

No. XXIX.

JURY TRIALS.

An Act to further amend and continue for a limited time an Act intituled “*An Act for regulating the constitution of Juries and for the Trial of Issues in certain cases in the Supreme Court of New South Wales.*” [19th June, 1844.]

Preamble.

2 Wm. IV. No. 3.

4 Wm. IV. No. 12.

WHEREAS an Act of the Governor and Council of New South Wales was passed in the second year of the reign of His late Majesty King William the Fourth intituled “*An Act for regulating the constitution of Juries and for the Trial of Issues in certain cases in the Supreme Court of New South Wales*” which said Act was by a certain other Act of the said Governor and Council passed in the fourth year of the reign of His said Majesty intituled “*An Act to continue for a limited time an Act of the Governor and Council of New South Wales intituled ‘An Act for regulating the constitution of Juries and for the Trial of Issues in certain cases in the Supreme Court of New South Wales’ and to make further provision for Trial by Jury in Criminal Cases in the said Colony*” continued until the thirtieth day of June one thousand eight hundred and thirty-five and whereas

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whereas the said first recited Act was by a certain other Act of the said Governor and Council passed in the fifth year of the reign of His said 5 Wm. IV. No. 25. Majesty further continued until the thirtieth day of June one thousand eight hundred and thirty-six and whereas the said first recited Act was by a certain other Act of the said Governor and Council passed in the sixth year of the reign of His said Majesty further continued until the 6 Wm. IV. No. 15. thirtieth day of June one thousand eight hundred and thirty-seven and whereas the said first recited Act was by a certain other Act of the said Governor and Council passed in the seventh year of the reign of His 7 Wm. IV. No. 9. said Majesty further continued until the thirtieth day of June one thousand eight hundred and thirty-eight and whereas the said first recited Act was by a certain other Act of the said Governor and Council 1 Vic. No. 1. passed in the first year of the reign of Her present Majesty Queen Victoria further continued until the thirtieth day of June one thousand eight hundred and forty and whereas the said first recited Act was by a certain other Act of the said Governor and Council passed in the third 3 Vic. No. 25. year of the reign of Her present Majesty Queen Victoria further continued until the thirtieth day of June one thousand eight hundred and forty-two and whereas the said first recited Act was by a certain other Act of the said Governor and Council passed in the fifth year of the 5 Vic. No. 25. reign of her said Majesty further continued until the thirtieth day of June one thousand eight hundred and forty-four and whereas it is expedient further to continue the said first recited Act (except so much thereof as is hereafter repealed) for the term hereinafter provided Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof That the said first recited Act as altered and amended by any of the 2 Wm. IV. No. 3. Acts herein recited and except so much thereof as is hereafter repealed or amended shall be and the same is hereby continued in force for two years from and after the said thirtieth day of June one thousand eight hundred and forty-four. continued until 30th June 1846.

2. And whereas by the said first recited Act it is enacted That a copy of the jury lists made out in the manner directed by the said Act shall be affixed within the time therein mentioned to the principal doors of the Court Houses and also to the door of every public place of religious worship within the said towns therein mentioned and whereas it is expedient to discontinue the affixing of copies of the said lists on places of religious worship and to make further provision for the affixing of such copies Be it enacted That from and after the passing of this Act so much of the said first recited Act as relates to the affixing of the said copies on the principal doors of the Court Houses and the principal door of every public place of religious worship within the said towns mentioned in the said first recited Act be and the same is hereby repealed and instead thereof that from and after the passing of this Act the said Superintendents and Magistrates in the said first recited Act mentioned or such other persons as by any Act or Acts may hereafter be or have been appointed to perform the duties or stand in the place of the said Superintendents and Magistrates for the purposes of the said first recited Act shall respectively cause a copy of the said lists which shall be made out in the manner directed by the said Act to be within three days after the same shall be prepared affixed to the principal doors of the Court Houses and also to the principal doors of the Police Offices within the said towns respectively in the said first recited Act mentioned Provided that nothing herein 2 Wm. IV. No. 3 s. 19. contained shall affect or render invalid anything which after the passing of this Act may require to be done as regards the affixing of the said copies in pursuance of the said first recited Act before the 4 Wm. IV. No. 12 ss. 10 and 25. provisions of this Act can come into operation.

Governor's Salary.

Defining the allowance to be made to common jurors.

3. And whereas by the said first recited Act certain allowances are authorized to be made to jurors for the trial of civil issues in the Supreme Court of New South Wales and by the said recited Act passed in the fourth year of the reign of His said late Majesty the same allowances are authorized to be made to jurors for the trial of criminal issues in the said Supreme Court and in Courts of General Quarter Sessions and whereas it is expedient to alter the said allowances in manner hereinafter mentioned Be it enacted That every juror who shall in pursuance of any summons duly issued attend the said Supreme Court or any Circuit Court or any Court of General Quarter Sessions within the said Colony shall in lieu of the allowances authorized by the said recited Acts be entitled to receive for every day during his attendance upon any such Court a compensation for his expenses at the following rates that is to say if such person shall reside within the town where the Court is held or within five miles of such Court the sum of two shillings and eight-pence and if such juror shall reside at the distance of more than five miles from such Court the sum of five shillings for every day such juror shall be so in attendance and the further sum of sixpence per mile for every mile beyond five miles he may reside from such Court Provided however that in all cases in which there may be a regular steam conveyance or the passage may be made wholly or in part by water the allowance for such portion of the journey as shall or might have been performed by water shall be limited to the actual amount of the steerage or cabin passage money payable according to the station in life of the juror Provided further that nothing herein contained shall be deemed to alter the allowances to which special jurors are entitled under the provisions of the said first recited Act.

Proviso as to passages by water.

Not to affect allowances to special jurors.

2 Wm. 4 No. 3 s. 31.

Act may be altered or amended.

4. And be it enacted That this Act may be altered or amended during the present Session.