

Laws of Her Majesty's Province of Newfoundland, passed in the year 1862.

25 Victoria – Chapter 6

An Act to amend an Act passed in the Nineteenth Year of the Reign of Her present Majesty, entitled “An Act to determine the Qualification of Jurors to serve in the several Courts of this Island; and to regulate the Empannelling of Jurors therein.” (Passed 27th March, 1862.)

Whereas it is expedient to amend an Act passed in the Nineteenth Year of the Reign of Her present Majesty, entitled “An Act to determine the Qualification of Jurors to serve in the several Courts of this Island, and to regulate the Empannelling of Jurors therein”:

Be it therefore enacted, by the Governor, Legislative Council, and Assembly, of this Island, in Legislative Session convened, as follows:

- I. The Seventh Section of the said Act is hereby repealed, so far as the same relates to Petty Jurors in the Districts of St. John's, Harbor Grace, and Brigus.
- II. The number of Petty Jurors to be drawn and summoned by the Sheriff of the Central District, under the provisions of the Eleventh Section of the said Act, to attend and serve in the Supreme or Central Circuit Court at one and the same time, shall be Forty-eight, instead of Forty, as now thereby prescribed.
- III. Special Juries in Saint John's, Harbor Grace, and Brigus, shall be drawn wholly from the Grand Jury Panel, and not from the Grand and Petty Jury Panels, as is directed by the Thirteenth Section of the said Act.
- IV. In Criminal Cases the Juries for the Trial of the same shall be drawn by the Clerk from the whole Panel in attendance on the Court, instead of from those only who have not served on previous Juries, as is directed by the Fourteenth Section of the said Act; the names of all Jurors then in attendance being placed in the Box for that purpose.
- V. Members and Officers of the Legislature shall be exempt from serving on Juries only during the Sittings of the Legislature; and Engine Men and Fire Men shall be exempt from such service only upon their making Oath of their due and actual admission and enrolment as Members of such Companies Twelve Months preceding the application for exemption, together with a Certificate from the Superintendent or Chief Officer of their respective Companies of their conformity during that period to the rules thereof.
- VI. A Juror challenged for want of Qualification may be examined as to the ground of challenge by the Court, or by either Tarty in the cause.

VII. An Alien shall not be qualified to serve on any Jury except a Jury “de medietate linguae,” nor shall any Person convicted of Treason or Felony, or any infamous Crime, be competent to serve on any Jury unless he shall have received a Free Pardon.

VIII. In the Central District Parties resident more than Three Miles from the Court House shall not be required to serve on Juries in the Supreme and Central Circuit Court, nor in the Court of Sessions.

IX. It shall be lawful for the Supreme and Circuit Courts, upon any occasion when there shall be a short attendance of Petty Jurors in the said Courts, Or when a pressure of business, or the exercise or the probability of the exercise of the right of challenge shall seem to the said Court to require such a course, upon the application of either Party in a cause, to issue one or more Precepts for the attendance of additional Jurors, who shall be summoned and shall attend forthwith, and who shall be subject to the provisions of this and the said recited Act to serve for the times, therein mentioned.