

TASMANIA.



1856-7.

ANNO VICESIMO

VICTORIÆ REGINÆ,

No. 26.

*see 26 O. No. 5
29 " " 10*



AN ACT to abolish the exclusive Jurisdiction of Stipendiary Magistrates, and to extend the Power of taking Bail in certain cases of Petty Misdemeanors. [5 June, 1857.]

WHEREAS by various Acts of Council exclusive Jurisdiction is vested in certain cases in Police, Assistant Police, and other Stipendiary Magistrates, and it is expedient that such Jurisdiction should be extended to all Justices of the Peace: And whereas it is also expedient to extend the Power of taking Bail in certain cases of Petty Misdemeanors: Be it therefore 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:—

PREAMBLE.

1 Where by any Act of Council any Jurisdiction concerning the Administration of Justice is vested in any Police or Assistant Police or other Stipendiary Magistrate, such Jurisdiction shall henceforth be vested in and exercisable by any Justice of the Peace, in as full and ample a manner as such Jurisdiction is vested in and exercisable by any such Police or Assistant Police or other Stipendiary Magistrate.

Abolishes exclusive Jurisdiction of Police Magistrates.

see 29 O. No. 8 p. 79

All District Constables may take Bail, and as well during the day as the night.

2 The Power vested by Section 60 of the Act of Council 2 Victoria, No. 22, in the District Constable on duty at any Watch-house to take Bail by Recognizance in certain cases is hereby extended to all District Constables, and also to such Persons as the Governor may from time to time appoint for that purpose; and any such Recognizance may be conditioned that the Person bailed shall appear before a Justice of the Peace, at some place to be specified therein, and at some convenient time not exceeding One Week from the day on which such Recognizance is taken; and such Power to take Bail may be exercised in the case of persons brought into custody without Warrant, as well during the Day-time as during the Night-time.

*Rep. 64
29.10.10*