20**—(1) When possession has been taken by a police officer of any property in relation to which an offence is alleged to have been committed and—

- i. Any proceedings taken against the alleged offender have terminated by his conviction or discharge : or
- ii. The alleged offender is not known or cannot be found—

or when any property reasonably supposed to have been stolen has come into the possession of a police officer, and in either case such police officer is not satisfied as to who is entitled to such property, such police officer may apply to any two justices for directions for the disposal of such property.

“(2) Such justices, after such enquiry as they may think sufficient, may make an order for the delivery of such property to any person who appears to them to be entitled thereto.

“(3) If there are several claimants to such property, the justices, after hearing the several claimants appearing before them, may make an order for the delivery of such property on such terms as they may think necessary for securing the safe custody thereof pending any action which may be brought for the recovery thereof as hereinafter provided.

“(4) An order under this section shall not prejudice the right of any person to recover in any court of competent jurisdiction the property to which such order relates from the person to whom it is so delivered if proceedings for the recovery thereof are taken within six months after the order is made.” :

III. By substituting for repealed section eighty-three the following new section eighty-three :—

“**83**—(1) If the defendant, upon being asked as provided by section seventy-six whether he wishes to say anything in answer to the charge, admits that he is guilty of an indictable offence not punishable by death and desires to plead guilty, the examining justice, instead of committing the defendant for trial, may commit him to the Supreme Court for sentence.

“(2) A plea of guilty for the purposes of this section shall be indorsed on the complaint, and shall be in the following form :—

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"I plead guilty to the offence or [*here state the indictable offence to which the defendant pleads guilty*].

A. D. 1984.

"Dated this day of ."—

and the defendant shall either sign the same or shall affix his mark thereto, and such mark shall be certified to by the examining justice.

"(3) So far as the same are applicable, all the provisions of this Act relating to committal for trial shall apply to committal for sentence, and bail may be similarly granted and witnesses be similarly bound to appear and give evidence, but there shall be added to the condition of the recognisance to give evidence a proviso that, if the defendant is sentenced without trial in respect of the offence of which he has pleaded guilty, the recognisance shall be void.

"(4) The defendant shall, as soon as is practicable, be brought for sentence before the Supreme Court sitting in open court.

"(5) Any judge of the Supreme Court before whom any defendant so committed shall be brought shall have the same powers of sentencing or otherwise dealing with the defendant, and of finally disposing of the charge and of all incidental matters, as he would have had if the defendant on arraignment at any criminal sessions of the Supreme Court had pleaded guilty of the offence on an indictment.

"(6) If the defendant is sentenced to imprisonment, the judge by whom the defendant has been so sentenced may issue a warrant of commitment, directing that the defendant shall be conveyed to a gaol to be named in such warrant and be there detained for such time as the warrant shall direct; and the sentence shall take effect from the date of the signing of such warrant.

"(7) If upon being brought up for sentence the defendant withdraws his plea of guilty, the judge, on application, on behalf of the Attorney-General, may direct the defendant to be tried at some criminal sessions of the Supreme Court, and in the meantime may commit him to gaol, or admit him to bail, or may make such other order in the matter as the judge deems right or just.":

IV. By inserting after section ninety-one thereof the following heading and new section ninety-one A :—

"Discharge of Persons Committed for Trial.

"91A It shall be lawful for the Attorney-General, in respect of any person now or hereafter imprisoned in any gaol charged with any offence, to grant at any time a certificate under his hand in the form 25A in the second ^{Attorney-General may discharge persons by}

Justices Procedure.

A.D. 1934. his certificate.
 ———
 37 Vict. No.
 6, s. 4.

New section
 99.

Ex parte
 order may
 be set aside.

schedule, and the sheriff or gaoler in whose custody any such prisoner then is shall, upon the delivery of any such certificate to him, immediately and without fee or reward discharge the prisoner therein mentioned for imprisonment in respect of the offence mentioned in such certificate; and, if the sheriff or any such gaoler refuses or neglects so to do, he shall for every such offence forfeit and pay a penalty of fifty pounds.”:

V. By substituting for repealed section ninety-nine the following new section ninety-nine :—

“99—(1) Upon the application of any person whose complaint has been dismissed or against whom a conviction or order has been made *ex parte* and upon proof of the service of reasonable notice of such application upon the other party, any two justices may set aside such dismissal, conviction, or order upon such terms as to costs or otherwise as such justices may think fit.

“(2) If upon any such application the justices set aside the conviction or order, the justices may—

- i. Proceed to hear and determine the complaint so dismissed or upon or in relation to which the conviction or order was made : or
- ii. Direct that such complaint as aforesaid shall be heard and determined at such time and place as they may specify, and that such notice thereof as they may direct shall be given to such persons, if any, as they may think necessary.” :

New section 12 Geo. V.
 132A. No. 47, s. 3

Enforce-
 ment of
 orders
 where
 defendant
 resides.

VI. By inserting after section one hundred and thirty-two thereof the following new section one hundred and thirty-two A :—

“132A When any order of justices for the payment of any sum of money is required to be enforced, and the person ordered to make such payment (herein called ‘the defendant’) resides at any place distant not less than thirty miles from the place where such order was made—

- i. A certificate of such order in the form 36A in schedule (2), signed by the justice or one of the justices who made such order, or by the clerk of petty sessions at the place where the same was made, may be sent to the clerk of petty sessions nearest to the place where the defendant resides : and
- ii. Such certificate shall contain full particulars of such order and the amount in arrear thereunder, if within the knowledge of the person signing the same, and shall be *prima facie* evidence of the facts therein stated : and

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iii. Any proceedings which could be taken to enforce such order where the same was made may thereupon be taken at such lastmentioned court of petty sessions ; and, if the person for whom or on whose behalf any such order was made is resident within thirty miles of such lastmentioned court, any such order which might be altered, varied, or discharged at the place where it was made may be altered, varied, or discharged at such lastmentioned court.” :

VII. By substituting for repealed Division I. of Part VII. thereof the following new Divisions I., IA., and IB., comprising sections one hundred and forty-six to one hundred and fifty-four :—

New Divisions I., IA., and IB. of Part VII., sections 146 to 154.

“ *Division I.—Order to Review.*

“ **146**—(1) Any person who is aggrieved by any order of justices, or against whom a warrant has been issued by any justice, may, within fourteen days after such order, or the issuing of such warrant, apply to a judge for an order calling upon the complainant, defendant, or other person interested in upholding such order or warrant, and also, if the judge thinks fit, upon the justices making or issuing the same, to show cause why such order or warrant should not be reviewed. Judge's order to review.

“ (2) If, upon the hearing of any application under subsection (1) hereof, the applicant shall show by affidavit—

- i. A *prima facie* case of error or mistake on the part of such justices on a matter or question of fact alone, or of law alone, or of both fact and law :
- ii. That such justices had no jurisdiction to make such order, or to issue such warrant :
- iii. That such order or warrant should not have been made or issued—

the judge may make such order to review, and the same may be returnable before the Full Court, or before a judge sitting in court or chambers.

“ (3) On the return of an order to review before a judge, the judge in his discretion, upon the application of any party thereto or of his own motion, may refer the same for hearing and determination by the Full Court.

“ (4) The refusal by a judge to make an order to review, or his determination upon the return of any order to review, shall be subject to an appeal to the Full Court, and upon any such appeal the court may proceed as upon an order to review returnable before the Full Court in the first instance.

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Grounds to
be stated in
order.

Return of
order and
terms on
which it
may be
granted.

Powers of
court or
judge on
return of
order.

“(5) A judge in his discretion, upon an affidavit setting forth special circumstances, may extend the time for making an application for an order to review if in his opinion the circumstances require it.”

“**147**—(1) Every order to review shall set forth in specific terms the grounds upon which it is sought to review the order or warrant appealed against.

“(2) Upon the return of the order to review, the court or judge may allow such amendment of such grounds therein stated as it or he may think just.

“**148**—(1) An order to review shall be returnable at such time as he may direct, but such time may be enlarged by any judge.

“(2) On granting an order to review, the judge may—

- I. Impose such conditions as to costs and security as he may think fit: and
- II. Make such provision for a stay of proceedings and for admitting any person to bail as he may think necessary.

“**149**—(1) On the return of an order to review, and upon consideration of the evidence and materials adduced and brought before the justices, and, if the court or judge thinks fit, of any further evidence, the court or judge may—

- I. Discharge the order to review:
- II. Confirm, vary, amend, rescind, set aside, or quash the order or warrant appealed against:
- III. Remit the case or matter to the justices by whom it was dealt with, either with or without any direction in law:
- IV. Order that the case or matter be retried by a police magistrate:
- V. Prohibit the justices concerned, or any other person from proceeding or further proceeding in respect of such order or warrant as aforesaid:
- VI. Amend or cause to be amended, on such terms as are just, any defect or error in any proceedings before the justices; and all such amendments shall be made as may be necessary for the purpose of determining the case or matter upon the merits: or
- VII. Make all such orders and cause all such proceedings to be had and taken as the court or judge thinks necessary to secure a final determination of the case or matter upon the merits—

or may, if the court or judge thinks necessary, re-hear the case or matter.

“(2) In addition to any other power hereinbefore conferred, the court or judge may exercise all or any of the

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powers or jurisdiction which the court possesses or might exercise upon *certiorari*, *mandamus* prohibition, or *habeas corpus*, or which the court possessed or might have exercised before the passing of the *Appeals Regulation Act*.

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“**150**—(1) Whenever an order to review is applied for, the justices may make and file in the Supreme Court an affidavit setting forth the grounds of the order or warrant appealed against, and also any facts which the justices consider to have a material bearing upon the question at issue, without being required to pay any fee in respect of filing such affidavit, and such affidavit may be sworn before a justice, and may be forwarded by post to the Registrar of the Court for the purpose of being so filed.

Cause may be shown by justices.

“(2) Where any such affidavit has been filed as aforesaid, the court or judge shall, before making the order absolute against the justices or otherwise determining the matter so as to overrule, set aside, or vary the act or order of the justices, take into consideration the matters set forth in such affidavit, although no counsel appears on behalf of the justices.

“**151** Upon the return of an order to review, no affidavits shall be used by any party unless—

- i. Such affidavit has been filed with the Registrar of the Supreme Court and a copy thereof delivered to every other party to the proceedings forty-eight hours before the time appointed for the return of the order : or
- ii. The court or judge, upon such terms, (if any, as it or he thinks fit, grants special leave for that purpose—

11 Geo. V. No. 65.

but this provision shall not apply to an affidavit filed by justices as provided by section one hundred and fifty.

“ *Division IA.—Appeal as of Right.*

“**152**—(1) Any person aggrieved as aforesaid who desires to appeal against an order may, in lieu of, but not in addition to, proceeding under that section, appeal as hereinafter provided to a judge.

Alternative mode of appeal in certain cases.

“(2) Every such appeal shall be made under and subject to the following rules and conditions :—

- i. The appellant shall—

- (a) Within seven days after the date of the order, serve on the person concerned in upholding the order, and on the clerk of the court where the order was made, a notice of appeal in the prescribed form, setting forth the grounds of the appeal ;

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- (b) Within seven days after the service of such notice on the other party, enter into a recognisance before a justice in such sum and with such sureties, if any, as the justice may require, conditioned to appear on the hearing of the appeal and to abide the decision of the judge thereon, and to pay such costs as the judge may order; or, if the justice so permits, the appellant may deposit with the clerk of the court such sum of money as the justice may direct by way of security in lieu of such recognisance, but the amount of any such recognisance or sum of money shall in no case be less than twenty pounds:
- ii. The clerk, on receipt of the notice of appeal, shall transmit a copy thereof to the Registrar of the Supreme Court forthwith:
 - iii. The said Registrar shall give to the appellant or his solicitor four days' notice of the day on which the appeal is to be heard, and the appellant shall give two days' notice thereof to the person concerned in upholding the order:
 - iv. If the appellant is in custody, any justice may order his release upon his entering into the recognisance or lodging the security mentioned in paragraph i. hereof, and the appeal shall not operate as a stay of execution unless and until the appellant enters into such recognisance or gives such security:
 - v. If the appellant obtains an order to review under section one hundred and forty-six, he shall be deemed to have waived his right of appeal hereunder, and any proceedings taken by him under this section shall be null and void, and a judge may order him to pay the costs occasioned to any other party by reason of such proceedings, to such other party:
 - vi. No appeal shall lie under this section against any order—
 - (a) Made *ex parte*, unless an application under section ninety-nine to set the same aside has been refused; or
 - (b) Committing a defendant for trial.

“(3) Every appeal under this section shall be heard by a judge by way of re-hearing, and the judge at any time may adjourn the hearing thereof for such time and upon such terms and conditions as he may think fit.

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“(4) Upon the hearing of any such appeal, the judge may confirm, reverse, or mitigate or vary the decision of the justices, or may make such other order in the matter as he may think fit, and may exercise the power of amendment conferred upon a judge by section one hundred and forty-eight.

“(5) The judge may exercise in relation to the appeal any power which might be exercised by the justices, and any order made by him shall have the like effect and be enforceable in the like manner as if made by such justices.

“(6) The judge at any time may allow the grounds of appeal set forth in the appellant’s notice of appeal to be amended on such terms, if any, as to payment of costs or otherwise as the judge may think fit.

“ Division IB.— Stated Case.

“**153**—(1) Any person aggrieved by any order made by justices who desires to appeal therefrom upon a question of law only, may apply to the justices by whom the order was made to state a case for the opinion of the Supreme Court thereon. Appeal by way of stated case.

“(2) Every such application shall be made in accordance with and subject to the following rules :—

- I. The application shall be in writing, and shall be made within seven days after the making of the order appealed from :
- II. The appellant, before the case is stated and delivered to him, shall enter into a recognisance before a justice, in such sum as such justice may direct, and with such sureties, if any, as such justice may require, conditioned—
 - (a) To prosecute the appeal without delay and to abide by the decision of the Supreme Court thereon and to pay such costs as may be awarded by the same : and
 - (b) If the appellant is in custody to appear at the court where the order appealed against was made, within ten days after the decision of the Supreme Court upon the stated case is given, and to abide such decision, unless the order appealed against is reversed—

and shall also pay to the clerk of petty sessions the prescribed fees payable in such case :

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III. The appellant, within five days after receiving the case stated by such justices, shall—

(a) Give notice in writing of his appeal to the complainant, defendant, or other person interested in upholding the order, and serve upon such person a copy of the case stated as aforesaid ; and

(b) Transmit the case received by him as aforesaid to the Registrar of the Supreme Court :

IV. The said Registrar shall refer the case so received by him to a judge, and upon the decision thereon being given shall transmit the same to the clerk of petty sessions at the court where the order appealed against was made.

“(3) If in the opinion of the justices the application is frivolous, they may refuse to state a case, and, if the appellant so requests, they shall deliver to him a certificate of their refusal ; but the justices shall not refuse to state a case if application therefor is made on behalf of the Crown :

“(4) If the justices refuse to state a case, the appellant may apply, upon an affidavit of the facts, to the Supreme Court for a rule or order calling upon the justices to show cause why the case should not be stated ; and upon the return of such rule or order the court or a judge thereof may make the same absolute or discharge it with or without costs ; and if the same is made absolute, the justices shall state a case accordingly upon the appellant complying with the requirements of paragraph II. of subsection (2) hereof.

“(5) The Registrar shall set the case down for hearing and shall cause notice thereof to be sent to the parties at least three days before the same is to be so heard.

“(6) The judge, or the Court, if the case is referred to it, may remit the case to the justices for amendment if in the opinion of the judge, or of the Court, respectively, the case is defective.

“(7) The judge, upon receipt of the stated case as hereinbefore provided, may refer the same to the Supreme Court, or may proceed to determine the questions therein submitted or arrange for the determination thereof by another judge.

“(8) The court or judge by which the stated case is so determined may affirm, reverse, vary, or amend the order appealed against, or may remit the same to the justices with the opinion of the court or judge thereon, or may make such other order in relation to the matter as the court or judge may think fit.

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“(9) After the decision of the Supreme Court on a case stated as aforesaid has been transmitted as prescribed to the clerk of petty sessions, any court of petty sessions may enforce the order affirmed, amended, or made (as the case may be) by the court or judge, in the same manner as if no appeal had been made.

“(10) Any person who appeals against an order as provided by this section shall thereby be deemed to have waived any other right of appeal he may have had in respect of such order, and any proceedings taken by him under section one hundred and forty-six or one hundred and fifty-two shall be void.

“**154**—(1) In any case where in the opinion of the justices the matter before them involves any question of law of such public and general importance as to make it desirable in the public interest that the same should be determined by the Supreme Court, the justices instead of deciding such matter may state a case for the opinion of the Supreme Court, and may adjourn the hearing of such matter pending the receipt of the opinion of the Supreme Court thereon.

Justices may state case without appeal

“(2) In any such cases the justices shall forthwith prepare and state a case setting forth the material facts and their findings thereon, and stating the question of law upon which they desire the opinion of the Supreme Court; and shall transmit such case without delay to the Registrar of the Supreme Court.

“(3) A case stated as provided by this section shall be dealt with as provided by section one hundred and fifty-three, but in lieu of making any order thereon the court or judge shall cause the case to be remitted to the justices with the opinion of the court or judge on the question therein submitted.”:

VIII. By substituting for repealed section one hundred and sixty-two the following new sections one hundred and sixty-two and one hundred and sixty-two A:—

New section 162.

“**162**—(1) Subject to the provisions of the *Maintenance Act* 1921, there shall be no appeal from any order made, or against the issuing of any warrant, by justices except as provided by this Act.

Limitation of appeal provisions and meaning of “order” in this Part.

“(2) No appeal shall lie against any order—

i. Made *ex parte*, unless an application under section ninety-nine, to set the same aside, has been refused: or

ii. Committing a defendant for trial.

“(3) When used in this Part with reference to a proceeding appealed against, the term “order” shall include

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New section
162A.
Costs on
appeal.

any conviction, dismissal of a complaint, determination, and adjudication.

“162A—(1) On any appeal under this Part the court or a judge thereof may make such order as to the costs of the appeal and of the proceedings in respect of which the appeal is brought as to the court or judge shall seem proper.

“(2) The provisions of subsection (7) of section one hundred and fourteen shall not apply to any order made under this section.”: and

Schedule
(2).

IX. By inserting after forms 25 and 36 in schedule (2) thereto the following new forms 25A and 36A—

New form
25A.

“25A—*Order for Discharge if no Indictment Filed.*

To *A.B.*, Esquire, Sheriff, [or *C.D.*, Keeper of His Majesty's Gaol at

Whereas *E.F.* is detained in your custody, under warrant of *G.H.*, Esquire, upon a charge of

And whereas I do not intend upon the evidence before me to file any indictment against the said *E.F.* in respect of the said charge: You are therefore hereby authorised and required forthwith to discharge the said *E.F.* from your custody as regards the said warrant.

New form
36A.

“36A—*Certificate of Order.*

(To be endorsed on copy of original order.)

In the Court of Petty Sessions, held at

Between _____, Complainant,
and _____, Defendant.

I hereby certify that the within written document is a true copy of an order made by the Court of Petty Sessions at _____, in Tasmania.

(*And, if known to the person giving the certificate.*)

That there is now due and unsatisfied in respect of the said order the sum of

To the best of my knowledge and belief the within-named defendant is now residing at _____, in the State of Tasmania.

Given pursuant to the provisions of section one hundred and thirty-two A of the *Justices Procedure Act 1919* this }
day of _____ 193 }
at _____ in the State of Tasmania. } ”

Further
amendment
of Principal
Act,

4 The Principal Act is hereby further amended in the manner and to the extent indicated in the second schedule.

Justices Procedure.

SCHEDULES.

A.D. 1934

(1)

REPEAL.

Section 2

Regnal Year and Number.	Title of Act.	Extent of Repeal.
10 Geo. V. No. 55	<i>The Justices Procedure Act</i> 1919	Sections 2, 3, 4, 5, 66, 83, and 99, Division I. of Part VII. (sections 146 to 154), and section 162
11 Geo. V. No. 65	<i>The Justices Procedure Amendment Act</i> 1920	The whole Act
12 Geo. V. No. 47	<i>The Justices Procedure Act</i> 1921	The whole Act

(2)

AMENDMENTS OF PRINCIPAL ACT.

Part or Section Amended.	How Amended—
In—	By deleting the words and figures—
The title	“and for other purposes”
Section 6	“and take effect”; “and from”; and “by the Governor”
Section 7	I. “Sixteen inclusive of this Act” and substituting “twenty”; II. “Information” and substituting “indictment”; III. “Indictment” to “Court”; IV. “Minister” to “State”; V. “Part” to “Act”; VI. “Schedule” to “Act”; VII. “Section” to “Act”
Section 9	I. “from” to “Act”; and “not” to “Act”; and by expunging paragraph III. in subsection (1); II. “or forms” to “effect”; and “from time to time” in subsection (2)
Section 15	“one” (in the last line) and substituting “two”

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Part or Section Amended.	How Amended—
In—	By deleting the words and figures—
Section 37	“ with ” to “ labour ” in subsection (3)
Section 45	“ 36 ” to “ Charter ” (in subsection (3)) and substituting “ thirty-six of the <i>Children's Act 1918</i> ”
Section 61	“ as if the sum ” to “ conviction ” and substituting “ by execution in manner provided by section one hundred and fifteen ”
Part IV.—subhead- ing	“ information presented ” and substituting there- for the words “ Indictment filed ”
Section 67	I. “ information ” to “ offence ” and substitut- ing “ indictment ”; II. “ of this State ”; III. “ information ” (wherever occurring) and substituting “ indictment ”
Section 69	“ same ” to “ against ” and substituting “ person so indicted ”
Section 70	“ informed against ” (wherever occurring) and substituting “ indicted ”; and “ information ” and substituting “ indictment ”
Section 76	“ Provided ” to “ him ”
Section 77	“ afterwards ”; “ the ” (in the last line) and sub- stituting “ such ”; “ by whom ” to “ signed ”
Section 79	“ of this Act ”
Section 80	“ as such ”
Section 82	“ actual ”
Section 86	“ such ” (in first line)
Section 93	“ informations ” and substituting “ indictments ”; “ information ” and substituting “ indictment ”
Section 94	“ informations ” and substituting “ indictments ”
Section 102	“ But if he ” and substituting “ If the defendant ”
Section 105	“ But ” (in the sixth line) and substituting the figure “ (2) ”; and by inserting the figure “ (1) ” at the beginning of the first line of the section
Section 113	“(whether ” to “ not)”

Justices Procedure.

Part or Section Amended.	How Amended—
In—	By deleting the words and figures—
Section 115	I. “or person” to “payment” in paragraph I. II. “Provided that” and substituting the figure “(2)”; and inserting the figure “(1)” at the beginning of the section: III. “with or without hard labour”; and by substituting the numerals “I.,” “II.,” and “III.” respectively for the numerals “III.,” “IV.,” and “V.” therein
Section 116	I. “person” to “issued” and substituting “defendant”; II. “such person” (wherever occurring) and substituting “the defendant”
Section 117	I. “person” to “issued” and substituting “defendant”; II. “with or” to “labour”
Section 118	“with or without hard labour” (wherever occurring)
Section 125	“on” to “may”; and “not more than” (in paragraph V.)
Section 129	I. “this Act or under” and “other” (in next line) II. “And such” to “founded” (following the table): III. “(3)” to “liquor”
Section 131	I. “shall” (wherever occurring); and inserting “shall” after the word “gaol” in the first line: II. “from time to time” III. “fair” and substituting “true”
Section 132	“proclaimed” to “1906” and “inflicted” to “force”
Section 133	“under” to “1889” (in paragraph III.), and substituting “and would be calculated to cause serious injury to the complainant, or any person in his care or charge, or to any property of the complainant or such person”
Section 134 (4)	I. “or”: II. “by reason” to “against” and substituting “from the defendant”: III. “person” to “complaints” and substituting “defendant”

A.D. 1904.

*Justices Procedure.*A.D. 1934.

Part or Section Amended.	How Amended—
In—	By deleting the words and figures—
Section 137	“Is” and substituting “are”
Section 163	“Upon” to “pleaded”; and “declaration” and substituting “statement of claim”
Section 164	“case” and substituting “cases”
	“declaration” and substituting “statement of claim”
	“by justices” to “magistrate” (wherever occurring in subsection (3))
	“application” to “review” (wherever occurring) and substituting “appeal”
	And by inserting the words or figures—
Section 56	“him” after “commit”
Section 107	“(1)” at the beginning; “(2)” before “when” after paragraph III.; and “(3)” at the beginning of line 21
Section 128	“pecuniary” before “penalty”