

## No. VI.

### An Act to amend the Laws relative to the formation and return of Juries and to the compensation to be paid thereto. [28th July, 1876.]

JURY LAWS  
AMENDMENT  
(No. 2).

WHEREAS it is expedient and desirable to amend the Laws Preamble. relative to the formation and return of Juries and for the compensation to be paid to Jurors for the trial of civil and criminal issues Be it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

1. Whenever it shall be made to appear to the Governor in Council that the list of jurors qualified to serve on any jury for any town or place at which any Court for the trial of civil and criminal issues or any Court of General or Quarter Sessions of the Peace has been or shall hereafter be appointed to be holden does not contain two hundred names it shall be competent for the Governor in Council if he shall think fit to extend the "jurors district" for such town or place to a circuit of not more than fifty miles including and around such town or place Provided always that whenever from the relative distances of the towns or places for holding any two of such Courts the circuits around each would in the direction between them be partially identical then that portion shall be bounded by a straight line rectangularly to a straight line connecting such towns or places and so prolonged as to meet the points of intersection.

2. Whenever any precept to summon any jury shall have been issued the Sheriff shall summon the persons whose names shall appear on the jurors list for the district within which the attendance of the jurors is by the said precept required in the manner following:—

(1.) Cards shall be procured to be printed or stamped only with the same numbers as shall appear opposite to the names on the appropriate jurors list for any town or place at which any Court as aforesaid is required to be held.

(2.)

*Jury Laws Amendment (No. 2).*

- (2.) As many cards as there are names on any jury list from which it is required to summon any such jury as aforesaid shall be placed in a rotating ballot-box to be approved of by the Minister of Justice and such box having been first made to rotate for one minute at least by the Sheriff or his Deputy the cards shall then be drawn forth one at a time until the number of jurors required to be summoned shall be chosen and the persons whose names on the jurors list correspond with the numbers on the cards drawn in the manner aforesaid shall be the persons summoned to attend.
- (3.) No juror chosen in the above manner and afterwards duly summoned shall be again liable to be summoned until every person on the jurors list for the same town or place shall have been summoned. Provided always that where a number is drawn indicating the name of a juror whom such Sheriff or Deputy knows to be dead or to have quitted the district another number shall be drawn in the place of such juror a special return being made to the Court with the names of the jurors summoned of the names of every juror so omitted with the cause thereof.

Qualification for  
"Special Juror."

3. Every man who shall in the jurors list be described as a Justice of the Peace lessee of the Crown Banker Bank director merchant accountant engineer manager of a station broker chemist or druggist warehouseman commission agent or architect or as the owner or tenant of any lands or tenements of the yearly value of one hundred pounds and upwards shall be qualified and liable to serve as a "Special Juror."

4. The Governor in Council shall have power to fix from time to time the amounts of compensation to be paid to jurors for attendance in the Supreme and Circuit Courts and Courts of General and Quarter Sessions.

5. No person otherwise entitled to exemption from service as a juror shall be exempted unless he shall have claimed such exemption by notice to the Sheriff thirty days at the least before he shall be summoned.

Repeal of sec. 2 of 18  
Vic. No. 18.

6. After the passing of this Act the second section of the Act passed in the eighteenth year of Her Majesty and numbered eighteen shall be repealed.

Judge may order  
refreshment for jury.

7. Every Judge may in his discretion order any refreshment not being fermented or spirituous liquor to be supplied to any jury at any time after such jury shall have been impanelled and sworn and notwithstanding that such jury may have retired to consider of their verdict.

Jurors' District for  
Sydney.

8. The Jurors' District for Sydney shall after the present year be the Sydney Police District and also all places within a distance of twelve miles from the City Town Hall. And all such places shall thereafter be excluded from the Jurors' District for Parramatta.

Mode of summoning  
jurors.

9. After the first day of September next every juror may be summoned in the ordinary manner or by a summons having thereon the Sheriff's seal of office sent by post. Provided that a duplicate of every summons so sent shall be stamped by the Postmaster or some person duly acting for him at the time of delivery at the office for transmission which duplicate shall be *prima facie* evidence that the juror named was served in the ordinary course of post. And provided also that two additional days shall be allowed in every case of summoning by post between the day of such summoning and the day of attendance required.

Service by persons  
naturalised &c.

10. Every person having obtained letters of denization or been naturalised or who being an alien by birth shall have resided in this Colony seven years or upwards shall if otherwise qualified as a juror be qualified and liable to serve on all juries in like manner as a natural born subject of the Queen so qualified would be liable.

*Australian Wine Sales Amendment.*

11. The provisions of the fifth section of the Act passed in the Jurors not attending. eighteenth year of Her Majesty numbered eighteen shall apply to all Courts and Judges having power to impose fines on jurors for non-attendance and where cause shall be shown by affidavit in pursuance of that section the same may be transmitted to the Judge who imposed the fine who shall thereupon have power to remit or mitigate the same and in default of any order to that effect the fine shall be enforced.

12. This Act shall come into force on the first day of September Commencement and short title. one thousand eight hundred and seventy-six and may be cited as the "Jury Laws Amendment Act of 1876."

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