

## No. II.

CIVIL JURIES.

An Act to amend an Act intituled "An Act for regulating the constitution of Juries for the trial of Civil Issues in the Supreme Court of New South Wales." [3rd February, 1830.]

Preamble.  
10 Geo. 4 No. 8.

Transports again  
convicted disquali-  
fied as jurors.

Lists of jurors to be  
verified.

WHEREAS by an Act of the Governor with the advice of the Legislative Council passed in the tenth year of the reign of His present Majesty intituled "An Act for regulating the constitution of Juries for the trial of Civil Issues in the Supreme Court of New South Wales" it is amongst other things provided and enacted That nothing contained in the said Act shall extend to the qualifying of any person convicted of any such infamous crime as thereinbefore stated to serve on any jury the term of whose sentence shall have expired and who subsequently to such first conviction shall have been convicted in this Colony of any such crime as aforesaid And whereas doubts have arisen as to the true intent and meaning of the said provision and enactment and it is expedient that such doubts should be forthwith removed Be it therefore enacted by His Excellency the Governor of New South Wales with the advice of the Legislative Council That nothing contained in the said recited Act shall extend or be construed to extend to the qualifying of any person to serve on a jury in the trial of any civil issue in the Supreme Court of New South Wales who either while serving under a sentence passed upon him in any part of the British dominions or after the expiration or remission of such sentence shall have been convicted in New South Wales or in Van Diemen's Land or any of the respective Dependencies thereof of any treason felony or other infamous offence.

2. And whereas the Superintendents of Police for the time-being in the Towns of Sydney and Parramatta respectively and the Bench of Magistrates in the Town of Liverpool are required by the said recited Act within the first week in the month of October in each year to prepare or cause to be prepared lists of all men of good fame and repute within their respective townships or districts liable to serve on juries setting forth their residences titles and qualifications And whereas it is futher required by the said recited Act that the said lists so prepared should be produced by the respective Superintendents of Police and Magistrates at Petty Sessions to be holden in the first week in November in every year And whereas it is expedient that the lists so produced should be properly verified Be it therefore enacted That before any such lists so prepared as aforesaid shall be produced to the Magistrates at the said Petty Sessions the Superintendents of Police

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Police for the time-being in the Towns of Sydney and Parramatta respectively and the Bench of Magistrates in the Town of Liverpool or two or more of the said Magistrates shall respectively subscribe the said lists with a declaration that each such list contains to the best of their knowledge and belief the names of all persons liable to serve on juries in the district for which it is made and qualified according to the provisions of the said recited Act.

3. And be it further enacted That it shall and may be lawful for the said Superintendents of Police and Magistrates who shall have prepared and submitted such lists as aforesaid to assist and vote at such Petty Sessions as aforesaid upon all questions which may be put respecting the character qualification disqualification or exemption of every person named in any such list or of any person whose name may be proposed to be added thereto Provided always That if any question should arise respecting the striking out or adding of a name the same shall be decided by ballot.

4. And be it further enacted That after the said lists shall have been finally settled and approved in Petty Sessions in the manner directed in the said recited Act and in this Act as aforesaid a certificate shall be subjoined to each such list and subscribed by the Superintendent and such other Magistrates as may be then present stating that the same has been carefully examined and corrected according to the best of their knowledge and belief or at least according to the best of the knowledge and belief of the major part of them and that all the persons then named in such list are qualified to serve on juries according to the provisions of this Act and of the said recited Act.

5. And be it further enacted That all the Magistrates of the respective districts shall be specially summoned to attend the said Special Petty Sessions and if any Superintendent of Police or other Magistrate after having been so summoned shall neglect or fail to attend at any such Special Petty Sessions or if attending shall refuse or fail to vote accordingly upon any question that shall be put every such Superintendent of Police or other Magistrate so refusing or failing to vote or so neglecting or failing to attend unless he can shew reasonable cause for his absence shall forfeit and pay for every such offence the sum of One Hundred Pounds which is to be sued for in the name of the Attorney General and to be appropriated in the same manner as all fines and forfeitures levied under the said recited Act.

Magistrates to vote  
at Petty Sessions  
respecting the  
qualification of jurors  
by ballot.

Certificate to be sub-  
joined to lists.

Magistrates not  
attending at Petty  
Sessions when sum-  
moned or failing to  
vote shall be fined.