



ANNO QUARTO

## VICTORIÆ REGINÆ,

No. 14.

*By His Excellency SIR JOHN FRANKLIN, Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Greek Order of the Redeemer, and a Captain in Her Majesty's Royal Navy, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies, with the advice of the Legislative Council.*

**AN ACT to amend an Act passed in the Fifth Year of the Reign of His late Majesty King William the Fourth intituled An Act for the Extension of Trial by Jury and to regulate the Constitution of Juries.**

**W**HEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty King William the Fourth intituled *An Act for the Extension of Trial by Jury and to regulate the Constitution of Juries*—**AND WHEREAS** it has been found that certain of the Provisions thereof require to be amended—**BE IT THEREFORE ENACTED** by His Excellency SIR JOHN FRANKLIN Knight Commander of the Royal Hanoverian Guelphic Order Knight of the Greek Order of the Redeemer and a Captain in Her Majesty's Royal Navy Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies by and with the advice of the Legislative Council that from and after the First day of October next from and after which day this Act shall commence and take effect the Sixth Twentieth Twenty-fourth and Twenty-eighth Sections of the said recited Act shall be and the same are hereby repealed.

PREAMBLE.

6th 20th 24th and  
28th sections of  
5 W. 4 repealed.

**II. AND BE IT ENACTED** that no Judge of the Supreme Court or Chairman of any Court of General Quarter Sessions or ministerial officer of either of those Courts no Member of the Executive or Legislative Councils no Commissioners of the Board for investigating Titles to Land no Surveyor-General no Director of Public Works no Clergyman Roman Catholic Priest or Dissenting Minister no Officer in the Navy or Army on full pay no person above the age of Sixty Years no Police or Assistant Police Magistrate no Principal Superintendent of Convicts no Assistant Colonial Secretary no Clerk of the Councils no Private Secretary of the Lieutenant-Governor no Coroner officer or person

General exemption.

employed in the Customs no Sheriff's Officer or Gaoler and no practising Barrister Attorney Physician Surgeon or Apothecary shall be summoned to serve as a Juror under this Act or if summoned be liable to attend under its provisions.

Police Magistrates to prepare Lists yearly in the month of August after the expiration of the present year.

III. AND BE IT ENACTED that the Police Magistrates or Assistant Police Magistrates as the case may be for Hobart Town New Norfolk Oatlands Swan Port Campbell Town Norfolk Plains Launceston and Richmond respectively shall in the month of October in the present year and in the month of August in each succeeding year cause to be prepared and made out in as near as may be the order in which such persons reside from the Police Office in such District a List of every man residing within their respective Districts duly qualified as a Juror according to the provisions of an Act of this Island intituled *An Act for the Extension of Trial by Jury and to regulate the Constitution of Juries* with his Christian or Surname or names at full length place of abode and quality calling or business according to the form contained in the Schedule to this Act marked A.

Lists for this year to be exhibited in the month of November.

IV. AND BE IT ENACTED that copies of the said several Lists so to be prepared during the month of October now next shall be so certified and exhibited upon the Second day of November then next following with a notice thereunder written that all objections to the said List will be heard on the next adjournment day of the Court of General Quarter Sessions to be holden in or for that District which shall happen next after the Fourteenth day of the said month of November.

And remain in the hands of the Police Magistrate until the 14th day of the month for inspection.

V. AND BE IT ENACTED that the original of such last-mentioned Lists shall remain in the hands of the said Police or Assistant Police Magistrate for access by any Inhabitants of the said District from the said Second day of November now next until the Fourteenth day of the said month and no longer.

Police Magistrate to attend with List at Quarter Sessions for the settlement of same.

VI. AND BE IT ENACTED that at such adjournment day as last aforesaid at such General Quarter Sessions as aforesaid such Police Magistrate shall attend with such last-mentioned original List and thereupon the Justices assembled (of whom such Police Magistrate shall be and continue to be one) shall proceed to settle the same as by the said Act is directed—PROVIDED ALWAYS that it shall be lawful for every such Court for the purposes last aforesaid to adjourn from time to time if expedient but so nevertheless that every such last-mentioned List shall be finally settled before the end of the said month of November and also that at each Sitting of the Court for the purposes last aforesaid every Police and Assistant Police Magistrate resident within the District for which the Court shall be holden shall be present and assisting thereat.

Lists when finally settled to be transmitted by the Chairman to the Sheriff who is to

VII. AND BE IT ENACTED that so soon as any such List shall be finally settled at any such Court as aforesaid the same shall be signed by at least two of the Justices then present and shall forthwith be transmitted by the Chairman or presiding Justice to the Sheriff and the

Sheriff shall within Twenty Days after the receipt of such Lists in every year cause to be transcribed fairly in the order in which such Lists shall have been prepared by the Police Magistrates as aforesaid in a book to be kept in his office for that purpose and to be called the Jurors Book the Christian and Surnames of all the persons mentioned in such Lists with the place of abode and quality calling or business of each respectively.

transcribe them in a book.

VIII. AND WHEREAS it is by the said Act passed in the Fifth Year of the Reign of His late Majesty also directed that the Justices assembled at the several Courts of General Quarter Sessions shall at the time or times in the said Act mentioned proceed to strike out of the Lists of Jurors prepared under the provisions of such Act the names of all persons who shall appear to such Justices to be unqualified or disqualified or incapacitated by any permanent infirmity and to insert all names improperly omitted (if any) in such Lists and generally to correct all other errors therein—AND WHEREAS it is desirable to limit the powers so vested in such Justices as aforesaid—BE IT THEREFORE ENACTED that no name if omitted in any such Jury List as aforesaid shall be by such Justices inserted therein nor shall any error or omission in the description of any person in such List be reformed by such Justices except upon the application of such persons respectively and unless such persons respectively shall have given at least Four Days' notice that an application for such purpose would be made to the Justices of such General Sessions or unless the said Justices at such Sessions or any one of them shall cause notice to be given to such persons respectively requiring them to show cause at some adjournment of such Sessions to be holden within Ten Days thereafter why their names should not be inserted in such List or why any error or omission in the description of such persons in such Lists should not be reformed any thing in the said Act contained to the contrary notwithstanding.

Recites powers of Justices in Sessions as to revision of Lists given by 5 W. 4.

and that it is expedient to limit those powers.

Enacts that no error or omission in the name or description of a person shall be reformed but on the application of such person

unless such Justices shall have given him notice of their intention in that respect.

JOHN FRANKLIN.

Passed the Legislative Council this fifteenth day of September, one thousand eight hundred and forty,

RONALD C. GUNN, *Clerk of the Council.*

SCHEDULE A.

A LIST OF ALL MEN WITHIN THE POLICE DISTRICT OF DULY QUALIFIED TO SERVE ON JURIES.

CHRISTIAN AND SURNAME.	PLACE OF RESIDENCE.	QUALITY TRADE OR BUSINESS.
<i>(To be written at full length.)</i>	<i>(State the particular place and if in a Town add the name of the Street.)</i>	<i>(Esquire Merchant Farmer Grocer Retail Dealer &amp;c. as the case may be.)</i>