

1882.

NEW ZEALAND.

CONSTITUTION, PRACTICE, AND PROCEDURE OF THE
SUPREME COURT AND OTHER COURTS

(FINAL REPORT OF THE COMMISSION TO INQUIRE INTO THE).

Presented to both Houses of the General Assembly by Command of His Excellency.

COMMISSION.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen
Defender of the Faith:

To our trusty and loving subjects, James Prendergast, Esquire, Chief Justice of the Supreme Court of our Colony of New Zealand; Alexander James Johnston, Esquire, Christopher William Richmond, Esquire, Thomas Bannatyne Gillies, Esquire, and Joshua Strange Williams, Esquire, all being Judges of the said Court; Frederick Whitaker, Esquire, Attorney-General of our said colony; Walter Scott Reid, Esquire, Solicitor-General of our said colony; Charles Dudley Robert Ward, Esquire, and John Edwin Macdonald, Esquire, Judges of District Courts in our said colony; Robert Clapham Barstow, Esquire, a Resident Magistrate in our said colony; William Gisborne, Esquire, Charles Christopher Bowen, Esquire, and John Sharp, Esquire, Justices of the Peace in and for our said colony; and to Edward Tennyson Conolly, Robert Stout, John Nathaniel Wilson, George Harper, Allan Holmes, and Albert Edward Tyrell Devore, Esquires, all being Barristers and Solicitors of the said Supreme Court,

GREETING:

WHEREAS the Governor of our said colony, with the advice and consent of the Executive Council thereof, has deemed it expedient that a Commission should be issued for the purpose of inquiring into the constitution, practice, and procedure of the Supreme Court and other Courts of the colony hereinafter mentioned, and of ascertaining by what means the administration of justice therein may be rendered more speedy and efficacious, and generally for the purposes hereinafter set forth:

Now therefore know ye that We, reposing great trust and confidence in your zeal, integrity, knowledge, and ability, do by these presents constitute and appoint you, the said James Prendergast, Alexander James Johnston, Christopher William Richmond, Thomas Bannatyne Gillies, Joshua Strange Williams, Frederick Whitaker, Walter Scott Reid, Charles Dudley Robert Ward, John Edwin Macdonald, Robert Clapham Barstow, William Gisborne, Charles Christopher Bowen, John Sharp, Edward Tennyson Conolly, Robert Stout, John Nathaniel Wilson, George Harper, Allan Holmes, and Albert Edward Tyrell Devore, to be our Commissioners for the purpose of inquiring into the constitution, practice, and procedure of the several Courts of judicature in our said colony, that is to say,—

- (1.) The Supreme Court, including the Court of Appeal;
- (2.) The District Courts;
- (3.) Resident Magistrates' Courts;
- (4.) Courts of Petty Sessions of the Peace;
- (5.) Courts held before Justices of the Peace:

And further to inquire whether any and what changes might with advantage be made in the constitution, practice, or procedure of the said Courts, or any of them, with the object of rendering the practice and procedure of such Courts, or such of them as may be thought convenient, auxiliary to one another, or for any other object or purpose; and also to inquire whether the jurisdiction of any of the said Courts (other than the Supreme Court) might be increased, restricted, or limited in any and what respect, and whether any of such jurisdictions might be abolished, and other provision made in that behalf.

And for the better enabling you to carry these presents into effect, We do authorize and empower you to make and conduct any inquiry under these presents at such place or places in the colony as you may deem expedient; and to call before you such persons or person as you may judge necessary, by