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THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 25 of 1932.

AN ORDINANCE

Relating to Juries.

BE it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act* 1909 and the *Seat of Government (Administration) Act* 1910-1931, as follows:—

PART I.—PRELIMINARY.

1. This Ordinance may be cited as the *Juries Ordinance* 1932. Short title.
2. The Acts of the State of New South Wales specified in The First Schedule to this Ordinance shall cease to apply to the Territory. State Acts to cease to apply.

3. This Ordinance is divided into Parts, as follows:— Parts.

PART I.—Preliminary.

PART II.—Juries.

- Division 1.—Qualification, Disqualification and Exemption of Jurors.
- Division 2.—Jury Lists.
- Division 3.—Trial by Jury.
- Division 4.—Jury Precepts and Summons.
- Division 5.—Challenge.
- Division 6.—Striking and Impanelling.
- Division 7.—Disagreement.
- Division 8.—View by Jurors.
- Division 9.—Offences.
- Division 10.—Miscellaneous.

PART III.—Miscellaneous.

4. In this Ordinance, unless the contrary intention appears— Definitions.
“District Registrar” means the person acting as District Registrar of the High Court;

305/29.—PRICE 8D.

- “Justice” means a Justice of the High Court;
- “Magistrate” means a Magistrate or Special Magistrate appointed as, or performing the duties of, a Magistrate in the Territory under the *Court of Petty Sessions Ordinance 1930-1932*;
- “Prescribed” means prescribed by rules of court or regulations made under this Ordinance;
- “the Court” means the High Court;
- “the High Court” means the High Court of Australia in the exercise of its jurisdiction in relation to the Territory;
- “the Sheriff” means the Sheriff appointed under the *Sheriff Ordinance 1932*.

PART II.—JURIES.

Division 1.—Qualification, Disqualification and Exemption of Jurors.

Qualifications of jurors.

5. Subject to the *Jury Exemption Act 1905-1922*, as amended from time to time, and except as is otherwise provided in this Ordinance, every male adult person of European race or extraction who—

- (a) is a natural-born or naturalized British subject; and
- (b) resides within ten miles of the Court House at Acton and has resided in the Territory continuously for not less than twelve months,

shall be qualified and liable to serve as a juror.

Qualifications of special jurors.

6. Except as is otherwise provided in this Ordinance, every male adult person of European race or extraction, who possesses the qualifications referred to in paragraph (a) and (b) of the last preceding section, and who—

- (a) is a merchant, accountant, engineer, architect or a lessee of the Crown paying a rent of not less than Twenty pounds per annum; or
- (b) occupies as owner, tenant or manager any lands or tenements of the yearly value of Fifty pounds or upwards,

shall, in addition to being qualified and liable to serve as a juror, be qualified and liable to serve as special juror.

Persons disqualified.
N.S.W. No. 31,
1912, s. 4.
Vic. No. 3707,
s. 7.

7. A person—

- (a) attainted of any treason or convicted of any felony or infamous crime, unless he has obtained a free pardon;
- (b) who has been twice convicted in any part of His Majesty's Dominions of any treason, felony or infamous crime;

- (c) who has been bankrupt and has not obtained his discharge;
- (d) who is unable to read and write; or
- (e) who is of unsound mind,

shall not be qualified to serve as a juror.

8. The following persons shall be exempt from serving as jurors:—

- (a) Clergymen in holy orders, priests of the Roman Catholic faith, and other ministers of religion having established congregations;
- (b) Barristers and solicitors duly admitted to practice, and actually practising, and their clerks;
- (c) The District Registrar of the High Court and Clerks of Petty Sessions;
- (d) Magistrates and coroners;
- (e) The Sheriff, Sheriff's officers, members of the Police Force and peace officers;
- (f) Legally qualified medical practitioners actually practising;
- (g) Registered pharmacists within the meaning of the *Pharmacy Ordinance 1931*;
- (h) Registered dentists within the meaning of the *Dentists Registration Ordinance 1931-1932*;
- (i) Notaries public;
- (j) Schoolmasters and school teachers;
- (k) Managing directors, managers, cashiers and tellers of banking establishments;
- (l) The employees of the Government of any part of the King's Dominions, other than the Commonwealth of Australia;
- (m) Officers and employees of the Commonwealth Railways Commissioner;
- (n) The household officers and servants of the Governor-General;
- (o) Members of the Fire Brigade;
- (p) Editors, publishers and reporters of newspapers;
- (q) Blind persons, dumb persons and deaf persons; and
- (r) Persons above the age of sixty years who claim exemption.

Persons exempt.
N.S.W. No. 31,
1912, s. 5, and
No. 8, 1924, s.
2 (a).
Vic. No. 3707,
s. 8, Second
Schedule.

9. An exemption or want of qualification, if not submitted before the juror is sworn, shall not afterwards form a sufficient reason for impeaching any verdict.

Exemption or
want of
qualification.
Vic. No. 3707,
s. 10.

10. Except as otherwise expressly provided, a person whose name is on any jury list as a juror shall not be excused on the ground of any disqualification or exemption (except any ground specified in section seven or eight of this Ordinance or on account of illness) not claimed at the revision of the list in pursuance of this Ordinance.

Disqualification
or exemption
to be pleaded
on revision of
list.
ib. s. 11.

Justice may
excuse jurors
who are
candidates or
officers at
election.
Ib. s. 12.

11. A Justice may, upon application after a juror has been served, order that he shall be excused from attendance on any day on which it is made to appear that the juror is a candidate or has to perform officially any duty requiring his personal attendance at any election under the *Advisory Council Ordinance* 1930-1931 or at any election or poll held or taken in pursuance of any law of the Territory.

Power of
Justice to
discharge or
excuse person
summoned as
a juror.
Ib. s. 13.

12. On proof on oath or by affidavit or statutory declaration to the satisfaction of a Justice that a person summoned as a juror ought to be excused from attendance by reason of any matter of special urgency or importance, the Justice may, if he thinks fit, in open court discharge that person from further attendance on the Court or excuse that person from attendance for any period during the sittings of the Court.

One of two
partners, &c.,
may be
exempted.
Ib. s. 14.

13. A Justice on proof to his satisfaction in open court that two or more partners members of the same co-partnership or two or more persons employed in the same establishment have been summoned to attend as jurors on the same days may exempt one of the jurors during one or more of those days.

Division 2.—Jury Lists.

Preparation of
jury lists.
N.T. Ordinance
No. 7, 1912, s. 8.

14. As soon after the commencement of this Ordinance as is practicable and at such other times thereafter as the Attorney-General directs, the Sheriff shall—

- (a) make out a list, in accordance with the form in the Second Schedule to this Ordinance, in alphabetical order of the names of persons qualified and liable to serve as jurors, together with their addresses, occupations and qualifications, and duly prefix to the names numbers in regular arithmetical series;
- (b) write the words "Special Juror" against the names of persons who are qualified and liable to serve as special jurors; and
- (c) cause copies of the list to be posted up at all police stations and post offices within ten miles of the Court House at Acton, together with a notice, in accordance with the form in the Third Schedule to this Ordinance, that the list will be revised at a special sitting of the Court of Petty Sessions at Canberra on a date to be named therein.

Revision of list.
N.T. Ordinance
No. 7, 1912,
s. 10.

15.—(1.) On the date mentioned in the notice the Sheriff shall lay the list before a special sitting of the Court of Petty Sessions, and a Magistrate shall thereupon revise the list—

- (a) by striking out the names of all persons who appear to the Court not to be qualified or liable to serve as jurors, and by inserting the names of any persons qualified and liable to serve as jurors whose names appear to the Court to have been omitted therefrom;

(b) by striking out the words "Special Juror" against the names of any jurors who appear to the Court not to be qualified or liable to serve as special jurors and by inserting those words against the names of any jurors qualified and liable to serve as special jurors; and

(c) by correcting any errors or mistakes.

(2.) When the revision of the list has been completed, the list as revised shall be signed by the Magistrate and transmitted to the Sheriff.

(3.) The list as so revised shall be the Jury List for the High Court, and the names against which the words "Special Juror" are written shall be the Special Jury List for the High Court, and the lists shall remain in force until superseded by a new Jury List and Special Jury List.

Division 3.—Trial by Jury.

16. All offences prosecuted in the High Court shall be tried by a jury consisting of twelve men chosen and returned according to the provisions of this Ordinance.

Trial by jury in criminal cases.
N.S.W. No. 81,
1912, s. 27.

17.—(1.) Upon application made to the High Court by the Attorney-General or other prosecutor, or by or on behalf of any defendant, in any criminal cause depending in the Court, the Court may order a special jury to be summoned for the trial of the issue in the cause.

Criminal special jury.
Ib. s. 28.

(2.) Every such special jury shall be taken from the names of those jurors on the Special Jury List.

(3.) Any defendant making application for a special jury shall serve upon the Attorney-General or other prosecutor a notice in writing of the application at least four clear days before the time of his making the application.

18. Where, in pursuance of the *High Court Procedure Act* 1903-1925, the Court or a Justice has directed the trial with a jury of any suit or issue of fact, such trial shall be with a special jury of six men.

Special juries in civil cases.

19.—(1.) The party requiring any civil case to be tried by a jury shall, on so requiring, pay such fees as are prescribed, and shall, for the second and every subsequent day of any trial, pay to the Sheriff, at or before the opening of the Court on each day of the trial, the prescribed sums payable to jurors.

Court fees in cases before juries.
Ib. ss. 44, 46.

(2.) If the last-mentioned sums are not so paid, the Court shall, unless the sums are paid by any other party, discharge the jury and proceed to finish the hearing of the trial and determine it without a jury, notwithstanding that the trial commenced with a jury.

(3.) Whenever in any case a jury is required in consequence of the order of the Court, otherwise than on the application of any party to the case, then neither party shall be liable to pay the jury fees.

Division 4.—Jury Precepts and Summons.

General jury precepts.
N.S.W. No. 31,
1912, s. 32.

20. From time to time, and as often as occasion demands, precepts in accordance with the form in the Fourth Schedule to this Ordinance, to be called "General jury precepts", shall be issued, under the hand and seal of a Justice of the High Court, directed to the Sheriff, requiring him to summon jurors for the trial of issues and assessment of damages in the High Court.

Special jury precepts.
Ib. s. 33.

21. Whenever a jury of special jurors is required for the trial of any civil issues, a Justice of the High Court shall issue a precept under his hand and seal in accordance with the form in the Fourth Schedule to this Ordinance to be called a "Special jury precept".

Terms of precept.
Ib. s. 35.

22. Every jury precept shall specify the time when and the place where the attendance of the jurors is required, and shall be issued and delivered to the Sheriff seven clear days before the time so specified.

Number of jurors to be summoned.
Ib. s. 36.

23. In every such precept the Justice issuing the precept may require the Sheriff to summon such number of jurors as is specified in the precept.

Provision for cases where Sheriff is interested.
Ib. s. 42.

24.—(1.) In every case wherein it is made to appear to the High Court or a Justice thereof that the Sheriff is a party or in any manner interested, the precept to be issued therein shall be directed and delivered to such other person as the Court or Justice appoints in that behalf.

(2.) The person so appointed shall thereupon have and exercise for the purposes of the precept all the powers and duties of the Sheriff.

Jurors to be chosen by lot.
Ib. s. 43.

25. When a jury precept is delivered to the Sheriff he shall choose in the following manner the persons to be summoned from those whose names appear in the Jury List or Special Jury List, as the case may be:—

- (a) Cards printed or stamped only with the same numbers as are prefixed in the Jury List or Special Jury List, as the case may be, to the names of persons liable to be summoned shall be placed in a rotating ballot-box approved by the Attorney-General;
- (b) The box having been made to rotate for one minute at least by the Sheriff or his deputy, as many cards shall be drawn forth one at a time as there are jurors required to be summoned;

- (c) Where the number on any such card indicates the name of a juror whom the Sheriff or his deputy knows to be dead or to have left the Territory, another card shall be drawn in its place, and a special return shall be made to the Court, with the names of the jurors summoned, of the names of all jurors so omitted, with the cause thereof; and
- (d) The persons whose names in the Jury List or Special Jury List, as the case may be, correspond with the numbers on the cards so drawn shall be the jurors to be summoned.

26. The Sheriff shall forthwith issue to each such juror a summons in writing signed by himself or his deputy in accordance with the form in the Fifth Schedule to this Ordinance.

Summons to jurors.
N.S.W. No. 31,
1912, s. 44.

27.—(1.) The summons shall be—

- (a) delivered to the juror or left at his usual place of abode at least four clear days before the time specified for his attendance; or
- (b) sent to him by post with the Sheriff's seal of office thereon, in which case an additional day shall be allowed between the day of service and the time specified for his attendance.

Service of summons.
Ib. s. 45.

(2.) Proof of the posting of any such summons shall be evidence that the summons was served in the ordinary course of post.

28. In determining the persons to be summoned for a jury or special jury, those persons who, during the time that the Jury List or Special Jury List has been in use, have attended the High Court in pursuance of a summons or served on a jury, shall be excluded—

Jurors not liable to be summoned until list exhausted.
Ib. s. 46.

- (a) from service as jurors until the list of names in the Jury List has been exhausted; and
- (b) from service as special jurors until the list of names on the Special Jury List has been exhausted.

29. The Sheriff on showing to the satisfaction of a Justice of the High Court that an error has been made in the name or description of any juror may, by the leave of the Justice in writing, cause the error to be corrected and the party to be thereafter summoned by his right name and description, provided that in every such case there is no question as to the identity in fact of the juror.

Mistakes in names may be corrected.
Ib. s. 49.

30. Upon the day and at the place named in any jury precept for the appearance of the jurors thereby required to be summoned, the Sheriff shall by himself or his deputy return the jury precept into the High Court, and shall annex to the precept a panel containing the names in alphabetical order of the persons so

Sheriff's return to precept.
Ib. s. 50.

summoned by him in pursuance of the jury precept, and shall also therewith furnish to the proper officer of the Court the names of those persons with their respective additions and places of abode written upon separate pieces of card, each piece of card being as nearly as may be of equal size, and the proper officer shall thereupon put the pieces of card in a box to be used in accordance with the provisions of this Ordinance.

Informalities,
&c., not to
invalidate
verdict.
Ib. s. 51.

31. No omission or informality with respect to any lists or precepts or panels returned in pursuance of this Ordinance shall affect or invalidate any verdict returned by a jury which is in other respects according to law.

Jury may be
sworn once and
not re-sworn.
Vic. No. 3707,
s. 65.

32. The proper officer on delivery of the panel shall call aloud the names of the jurors one after another, and those who answer to their names may be sworn in open court in accordance with the form in the Sixth Schedule to this Ordinance; and being once sworn shall not need to be resworn unless either party or they that sue for the King or the person arraigned so require, and the proper officer shall as each juror is sworn make a minute thereof on the panel.

Division 5.—Challenge.

Right of
challenge.
N.S.W. No. 31,
1912, s. 52.

33. Subject to the provisions of this Ordinance, challenge to the array and to the polls may be made and allowed for such and the like cause, in such and the like form and manner, and under and subject to the like laws, rules and regulations in every respect, as by law was or were established, used and practised in like cases in the State of New South Wales prior to the date of the commencement of this Ordinance.

Standing jurors
by.
Ib. s. 54.

34. Nothing contained in this Ordinance shall affect the power of the Court to order any juror to stand by until the panel shall be gone through at the prayer of those prosecuting for the Crown.

Peremptory
challenges in
criminal trials.
N.S.W. No. 31,
1912, s. 55.
Vic. No. 3707,
s. 68.

35.—(1.) Every person arraigned shall be admitted to challenge jurors peremptorily if for any treason or capital offence to the number of twenty, and if for any other offence to the number of fifteen, and every peremptory challenge above those numbers shall be void.

(2.) No person shall, except for cause shown, be allowed more challenges than those mentioned in the last preceding sub-section.

(3.) Every peremptory challenge beyond the number allowed by this section shall be void, and the trial shall proceed as if no challenge had been made.

(4.) The Crown may peremptorily challenge any number of jurors.

36. In all criminal inquests every challenge shall be made as the juror comes to take his seat and before he takes it.

Proper time for challenging in criminal cases. Vic. No. 3707, s. 69.

37.—(1.) No omission, error or irregularity by the Sheriff or any of his officers in the time or mode of service of any jury summons, or in the summoning or return of any juror by a wrong name (where there is no question as to his identity) shall be cause of challenge either to the array or to the juror.

Informalities in summoning jurors. N.S.W. No. 31, 1912, s. 56.

(2.) No matter which might have been objected by way of challenge to the polls or to the array, as the case may be, shall invalidate or affect any verdict in any case, civil or criminal, unless the objection is taken by way of challenge.

Division 6.—Striking and Impanelling.

38.—(1.) On any criminal trial the proper officer shall draw cards out of the box and call aloud the names and additions on each card until the full number of jurors appear and remain approved as indifferent; and the twelve men so first drawn appearing and approved shall be the jury to try the issues on the trial.

Mode of striking jury in criminal cases. N.S.W. No. 31, 1912, s. 57. Vic. No. 3707, s. 67.

(2.) If the whole number of the pieces of card is exhausted, by challenge or otherwise, before twelve men are duly sworn, either the Crown or the prisoner may pray a tales, whereupon the Court may command the Sheriff forthwith to appoint as many good and lawful men of the bystanders (being qualified and liable to serve as jurors) as are sufficient to make up twelve men for the trial of the issue.

(3.) The pieces of card containing the names of the jurors so drawn and sworn shall be kept apart by themselves until the verdict of the jury has been recorded, or until the jury is, by consent of the parties, or by leave of the Court, discharged; and then the pieces of card shall be returned to the box, there to be kept with the other names remaining undrawn.

39. Where no objection is made on behalf of the King or any other party, the Court may—

Different issues may be tried by same jury. N.S.W. No. 31, 1912, s. 58.

(a) try any such criminal issue with the jury that have previously tried or been drawn to try any other such issue, without their names being returned to the box and redrawn; or

(b) order the name of any man or any such jury whom both parties consent to withdraw, or who is justly challenged or excused by the Court to be set aside and another name to be drawn from the box and by that issue with the residue of the original jury and with such man whose name is so drawn and who appears and is approved as indifferent.

Striking jury in
civil cases.
Ib. s. 59.

40.—(1.) At the opening of the Court upon any sitting for the trial of any civil issue under the provisions of this Ordinance, the proper officer shall put into a box provided for that purpose the pieces of card furnished by the Sheriff.

(2.) Upon any such issue being called on to be tried, the proper officer shall in open court draw out the pieces of card one after another, until twice the number of jurors required to be impanelled appear, and after all causes of challenge allowed remain indifferent and approved of, or until the whole number of the pieces of card is exhausted.

(3.) In case a sufficient number of jurors named on the pieces of card are not in attendance, the full number of jurors so directed to be drawn shall be completed by appointment of the Sheriff from amongst the bystanders, being persons qualified and liable to serve as special jurors.

Impanelling jury
in civil cases.
Ib. s. 60.

41.—(1.) In civil issues, upon twice the number of jurors required to be impanelled being completed, a list of their names shall be delivered by the Sheriff to the plaintiff or his solicitor or counsel, by whom one-fourth of the whole number of names contained in the list may be struck therefrom, and the list so reduced shall then be delivered to the defendant or his solicitor or counsel, by whom an equal number of names may be also struck therefrom.

(2.) The jurors whose names then remain upon the list, or the first six of those jurors shall be the jurors for the trial of the issues in question, and shall be sworn and impanelled accordingly.

(3.) After every such trial the cards so drawn shall be returned to the box to be kept with the others remaining undrawn.

Trying different
issues by the
same jury in
civil cases.
Ib. s. 61.

42. Where no objection is made on behalf of any plaintiff or defendant—

(a) any number of different issues may be tried by the same jury that have been previously drawn for or have tried any other issue without having their names returned to the box; or

(b) the Court or a Justice thereof may order the name of any juror on the jury whom the parties consent to withdraw or who may be challenged or excused to be set aside and another juror to be drawn from the box from the names remaining undrawn, who shall be subject to the same mode of striking as the original jurors, to try the issue or issues with the residue of the original jury.

Where damages
assessed only.
Ib. s. 62.

43. The provisions contained in the last three preceding sections shall be equally in force with respect to cases of assessment of damages.

44. Where—

- (a) the defendant, in a case of assessment of damages; or
 (b) either the plaintiff or defendant, in a case where there is an issue for trial,

Reducing list where part does not appear.
 Ib. s. 63.

does not appear in person, or by counsel or solicitor, the list of jurors may be reduced on his behalf by the proper officer or some other officer of the Court.

Division 7.—Disagreement.

45. Where the jury upon the trial of a criminal issue have retired more than twelve hours, if it be found, after examination on oath of one or more of them, that they are not likely to agree, the Court may discharge them.

Disagreement on criminal trials.
 N.S.W. No. 31, 1912, s. 65.

46.—(1.) Where the jury upon any civil trial or assessment of damages under this Ordinance have remained six hours or upwards in deliberation, if all of them do not agree as to the verdict to be given or amount of damages to be assessed, the decision of five-sixths in number of them shall be taken and entered as the verdict or assessment of all.

Disagreement in civil cases.
 Ib. s. 66.

(2.) If, after having remained for twelve hours or upwards in deliberation, five-sixths in number of the jurors do not concur in any such verdict or assessment, then the jurors shall be discharged, and the cause may without any new process for that purpose be again set down for trial or assessment (as the case may be) either at the same or any subsequent sittings, as the Court may order.

Division 8.—View by Jurors.

47.—(1.) Whenever it appears expedient to any Justice of the High Court in any cause depending in the Court that some of the jury should have a view of any place in dispute in the cause, the judge may order the view upon the payment by the party applying for the view of such sum as to the Justice seems reasonable.

Order for view.
 Ib. s. 67.

(2.) That sum shall be paid over to such jurors as have the view and attend the trial, and shall be taxed and allowed as other costs in the cause.

48. Two or more jurors, as the Justice of the High Court directs, mutually chosen by the parties, or, in case the parties cannot agree, nominated by the Sheriff, shall be shown the place by two persons appointed by the Justice.

View by two or more.
 Ib. s. 68.

49. In every such case the viewers, if in attendance upon the Court, shall be the first of the jurors named in the Sheriff's List, whether they are in the panel returned for the particular day of trial or not, and shall not be struck therefrom by either party; and the viewers so in attendance, together with so many

Viewers to be part of panel on trial.
 Ib. s. 69.

of the jurors whose names first stand on the reduced list as are necessary to make up the full number of jurors required shall form the jury to try the cause.

Division 9.—Offences.

Liability of
Sheriff.
Ib. s. 80.

50. If the Sheriff neglects or refuses to discharge the duties required of him by this Ordinance, or otherwise fails well and faithfully to do and perform any of the acts, matters and things required by this Ordinance to be by him performed he shall be guilty of an offence.

Penalty: Fifty pounds.

Liability of
viewers.
Ib. s. 81.

51. If any juror who has had a view of any place in dispute in any cause in pursuance of this Ordinance makes default when the cause in which he was appointed a viewer is called on for trial he shall, unless reasonable cause is shown, be guilty of an offence.

Penalty: Ten pounds, in addition to any penalty to which he is liable under this Ordinance for non-attendance as a juror.

Liability of
jurors making
default.
Ib. s. 82.

52. If, upon calling over the names upon any jury panel returned in pursuance of this Ordinance, the proper officer finds that any person whose name appears thereon has failed to attend, or if, after a person has attended, he wilfully withdraws himself from the presence of the Court, that person shall, unless good cause for his absence is made to appear on oath to the satisfaction of the Court, be guilty of an offence and liable to a penalty not exceeding Twenty pounds:

Provided that the Court may at any time exempt from attendance, either during the session or for any less period, any person summoned as a juror, who shows to the Court, on oath, sufficient grounds for the exemption:

Provided further that a juror summoned for the trial of civil issues shall not be compelled to attend any sittings for more than three consecutive days unless the Court otherwise orders.

Liability of
Coroners'
juries.
N.S.W. No. 31,
1912, s. 83.

53.—(1.) If any person, being duly summoned and returned to serve as a juror upon any inquest or inquiry before any sheriff or coroner, does not, after being openly called three times, appear and serve as a juror, the Sheriff or in his absence the Coroner (unless some reasonable excuse is proved, on oath if required), shall impose upon the person so making default such fine not exceeding Five pounds as he thinks fit.

(2.) The Sheriff or Coroner shall make out and sign a certificate containing the Christian name and surname, the residence and occupation of every person so making default, together with the amount of the fine imposed and the cause of the fine and shall transmit the certificate to the District Registrar on or before the first day of the criminal sitting of the Court next ensuing.

(3.) The District Registrar shall copy the fines so certified on the roll on which all fines or forfeiture imposed at the criminal sitting are copied and the fines shall be estreated, levied and applied in the same manner, and subject to the like powers, provisions and penalties in all respects as if they had been part of the fines imposed at the criminal sitting.

54. Any person who corruptly influences or attempts to influence any juror and every juror consenting thereto shall be guilty of an offence. Punishment for embracery. ~~Act~~ Ib. s. 84.

Penalty: Imprisonment for five years.

Division 10.—Miscellaneous.

55.—(1.) Every juror summoned in pursuance of any precept who attends the High Court shall for every day during his attendance upon the Court, whether he has actually served upon a jury or not, be entitled to receive compensation for the attendance at the prescribed rates. Payment of jury b. s. 71.

(2.) Every talesman serving with the jurors shall be entitled to the same compensation as a juror.

56. Where the jury have sat on the same trial in any civil case more than three days, the presiding Justice of the High Court may direct the prevailing party to pay them severally, or to the Sheriff for their use, in respect of the fourth and every subsequent day, such additional sum, over and above the prescribed amount to which they are entitled, as the Justice under the circumstances thinks reasonable and proper; and that sum shall be allowed as costs in the cause. Prolonged sittings. Ib. s. 74.

57. In the event of the death or illness of any juror during a trial, civil or criminal, except for a capital offence, the High Court shall have power, if it thinks fit, to direct that the trial shall proceed with a number reduced in no case to less than five-sixths of the jurors originally impanelled, and the verdict of the remaining jurors shall be a sufficient verdict. Trials to continue notwithstanding jury reduced in number. Vic. No. 3707, s. 76.

58. The Court on any trial may order to be supplied to a jury such reasonable refreshment as the Court thinks fit, at any time after the jury have been impanelled and sworn, and notwithstanding that they have retired to consider their verdict. Court may order refreshment for jury. N.S.W. No. 81, 1912, s. 64.

PART III.—MISCELLANEOUS.

59. The Justices of the High Court or a majority of them may make rules of court, not inconsistent with this Ordinance, for prescribing all matters which by this Ordinance are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance. Rules of Court.

Regulations.

60. Subject to any rules of court made by the High Court, the Attorney-General may make regulations, not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance, and in particular for prescribing the fees to be paid to or for juries.

THE SCHEDULES.
THE FIRST SCHEDULE.

Reference to Act.	Short title.
Act No. 67, 1901. Act No. 118, 1902. Act No. 3, 1905.	<i>Jury Act, 1901.</i> <i>Jury (Amendment) Act, 1902.</i> <i>Jury (Amendment) Act, 1905.</i>

Section 14.

THE SECOND SCHEDULE.
THE TERRITORY FOR THE SEAT OF GOVERNMENT.
Juries Ordinance 1932.

LIST OF ALL PERSONS IN THE TERRITORY LIABLE TO SERVE ON JURIES.

Christian and Surname in full.	Address.	Title, Quality, Calling or Business.	Nature of Qualifications.

Section 14

THE THIRD SCHEDULE.
THE TERRITORY FOR THE SEAT OF GOVERNMENT.
Juries Ordinance 1932.

JURY LIST FOR 19 .

NOTICE is hereby given that I have caused a list to be made out of persons in the Territory for the Seat of Government liable to serve as jurors, either special or common, during the year 19 , and that a copy of the said list lies for inspection in the office of the District Registrar of the High Court at Canberra and that a Magistrate will at a special sitting of the Court of Petty Sessions at o'clock in the noon on the day of , 19 at proceed to examine and correct the said list when all persons having any objection to offer thereto may attend if they shall think fit.

Dated this day of 19 .

Sheriff.

THE SCHEDULES—continued.
THE FOURTH SCHEDULE.
THE TERRITORY FOR THE SEAT OF GOVERNMENT.
Juries Ordinance 1932.
FORM OF PRECEPT.

Sections 20 and 21.

To the Sheriff.
 Greeting:

Pursuant to the *Juries Ordinance 1932* you are hereby commanded that you cause to come before the High Court to be holden at on the day of 19 , good and lawful men of the Territory duly qualified according to law as jurors [or special jurors or common jurors, according as the precept is intended to be a general jury precept, a special jury precept, or a common jury precept] to make a jury of the Territory for the trial of all such issues of fact or other matters as shall be then required to be tried by a general jury of twelve men [or a special jury of six men, or a common jury of twelve men, or a common jury of six men, according as the precept is intended], and that you have then there the names of those jurors as by the law is required of you, together with due proof of the service of a summons upon such of the said jurors as shall have been served and of the time and manner thereof and of the causes wherefore the others of such jurors have not been served with such summons and also this precept.

Given under my hand and seal at this day of , A.D. 19 .

THE FIFTH SCHEDULE.
THE TERRITORY FOR THE SEAT OF GOVERNMENT.
Juries Ordinance 1932.
FORM OF SUMMONS.

Section 26.

To—

Mr.....

You are hereby required to appear as a juror in the High Court to be holden at on the day of 19 , at o'clock in the noon; and you are there to attend from day to day until you shall be discharged by the said Court, under penalty of the fine by law imposed in this behalf.

Dated this day of 19 .

Sheriff.

THE SIXTH SCHEDULE.
THE TERRITORY FOR THE SEAT OF GOVERNMENT.
Juries Ordinance 1932.
FORM OF OATH.

Section 22.

"You and each of you shall well and truly try and true deliverance make between our Sovereign Lord the King and all persons whom you or any of you shall have in charge and a true verdict give according to the evidence. So help you God."

THE SCHEDULE—*continued.*

"You and each of you shall well and truly try the issues and assess the damages in all causes that may be brought before you or any of you for trial or inquiry and a true verdict give according to the evidence. So help you God."

Dated this first day of December, 1932.

ISAAC A. ISAACS

Governor-General.

By His Excellency's Command.

J. G. LATHAM

for Minister of State for the Interior.