

THE FOLLOWING ACTS.

Passed in the last Session of the General Assembly and published by Authority.

An Act to amend the Act 18 Victoria, Chapter 16, relating to the Inspection of Fish.

[Passed the 18th day of April, 1856.]

Be it enacted by the Governor, Council, and Assembly as follows:

1. The penalty of Five Shillings, imposed under the fifth section of the above Act, shall be reduced to Two Shillings and six-pence.

2. So much of the sixth section as regulates the qualities of Number Two and Number Three, is repealed, and the following shall hereafter be the qualities of those Numbers, respectively.

Those to be branded "No. 2, Large," shall comprehend the best Mackerel that remain after the selection of the first quality, and shall be properly split and washed, well cured, and in every respect free from taint, rust or damage of any kind, and shall measure not less than thirteen inches from the extremity of the head to the crotch of the tail. All those of the same kind and quality measuring from eleven to thirteen inches as above described shall be branded "No. 2."

Those to be branded "No. 3, Large," shall consist of good, sound, large Mackerel, properly washed, well cured, and free from taint, rust or damage of any kind, and shall measure fourteen inches and upwards from the extremity of the head to the crotch of the tail. All those that measure from eleven to fourteen inches shall be branded "No. 3."

3. So much of the sixth section, as relates to Herring and Allowies shall be amended by inserting after the third clause:

All Herring that are not gibbed shall be branded with the word "gross," in addition to other brands.

4. The eleventh section shall be amended by inserting the word "packing" after the word "weighing" in the first line thereof.

5. The sixteenth section shall be amended by adding at the end thereof the following words, viz: "and shall describe in their Returns the different kinds and qualities of fish inspected by them."

6. Actions against Inspectors, or their Deputies, under this Act, and the Act hereby amended, shall be brought in the County where the offence shall have been committed, and not elsewhere.

7. Every box of Smoked Herrings shall contain twenty pounds, instead of twenty-five pounds, as provided in the twenty-third section of such recited Act, which section is hereby amended.

1m.

An Act to amend Chapter 136 of the Revised Statutes, "Of Juries."

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Every petit or special jury, for the trial of civil causes, inquisitions, and issues, shall consist of nine persons, of whom seven, after at least four hours' deliberation, may return a verdict; and the petit jury for criminal trials shall consist of twelve persons, who must be unanimous in their verdict.

2. The practice of keeping a jury without meat, drink, or any other comfort, until they agree upon their verdict, is abolished.

3. There shall be returned a panel of twenty-four jurors at each short term in the county, and two panels of twenty-four jurors each, at each extended term in those counties where the term can be so extended; in Halifax the panel shall consist of thirty-six jurors.

4. Each petit and special juror shall be entitled to receive and be paid the sum of two shillings and six pence per day, for his actual attendance as a juror at the supreme court, and also six pence per mile for every mile he shall necessarily travel from his place of residence to the court house; such actual attendance and distance to be ascertained by the oath of the juror.

5. The prothonotary in each county shall, on the last day of the sittings of the supreme court in each term, and of the sittings of such court in Halifax, and also, at the end of the first week of the sittings in those counties where the sittings can be extended, prepare and certify a list of the jurors who actually attended such court, with the number of days' attendance, and the actual travel of each juror, respectively, and the amount to which each juror is entitled, and shall deliver such list to the presiding judge, who shall certify the same; and the treasurer shall forthwith thereupon pay, out of the county funds, to each juror, the amount which such juror appears entitled to receive, upon such list.

6. To provide a fund towards the payment of jurors under this act, the following fees shall be paid by plaintiffs to the prothonotary and by him paid into the county treasury, viz: On the issuing of writ of mesne process, except in summary and sub-summary suits, two shillings and sixpence, and on the swearing of every jury, thirty shillings; the above fees to be taxed and allowed, and included in the costs in the cause.

7. Any juror who shall not answer to his name, when called, shall forfeit his day's pay, and for each day's absence shall pay a fine of ten shillings, to be collected as follows: The judge, on the Sheriff's affidavit, that the juror was duly summoned to attend the court, shall, on the last day of the term or sittings, unless such juror shall have been previously excused, order an execution to be issued for the amount of the fine, in the name of the prothonotary, who shall have the same collected immediately, and shall pay the same into the

county treasury, and the prothonotary shall have a commission of five per cent., and the sheriff ten per cent., on the amount so collected.

8. The county treasurer shall keep an account of all receipts and payments under this act; such account to be laid before the session, with his other accounts.

9. So much of chapter 154 of the revised statutes, "Of costs and fees," as relates to the fees payable to jurors in the supreme court, and also so much of the chapter hereby amended as is inconsistent with this act, are repealed.

10. Talismen shall be entitled to receive one shilling and three pence on giving a verdict on the trial of civil causes, inquisitions, and issues; such sum to be paid by the prothonotary out of the thirty shillings paid in by the plaintiff in the cause on which such talismen were awarded and returned.

11. The number of special jurors to be hereafter drawn, when such juries are ordered, shall be thirty-six, and such numbers shall be reduced by striking to eighteen.

12. In all criminal trials four jurors may be peremptorily challenged on the part of the crown.

13. In case of the illness of a juror after he shall have been sworn on any civil cause, it shall be in the discretion of the presiding judge to allow the cause to proceed without him, and the verdict shall be valid provided seven of the remaining jurors shall concur therein.

14. This act shall come into operation on the first day of June next and shall continue and be in force for three years from such first day of June, and from thence to the end of the next session of the general assembly.

1m.

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