

Hon. Mr. MacGregor.

JURIES AMENDMENT.

Title.

ANALYSIS.

1. Short Title.

2. A majority of five-sixths may be accepted in criminal cases, except capital.

3. Trial may be continued notwithstanding that the jury may be reduced in number.

A BILL INTITULED

AN ACT to amend the Juries Act, 1908.

Title.

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

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1. This Act may be cited as the Juries Amendment Act, 1922, and it shall form part of and be read together with the Juries Act, 1908 (hereinafter called the principal Act).

Short Title.

2. If ten of the jurors empanelled to try a criminal case other than a capital case shall, after the jury has retired to consider its verdict for a period of at least three hours, intimate to the Judge presiding at such trial that the jury has considered its verdict and that there is no probability of such jury being unanimous, the verdict of ten of the jurors may, if the Judge thinks fit, be accepted as and shall have all the consequences of a verdict of the whole jury.

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A majority of five sixths may be accepted in criminal cases, except capital.

3. In the event of the death or illness of any juror during any trial, civil or criminal, except for a capital offence, the presiding Judge shall have power, if he thinks fit, to direct that the trial shall proceed with a number reduced in no case to less than five-sixths of the jurors originally empanelled, and the verdict of such remaining jurors (or in case such trial is a civil trial of so many thereof as under section one hundred and eleven of the the principal Act constitute the proportion of the number of jurors originally empanelled whose decision shall be taken as the verdict of all) shall be a sufficient verdict, provided in the last-mentioned case that the jurors have remained in deliberation for at least three hours.

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Trial may be continued notwithstanding that the jury may be reduced in number.

By Authority : W. A. G. SKINNER, Government Printer, Wellington.—1922.