

Proviso.

ship or place within which the same shall have been seized, as to the said Justices may seem meet : or if such Justices, upon the hearing shall see fit so to do, they may order such articles to be restored to the owner thereof : *Provided* that where an appeal shall be taken from the judgment of the Justices hereunder, the owner or possessor of any such articles so declared forfeited shall be entitled to restoration thereof, upon giving security to the satisfaction of such Justice to pay into their hands, for application thereof, in manner aforesaid, the full value of such articles, to be there estimated by such Justices, in case the judgment appealed from shall be confirmed.

Person found equipped at night for Salmon taking.

VIII. *And be it enacted*, That every person discovered at night with a Spear and Torch, or with a Torch alone, in or about any River, Stream, Lake, or Water Course, above the rise and fall of the Tide, either in a Boat or Canoe, or otherwise, and apparently equipped for taking or Spearing Salmon, shall be considered *prima facie* in the Act of Spearing for Salmon, and the burthen of disproving the same shall be thrown upon the party so discovered.

CAP. XXXIV.

An Act for the regulation of Juries.

(Passed the 11th day of April, 1848.)

Qualification for Grand and Petit Jurors.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That from and after the passing of this Act, all persons not hereinafter exempted, or who may not otherwise by Law be exempted, who shall have been actually resident within the County for which they shall be summoned, at least Twelve Months, and shall own and be possessed, if within the County of Halifax, of a Freehold Estate within the same of the clear yearly value of Thirty Pounds, or a Personal Estate of the value of Five Hundred Pounds ; and if in any other County, a Freehold Estate within the same of the clear yearly value of Fifteen Pounds, or a Personal Estate of the value of Three Hundred Pounds, shall be liable to serve as Grand Jurors within such Counties respectively ; and all persons otherwise qualified and not exempted as aforesaid, and whether liable to serve as Grand Jurors or otherwise, who shall have been actually resident at least Twelve Months within the County for which he shall be summoned, and shall own and be possessed of Real or Personal Estate, or both together, within the said County, of the value of Two Hundred Pounds, shall be liable to serve as Petit Jurors : *Provided always*, that the Members of the Executive and the Legislative Councils, and of the House of Assembly, the Treasurer and the Secretary of the Province, the Surveyor General of Crown Lands, the Registrar of Deeds, the Officers of Her Majesty's Courts, Justices of the Peace, and Members of the Corporation of the City of Halifax, the Officers composing the Staff of the Army, the Clerks belonging to the several Departments of the Army, the Officers and Clerks belonging to, and Laborers actually employed in the Naval Yard or Her Majesty's Ordnance, or the Departments of the Customs, or Excise, or Post Office, Ministers, Attornies, Physicians, Surgeons, Keepers of Light Houses, Millers, Licensed Ferrymen, Licensed Schoolmasters, Engine Men, and Fire Men, Persons above Sixty Years of age, and the Cashiers, or Accountants and Tellers actually employed in the several Banks, shall be, and all such persons are hereby exempted from serving on Juries : *Provided also*, that no person shall be liable to serve on Grand or Petit Juries more than once in Three Years respectively, unless in cases where a new Summons shall be issued for Jurors to supply the place of Jurors not attending as hereinafter directed.

Persons exempted from service.