

Hon. Sir P. A. Buckley.

JURIES ACT AMENDMENT.

ANALYSIS.

Title.

1. Short Title.

2. Distinction between special and common juries abolished. Repeals.

3. Right of challenge for Queen. Repeal.

4. Section 126 of principal Act amended.

5. Section 148 amended verbally.

6. Discharge of jury where they cannot agree.

7. Payment of jurors.

A BILL INTITULED

AN ACT to amend "The Juries Act, 1880."

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

5 1. The Short Title of this Act is "The Juries Act Amendment Act, 1895," and it shall be read with "The Juries Act, 1880" (hereinafter called "the principal Act"). **Short Title.**

10 2. (1.) The distinction between special and common juries is hereby abolished, and no Special-jury Book shall hereafter be made for any jury district. **Distinction between special and common juries abolished.**

(2.) All civil and criminal cases or inquiries which may by any Act or rule of Court be tried or had by a jury, whether special or common, shall be tried or had by a common jury.

15 (3. The common jury shall henceforth be termed "the jury" simply, without the addition of the word "common."

(4.) Every person whose name appears on any Special-jury Book now in use shall for all purposes be deemed to be a juror, simply, and shall be liable to serve as such.

20 (5.) Sections thirty-five to thirty-eight, forty-six, forty-seven, seventy-one to ninety-two, one hundred and five, one hundred and ten, one hundred and twenty-nine, and one hundred and sixty-four of the principal Act, and the word "common" wherever it occurs therein, are hereby repealed. **Repeals.**

25 (6.) All other words and references in the principal Act or any other Act, or in any rules of Court contained, which in any way conflict with the provisions of this section, are hereby modified or repealed in so far as such conflict exists.

(7.) Section four of "The Supreme Court Practice and Procedure Amendment Act, 1884," is hereby repealed.

30 3. (1.) On the trial of all criminal cases, and of all civil cases to which the Queen is a party, there shall be the same right of challenge **Right of challenge for Queen.**

on behalf of the Queen as any prisoner or party to a suit possesses under the principal Act.

Repeal.

(2.) Sections one hundred and twenty-three and one hundred and twenty-four of the principal Act are hereby repealed.

Section 126 of principal Act amended.

4. Section one hundred and twenty-six of the principal Act is hereby amended by omitting the last word of the section, and substituting therefor the word "nine." 5

Section 148 amended verbally.

5. Section one hundred and forty-eight of the principal Act is hereby amended by substituting the words "a Maori jury" for the words "such jury" on their first occurrence in the said section. 10

Discharge of jury where they cannot agree.

6. (1.) When a jury, after deliberating for what the Court considers a reasonable time, intimate by their foreman to the Judge presiding that they cannot agree as to the verdict to be given, the Court in its discretion may discharge such jury from giving a verdict.

(2.) Proceedings may thereupon be taken anew, as if no trial or inquiry had been commenced before the jury so discharged. 15

(3.) Section one hundred and fifty-seven of the principal Act is hereby repealed.

Payment of jurors.

7. (1.) Every juror who is summoned and attends at the Supreme Court to try civil issues, or assess damages, and actually serves as a juror upon a jury shall be entitled to receive the sum of *ten* shillings in respect of each day or portion of a day that he so serves.

(2.) Section one hundred and sixty of the principal Act is hereby repealed.