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An act regulating the practice in cases of preliminary examinations before justices of the peace while acting as conservators of the peace.

Colorado General Assembly

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AN ACT REGULATING THE PRACTICE IN CASES OF PRELIMINARY EXAMINATIONS BEFORE JUSTICES OF THE PEACE WHILE ACTING AS CONSERVATORS OF THE PEACE.

Be it enacted by the General Assembly of the State of Colorado:

1594. SECTION 1. Hereafter when a party is brought before a justice of the peace on the charge of making threats against the life or property of any person in this state, or shall threaten to break the peace, the justice shall write down the evidence in full, and shall (if defendant is required to give bond for his good behavior) transmit such testimony together with the other papers in the case to the district court of the county wherein the offense was committed.

Testimony in case of breach of the peace, etc.; to be taken in writing and transmitted to district court.

1595. SEC. 2. When the clerk receives such papers from the justice, he shall docket the case, and thereafter the case shall stand for argument at the following term of court. The judge shall examine the record and evidence, and if upon such record and evidence, the judge shall be of the opinion that the defendant was improperly bound over, he shall discharge the defendant, and tax the costs against the county, or the prosecuting witness as in his judgment is proper. It shall be the duty of the court to examine and pass upon the record and evidence, even though the prosecuting witness does not appear to prosecute. If the judgment of the justice shall be affirmed, the judge may require the defendant to renew his bond, or may discharge the defendant therefrom; in such cases the cost shall be taxed against the defendant.

Proceedings in district court in such cases.

1596. SEC. 3. All acts and parts of acts in conflict with this act are hereby repealed.

Repeal.

Approved, February 24, 1877.

AN ACT IN RELATION TO THE JURISDICTION OF JUSTICES OF THE PEACE AND THE PRACTICE IN JUSTICES' COURTS.

Be it enacted by the General Assembly of the State of Colorado:

1597. SECTION 1. The jurisdiction of justices of the peace in this state shall hereafter be limited, in civil actions, to cases wherein the value of the property or the amount in controversy does not exceed the sum of three hundred dollars.

Jurisdiction of justices in civil actions.