

THE
ACTS
OF
THE GENERAL ASSEMBLY, &c.

CAP. I.

Repealed by 12 vic cap 41

An Act relating to the summoning and attendance of Petit Jurors at the respective Sittings and Circuit Courts in this Province.

Passed 19th March 1841.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Judges of the Supreme Court, or any two of them, and for the Commissioners named in any Commission of Oyer and Terminer and General Gaol Delivery, or any two of them, of whom the presiding Judge shall be one, when and so often as occasion may require, to issue their precept to the Sheriff of the County of York or to the Sheriff of any County or City and County in which any Court of Oyer and Terminer and General Gaol Delivery may be appointed to be holden, as the case may be, directing such Sheriff to summon such number of persons duly qualified to serve as Petit Jurors, for any Sittings for the County of York, or for such Court of Oyer and Terminer and General Gaol Delivery respectively, as to such Judges or Commissioners may seem necessary or expedient, as may in such Precept be specified, not less however than twenty four; which persons so duly summoned shall be bound to give their attendance at the time and place appointed for holding any such Sittings or Court, to serve as Petit Jurors during the Sittings of such Court: Provided always and be it enacted, that the presiding Judge at any such Sittings or Court, shall be and he is hereby authorized and empowered to make any such arrangements or regulations, or give such directions, respecting the daily attendance of any and such of the said Jurors as to him may seem meet, in case he shall be of opinion that the constant attendance of the whole of the said Jurors so summoned as aforesaid may not be requisite.

Authority given to issue precepts for summoning Petit Jurors for the Sittings in York or Courts of Oyer and Terminer and general Gaol delivery.

Persons summoned bound to attend.

Presiding Judge may regulate the daily attendance.

II. And be it enacted, That the Jurors so summoned to attend at any Court of Oyer and Terminer, or such and so many of them as the presiding Judge may direct and appoint, shall be the Juries for hearing and determining all causes Criminal to be heard and tried at such Court, and also for the trial of all causes Civil to be tried at Nisi Prius at any Circuit Court held contemporaneously with such Court of Oyer and Terminer; the Jury for any Civil cause to be drawn and returned in the manner now by Law directed.

Jurors for the Court of Oyer and Terminer to be also Jurors for the trial of civil causes to be tried at Nisi Prius at any Circuit Court.

III.