

*Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1836.* Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1836.

6 William IV – Chapter 47

**An Act in addition to An Act for regulating Juries and declaring the qualifications of Jurors.  
Passed 16th March 1836.**

'Whereas an and by an Act made and passed in the twenty sixth year of the reign of his late Majesty King George the Third, intituled *An Act for regulating Juries and declaring the qualifications of Jurors*, no provision is made respecting the qualification or summoning of Jurors on writs of inquiry and other inquests: And whereas it is expedient to make provision by law for the summoning such Jurors and for regulating their fees;'

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That no person or persons shall be liable to be summoned or empanelled to serve as a Juror or Jurors in any County in this Province upon any inquest or inquiry to be taken or made by or before any Sheriff or Coroner in any civil suit, by virtue of any writ of inquiry issuing out of any of the Courts of this Province, or by virtue of any other legal authority or power whatsoever, who shall not be duly qualified to serve as Jurors upon trials in any Court of law within this Province.

II. And be it enacted, That if any person or persons having been duly summoned to serve on a Jury in any County in this Province upon any inquest or inquiry before any Sheriff as aforesaid or Coroner shall not after being openly called three times appear and serve on such Jury, every such Sheriff or in his absence the under Sheriff, and every such Coroner, are hereby authorised and empowered (unless some reasonable excuse shall be proved on oath or affidavit) to impose such fine upon every person so making default as they shall respectively think fit, not exceeding ten shillings; and every such Sheriff, under Sheriff and Coroner respectively, shall immediately after taking any such inquisition make out and sign a certificate containing the Christian and surname, the residence and trade or calling of every person so making default, together with the amount of the fine imposed and the cause of such fine, and shall transmit such certificate to the Clerk of the Court out of which the writ of inquiry in such case shall have issued within thirty days after imposing such fine, and every such Clerk is hereby required within such time as aforesaid, to enter the fines so certified on a roll or schedule in same manner as all other fines imposed by such Courts respectively on Jurors are entered, and the same shall be levied and applied in like manner and subject to the like powers, provisions and penalties in all respects as is provided by an Act made and passed in the sixth year of the reign of his late Majesty King George the Fourth, intituled *An Act to provide for the more effectual recovery of fines imposed upon Jurors and officers attending the Courts of Justice in this Province.*

III. And be it enacted, That no person or persons who shall after the passing of this Act serve on any such Jury in any County of this Province, upon any inquest or inquiry before any Sheriff or Coroner, shall be allowed to take for serving on such Jury more than the sum of money which such

Sheriff, or in his absence the under Sheriff, or such Coroner shall think just and reasonable, not exceeding the sum of two shillings and sixpence.

IV. And be it enacted, That from and after the passing of this Act no person shall be qualified to serve as a petit Juror unless he be possessed of real or personal estate of the value of fifty pounds.

V. 'And whereas from the increased business in the Supreme Court, it may sometimes be necessary to require the attendance of a second jury for the trial of causes at the Circuit Courts or Sittings;' Be it enacted, that it shall and may be lawful, whenever the same shall appear to be necessary, for any Judge of the said Supreme Court to issue a precept under his hand and seal, directed to the Sheriff of any County or City and County in this Province, commanding such Sheriff to summon twenty four men duly qualified for that purpose to appear and serve as jurors for the trial of causes both civil and criminal at any Circuit Court or Sittings, as the case may be, on a day to be named in such precept, which day shall in no case be earlier than the sixth day after the day appointed for the opening and commencement of such Circuit Court or Sittings; and such Sheriff shall cause such persons to be duly summoned, and shall return a panel of such jurors to the Court on the day named in the precept; and such jurors being duly summoned according to Law shall give their attendance, and shall be charged and bound in such and the like manner, and upon like pains and penalties for non appearance and non attendance, or for any misdemeanor or default at the Court to which they may be summoned, as if summoned and returned upon the first panel of jurors for the trial of causes at such Court.