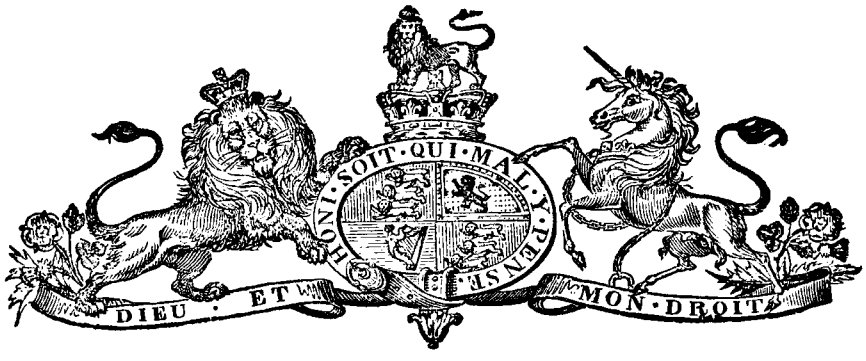


ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

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CAP. CVII.

An Act to give greater Facilities for summoning Persons to serve on Juries, and for other Purposes relating thereto. [7th *August* 1862.]

WHEREAS it is expedient to amend an Act passed in the Session of Parliament holden in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relative to Jurors and Juries*, and also to give greater Facilities for summoning Persons to serve on any Jury: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 6 G. 4. c. 50.

1. This Act may be cited as "The Juries Act, 1862," and shall be construed with and as Part of the said recited Act, herein-after termed the Principal Act. Short Title of Act, &c.

2. All registered Pharmaceutical Chemists and Managing Clerks to Attornies, Solicitors, and Proctors actually practising, all subordinate Officers in Gaols and Houses of Correction, shall be and are hereby absolutely freed and exempted from being returned and from serving upon Exemptions from serving on Juries.

upon any Juries or Inquests whatsoever, and shall not be inserted in the Lists to be prepared by virtue of the Principal Act or of this Act.

Provisions as to High Constables repealed.

3. All the Provisions of the Principal Act relating to the Functions of High Constables shall be and are hereby repealed, except as to any Liabilities incurred before such Repeal, and the Duties of High Constables as set forth in the Principal Act shall cease and determine.

Clerk of the Peace to issue Precepts to Parish Officers by Post.

4. The Clerk of the Peace in every County, Riding, and Division in *England* and *Wales* shall on or before the Twentieth Day of *July* in every Year issue his Precept (in the Form set forth in the Schedule to this Act, or as near thereto as may be,) to the Churchwardens and Overseers of the Poor of the several Parishes, and to the Overseers of the Poor of the several Townships, within the County, Riding, or Division for which he acts, requiring them to make out before the First Day of *September* then next ensuing a true List of all Men residing within their respective Parishes and Townships qualified and liable to serve on Juries according to the Principal Act, and also to perform and comply with all other the Requisitions in the said Precepts contained, and shall forward the same, together with a competent Number of printed Forms of Returns, for the Use of the respective Persons by whom such Returns are to be made, by Post, in a registered Letter having the Words "Jury Precept" legibly written or printed on the Outside thereof, and addressed to the Churchwardens and Overseers as aforesaid; and every Precept delivered or tendered as a registered Letter at the Address of the Person to whom it is addressed, whether a Receipt be given for the same or not, shall be deemed to have been served on the Person to whom the same was so delivered or tendered, and if delivered or tendered to any One Churchwarden or Overseer of a Parish or Township shall be deemed to have been served on the whole of the Churchwardens and Overseers of such Parish or Township.

Precepts, &c. to be printed at the Expense of the County, &c.

5. The Provisions of the Principal Act as to the Expense of printing the Warrants, Precepts, and Returns therein mentioned shall apply to the printing of the Precepts and Returns required by this Act; and the Precepts and Jury Lists required to be posted and registered by this Act shall be posted and registered at the Expense of the County, Riding, or Division.

Duties and Liabilities of Parish Officers to continue.

6. After the Receipt of such Precept from the Clerk of the Peace, the Duties of the Churchwardens and Overseers with reference to the Jury Lists, and the Penalties to which they are liable for making default therein, shall be in all respects the same as if the Words

Words "Clerk of the Peace" had been substituted for the Words "High Constable" in the Eighth Section of the Principal Act.

As to Notices of Special Petty Sessions.

7. No Notice shall be sent to the High Constable of the holding of a Special Petty Sessions for the Production of the Jury Lists, as required by the Tenth Section of the Principal Act.

Justices to adjourn Petty Sessions for the Production of List.

8. It shall be lawful for the Justices of the Peace then present to adjourn any Special Petty Sessions held under the Provisions of the Tenth Section of the Principal Act to any Day within Seven Days thereafter, for the Production of the Jury List for any Parish or Township which, through the Default of any Churchwarden or Overseer, has been omitted to be produced at such Special Petty Sessions, and Notice shall be sent by the Clerk to such Justices to such Churchwardens or Overseers requiring them to produce the said List at such Adjournment.

Justices Clerk to send Jury Lists to Clerk of the Peace.

9. It shall be the Duty of the Clerk to the Justices of the Peace in every Petty Sessional Division in *England* and *Wales* to take charge of the Jury Lists of each Parish and Township within such Division, when and as soon as they shall have been allowed and signed by the said Justices, as by the Principal Act provided, and to forward the same by the next available Post in a registered Letter or Letters, with the Words "Jury List" legibly written or printed on the Outside thereof, addressed to the Clerk of the Peace for the County, Riding, or Division, at his Office, together with a Schedule of the Parishes and Townships for which Jury Lists have been then allowed, which Schedule shall be signed by One of the said Justices, and the Clerk to the Justices shall be entitled to the Fee of Two Shillings and Sixpence, to be paid out of the County Rate, for the Discharge of the Duties hereby imposed upon him.

Clerk of the Peace to deal with the Jury Lists as before.

10. The Duties of the Clerk of the Peace with reference to the Jury Lists so forwarded to him by the Clerks to the Justices, and the Penalties to which he is liable for making default therein, shall be in all respects the same as if this Act had not passed, and the said Lists had been returned by the High Constables to the Court of Quarter Sessions under the Provisions of the Principal Act.

All Jurors may be summoned by Post.

11. Any Person liable to serve on any Jury may be summoned as heretofore, or in the Manner following; that is to say, the Sheriff or other proper Officer may make out a Summons and affix the Seal of his Office thereto, and such Summons, having the Words "Jury Summons" legibly written or printed on the same Side as the Address, may be sent open by the Post, prepaid, and directed to the Person

Person so required to serve as Juror at his Place of Abode as described in "The Jurors Book," which said Summons, together with a Duplicate endorsed with the Name and Address of the Juror to whom the original Summons is directed, shall be taken to the Postmaster of any Post Office where Money Orders are received or paid, within such Hours as shall have been previously agreed upon at such Post Office, and under such Regulations with respect to the Registration of such Summons and the Fee to be paid for such Registration (which Fee shall in no Case exceed Twopence over and above the ordinary Rate of Postage) as shall from Time to Time be made by the Postmaster General in that Behalf; and in all Cases in which such Fee shall have been duly paid the Postmaster shall compare the Address of the said Summons with that of the Duplicate, and on being satisfied that they are alike shall forward the Summons to its Address by the Post, and shall return the Duplicate to the Party bringing the same, duly stamped with the Stamp of the said Post Office; and the Production by the Party who posted such Summons of such stamped Duplicate shall be Evidence of the Summons having been delivered at the Dwelling House of the Person whose Name and Address is thereon endorsed, at the Place mentioned in such Endorsement, on the Day on which such Summons would, in the ordinary Course of Post, have been delivered, provided it shall appear that the same was not returned by the Post Office as undelivered; and any Summons sent by the Post as before mentioned, and not so returned as undelivered, shall be considered in all respects as duly served; and in the event of any Person to whom any Summons shall be addressed being ascertained to be dead, or to have permanently left the Place to which such Summons is addressed, the Postmaster or Letter Carrier of the Place in which the Summons shall then be shall endorse thereon the Reason of the Non-delivery thereof, and forward the same in the usual Course of Post to the Returned Letter Office in *London*, in order that it may be returned to the Sender: Provided always, that when any Summons shall be served by Post under the Provisions of this Act, Two additional Days shall be allowed for the Transmission of such Summons by Post, over and above the Number of Days required by Law for the Service of a Summons, before the Day on which the Juror is required to attend.

Fines may be remitted upon Cause shown.

12. Whenever any Fine shall be imposed upon any Person for not attending as a Juror in obedience to a Summons in that Behalf, it shall not be lawful to estreat the said Fine until after the Expiration of Fourteen Days, and in the meantime the proper Officer of the Court by which such Fine was imposed shall forthwith, by Letter, inform the said Person of the Imposition of such Fine, and require him, within Six Days after the Date of such Letter, to forward him an Affidavit

Affidavit of the Cause, if any, of his Non-attendance; and such Officer shall, upon the Receipt of any such Affidavit, submit the same to the said Court, or the Judge or Chairman who presided at the said Court at the Time when such Fine was imposed, and such Court, Judge, or Chairman shall have Power to remit such Fine.

Sheriffs to be allowed Costs of Summonses.

13. The Costs incurred by any Sheriff in summoning Jurors by Post, under the Provisions of this Act, so far as the same shall not exceed the Sum allowed to such Sheriff, or his Predecessor in Office, on that Account, in any One Year within the Three Years immediately preceding the passing of this Act, may be included in his ordinary Bill of Cravings, and shall be allowed by the Commissioners of Her Majesty's Treasury.

Extent of Act.

14. This Act shall not extend to *Scotland* or *Ireland*; and nothing in this Act contained shall alter or affect the Mode of Procedure heretofore pursued in the making out of Jury Lists or the summoning of Jurors in the City of *London*.

Jury Lists to be made, &c. in the City of London as before.

Commencement of Act.

15. This Act shall come into operation on the Tenth Day of *August* One thousand eight hundred and sixty-two.

SCHEDULE.

Precept for returning Lists of Jurors.

County of / to wit. / Hundred of } To the Churchwardens and Overseers of the Poor of the Parish [*or*, To the Overseers of the Poor of the Township] of

YOU are hereby required to make out, before the First Day of September next, a true List in Writing in the Form hereunto annexed, containing the Names of all Men, being natural-born Subjects of the Queen, between the Ages of Twenty-one and Sixty, residing within your Parish [*or* Township] qualified to serve upon Juries; that is to say, of every such Man who has in his own Name, or in trust for him, a clear Income of Ten Pounds by the Year in Lands or Tenements, whether of Freehold, Copyhold, or Customary Tenure, or of Ancient Demesne, situate in the said County, or in Rents issuing out of any such Lands or Tenements, or in such Lands, Tenements, and Rents taken together, in Fee Simple or Fee Tail, or for his own Life, or for the Life of any other Person, and also of every such Man who has a clear Income of Twenty Pounds by the Year in Lands or Tenements situate in the said County, held by Lease for the absolute Term of Twenty-one Years, or some longer Term, or for any Term of Years determinable on any Life or Lives, and also of every such Man who is a Householder in your Parish [*or* Township], and is rated or assessed to the Poor Rate or to the Inhabited House Duty on a Value of not less than Twenty Pounds [if in Middlesex Thirty Pounds], and you are required to make out the said List in alphabetical Order, and to write the Christian and Surname of every Man at full Length, and the Place of his Abode, his Title, Quality, Calling, or Business, and the Nature of his Qualification, in the proper Columns of the Forms hereunto annexed, according to the Specimens given in such Columns for your Guidance.

And if you have not a sufficient Number of Forms you must apply to me for more; and in order to assist you in making out the List you are to refer to the Poor Rate, and you may, if you think proper, apply to any Collector or Assessor of Taxes, or any other Officer who has the Custody of any House Tax, Land Tax, or other Tax Assessment for your Parish [*or* Township], and take from thence the Names of Men so qualified: And in making such List you are to omit the Names of all Peers, all Judges, all Clergymen, all Roman Catholic

Catholic Priests who shall have duly taken and subscribed the Oaths and Declaration required by Law; all Ministers of any Congregation of Protestant Dissenters whose Place of Meeting is duly registered, provided they follow no secular Occupation except that of a Schoolmaster, and produce to you a Certificate of some Justice of the Peace of their having taken the Oaths and subscribed the Declaration required by Law; all Serjeants and Barristers at Law, all Members of the Society of Doctors of Law, and all Advocates of the Civil Law, if actually practising, and all Attornies, Solicitors, and Proctors, if actually practising, and having taken out their annual Certificates, and their Managing Clerks; all Officers of the Courts of Law and Equity, and of the Admiralty and Ecclesiastical Courts, if actually exercising the Duties of their respective Offices; all Coroners, all Gaolers and Keepers of Houses of Correction, and all subordinate Officers of the same; all Members and Licentiates of the Royal College of Physicians in London, all Members of the Royal Colleges of Surgeons in London, Edinburgh, and Dublin, and Apothecaries certificated by the Court of Examiners of the Apothecaries Company, and all registered Pharmaceutical Chemists, if actually practising as Physicians, Surgeons, or Apothecaries, or Pharmaceutical Chemists respectively; all Officers of the Navy and Army on Full Pay; the Master, Wardens, and Brethren of the Corporation of Trinity House of Deptford Strond, and their Clerks, Officers, and Servants; all Pilots licensed by the Trinity House of Deptford Strond, Kingston-upon-Hull, or Newcastle-upon-Tyne, and all Masters of Vessels in the Buoy and Light Service employed by either of those Corporations, and all Pilots licensed under any Act of Parliament or Charter for the Regulation of Pilots; all the Household Servants of Her Majesty; all Commissioners of Property and Income Tax; all Officers of the Post Office; all Officers of Customs and Excise; all Sheriff's Officers, High Constables, and Parish Clerks; all Officers of the Rural and Metropolitan Police; and also all Persons exempt by virtue of any Act of Parliament, Prescription, Charter, Grant, or Writ.

And when you have made out such List you are authorized to order a sufficient Number of Copies thereof to be printed, the Expense of which Printing will be allowed you by the Parish [*or* Township], and you are required, on the Three First Sundays in September next, to fix a Copy of such List, signed by you, on the principal Door of every Church, Chapel, or other public Place of Religious Worship within your Parish [*or* Township], and also to subjoin to every such Copy a Notice to the following Effect, inserting the Time and Place, of which you shall be previously informed: "Take "notice, that all Objections to the foregoing List will be heard by "the Justices in Petty Sessions on the Day of September "next,

" next, at the Hour of at ;" and you must allow any Inhabitant of your Parish [*or* Township] to inspect the original List, or a true Copy of it, during the Three First Weeks of September next, gratis; and you are also further required to produce the said List at such Petty Sessions, and there to answer on Oath such Questions as shall be put to you by Her Majesty's Justices of the Peace there present touching the said List; and these several Matters you are in nowise to omit, upon the Peril that may ensue.

Given under my Hand at in the said County the Day of in the Year

Clerk of the Peace.

The Form of Precept in Wales *is to be altered according to the Difference of Qualification.*

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1862.