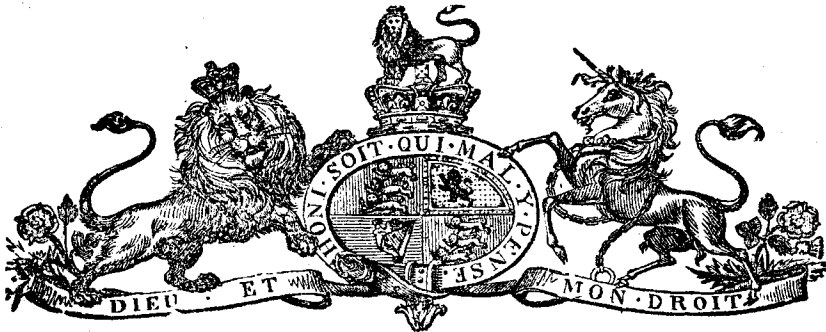


T A S M A N I A.



1864.

ANNO VICESIMO-OCTAVO

VICTORIÆ REGINÆ,

No. 11.

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AN ACT to further amend *The Jury Act*.  
[21 September, 1864.]

WHEREAS *The Jury Act* requires further amendment: Be it PREAMBLE.  
therefore enacted by His Excellency the Governor of *Tasmania*, by 18 Vict. No. 11.  
and with the advice and consent of the Legislative Council and House  
of Assembly, in Parliament assembled, as follows:—

1 The Clerks of the Peace at *Hobart Town* and *Launceston* respectively shall issue the Precept referred to in Section Five of *The Jury Act* to the Superintendents of Police of the said City and Town respectively, as well as to the Chief Constables of the Police Districts of *Hobart* and *Launceston*; and the said Superintendents of Police shall prepare and make out the List referred to in Section Six of the said Act of every man residing within the said City and Town respectively; and in every Rural Municipality the Superintendent of Police shall be deemed to be, and shall be, the Chief Constable for the purposes of the said Act.

Clerks of the Peace to issue Precept to make out Jury List to Superintendents of Police.

2 The Precept which any Judge of the Supreme Court is required to issue, by Section Seventeen of the said Act, shall not at any one time require the Sheriff to summon more than Fifty-two nor less than Thirty Jurors.

Precept to summon Jury not to require more than 52 to be summoned.

3 Any fine imposed under Section Forty-two of *The Jury Act* by the Supreme Court or by any Judge thereof, or by any Court of General Sessions of the Peace which is held before a Recorder, shall, upon a Certificate of such fine having been imposed, signed by the proper Officer

Mode of levying fines upon Jurors for non-attendance, under 18 Vict. No. 11, s. 42.

of the Court, and directed and delivered to the Sheriff or his Deputy, be levied in a summary manner by distress and sale of the goods and chattels of the person on whom such fine is imposed, and the surplus money (if any) remaining after payment of such fine shall be thereafter rendered to him by the Sheriff or his Deputy, first deducting therefrom the reasonable charges of such distress and sale; and such Certificate shall in all cases, unless the Court or Judge otherwise orders, be made out and delivered to the Sheriff or his Deputy within Fourteen days next after such fine is imposed.

**Payment of Jurors.**

**4** Every Juror summoned to attend at any Session of Oyer and Terminer and General Gaol Delivery of the Supreme Court, or any Court of General Sessions of the Peace held at *Launceston* before the Recorder sitting as sole Judge thereof, whose usual place of residence is above Five miles distant from the place of trial, shall for every day during his attendance on the Court, whether he shall have actually served upon a Jury or not, be entitled to receive for such attendance the sum of Five Shillings; and if his place of residence is above Ten miles distant from the place of trial, he shall be entitled to receive an additional sum of Sixpence for every mile of such distance coming, and the like sum for returning; and such sums shall be paid in the like manner as Witnesses for the Crown in Criminal cases are now paid their expenses, and shall be charged upon and payable out of the General Revenue.

**Repeal of part of 18 Vict. No. 11, ss. 17 & 44, and sec. 3 of 20 Vict. No. 28.**

**5** So much of Section Seventeen of *The Jury Act* as provides that any Precept issued by any Judge of the Supreme Court shall not require the Sheriff to summon less than Thirty-six nor more than Forty-eight Jurors, and so much of Section Forty-four of the said Act as relates to fines imposed under Section Forty-two of the said Act, and Section Three of 20 *Victoria*, No. 28, are hereby repealed.

**Acts to be read together.**

**6** This Act, and *The Jury Act*, and the Act of the Parliament of *Tasmania* of the 20th *Victoria*, No. 28, except in so far as the same are altered by this Act, shall be read and construed together as one and the same Act.

**Short Title.**

**7** In referring to this Act it shall be sufficient to use the expression *The Jury Act Amendment Act*, 1864.