

CHAP. 65.

An Act to amend and consolidate the Laws relating to Juries in Ireland. [14th August 1871.]

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WHEREAS it is expedient to amend and consolidate the laws relating to juries in Ireland:

Be it therefore 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:

PART I.—PRELIMINARY.

Short title.

1. This Act may be cited for all purposes as "The Juries Act (Ireland), 1871."

Extent of Act.

2. This Act shall extend to Ireland only.

Interpretation of terms.

3. In the construction and for the purposes of this Act (if not inconsistent with the context or subject matter), the following words shall have the respective meanings herein-after assigned to them; (that is to say,)

"County" shall include "county of a city," "county of a town," and "the city and county of Londonderry:"

"Court" shall mean and include each of the superior courts at Dublin, and every court of assize, nisi prius, oyer and terminer and gaol delivery, every general sessions of the peace, every civil bill court, and every recorder's court:

"Judge" shall include every justice and commissioner of assize, nisi prius, and oyer and terminer and gaol delivery, every chairman of the civil bill court, and also every chairman of justices presiding at general sessions of the peace for any county, and every recorder, and also every person duly appointed and acting as deputy for any of the judges aforesaid:

"Sheriff" shall include under sheriff:

"Juror" shall mean male persons only:

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"Barony" shall include half barony or other division of a barony, and in counties of cities or counties of towns shall mean wards.

Certain Acts and parts of Acts repealed.

4. From and after the commencement of this Act the several Acts and parts of Acts set forth in the first schedule to this Act annexed, to the extent to which such Acts or parts of Acts are by such schedule expressed to be repealed, and every other Act or Acts and such parts of every other Act or Acts as shall be inconsistent with this Act, shall be and they are hereby repealed, except as to anything heretofore done, and except so far as any of the said Acts or parts of Acts, whether mentioned or included in the said schedule or not, repeal any former Act or Acts or parts of an Act or Acts, and except as to the recovery and application of any penalty for any offence which shall have been committed before the commencement of this Act.

PART II.—AMENDMENT.

Qualification of jurors.

5. Every man being a subject of the Queen, between the ages of twenty-one and sixty years, residing in any county in Ireland, who shall be, either in his own name or as a member of a firm or copartnership, rated for the relief of the poor in respect of lands, tenements, or hereditaments, within such county, of the net annual value fixed for such county in the fourth schedule to this Act, shall be qualified as to property, and liable (save as herein-after exempted or disqualified) to serve on all juries for the trial of all issues, civil and criminal, joined in any of the Queen's courts, and triable in the county in which such man shall reside, and shall also be qualified and liable (save as herein-after exempted or disqualified) to serve on grand juries at the general sessions of the peace within such county, and on every inquest or inquiry to be taken or made in such county by or before any sheriff or coroner, or by or before any master or commissioner appointed by any of the superior courts of common law or equity, or by or before any commissioner appointed under the great seal or the seal of the Court of Exchequer; and every man between the ages aforesaid, residing in any borough in Ireland having a separate court of sessions of the peace, or a court of record for the trial of civil actions, and rated as aforesaid in respect of lands, tenements, or hereditaments, within such borough, of the net annual value fixed for such borough in the fourth schedule to this Act, shall be qualified as to property, and liable (save as herein-after exempted or disqualified) to serve on grand juries at sessions of the peace in such borough, and also upon juries for the trial of all issues, civil and criminal, joined

in any court of sessions of the peace, and in any court of record for the trial of civil actions, triable in the borough in which such person shall reside: Provided always, that for the purposes of this Act, as regards any county of a city, county of a town, or borough, having a separate court of sessions of the peace or a court of record for the trial of civil actions, any such person as aforesaid shall be deemed to be resident therein who shall have or occupy a counting-house, office, shop, or place of business in such county of a city, county of a town, or borough as aforesaid, although such person may not actually reside therein, provided that he reside within twelve statute miles of the court house of such county of a city, county of a town, or borough as aforesaid, and in the county of the city of Dublin within a like distance of the General Post Office in Dublin, to be computed by the nearest public road or way.

Exemption from serving on juries.

6. The persons described in the second schedule hereto annexed shall be absolutely freed and exempted from being returned, and from serving on any jury, inquest, or inquiry whatsoever, and the names of such persons shall not be inserted in the jurors lists or jurors books to be prepared by virtue of this Act as herein-after directed.

Disqualifications.

7. No alien nor any man who hath been or shall be attainted or convicted of any treason or felony, or of any crime that is infamous, unless he shall obtain a free pardon, nor any man who is under outlawry by virtue of any criminal process, is or shall be qualified to serve on juries, inquests, or inquiries in any court, or on any occasion whatsoever.

Clerk of peace to issue precept to clerks of unions.

8. The clerk of the peace of every county in Ireland, except the county of the city of Dublin, shall, within one week after the first day of July in every year, issue and deliver his precept, in the Form A. set forth in the third schedule hereto annexed, to the clerk of each poor law union wholly or partly included within such county, requiring each such clerk of poor law union to prepare and return to such clerk of the peace, on or before the first day of August next ensuing, a complete and true list for each barony of such county within his union of all men between the ages of twenty-one and sixty years (except those exempted or disqualified by this Act from being returned or serving on juries) residing in such county, rated either in their own names or as members of a copartnership in the then last rate made in the said union for the relief of the poor in respect of lands, tenements, or hereditaments situate in such barony within such included union, of the net annual value fixed for such county in the fourth schedule to this Act, and also to perform and comply with all other the requisitions

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in the said precept contained; and such clerk of the peace shall annex to every such precept a printed copy of the second schedule of this Act, and shall cause a sufficient number of forms to be printed, according to the Form B. set forth in the third schedule hereto annexed, and shall issue and deliver with the said precept a sufficient number of the said forms for the use of the persons by whom the same are to be filled up and returned as herein-after directed.

Clerks of unions to return lists.

9. Forthwith after the receipt of such precept from the clerk of the peace the clerk of every poor law union shall (after due inquiry, which he is hereby required to make with the assistance of the respective collector or collectors of poor rate within his union, and which assistance every such collector or collectors is and are hereby required to give for such purpose,) prepare, in alphabetical order of surnames, and consecutively numbered, a complete and true list for each barony of such county within his union, in the Form B. set forth in the third schedule hereto annexed, of the names of all men between the ages of twenty-one and sixty years (except those exempted or disqualified by this Act from being returned or serving on juries) residing in such county and rated as aforesaid in respect of lands, tenements, or hereditaments of the net annual value specified in such precept, situate in such barony, with their Christian names and surnames written at full length, and with the true or last known place of abode, and the title, quality, calling, or business, and the net annual value and place of the rated lands, tenements, or hereditaments of each such man, and shall inscribe the same in the proper columns of the said forms, and shall, on or before the first day of August next ensuing the receipt of such precept as aforesaid, deliver the said forms with the said list so inscribed therein, and with the declarations at the foot or end of the said list, in the said form set forth, signed respectively by the collector or collectors by whose assistance such list shall have been prepared, and by the said clerk of union; and such list, when prepared and delivered as aforesaid, shall be called the "general list of jurors" for the barony of the county for which the same shall have been prepared.

Preparation of lists for the county of the city of Dublin.

10. The clerk of the peace for the county of the city of Dublin shall, at the time aforesaid in every year, issue and deliver a like precept with a printed copy of the second schedule of this Act thereto annexed, and with like forms, to the collector-general of rates for the city of Dublin, requiring the said collector-general to prepare and return to the said clerk of the peace a like list for the county of the city of Dublin, and also to perform and comply with all other the requisitions in the said precept contained; and

the said collector-general shall, within the time aforesaid, prepare, inscribe, sign, and deliver such list for the county of the city of Dublin in like manner in all respects as is herein-before provided with respect to the lists for the other counties in Ireland; and such list, when prepared and delivered as aforesaid, shall be called the "general list of jurors" for the county of the city of Dublin.

Clerk of the peace to prepare "lists of special jurors."

11. The clerk of the peace of every county in Ireland, on or before the fifteenth day of August in every year, shall, from each of the lists so furnished to him as aforesaid, cause to be made out for each barony of such county a true and complete list, in the Form C. set forth in the third schedule hereto annexed, containing the names of all persons contained in the list furnished to him as aforesaid for such barony who are the sons of peers, baronets, knights, magistrates, the eldest sons of baronets, of knights, or of magistrates, and of every person appearing in such list as being, either in his own name or as a member of a copartnership, rated for the relief of the poor in respect of lands, tenements, or hereditaments of the net annual value fixed for such county in the fifth schedule to this Act, and the names contained in each of the said lists to be made out by such clerk of the peace shall be arranged in alphabetical order of surnames and consecutively numbered, and each such list shall contain the like particulars in every respect as the lists furnished to him as aforesaid, and when so made out shall be called the "list of special jurors" for the barony of the county for which the same shall have been made out, and such clerk of the peace shall, at the foot or end of every such "list of special jurors" made out by him, sign a declaration that such "list of special jurors" has been fully and correctly prepared by him from "general list of jurors" from which such "list of special jurors" shall have been made out by him.

Revision of "general lists of jurors" and "lists of special jurors" by parliamentary revision court.

12. The clerk of the peace of every county in Ireland shall, between the eighth day of September and the twenty-fifth day of October inclusive, in every year, bring the several "general lists of jurors" and "lists of special jurors" for each barony of the county so furnished to and made out by him as aforesaid, before the court (or one of the courts) at which the register of parliamentary voters for such barony shall be revised, and of the time and place of holding such court every such clerk of the peace shall cause public notice to be given by advertisement in one or more of the newspapers circulating within such county, and shall cause a sufficient number of copies of the said notice to be printed, published, and posted in each such barony, and shall send and deliver copies thereof to all clerks of unions, poor rate collectors, and all other persons who shall have assisted or taken part in preparing any

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of the said lists, requiring them and each of them to attend at such court, and the said clerks of unions, poor rate collectors, and persons shall attend such court and every lawful adjournment thereof, and shall answer upon oath all such questions as shall be put to them by the chairman or barrister presiding in such court, touching anything done by them in execution of the provisions of this Act; and such chairman or barrister shall, at the said court or at some lawful adjournment thereof, revise the said "general lists of jurors" and "lists of special jurors" respectively, and shall, upon sworn testimony, or any other evidence satisfactory to such chairman or barrister, amend the said lists by expunging therefrom the name of every man whose name shall appear therein respectively, who shall be exempted, or who shall not be qualified under this Act, or who from lunacy, imbecility of mind, deafness, blindness, or other permanent infirmity shall be unfit to serve as a juror, and by inserting therein the name of every man whose name shall not appear therein respectively, who shall be qualified and liable to serve as a juror under this Act, and by correcting and supplying all errors and omissions which shall be found in any of the said lists; and the said chairman or barrister shall write his initials against the names respectively expunged or inserted, and against any part of the said lists in which any error shall have been corrected, or any omission supplied, or any insertion made by him, and shall sign his name to every page of the several lists so settled; and when the said chairman or barrister shall have revised, settled, and signed as aforesaid all the said several lists for every barony of the county, he shall cause the same to be delivered to the clerk of the peace of the said county, who shall place and preserve the same among the records in his office, and shall allow the same to be inspected at all reasonable times, without hindrance, fee, or reward: Provided always, that it shall be lawful for the revising barristers of the city of Dublin to adjourn their courts for the purpose of revising the said "general lists of jurors" and "lists of special jurors" respectively, from time to time, up to and including the fourteenth day of November in each year.

Preparation of "the general jurors book."

13. The clerk of the peace of every county in Ireland shall, on or before the first day of December next after the receipt of all the said lists from such chairman or barrister, cause to be made out from all the said "general lists of jurors," for every barony of the county so delivered to him by such chairman or barrister, one true and complete list in the Form D. set forth in the third schedule hereto annexed, containing the names, arranged in alphabetical order of surnames, as the same would be arranged in a dictionary, and

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where persons have the same surname in the alphabetical order of their Christian names, and consecutively numbered, of all the persons contained in such "general lists of jurors," with their Christian names and surnames written at full length, and with the true or last known place of abode, and the title, quality, calling, or business, and the net annual value and place of property of each such person, as the same are stated in such "general lists of jurors," and the said list when so made out shall be called "the general jurors book for the year " (inserting the calendar year for which such "general jurors book" is to be in use); and the said clerk of the peace shall certify such book under his hand, signed at the foot of the last page thereof, to be "the general jurors book" for such year, and the said clerk of the peace shall also cause to be made out from all the said "lists of special jurors," for every barony of the county so delivered to him by such chairman or barrister, one true and complete list in the Form E. set forth in the third schedule hereto annexed, containing the names, arranged in alphabetical order as herein-before prescribed in the case of the "general jurors book," and consecutively numbered, of all the persons contained in such "special lists of jurors," with their Christian names and surnames written at full length, and with the true or last known place of abode, and the title, quality, calling, or business, and the net annual value and place of property of each such person, as the same are stated in such "lists of special jurors," and the said list when so made out shall be called "the special jurors book for the year " (inserting the calendar year for which such special jurors book is to be in use), and the said clerk of the peace shall certify such book under his hand, signed at the foot of the last page thereof, to be "the special jurors book" for such year, and shall insert in a column for that purpose in the "general jurors book" the word special opposite the name of every person whose name shall appear in both books, and the said clerk of the peace shall, on or before the first day of January in every year, deliver the said "general jurors book" and "special jurors book" to the sheriff of the county, and the said books shall be brought into use on the first day of Hilary term next after they shall have been so delivered by the clerk of the peace to the sheriff, and shall be retained in the sheriff's office for a period of three years, after the expiration of which time they shall be returned by the sheriff for the time being to the clerk of the peace, who shall place and preserve the same amongst the records in his office.

Preparation of "the special jurors book."

14. The clerk of the peace of every borough in Ireland, not being a county of a city or county of a town, having a separate

Preparation and revision of lists, and

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preparation of "the general jurors book," in boroughs having a separate court of sessions of the peace or a court of record.

court of sessions of the peace or a court of record for the trial of civil actions, shall, within the time and with the like copy schedule annexed, and with sufficient number of like forms as is herein-before provided in the case of counties in Ireland, issue and deliver a precept, in the Form A. set forth in the third schedule hereto annexed, to the clerk of each poor law union wholly or partly included within such borough, requiring each such clerk of union to prepare and return to the said clerk of the peace for each ward of the said borough within his union a true and complete list of all men between the ages of twenty-one and sixty years (except those exempted or disqualified by this Act from being returned or serving on juries) residing in such borough, rated in their own names, or as members of any firm or copartnership, in the then last rate made in such included union for the relief of the poor, in respect of lands, tenements, or hereditaments situate in such ward within such union, of the net annual value fixed for such borough in the fourth schedule to this Act, and also to perform and comply with all other the requisitions in the said precept contained, and each such clerk of union shall prepare, inscribe, sign, and deliver such list within the like time and in like manner in all respects as is herein-before provided with respect to the lists for counties in Ireland, and such list, when prepared and delivered as aforesaid, shall be called the "general list of jurors" for the ward of the said borough for which the same shall have been prepared; and the "general lists of jurors" for every ward of the said borough shall be revised and settled within the time and in the same manner in all respects as is herein-before provided in the case of counties in Ireland, by the courts at which the register of parliamentary voters for the said borough shall be revised, and of the time and place of holding such court the clerk of the peace of every such borough shall give like notice, and the like persons shall attend the said courts in the same manner in all respects as is herein-before provided in the case of counties in Ireland, and forthwith after the receipt of all the said lists from the chairman or barrister by whom the same shall have been revised, the clerk of the peace of every such borough shall make out and certify "the general jurors book" for such borough, in the same manner in all respects as is herein-before provided with respect to "the general jurors book" in counties in Ireland, and shall insert in a column for that purpose in such book the word special opposite the name of every person whose name shall appear on the "special jurors book" of the county or counties in which such borough is situate; and "the general jurors book" for every such borough as aforesaid shall be brought into use on the first day of Hilary term next after

it shall have been so made out, and shall be used until the first day of Hilary term of the year next following, and thenceforward until a new "general jurors book" shall have been in like manner made out as aforesaid.

Correction of "the general jurors book" and "the special jurors book."

15. If any "general jurors book" or "special jurors book" shall be found to contain any name which ought not, or to omit any name which ought to appear therein, it shall be lawful for Her Majesty's Court of Queen's Bench, or any judge of the said court, or for the chairman of quarter sessions, or recorder of the county or borough for which such "general jurors book" or "special jurors book" shall have been prepared, upon complaint thereof made upon oath of the fact by any person whomsoever, to order any or every sheriff, clerk of the peace, clerk of union, or any or every other person or persons who shall have prepared or taken part in preparing such "general jurors book" or "special jurors book," to attend in person before such court, judge, chairman, or recorder, and there to produce all or any documents in the custody, possession, or procurement of any such person which such court, judge, chairman, or recorder shall require; and if, upon inspection of the said "general jurors book" or "special jurors book," and examination of said persons and documents, or any of them, any defect or defects, error or errors, shall be found in the said "general jurors book" or "special jurors book," the said court, judge, chairman, or recorder shall order the same to be corrected or amended, and such correction or amendment shall be forthwith made and signed in such "general jurors book" or "special jurors book," and in the copy (if any) of such "general jurors book" or "special jurors book" by the clerk of the peace of such county or borough, in the presence of the court, judge, chairman, or recorder ordering the same; and if any such person as aforesaid shall fail to attend when so ordered, or to produce any document required as aforesaid, or if, upon such inspection or examination as aforesaid, any such defect or defects, error or errors, shall be proved to the satisfaction of such court, judge, chairman, or recorder to have been caused by the wilful act or default, or by the culpable negligence of any one or more of the said persons, it shall be lawful for such court, judge, chairman, or recorder, in a summary way, to impose any fine not exceeding twenty-five pounds for each defect or error so caused as aforesaid upon every person wilfully or culpably causing such defect or error as aforesaid, and to direct such fine to be applied in payment of the costs of the person or persons who shall have complained of the same, or otherwise in such manner as the court, judge, chairman, or recorder inflicting the fine shall think fit.

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Payment of the expenses attending the execution of this Act.

16. The expenses of any printing done in pursuance of this Act, and any other expenses attending the execution of this Act, so far as the same shall be incurred in connexion with the duties hereby imposed on the clerk of any poor law union, shall be defrayed out of the rates by the guardians of the poor of such union, and it shall be lawful for the guardians of the poor of each union by an order to make such annual allowance out of the rates to the clerks of unions, as a compensation for the duty hereby imposed upon them, as the said guardians shall think proper; but no such order shall be acted on, or any payment made thereunder, until the same shall be approved of by the Poor Law Commissioners, and the payment sanctioned by them; and the expenses of this Act, so far as the same shall be incurred in connexion with the duties hereby imposed on the clerks of the peace, shall be defrayed out of the grand jury cess; and it shall be lawful for the grand jury of every county, and for every town council empowered to make presentment, as the case may be, from time to time at the next ensuing assizes or presenting term, and they are hereby required without previous application at presentment sessions or otherwise to present all such sums of money as they shall deem reasonable and necessary for defraying the expense of any printing done in pursuance of this Act, and any other expenses attending the execution of this Act, other than those defrayed out of the rates by the guardians of the poor, and also such sums by way of compensation to the collectors of poor rates, clerks of the peace, collector-general of rates, and revising barristers in the city of Dublin for the duties imposed upon them by this Act as the grand jury or town council empowered to make presentment, as the case may be, shall consider just and reasonable, and such sums shall be paid to such persons accordingly.

For the purposes of this Act, and the due execution of the same, the clerks of poor law unions and the collectors of poor rates within the county of the city of Dublin shall give to the collector-general of rates for the city of Dublin all such assistance as he may require, and shall produce to him all rate books in their or any of their custody which he may desire to use.

Returning officers to have access to "the general jurors book" and "the special jurors book," and all names to

17. Where any precept for the return of jurors shall be issued to any coroner, elisor, or other officer, he shall have free access to "the general jurors book" and "the special jurors book" respectively, for the current year, or for the preceding year, as he may require; and no sheriff or other officer shall in answer to any precept for the return of common or special jurors, return the name of any person not contained in "the general jurors book" or "the

special jurors book" respectively, for the year current on the day named in such precept for such return: Provided always, that if there shall be no "general jurors book" or "special jurors book" respectively in existence for such current year, it shall be lawful to return jurors from "the general jurors book" and "the special jurors book" respectively for the next preceding year, and if any person or persons whose names shall not be contained in such "general jurors book" or "special jurors book" respectively shall be returned and sworn as a juror or jurors upon any trial without objection, such trial shall not be interrupted or deemed a mistrial, nor shall the verdict thereon be impeached or questioned on account of the return of such juror or jurors.

Jurors may be returned from such books.

18. It shall be the duty of every sheriff within whose bailiwick any court shall be appointed to be held before which the attendance of juries may be required, to apply for and procure to be issued in sufficient time before the time appointed for holding such court all such precepts as shall be necessary for commanding the return of jurors before such court, and immediately after the issue of any such precept the sheriff or other officer to whom the same shall be issued shall, according to the exigency of such precept, select a sufficient number of names from the "general jurors book" or "special jurors book," as the case may be, and prepare a panel thereof, and in all cases at the time of making such selection the said sheriff or other officer making the same shall inscribe the date thereof, and the court for which such names are selected to be returned as jurors opposite each of the names so selected in the proper column of "the general jurors book," and if the name of the person so returned should be on the "special jurors book," shall also make like entry in "the special jurors book," and shall initial in such "general jurors book" or "special jurors book" the names selected by him, and the jurors so selected shall be summoned as hereinafter provided; and a written or printed panel containing the Christian names and surnames, arranged in the order in which they are by this Act directed to be selected from the "jurors book," and the places of abode, and additions of the persons summoned, shall, seven days before the day named in such precept for the return of such panel, be made by such sheriff or other officer, and such panel shall contain a column in which, if any of the persons named in such panel has been previously summoned and returned as a common or special juror, or as a grand juror at any general sessions of the peace, or at the sittings of oyer and terminer and general gaol delivery held at Green Street, Dublin, during the same or the two preceding years, there shall be entered on the panel opposite such person's name the date when and the court before which such

Sheriff shall apply for precepts.

A printed panel to be prepared and annexed to the abstract.

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person shall have been so summoned and returned as a common or special juror, as the case may be, and such panel shall be kept in the sheriff's office of the county, and in respect of the panels for the assizes, in the office of the returning officer in Dublin, for inspection, and a printed copy of such panel shall be delivered by the sheriff or his returning officer to any party requiring the same on payment of a fee of one shilling, and a printed copy of such panel shall, in civil cases in the superior courts, be annexed to the abstract of the record for nisi prius.

Jurors to be summoned in rotation.

19. The sheriff or other officer, in selecting the jurors to be returned in obedience to any precept for the return of jurors, shall take the names of the jurors from the "general jurors book" or "special jurors book," according to the exigency of the precept, in a regular alphabetical series, by returning one name from each letter in succession, beginning with the first letter, and so proceeding regularly through the letters of the alphabet from first to last as often as may be necessary, and so far as the number of names in each letter will admit, until a sufficient number of names shall have been placed on the panel; and in preparing any subsequent panel for any purpose whatsoever, the sheriff or officer making the return shall commence with the letter next following that from which the last name in the preceding panel was taken, and shall proceed in like manner through the letters, taking the names of the persons not already summoned during the current or next two preceding years so far as may be necessary, until the entire "general jurors book" or "special jurors book," as the case may be, shall have been exhausted, when he shall commence or continue with the first name in such book, and shall proceed in like manner as aforesaid through the letters, so that the name of every juror shall be returned on the panels of jurors in its proper turn and order: Provided always, further, that the sheriff or other officer shall select the persons to be returned to serve as grand jurors at general sessions of the peace, or at the sittings of the courts of oyer and terminer and general gaol delivery to be holden at Green Street, Dublin, from the "special jurors book," and in case of a borough not being a county of a city or county of a town having a separate court of sessions of the peace or a court of record for the trial of civil actions from the jurors marked special on the general jurors book of such borough, and if in selecting persons to serve as grand jurors at any general sessions of the peace it shall so happen that a sufficient number of persons to serve as grand jurors at such general sessions of the peace cannot be obtained from the special jurors book, then and in that case the said sheriff or other officer shall, according to the mode of selection herein-before in this section

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prescribed, select from such general jurors book such further number of persons as with those selected from the special jurors book will be sufficient to make up the number of persons to be returned to serve as grand jurors at such general sessions of the peace, and shall select the persons to be returned to serve as petit jurors at general sessions of the peace, or in the civil bill courts, or for the trial of all issues to be tried by common jurors in any of Her Majesty's superior courts at Dublin from the "general jurors book," omitting from such selection of persons to serve as petit or common jurors all persons whose names are marked in the "general jurors book" as special jurors, as herein-before directed; and provided further, that the sheriff or other officer shall, according to the mode of selection herein-before in this section prescribed, select the persons to be returned to serve as petit or common jurors at any special commission of oyer and terminer, or at the assizes, from the general jurors book, without omitting from such selection persons whose names are marked on the general jurors book as special jurors; and the special jurors to be summoned at any assizes shall not be selected until after the said sheriff or other officer shall have selected from the general jurors book the petit or common jurors for such assizes; and provided further, that the persons to be selected to serve as grand jurors or petit jurors at any general sessions of the peace, or in any civil bill court, shall be resident within the division in and for which such sessions or civil bill court are or is holden, and if any sheriff, coroner, or other officer shall return the name of any person to serve as a juror contrary to the provision for the returning of jurors in rotation herein-before in this section contained, the court or judge before whom such person is returned to serve as a juror shall in every such case impose a fine not exceeding five pounds upon the sheriff or other officer so returning any person to serve as a juror contrary to the said provision for the returning of jurors in rotation herein-before in this section contained, and may order such fine or portion thereof to be paid to the person so returned to serve as a juror for his expenses of attending as a juror.

Sheriff within one week after return of jurors to send certified copy of panel to clerk of peace.

20. The sheriff or other officer to whom any precept shall have been issued for the return of jurors before any court shall, within one week after he has summoned or made his return of jurors in obedience to such precept, send and deliver to the clerk of the peace of the said county a true and complete copy, certified under the hand of such sheriff or officer, of the panel of jurors summoned or returned in obedience to such precept in every case in which the sheriff does not return the original panel to the clerk of the peace,

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and the said clerk of the peace shall place and preserve the said copy panel along with any original panel among the records in his office.

Summoning of jurors.

21. The summons of every person to serve on any jury in any court shall be made by the proper officer, four days at least before the day on which the attendance of such person shall be required, by delivering to the person to be summoned, or in case he shall be absent from his usual place of abode, by leaving with some person therein inhabiting a summons, and every summons requiring the attendance of any person as a juror shall be duly and properly filled with the name of the juror, and shall be signed by the sheriff or other officer, previous to such summons being delivered to the bailiff or officer for service; and every bailiff or officer summoning jurors under this Act shall keep a book or books in which he shall truly enter the name of every person so summoned by him, with the day on which such summons shall be served, and the manner and particulars of the service thereof, and every such bailiff or officer shall attend, and shall (if required) produce such book or books at the sitting of the court, and verify the same upon oath, or shall cause such book or books to be produced to the court in case of the unavoidable absence of such bailiff or officer, and in case of the death, illness, or unavoidable absence of such bailiff or officer, the book of such bailiff or officer, kept by him as aforesaid, verified on oath as to his handwriting by some credible person, shall (if required) be produced to the court, and shall be primâ facie evidence of the truth of the several matters entered therein as aforesaid, and if any such bailiff or officer shall, without reasonable excuse, neglect to summon any juror as herein-before directed, or to keep such book or books, or to make such entries therein as aforesaid, or to attend the court, or produce or verify or cause to be produced the said book or books as herein-before provided, every bailiff or officer so offending may, for every such neglect, be fined by the court in a summary way in any amount not exceeding ten pounds for each such offence, with the alternative of imprisonment in default of payment of such fine for any period not exceeding seven days.

Books of summonses to be kept.

Jurors in the county of the city of Dublin may be summoned by post.

22. Provided, that in the county of the city of Dublin jurors may be summoned as aforesaid, or in the manner following; that is to say, the sheriff or other proper officer may make out a summons as herein-before prescribed, 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 so required to serve as a juror, at his place of abode, as

described in the "general jurors book," which said summons, together with a duplicate indorsed 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 as 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 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 are therein indorsed at the place mentioned in such indorsement 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 office 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 indorse thereon the reason for the non-delivery thereof, and forward the same in the usual course of post to the returned letter office in Dublin, in order that it may be returned to the sender: Provided always, that when any summons shall be served by post 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, and any registration fees and postage paid by the said sheriff or other officer for the summoning of jurors by post, under the provisions of this Act, shall be defrayed in the same way as the expenses incurred by the clerk of the peace in the execution of this Act.

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23. If any person shall be returned as a juror in any court whose name shall be on the "general jurors book," want of qualification shall not be a cause of challenge, nor shall any challenge be taken

If name shall be on "general jurors book," no

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challenge for want of qualification or want of a knight or jury duly summoned.

Name not being on the "general jurors book" good ground of challenge.

to any panel of jurors for want of a knight being returned on such panel, or on the ground that the jurors, or any of them, were not duly summoned, and the fact that the name of any person returned as a common or special juror is not on the "general jurors book" or "special jurors book," respectively, or that such person was returned to serve as a juror contrary to the provision for the returning of jurors in rotation contained in section nineteen of this Act, shall be a good cause of challenge to any person so returned before any court, and any such person shall be discharged upon such challenge if the court shall be satisfied of the fact upon the production of the "general jurors book" or "special jurors book" respectively, or by such other evidence as the said court shall deem sufficient, but it shall lie on the person challenging to prove the fact, and the production of the "general jurors book" or "special jurors book" respectively delivered to the sheriff by the clerk of the peace, shall be conclusive evidence as against all parties to any issue or issues, whether civil or criminal, triable in any of the Queen's courts, and to be tried by any jurors whose names shall have been returned out of any such "general jurors book" or "special jurors book," that such books respectively have been duly prepared and made out in accordance with this Act, and, except as aforesaid, nothing in this Act contained shall alter or affect any existing right of challenge belonging to the Crown or to the subject, in any cause, whether civil or criminal, and whether conferred by statute or otherwise.

Private prosecutors to have no right to have jurors ordered to stand by.

24. Where any bill of indictment is preferred before any court in Ireland by or on behalf of any private prosecutor, such private prosecutor shall not upon the trial of any such indictment have the right of requiring the court to order any juror to stand by until the panel shall have been gone through; and the power to order jurors to stand by shall be confined to prosecutions of indictments conducted by or under the directions of a law officer of the Crown, or of counsel or solicitor acting on behalf of such law officer.

Printed copy of the Dublin Gazette conclusive evidence of order made in pursuance of this Act.

25. The production of a printed copy of the Dublin Gazette, purporting to be printed and published by the Queen's authority, containing the publication of any order made under the provisions of this Act, shall be conclusive evidence of all such facts and circumstances as were or shall be necessary to authorise the issuing of any such order, and every such order shall be deemed and taken to all intents and purposes whatsoever to have been made in pursuance of and in conformity with the provisions of this Act.

Precepts may be sent by registered letters.

26. The clerk of the peace of any county or borough may forward to the clerks of union the said precepts, together with

printed copies of the second schedule of this Act and the said forms of return, by post in a registered letter having the words "jury precept" legibly written or printed on the outside, and addressed to the clerk of union, and every precept delivered or tendered as a registered letter at the address of the clerk of union to whom it is addressed, whether a receipt be given for the same or not, shall be deemed to have been served on the clerk of union to whom the same was so delivered or tendered. A.D. 1871.

Persons having places of business in counties of cities, towns, or boroughs, may obtain exemption from serving on juries in the counties in which they actually reside.

27. Whenever any person's name who has or occupies any counting-house, office, shop, or place of business in any county of a city or county of a town, shall be on "the general jurors book" or "the special jurors book" of any county of a city or county of a town, although such person does not actually reside in such county of a city or county of a town, and such person's name shall be also on the "general jurors book" or "the special jurors book" of the county in which such person actually resides, if such person shall desire to be exempted from the liability to serve on juries for the county in which he actually resides, and shall have obtained from the clerk of the peace of such county of a city or county of a town a certificate, in the Form F. set forth in the third schedule hereto annexed (and which certificate the said clerk of the peace is hereby required when applied to for that purpose to give to such person without fee or reward), it shall be lawful for the clerk of the peace of the county in which such person actually resides, and he is hereby required without fee or reward, on the delivery to him on or before the thirty-first day of December next after the jurors lists for the said county shall have been revised, settled, and signed as herein-before provided, to cause an entry to be made, certified with the date thereof under his hand opposite such person's name in "the general jurors book" or "the special jurors book" of the said county, or either of the said books in which such person's name shall appear, that such person is exempted from serving as a juror under section twenty-seven of this Act; and the said clerk of the peace shall place and preserve the said certificate among the records in his office, and after the said thirty-first day of December it shall be lawful for the chairman of the county in which such person actually resides, and he is hereby required, on production to him of the said certificate at any sessions of the peace, to order the sheriff to produce "the general jurors book" and "the special jurors book" of the said county, and to order the said clerk of the peace to make in the presence of the said chairman, who shall initial the same, a like entry in the said books or either of the said books in which such person's name shall appear, and to deliver

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the said certificate to the clerk of the peace, to be preserved among the records in his office; and after any such entry shall have been made, such person shall not be summoned or returned, or liable to serve as a juror during the time for which the book in which such entry shall have been made as aforesaid shall be in use: Provided further, that if the person exempted as aforesaid shall be on the special jurors book of the county in which such person actually resides, and he shall have obtained from the clerk of the peace of such county a certificate in the Form G. set forth in the third schedule to this Act, and which certificate the said clerk of the peace is hereby required, when applied to for that purpose, to give to such person without fee or reward, it shall be lawful for the clerk of the peace of such county of a city or county of a town on or before the said thirty-first day of December, or for the judge presiding at any general sessions of the peace holden in or for such county of a city or county of a town at any such sessions, to cause the name of such person to be inserted in its proper place in the special jurors book of such county of a city or county of a town; and every such insertion shall be initialed by the officer or judge making the same, and the certificate upon which it was made shall be preserved by the clerk of the peace among the records in his office.

Power to chairman of courts of quarter sessions to postpone quarter sessions, land sessions, or courts of revision.

28. And whereas it is desirable in certain cases to confer upon the chairman of courts of quarter sessions a power of postponing the holding of quarter and land sessions or courts of revision beyond the day appointed therefor: Be it enacted, that if, during the holding of the sessions or courts of revision in any town or place, it shall appear to the chairman that the business of the sessions or courts of revision in such town or place is not likely to be concluded before the time appointed for holding quarter sessions, land sessions, or courts of revision in the next town or place, it shall be lawful for the chairman in open court, by writing under his hand, stating the grounds of postponement, to postpone the opening of the quarter sessions, land sessions, or court of revision in the next town or place, or all or any one or more of the succeeding towns or places, to such time as he shall name in such writing, not exceeding for any town or place three days from the time originally appointed for the holding of the said sessions or revision court therein; and the time so named shall thereupon be the time for holding such sessions or court of revision to all intents and purposes as if the same had been the time originally appointed therefor; and it shall be the duty of the clerk of the peace, by registered letter through the post office, to notify such postponement to the clerk of petty

sessions in such town or place wherein the holding of the sessions shall be so postponed; and the clerk of petty sessions shall forthwith, on the receipt of such letter, cause public notice of the postponement to be posted on some conspicuous part of the court-house; and the clerk of the peace shall within ten days transmit a copy of such order of postponement to the secretary of the Lord Chancellor.

PART III.—CONSOLIDATION.

No justice to serve as a juror within his own jurisdiction at any sessions of the peace, civil bill court, or recorder's court.

29. No justice of the peace shall be summoned or empannelled or permitted to serve as a juror at any sessions of the peace, or in any civil bill court or recorder's court, within the jurisdiction of which he is a justice.

General precept for the return of jurors.

30. No jury process shall henceforth be necessary in any case whatsoever, but it shall be lawful and sufficient for the judge, or any one of the judges of any of Her Majesty's courts, before which the attendance of jurors shall be required, fifteen days at the least before the first day upon which such attendance shall be required, to issue a precept for the return of jurors under the hand of such judge to the sheriff or other officer to whom the return of jurors shall belong, and from whose bailiwick or jurisdiction the attendance of jurors shall be required; and such precept shall command the sheriff or other officer to whom the same shall be issued to summon and return, on a day to be named therein for the trial of all issues, whether civil or criminal, which may come on for trial before the said court, a sufficient number of good and lawful men of the body of the county, qualified according to law, and shall not require the same to be returned from any particular venue within the county; and whenever the attendance of special jurors shall be required before any such court, such precept shall further direct the sheriff or other officer to whom the same shall be issued, to summon and return in like manner a sufficient number to be named therein, not exceeding in country cases forty-eight in all, of good and lawful men of the body of the county, qualified according to law, to serve as special jurors; and every such sheriff or other officer shall, pursuant to such precept, and without any other authority, summon and return all such men as he shall be so required to summon, in manner herein-before provided; and the jurors whose names are contained on any such panel as aforesaid shall, subject to all just challenges and objections, be the jurors to try the causes for which they shall be summoned respectively, and all such proceedings may be heard and taken before such juries in like

Precept for the return of special jurors.

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General precept for courts of common law at Dublin.

31. It shall be lawful and sufficient for any one judge of any of the superior courts of common law at Dublin, fifteen days at the least before the commencement of each term, to issue one general precept for the return of jurors, under his hand, to the sheriffs of the county of Dublin and county of the city of Dublin respectively, commanding each of the said sheriffs respectively to summon and return a sufficient number of common and special jurors for the trial of all issues in the superior courts of common law and Consolidated Court of Nisi Prius, which may come on for trial in any of the said courts during such term, or the sittings after such term, and the said sheriffs respectively shall, pursuant to such precept, and without any other authority, summon and return a sufficient number of such jurors accordingly, in manner hereinbefore provided, and the men so summoned and returned shall be qualified and liable to serve upon all juries sworn or empannelled to try any issue or issues whatsoever which may come on for trial before any of the said courts during such term, or the sittings after such term, subject to all just challenges and objections.

Saving powers of courts to order return of jurors as heretofore.

32. Nothing herein contained shall be construed to prevent the Court of Queen's Bench, or any court of oyer and terminer, gaol delivery, or court of sessions of the peace, from respectively having and exercising the same power and authority as they may now have and exercise in issuing any writ or precept, or in making any award or order, orally or otherwise, for the return of a jury for the trial of any issue before any of such courts respectively, or for the amending or enlarging the panel of jurors returned for the trial of any such issue, and the return to every such writ, precept, award, or order, and the proceedings thereon shall be made in the manner heretofore used and accustomed in such courts respectively, save and except that the jurors shall be returned from the body of the county, and not from any particular venue within the county, and shall be qualified according to this Act.

Superior courts to have the power of ordering special juries to be struck before the

33. It is and shall be lawful for any of Her Majesty's superior courts in Ireland, or for any judge of any of the said courts, upon motion made on behalf of the Queen, or upon the motion of any prosecutor, relator, plaintiff, defendant, or traverser in any case whatsoever, whether civil or criminal, or on any penal statute (excepting only indictments for treason or felony) depending in any

of the said courts, and the said courts and judges respectively are hereby authorised, in any of the cases before mentioned, to order and appoint a special jury to be struck before the proper officer of each respective court for the trial of any issue joined in any of the said cases, and triable by a jury in such manner as herein-after directed for the striking of special juries, and every jury so struck shall be the jury returned for the trial of such issue. A.D. 1871. proper officer.

34. The plaintiff in any action, except for the replevin of goods, shall be entitled to have the cause tried by a special jury, upon giving notice in writing to the defendant, at such time as would be necessary for a notice of trial, of his intention that the cause shall be so tried, and the plaintiff in an action for the replevin of goods, and the defendant in other cases, shall be so entitled on giving the like notice at least eight days before the first day of the assizes or after sittings respectively; provided that the court or a judge may at any time order that a cause shall be tried by a special jury, upon such terms as they or he shall think fit. Mode of obtaining a special jury.

35. Where the defendant in any case, or plaintiff in an action for the replevin of goods, gives notice of his intention to try the cause by a special jury, the court, or a judge, if satisfied that such notice is given for the purpose of delay, may order that the cause be tried by a common jury, or may make such other order as to the trial of the cause as such court or judge shall think fit. Remedy for delay by notice of trial by special jury.

36. Where notice has been given to try by special jury, either party may, eight days before the first day of the sittings in Dublin or commission day of the assizes, give notice to the sheriff that such action is to be tried by a special jury, and in case no such notice be given, or the notice has not been given in sufficient time, no special jury need be summoned or attend, and the cause may be tried by a common jury, unless otherwise ordered by the court or a judge. Notice to sheriff of trial by special jury.

37. The person or party who shall apply for a special jury shall pay the fees for striking such special jury, and all the expenses occasioned by the trial of the cause by the same, and shall not have any further or other allowance for the same upon taxation of costs than such person or party would be entitled unto in case the cause had been tried by a common jury, unless the judge before whom the cause is tried shall, within a reasonable time after the trial, certify under his hand, upon the back of the record, that the same was a cause proper to be tried by a special jury. Costs of special jury.

38. A writ or clause of view shall not be necessary or used, but, whether the view is to be had by a common or special jury, it shall View jury to be by rule.

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be sufficient to obtain a rule of the court or a judge's order directing a view to be had, and directing the sheriff to have six or more of the jurors named in the panel chosen by consent, or, if the parties cannot agree, nominated by the proper officer of the court at the place in question some convenient time before the trial; and the viewers shall have the place shown to them by two persons to be named in the order, and to be appointed by the court or a judge; and the sheriff, upon request, shall deliver to either party the names of the viewers, and shall also return their names to the registrar, for the purpose of their being called as jurymen upon the trial.

Special juries may be struck according to old practice.

39. Whenever any of Her Majesty's superior courts in Ireland, or any judge of any of the superior courts, shall order a special jury to be struck before the proper officer of such court, such officer shall appoint a time and place for the nomination of such special jury, and a copy of the rule of court and of such officer's appointment shall be served on the sheriff of the county in which the trial is to be had, and also on all the parties who have usually been served with the same respectively in the accustomed manner, and the said officer at the time and place appointed being attended by such sheriff or his agent, who are hereby respectively required to bring with them "the special jurors book," or a true copy thereof, signed by such sheriff, in which copy the said sheriff shall have written his initials opposite the name of every person whom he shall have previously summoned and returned to serve as a juror during the same or the two preceding years, and the said officer at the time and place appointed by him for that purpose shall cause the several numbers prefixed to each name (opposite to which the said sheriff shall not have written his initials) in the said "special jurors book," or the copy thereof furnished to the said officer as aforesaid, to be written on distinct pieces of parchment or cards, and shall in the presence of all the parties in any of the cases aforesaid, and of their attorneys if they respectively choose to attend, or if the said parties or their attorneys, all or any of them, do not attend, then in their absence, put all the said numbers into a box to be by him provided for that purpose, and after having shaken them together, shall draw out of the said box forty-eight of the said numbers, one after another, and shall, as each number is drawn, refer to the corresponding number in "the special jurors book," or said copy thereof, and read aloud the name designated by such number, and if at the time of so reading any name either party or his attorney shall object that the man whose name shall have been so referred to is in any manner incapacitated from serving on the said jury, and

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shall also then and there prove the same to the satisfaction of the said officer, such name shall be set aside, and the said officer shall instead thereof draw out of the said box another number, and shall in like manner refer to the corresponding number in "the special jurors book," or said copy thereof, and read aloud the name designated thereby, which name may be in like manner set aside, and other numbers and names shall in every such case be resorted to, according to the mode of proceeding herein-before described for the purpose of supplying names in the places of those set aside, until the whole number of forty-eight names not liable to be set aside shall be completed. And if in any case it shall so happen that the whole number of forty-eight names cannot be obtained from the numbers put into the said box as aforesaid, then and in that case the said officer shall cause the several numbers prefixed to each name (opposite which the said sheriff shall have written his initials) in "the special jurors book," or said copy thereof, to be written on distinct pieces of parchment or card, and shall put all the said last-mentioned numbers into the said box, and after having shaken them together shall, according to the mode of proceeding herein-before described for the purpose of supplying names in the places of those set aside, draw the said numbers out of the said box until the whole number of forty-eight names not liable to be set aside shall be completed; and if in any case it shall so happen that the whole forty-eight names cannot be obtained from "the special jurors book," then and in that case the said officer shall fairly and indifferently take, according to the mode of nomination heretofore pursued in nominating special juries, such a number of names of the highest rated persons (whose names are not contained in "the special jurors book," and opposite which names the said sheriff shall not have written his initials) from "the general jurors book," and which said "general jurors book" such sheriff is hereby required to produce if called upon to do so by such officer, as shall be required to make up the full number of forty-eight names; all and every of which forty-eight names shall in such case be equally deemed and taken to be those of special jurors. And the said officer shall afterwards make out for each party a list of the forty-eight names in the order in which they shall have been drawn as aforesaid, together with their respective places of abode and additions; and all the subsequent proceedings for reducing said list of forty-eight names, and all other matters whatsoever relating to special juries, shall remain and continue in force as heretofore, except where the same or any part thereof is expressly altered by this Act; and all the fees heretofore legally payable on the

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striking of special juries shall continue to be paid in the accustomed manner. And it shall be lawful for the sheriff or other officer to summon and return as such special jurors any of the persons named in the said list when so reduced, although such person may have been previously during the current year, or such prescribed period as herein-before mentioned, summoned and returned to serve as a juror.

Penalty on defaulting jurors.

40. If any man having been duly summoned to attend on any jury shall not attend in pursuance of such summons, or being thrice called shall not answer to his name, or if any such man, or any talesman, after having been called, shall be present but not appear, or after his appearance shall wilfully withdraw himself from the presence of the court, the court shall set such fine as the court shall think meet upon every such man or talesman making default, unless some reasonable excuse shall be proved by oath or affidavit, as the court shall think meet: Provided that where any viewer, having been duly summoned to attend on any jury, shall make default as aforesaid, the court is hereby authorised and required to set upon such viewer (unless some reasonable excuse shall be proved as aforesaid) a fine to the amount of ten pounds at the least, and as much more as the court under the circumstances of the particular case shall think proper.

Names of jurors to be balloted for.

41. The name of each man who shall be summoned and empannelled either as a common or special juror in any court of assize or nisi prius, with the place of his abode and addition, shall be written on a distinct piece of parchment or card, being all as nearly as may be of an equal size, which shall be delivered unto the clerk or registrar of the judge who is to try the cause by the sheriff or other officer returning the process, and shall, by direction and care of such clerk or registrar, be put together in a box to be provided for that purpose; and when any issue shall be brought on to be tried, such clerk or registrar shall in open court draw out twelve of the said parchments or cards, one after another, after having shaken them together, or, in cases where any view shall have been directed and had as aforesaid, so many as, together with the viewers who shall appear and shall be sworn, shall be sufficient to make up the number of twelve; and if any of the men whose names shall be so drawn shall not appear, or shall be challenged and set aside, then such further number, until twelve men, or such other number as, together with such viewers so appearing and sworn as aforesaid, shall make up the number of twelve, be drawn, who shall appear, and who, after all just causes of challenge allowed, shall remain as fair and indifferent; and the said twelve men, and their names being marked in the panel, and they being sworn, shall be the jury to try

the issue; and the names of the men so drawn and sworn shall be kept apart by themselves until such jury shall have given in their verdict and the same shall be recorded, or until such jury shall, by consent of the parties or by leave of the court, be discharged, and then the same names shall be returned to the box, there to be kept with the other names remaining at that time undrawn, and so toties quoties as long as any issue remains to be tried: Provided always, if any issue shall be brought on to be tried in any of the said courts before the jury in any other issue shall have brought in their verdict or been discharged, it shall be lawful for the court to order twelve of the residue of the said parchments or cards not containing the names of any of the jurors who shall not have so brought in their verdict or been discharged, to be drawn in such manner as aforesaid for the trial of the issue which shall be so brought on to be tried: Provided also, that when both parties shall consent thereto, the court may try any issue with the same jury that shall have previously tried or been drawn to try any other issue, without their names being returned to the box and re-drawn, or order the name or names of any man or men on such jury, whom both parties may consent to withdraw, or who may justly be challenged or excused by the court, to be set aside, and another name or other names to be drawn from the box, and try the issue with the residue of such original jury and with such man or men whose name or names shall be so drawn, and who shall appear and be approved as indifferent, and so toties quoties as long as any issue remains to be tried. A.D. 1871.

Tales de circumstantibus.

42. Where a full jury shall not appear before any court of assize or nisi prius in any criminal prosecution properly triable in such court or in any suit or action, or where, after appearance of a full jury, by challenge of any of the parties the issue is likely to remain untaken for default of jurors, every such court, upon request made for the Queen by any one thereto authorised, or assigned by the court, in cases of such criminal prosecutions as aforesaid, or on request made by the parties, plaintiff or defendant, or their respective attorneys, in any action or suit, shall command the sheriff or other officer to whom the making of the return shall belong to name and appoint, as often as need shall require, twelve other able men of the county then present; and the sheriff or other officer to whom the making of the return shall belong aforesaid, shall at such command of the court return twelve such men duly qualified who shall be present or can be found to serve on such jury, and shall add and annex their names to the former panel: Provided that

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where a special jury shall have been struck for the trial of any issue, the talesmen shall be such as shall be upon the common jury panel to serve at the same court, if a sufficient number of such men can be found; and the names of the persons so to be named, with their additions and places of abode, shall be written on several distinct pieces of parchment or card, being all as near as may be of equal size, and shall be delivered to the clerk or registrar of the judge before whom such issue is to be tried, by the sheriff or other officer to whom the returning of such jury shall belong, and shall, by the direction and care of such clerk or registrar, be rolled up as near as may be in the same manner, and put together in a box or drawer, and shaken together, and the said clerk or registrar or other indifferent person, by direction of the court, in open court, shall draw out such pieces of parchment or card, one after another, until a number shall appear which shall be sufficient, with those of the original panel who appear to make up the number of twelve, who shall be the jury to try the said issue; and the Queen, by any one so authorised or assigned as aforesaid, and all and every the parties aforesaid, shall and may, in each of the cases aforesaid respectively, have their respective challenges to the jurors so added and annexed; and the court shall proceed to the trial of every such issue with those jurors who were before empannelled, together with the talesmen so newly added and annexed, as if all the said jurors had been returned upon the precept awarded to try the issue.

Sheriff indemnified for returning names contained in "jurors books."

Fines imposed on sheriffs and other officers for misconduct.

43. Every sheriff and other officer to whom the return of juries shall belong shall be and is hereby indemnified for empannelling and returning any man named in the "general jurors book" or "special jurors book," although he may not be qualified or liable to serve on juries; and if any sheriff or other such officer shall empannel and return any man to serve on any jury before any court (except the grand jury at any assizes), such man's name not being inserted in the "general jurors book" or "special jurors book" for the current year, or if said "general jurors book" or "special jurors book" has not been delivered, then in the "general jurors book" or "special jurors book" last delivered, or if any officer of any court shall wilfully record the appearance of any person so summoned and returned who did not really appear, in every such case the court shall, upon examination in a summary way, set such fine upon such officer so offending as the court shall think meet.

No money to be taken by any officer to excuse per-

44. No sheriff, coroner, elisor, bailiff, or other officer or person whatsoever shall, directly or indirectly, take or receive any money or other reward, or promise of money or reward, or any consideration

whatsoever, or the promise of any consideration, to excuse any man from serving or from being summoned to serve on juries, or under any such colour or pretence; and no bailiff or other officer appointed by any sheriff, coroner, or elisor to summon juries, shall summon any man to serve thereon, other than those whose names are specified in a warrant or mandate signed by such sheriff, coroner, or elisor, and directed to such bailiff or other officer; and if any sheriff, coroner, elisor, bailiff, or other officer shall wilfully transgress in any of the cases aforesaid, or shall neglect to summon any juror any number of days less than the number herein-before appointed for that purpose, the court within whose jurisdiction such offence shall have been committed may and is hereby required, on examination and proof of such offence in a summary way, to set such a fine upon every person so offending as the court shall think meet, according to the nature of the offence.

Persons from serving.

None to be summoned but those named in the warrant.

Penalties for neglect or misconduct.

45. If any clerk of a poor law union, or any collector-general of rates for the city of Dublin, or any poor rate collector, shall refuse or neglect (unless prevented by sickness) to prepare or assist in preparing, or to deliver to the clerk of the peace, any list required by this Act, so that the same shall not be made out and delivered at the time and in the manner herein-before directed, or shall wilfully omit out of any such list the name of any man whose name ought to be inserted therein, or shall wilfully insert therein the name of any man whose name ought to be omitted therefrom, or shall take any money, reward, or promise of money or reward, or other consideration, for omitting or inserting any man whatsoever, or shall wilfully insert therein a wrong description of the name, place of abode, title, quality, calling, or business, or of the nature or amount of the qualification of any man, or shall refuse or wilfully neglect, in case the number of forms of returns delivered by the clerk of the peace shall be insufficient, to apply to the clerk of the peace for a sufficient number, so that the said lists may be made out at the time and in the manner herein-before directed, or shall, after due notice, refuse or wilfully neglect to produce any rate book or other book or document which he may be required to produce before any such court as aforesaid, or to answer on oath such questions touching the same as shall be there put, or to attend before such court or any such adjournment thereof as aforesaid, every such person offending in any of the foregoing cases shall, for every such offence, forfeit a sum not exceeding fifty pounds nor less than forty shillings, at the discretion of the court or judge before whom such offender shall be convicted.

Penalties for neglect to prepare lists, &c.

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Penalties on clerks of the peace, sheriffs, &c. for neglect.

46. If any clerk of the peace shall refuse or wilfully neglect to cause a sufficient number of precepts or forms of return to be printed in the manner herein-before directed, or shall refuse or wilfully neglect to issue and deliver to any clerk of a poor law union or collector-general within the meaning of this Act, the precepts, as herein-before directed, or to annex to the same printed copies of the second schedule of this Act, or to issue and deliver with the said precept such a number of the forms of return as he shall bonâ fide deem sufficient, or to deliver to any clerk of a poor law union or collector-general such additional number thereof as he may apply for, within three days after such application, or shall refuse or wilfully neglect to prepare a "general jurors book" and "special jurors book" within the time and in the manner and form herein-before prescribed, or to deliver the same to the sheriff within the time herein-before prescribed; or if any clerk of the peace or sheriff shall make or cause to be made any alteration whatsoever in any "general jurors book" or "special jurors book," except in the cases herein-before provided for, or shall wilfully write or cause to be written in any "general jurors book" or "special jurors book" the name of any person whose name ought to be omitted therefrom, or shall wilfully omit or cause to be omitted thereout the name of any person whose name ought to be inserted therein, or if any sheriff shall neglect or refuse to write or cause to be written and delivered the several names of the persons empannelled upon distinct pieces of parchment or card as herein-before directed, or shall refuse or wilfully neglect, within ten days after the next succeeding sheriff shall have entered upon office, to deliver over to him the "general jurors books" and "special jurors books" respectively, which shall have been delivered to him by the clerk of the peace or preceding sheriff, or shall wilfully neglect or refuse, within fourteen days after the commencement of any year, to deliver and return to the clerk of the peace any "general jurors book" or "special jurors book" which he is bound to return to the clerk of the peace after three years, in pursuance of the provisions of section thirteen of this Act, every such clerk of the peace or sheriff offending in any of the said cases shall for every such offence forfeit the sum of one hundred pounds, one moiety whereof shall be to the use of Her Majesty, her heirs and successors, and the other moiety, with full costs, to any person who shall sue for the same by a personal action in any of Her Majesty's courts of record at Dublin.

Qualification of jurors on

47. No man shall be summoned or empannelled to serve as a juror in any county in Ireland upon any inquest or inquiry to

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be taken or made by or before any sheriff or coroner, by virtue of any writ of inquiry, or by or before any commissioner or commissioners appointed under the great seal or the seal of the Court of Exchequer, or by or before any justice, master, or other officer of any of Her Majesty's superior courts, who shall not be duly qualified according to this Act to serve as a juror upon trials at nisi prius in such county: Provided always, that nothing herein contained shall extend to term, grand juries in the Court of Queen's Bench, grand juries at assizes or at any special commission of oyer and terminer and general gaol delivery, or to any inquest of the death of any person to be taken by or before any coroner by virtue of his office, or to any inquest or inquiry to be taken or made by or before any sheriff or coroner of any liberty, franchise, city, borough, or town corporate not being counties, but that the sheriffs and coroners in all such cases to which this Act doth not extend as aforesaid shall and may respectively take and make all inquests and inquiries by jurors of the same description as they have been used and accustomed to do before the passing of this Act.

writs of inquiries, &c.

This Act not to extend to coroners inquests, &c.

48. If any man, having been duly summoned and returned to serve as a juror upon any inquest or inquiry before any sheriff or coroner, or before any of the commissioners aforesaid, shall not, after being openly called three times, appear, and service of such summons be duly proved, every such sheriff, and such coroner and commissioner respectively, are hereby authorised and required, unless some reasonable excuse shall be proved on oath or affidavit, to impose such fine upon every man so making default as they shall respectively think fit, not exceeding five pounds; and every such sheriff, coroner, and commissioner respectively shall make out and sign a certificate containing the Christian and surname, the residence, and trade or calling of every man so making default, together with the amount of the fine imposed, and the cause of such fine, and shall transmit such certificate to the clerk of the peace for the place in which every such defaulter shall reside, on or before the first day of the quarter sessions next ensuing; and every such clerk of the peace is hereby required to copy the fines so certified on the record on which all fines and forfeitures imposed at such quarter sessions shall be copied, and the same shall be estreated, levied, and applied in like manner, and subject to the like powers, provisions, and penalties in all respects, as if they had been part of the fines imposed at such quarter sessions.

Sheriffs, coroners, and commissioners may fine jurors for non-attendance.

49. Notwithstanding anything herein contained, every person who shall be guilty of the offence of embracery, and every juror

Embracery and corrupt

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jurors punishable by fine and imprisonment.

who shall wilfully or corruptly consent thereto, shall and may be respectively proceeded against by indictment or information, and be punished by fine and imprisonment, in like manner as every such person and jurors might have been before the passing of this Act.

Fines to be levied as provided by "Fines Act (Ireland), 1851."

50. All fines and penalties incurred or imposed under this Act by any court or judge shall be levied and recovered and applied as by "The Fines Act (Ireland), 1851," is provided.

Power to send juries to the adjoining county for the night where necessary to keep them together.

51. Where any jury shall be empannelled and sworn to try any issue of treason or felony in any court-house of any county, which court-house shall be situate within or shall adjoin a different county, if it shall become necessary to keep such jury together for any night or nights, or for any Sunday, it shall be lawful for the court to direct that such jury shall be taken for such night or nights, or such Sunday, to any convenient place to be named by the court within such surrounding or adjoining county, and such jury in going to, remaining at, and returning from such place shall be kept in the like custody, and treated in all respects in the same manner, and all officers intrusted with the duty of keeping such jury together shall have the same powers as if such surrounding or adjoining county formed part of the county to which such court-house shall belong.

Power to the Lord Lieutenant and Privy Council to vary time for discharging duties connected with preparation and revision of jurors lists for first occasion after Act passed.

52. It shall be lawful for the Lord Lieutenant, by and with the advice and consent of the Privy Council in Ireland, by an order to be published in the Dublin Gazette, to prescribe that a different time from that herein-before in this Act prescribed for the issuing of the precept to the clerks of unions, and for the making out and delivery by the said clerks of unions of the jurors lists, and the preparation of the special jurors lists by the clerks of the peace, and the revision of the said lists, and the preparation and delivery of the "general jurors book" and "special jurors book" to the sheriff for the first occasion of their several duties being discharged under this Act; and this Act (except so far as it relates to the steps necessary to be taken prior to such delivery of the said books) shall commence and take effect on the first day of the term next after the delivery of the said books.

SCHEDULES to which the foregoing Act refers.

FIRST SCHEDULE.

ACTS and PARTS of ACTS to be repealed, so far as in the foregoing Act is declared.

Statute.	Title of Statute.	Extent of Repeal.
No. 1. 40 George 3. c. 72. (Irish).	No. 1. "An Act for the better regulation of trials by jury in the Court of King's Bench, Common Pleas, and Exchequer, during term, and in the sittings after term."	No. 1. The whole Act, except the 7th section.
No. 2. 3 & 4 William 4. c. 91.	No. 2. "An Act for consolidating and amending the laws relative to jurors and juries in Ireland."	No. 2. The whole Act, except the 47th and 50th sections.
No. 3. 4 William 4. c. 8. -	No. 3. "An Act to amend an Act passed in the last session for consolidating and amending the laws relative to jurors and juries in Ireland."	No. 3. The whole Act.
No. 4. 2 & 3 Victoria, c. 48.	No. 4. "An Act to amend two Acts of the third and fourth, and fourth and fifth years of His late Majesty King William the Fourth, for consolidating and amending the laws relative to jurors and juries in Ireland."	No. 4. The whole Act.
No. 5. 3 & 4 Victoria, c. 108.	No. 5. "An Act for the regulation of municipal corporations in Ireland."	No. 5. Section 179, so far as relates to the qualification of jurors.
No. 6. 8 & 9 Victoria, c. 67.	No. 6. "An Act for making further regulations for more effectually securing the correctness of the jurors books in Ireland."	No. 6. The whole Act.
No. 7. 12 & 13 Victoria, c. 91.	No. 7. "An Act to provide for the collection of rates in the city of Dublin."	No. 7. Section 87 of this Act, by which the collector-general of the city of Dublin is required to make out the lists of persons liable to serve on juries.

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Statute.	Title of Statute.	Extent of Repeal.
No. 8. 16 & 17 Victoria, c. 113.	No. 8. "An Act to amend the procedure in the superior courts of common law in Ireland."	No. 8. Section 109, section 110, section 111, section 112, section 113, section 114, section 115, section 116, and section 117.
No. 9. 31 & 32 Victoria, c. 75.	No. 9. "An Act to amend the laws relating to petit juries in Ireland."	No. 9. Section 4 of this Act.

SECOND SCHEDULE.

EXEMPTION from serving on JURIES.

Peers.

Members of Parliament.

Clergymen in Holy Orders and other persons who shall teach or preach in any religious congregation, and who do not follow any secular occupation except that of schoolmaster.

Persons holding any paid, judicial, or other office belonging to any court of justice in Ireland.

Persons of the following professions actually practising:—

Barristers-at-law.

Attorneys and solicitors.

Licensed medical practitioners.

Apothecaries duly certified.

Civil engineers.

Public notaries and actuaries entitled to grant statutable certificates.

Professors, schoolmasters, or teachers, in any college, academy, or school.

Persons holding any public office under Her Majesty's Government, or any public department, or under any local authority, and paid from taxes, general or local.

Persons licensed to sell or distribute stamps, and other public officers paid by authorised fees or per-centage.

Masters of vessels and duly licensed pilots.

And persons heretofore exempted by virtue of any prescription, charter, grant, writ, or local Act of Parliament.

THIRD SCHEDULE.

FORM A.

PRECEPT for the RETURN of LISTS of JURORS.

County of (1)

To the Clerk of the Poor Law Union of in the said county of (2)

You are hereby required, on or before the first day of August in this present year, to prepare a complete and true list in writing, according to the form sent herewith, for each barony, (3) division of a barony, or other district of the said county (4) within the said union, of the names of all men rated for the relief of the poor within said union, who are qualified and liable to serve as jurors for the said county of (5) , that is to say, a complete and true list for each barony, (6) division of a barony, or other district of the said county, (7) containing the name of every man between the ages of twenty-one and sixty years who resides within the said county, (7) or who has, or uses for the purposes of any trade or business, any counting-house, office, shop, store, or place of business within the said county, (8) although such man may not reside therein, provided that he reside within twelve statute miles therefrom, who is, either in his own name or as a member of a firm or copartnership, rated in the last rate made in said union for the relief of the poor in respect of any lands, tenements, or hereditaments situate in such barony, (9) division of a barony, or other district of the said county (10) within the said union of the net annual value of [thirty]* pounds or upwards, and you are required to prepare the said list in alphabetical order of surnames, and consecutively numbered, and write the Christian name and surname of every man at full length, with his true or last known place of abode and the place of his rated property, his title, quality, calling, or business, and the annual value of his rated property, in the proper columns of the forms sent herewith, and if you have not a sufficient number of forms you must apply to me for more; and in preparing the said list you are to omit the names of all men who are described in the second schedule of the Juries Act (Ireland), 1871 (a copy of which schedule is annexed to this precept), and of all aliens and persons attainted or convicted of any treason or felony, or convicted of any crime that is infamous, unless having obtained a free pardon, or who are under outlawry

(1) [County of the city of ——, county of the town of——, *or* borough of ——, *as the case may be.*]

(2) [County of the city of ——, county of the town of——, *or* borough of ——, *as the case may be.*]

(3) "Ward," *in counties of cities, counties of towns, or boroughs.*

(4) [County of the city of ——, county of the town of——, *or* borough of ——, *as the case may be.*]

(5) [County of the city of ——, county of the town of——, *or* borough of ——, *as the case may be.*]

(6) "Ward," *in counties of cities, counties of towns, or boroughs.*

(7) County of a city, county of a town, *or* borough, *as the case may be.*

(8) County of a city, county of a town, *or* borough.

(9) "Ward," *in counties of cities, or counties of towns, or boroughs.*

(10) County of a city, county of a town, *or* borough.

* Insert here the amount of net annual value fixed for such county, county of a city, or county of a town, or borough, as the case may be, as the proper qualification of jurors by the Fourth Schedule to this Act.

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by virtue of any criminal process; and you are required on or before the first day of August in the present year to deliver the said list, with a declaration at the foot or end of the said list signed by the poor rate collector or collectors by whose assistance you may have prepared the said list, that the true or last known place of abode, and the title, quality, calling, or business, of each of the persons named in the said list are, so far as relates to each of their respective districts of collection, fully and truly stated therein, and with a further declaration at the foot or end of said list, signed by you, that the said list has been fully and correctly prepared by you from the rate books of the said union, in pursuance of the provisions of the Juries Act (Ireland), 1871, to the clerk of the peace of the said county,(11) and you are hereby required, within twenty-one days after the delivery of the said list to the said clerk of the peace, to cause a sufficient number of copies of the said list to be printed, published, and posted within the barony (12) for which the said list shall have been prepared, and you are further required to attend the chairman or revising barrister of the said county,(13) and produce the rate books of the said union at any of the courts to be held for the revision of the said list, of the time and place of holding which you shall be previously informed, and there to answer on oath such questions as shall be put to you by such chairman or revising barrister then present touching the said list, and those several matters you are in nowise to omit upon the peril that may ensue.

Given under my hand at , in the said county of (14) , this day of ; in the year .

_____ Clerk of the Peace for the said county of (14) .

(11) [County of the city, county of the town, *or* borough, *as the case may be.*]

(12) [*In counties of cities, counties of towns, or boroughs,* "Ward."]

(13) [County of the city, county of the town, *or* borough, *as the case may be.*]

(14) [County of the city, county of the town, *or* borough, *as the case may be.*]

FORM B.

County of (1) and Poor Law Union of .

"General List of Jurors" for the (2) in the said county, prepared this day of 18 , by the clerk of the said union.

(1) [County of the city of —, *or* county of the town of —, *or* borough of —, *as the case may be.*]

(2) [Barony, division of a barony, *or other district, and in counties of cities, or counties of towns, or boroughs,* "Ward."]

Consecutive Numbers.	Surnames, in alphabetical Order.	Christian Names.	Places of Abode.	Barony, Half-barony, or Ward in which Place of Abode is situate.	Title, Quality, Calling, or Business.	Annual Value of rated Property.	Place of Property.

We, the undersigned collectors of poor rate, hereby declare that the true or last known place of abode, and the title, quality, calling, or business, of each of the persons named in the above list are, so far as relates to each of our respective districts of collection, fully and truly stated therein.

Dated this day of , in the year .

} Collectors of Poor Rate.

I, the undersigned clerk of union, do hereby declare that the above "General List of Jurors" has been fully and truly prepared by me from the rate books of the union, in pursuance of the provisions of the Juries Act (Ireland), 1871.

Dated this day of , in the year .

Clerk of the Union.

FORM C.

County of and Poor Law Union of .

"List of Special Jurors" for the (1) in the said county, prepared this day of 18 , by the Clerk of the Peace for said .

(1) [Barony, division of a barony, *or in a county of a city, or county of a town,* "Ward."]

Consecutive Numbers.	Surnames, in alphabetical Order.	Christian Names.	Places of Abode.	Barony, Half-barony, or Ward in which Place of Abode is situate.	Title, Quality, Calling, or Business.	Annual Value of rated Property.	Place of Property.

I, the undersigned Clerk of the Peace of the county of , do hereby declare that the above "List of Special Jurors" has been fully and correctly prepared by me from the "General List of Jurors" for the said barony of (2) in pursuance of the provisions of "The Juries Act (Ireland), 1871."

(2) [Division of a barony, *or in a county of a city, or county of a town,* "Ward."]

Dated this day of , in the year .

Clerk of the Peace.

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FORM D.

"General Jurors Book" for the (1) , for the year 18 .

(1) County of the city of —, county of the town of —, *or* borough of —, *as the case may be.*

Consecutive Numbers.	Surnames, in alphabetical Order.	Christian Names.	Places of Abode.	Barony, Half-barony, or Ward in which Place of Abode is situate.	If in "Special Jurors Book."	Title, Quality, Calling, or Business.	Annual Value of rated Property.	Place of Property.	Returned to serve as a Juror.	
									Assizes, Sessions, or Court.	Date.

FORM E.

"Special Jurors Book" for the county of (1) for the year 18 .

(1) County of the city of —, *or* county of the town of —, *as the case may be.*

Consecutive Numbers.	Surnames, in alphabetical Order.	Christian Names.	Places of Abode.	Barony, Half-barony, or Ward in which Place of Abode is situate.	Title, Quality, Calling, or Business.	Annual Value of rated Property.	Place of Property.	Returned to serve as a Special Juror.	
								Assizes or Court.	Date.

FORM F.

County of the city of (1)

I, the undersigned Clerk of the Peace, hereby certify that (2) name is on "The General Jurors Book" and "The Special Jurors Book" (3) for the said county of the city of (4) , and that the place of abode of the said juror is in the county of , and his title, quality, calling, or business is that of , and this certificate is given by me for the purpose of enabling the said to be exempted from serving on juries in the county of , pursuant to the provision contained in section twenty-seven of "The Juries Act (Ireland), 1871."

Dated this day of , in the year .

Clerk of the Peace of .

To , Esq., Clerk of the Peace of the county of .

(1) *or* county of the town of —.

(2) [*Juror.*]

(3) [*According as the fact is.*]

(4) [*or* county of the town of —, *as the case may be.*]

FORM G.

County of . I, the undersigned Clerk of the Peace, hereby certify that [juror's] name is on "The Special Jurors Book" for the said county, and that the place of abode of the said juror is , in this county, and his title, quality, calling, or business is that of , and the net annual value of rated property, and place of the property, as the same appears in the Special Jurors Book, is £ , at .

Dated this day of in the year

Clerk of the Peace of .

To , Esq.,
Clerk of the Peace of the county of city of ,
or county of the town of .

FOURTH SCHEDULE.

The net annual value of the property qualification of jurors shall be as follows:

CLASS I.	
In the counties of—	
Antrim, Cork, Down, Dublin, Kildare, Kilkenny, Limerick, Meath, Tipperary, Westmeath, and Wexford.	A net annual value of £20 or upwards in respect of lands, tenements, or hereditaments within any of the said counties, or a net annual value of £12 or upwards in respect of lands, tenements, or hereditaments appearing on the rate book of any union to be situate in any city, town, or village within any of the said counties.
CLASS II.	
In the counties of—	
Armagh, Carlow, Cavan, Clare, Donegal, Fermanagh, Galway, King's County, Kerry, Londonderry, Longford, Louth, Mayo, Monaghan, Queen's County, Roscommon, Sligo, Tyrone, Waterford, and Wicklow; And in the county of the cities of— Dublin, Cork, Limerick, and Waterford.	A net annual value of £20 or upwards in respect of lands, tenements, or hereditaments within any of the said counties.
CLASS III.	
In the county of Leitrim; and in The county of the city of Kilkenny, The county of the town of Carrickfergus, The county of the town of Drogheda, and The county of the town of Galway.	A net annual value of £15 or upwards in respect of lands, tenements, or hereditaments within any of the said counties.

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CLASS IV.	
In any borough (other than those specified above) having a separate court of sessions of the peace or a court of record for the trial of civil actions.	A net annual value of £20 or upwards in respect of lands, tenements, or hereditaments within any such borough.

FIFTH SCHEDULE.

The net annual value of the property qualification of special jurors shall be as follows:

CLASS I.	
In the counties of—	
Cork, Down, Kildare, Limerick, Meath, Tipperary; and Westmeath.	A net annual value of £100 or upwards in respect of lands, tenements, or hereditaments within any of the said counties.
CLASS II.	
In the counties of—	
Antrim, Armagh, Carlow, Cavan, Clare, Donegal, Dublin, Fermanagh, Galway, Kerry, Kilkenny, King's County, Londonderry, Longford, Louth, Mayo, Monaghan, Queen's County, Roscommon, Sligo, Tyrone, Waterford, Wexford, and Wicklow; and in Co. of the city of Cork, and Co. of the city of Dublin.	A net annual value of £50 and upwards in respect of lands, tenements, or hereditaments within any of the said counties.
CLASS III.	
In the county of the city of Limerick.	A net annual value of £40 or upwards in respect of lands, tenements, or hereditaments within any of the said counties.
CLASS IV.	
In the county of Leitrim, County of the city of Waterford, County of the city of Kilkenny, County of the town of Carrickfergus, County of the town of Drogheda, and County of the town of Galway.	A net annual value of £30 or upwards in respect of lands, tenements, or hereditaments within any of the said counties.

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