

No. VI.

An Act to extend the provisions of an Act of Parliament passed in the seventh year of the reign of His late Majesty King George the Fourth as to taking Bail in cases of Felony or Misdemeanor. [30th October, 1846.]

BAIL IN FELONY
OR MISDEMEANOR.

WHEREAS in many cases the taking Bail for the appearance of persons charged with felony may be safely admitted without endangering the appearance of such persons to take their trial in due course of law and it is therefore expedient in such cases to amend and extend the provisions in that respect of a Statute passed in the seventh year of the reign of King George the Fourth intituled "An Act for improving the administration of Criminal Justice in England" Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof That it shall be lawful for any two or more Justices of the Peace if they shall think fit of whom the Justice who signed the warrant of commitment shall be one to admit any person or persons charged with Felony or against whom any warrant of commitment for Felony shall have been signed to Bail in the manner and according to the provisions directed by the said recited Act in such sum or sums of money and with such surety or sureties as they shall think fit and notwithstanding such person or persons shall have confessed the matter laid to his or their charge or notwithstanding such Justices shall not think that such charge is groundless or shall think that the circumstances are such as to raise a presumption of guilt.

2. And be it enacted That whenever any person charged with any Felony or Misdemeanor shall be in custody on any such charge and shall be brought before any Justice of the Peace for examination and such Justice shall think fit to remand any such person for further examination it shall be lawful for any two or more Justices of the Peace to suffer any such person to go at large upon his personal recognizance (with or without sureties) in such amount as such Justices shall in their discretion think fit and every such recognizance shall be conditioned for the appearance of such person before the same or some other Justices of the Peace for further examination at a day and place to be therein mentioned and the said Justices or any other two or

5 and 6 William IV.
c. 33 sec. 3.

7 George IV. c. 64.
Extending pro-
visions of Act of
Parliament 7 George
IV. c. 64 as to taking
Bail in cases of
Felony.

Imprisonment for Debt Abolition.

more Justices of the Peace shall be at liberty from time to time to enlarge every such recognizance to such further time as they shall appoint and every such recognizance which shall not be enlarged shall be discharged without fee or reward when the party shall have appeared according to the condition thereof.
