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Copy has manuscript annotations.

— 3rd Session, 4th Parliament, 22 Victoria, 1859. —

B I L L .

An Act to allow Verdicts on Trials by
Jury in Civil Causes to be returned al-
though the Jury may not be unanimous.

As passed by the Legislative Council

[Printed by Order of the Legislative
Assembly.]

S. Derbyshire & G. Desbarats, Queen's Printer.

B I L L .

[As passed by the Legislative Council.]

An Act to allow Verdicts on Trials by Jury in Civil Causes to be returned although the Jury may not be unanimous.

WHEREAS on the trial of Civil Causes it not unfrequently happens that the Jury are unable to arrive at an unanimous decision, and by reason thereof are discharged; And whereas the unnecessary delay thereby occasioned and the heavy expenses of a new trial consequent thereon are productive of serious inconvenience as well as hardship to Suitors: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. From and after the passing of this Act, if upon the trial by Jury of any Civil Cause in any of Her Majesty's Courts of Record in Upper Canada, the Jury are unable to agree upon a Verdict, and if, after having been kept in deliberation for a period of six hours, nine of the said Jury shall agree, the Verdict agreed to by such nine may be returned as the Verdict of the Jury, and shall be taken and recorded, and shall have the same force and effect as if found unanimously by the whole of the said Jury, any Statute, usage or custom to the contrary notwithstanding; and during the said period they may be furnished with necessary refreshment by leave of the Judge.

*If this is to pass,
would it not be well
to incorporate it with
Mr. Nowat's Bill No.
34 - unless that be
objected to -*