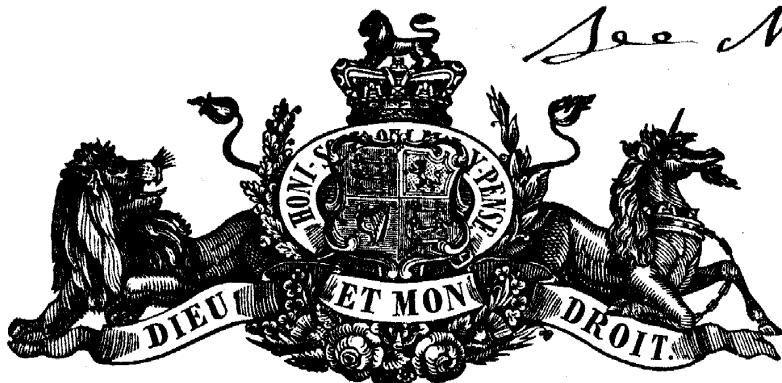


Amended by No. 379d
186

See No. 386 N 186, S. 3



ANNO VICESIMO NONO

VICTORIÆ REGINÆ.

A.D. 1865-6.

No. 7.

An Act to amend the Jury Act, 1862.

[Assented to, 16th March, 1866.]

WHEREAS it is expedient to amend "The Jury Act, 1862"—Be Preamble.
it therefore Enacted, by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:—

1. The Supreme Court or a Judge thereof may, in any suit in *forma pauperis*, dispense with payment of the moneys required to be paid by section 44 of "The Jury Act, 1862," upon sufficient ground to the satisfaction of such Court or Judge being made to appear on affidavit. Jury fee dispensed with in certain cases.

*Ref'd & subst'd
to: 923d
107, S. 3.*

2. Where the record shall have been withdrawn in any cause, and the cause not tried, or where a cause shall have been tried by a special jury, the Supreme Court, or a Judge thereof may order any moneys paid in such cause, by virtue of the said section 44, to be repaid by the Sheriff to the party who shall have paid the same, and upon any such order the Sheriff shall repay the same accordingly. Repayment of jury fees in certain cases.

3. In any action in a Local Court, where a deposit of Two Pounds has been paid as directed by the 37th section of "The Local Courts Act, 1861," if the Clerk of the Court shall, before a Jury has been summoned, receive notice in writing, signed by one of the parties to the cause, or his attorney, that the action has been discontinued or settled out of Court, it shall be lawful for him to return the sum of Two Pounds, so deposited as aforesaid, to the person who shall have paid the same. Deposit paid into Local Court may be returned in certain cases.

4. Schedule B to the said in part recited Act—namely, the Jury Act of 1862—shall be and is hereby repealed, and in lieu thereof Repeal of Schedule B of Jury Act, 1862
the

Jury Act Amendment Act.—1866.

the Schedule hereunder written shall be deemed to be the Schedule B to the said Act; and the said Act shall be read and construed as if the said hereunder written Schedule had been thereunder written instead of the said Schedule hereby repealed:—

B

Precept for returning List of Jurors.

South Australia, } To the Clerk of the District Council of the District of
to wit. } [*or Town Clerk of the Corporation of*]

By virtue of "The Jury Act, 1862," you are hereby required to make out, on or before the first Monday in October next, a true list, in writing, in the form hereunto annexed, containing the names of all men being natural born or naturalized subjects of Her Majesty, between the ages of twenty-one and sixty, residing within the boundary of the abovenamed district [*or Corporation*], qualified and liable to serve on Juries; and you are hereby required to make out the said list in alphabetical order, and to write the Christian and surname of every man at full length, and the place of his abode, his title, quality, calling, or business, the nature of his qualification, and the annual value thereof, in the proper columns of and according to the form hereunto annexed. In making such list, you are to omit the names of all judges and officers of all Courts, whether of record or otherwise; all barristers-at-law, attorneys, solicitors, and proctors, if actually practising, and having taken out their annual certificates; all officers and persons in the Civil Service of Her Majesty; all officiating ministers of religion within the meaning of Act No. 12 of 1842; all medical practitioners holding the licence of the Medical Board; all officers of the Army or Navy on full pay; all masters of vessels actually trading; all licensed pilots; all household officers and servants of the Governor of the said Province; and all sheriff's officers, all District Council clerks, rangers, and constables; telegraph clerks, station-masters, engine-drivers, and guards.

And when you have made out such list, you are required, on the first three Mondays in October next, on the principal door of every Post Office, Police or other Court, and Town Hall or Council Chamber within your corporation or district, to affix a notice to the following effect:—"Take notice that the list of men qualified to serve on Juries resident in the District Council [*or Corporate Town*] of now lies at my office for inspection; and that all objections to the said list will be heard by the Local Court of _____, on the _____ of _____ next, at the hour of _____, at _____." And you must allow any inhabitant of the abovenamed district [*or Corporation*] to inspect the same at any reasonable hour during the three first weeks of October next, gratis. And you are also further required to produce the said list at such Local Court, bringing with you the rate books of your Corporation or District, and there to answer on oath such questions as shall be put to you by Her Majesty's Justices of the Peace there present touching the said list. And these several matters you are in no wise to omit, under liability to a penalty of Fifty Pounds.

Given under my hand and seal of office, at Adelaide, on the _____ day of _____ 186 .

W. R. B., Sheriff.

Form of Return.

District Council [*or Corporation*] } The return of the Clerk of the District Council
of _____ to wit. } [*or Corporation*] of _____, of men qualified
to serve on Juries.

Christian and Surname at full length.	Residence. [<i>In towns add the name of the street.</i>]	Title, calling, or business.	Qualification. Annual value, assessed or otherwise.

A.B., Clerk of

In the name and on behalf of the Queen I hereby assent to this Act.

D. DALY, Governor.