

*Juries Amendment.*

## SCHEDULE.

## FORM OF OATH.

I, A.B., do swear that I will truly and faithfully and to the best and utmost of my skill and knowledge discharge the duties of [Chief Justice, or Judge of the Supreme Court, or Sheriff, as the case may be], without fear favour or malice. So help me God.

## No. II.

JURIES AMENDMENT, AN ORDINANCE to make temporary provision for the Constitution of Juries. [13th January, 1844.]

## Preamble.

WHEREAS by an Ordinance enacted by the Governor of New Zealand, with the advice and consent of the Legislative Council, (Session II., No. 3,) intituled "*An Ordinance to regulate the Constitution of Juries*," it was provided that every man except as therein excepted, between the ages of twenty-one years and sixty years, who should have to his own use a freehold estate in lands and tenements within the Colony and who should reside within the same, should be qualified and liable to serve as a juror therein, and provision was made for the formation of a Jury List in manner therein mentioned: And whereas the registration of titles to land within the Colony is not yet sufficiently advanced for the purpose of the aforesaid Ordinance:

BE IT THEREFORE ENACTED by the Governor of New Zealand, with the advice and consent of the Legislative Council, as follows:—

## I.—CONSTITUTION OF JURIES.

## Who liable.

1. Every man being a British subject and not an aboriginal native of New Zealand (except as in the aforesaid Ordinance excepted), between the ages of twenty-one years and sixty years, who shall be of good fame and character and who shall reside within the Colony, shall be qualified and liable to serve as a juror therein. Any aboriginal native of New Zealand whose capability may be certified under certain regulations to be from time to time issued by the Governor and Executive Council shall also be held duly qualified and liable to serve as a juror on a mixed jury for the trial of any case, civil or criminal, in which the property or person of any aboriginal native of New Zealand may be affected.

## II.—FORMATION OF JURY LIST.

## Justices of the Peace to prepare Jury List.

2. The Police Magistrate in every district or county shall, on the first day of February in this and every succeeding year, or as soon thereafter as may be, call a special meeting of the Justices of the Peace residing within twenty miles of the Police Office, for the purpose of forming a Jury List; the Justices at such meeting (any two being a quorum) shall prepare a list in alphabetical order of all men residing within such limits as aforesaid who shall be qualified and liable to serve as jurors, setting forth the Christian and surname of each at full length, together with his place of abode and calling or business. The Police Magistrate shall forthwith cause a copy thereof to be published in one or more of the newspapers of the district or county, and shall also cause a copy thereof to be affixed upon the principal door of the Police Office, and to such lists and copy thereof shall

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shall subjoin a notice that all objections thereto will be heard and determined by him at any time within ten days after such meeting as aforesaid.

3. The Police Magistrate shall have power, after hearing such objections, to strike out of the said list the names of all persons who shall not be liable to serve as jurors, and also of such as are disabled by lunacy or unsoundness of mind, or deafness blindness or other infirmity, and shall correct all errors therein.

Police Magistrate to hear and determine objections.

4. A copy of the list so corrected by the Police Magistrate shall be transmitted by him forthwith to the Sheriff of the district.

And transmit list to Sheriff.

5. The list so transmitted shall be called the "Jury List," and shall be brought into use at the first subsequent sitting of any Court for which a jury shall be needed, and shall continue to be used for one year thence next ensuing.

List to be in use for one year.

6. It shall be lawful for the Judges of the Supreme Court from time to time to make rules for the formation of special Jury Lists for the several districts or counties of the Colony, or any of them, and for the striking of special juries. The rules so to be made shall be subject to such approval and shall have the same force and effect as the general rules to be from time to time made under the authority of the Supreme Court Ordinance.

Special juries.

### III.—JURY OF FREEHOLDERS.

7. Whereas by the gradual extension of the registration of titles to land within the Colony it may be practicable from time to time to bring so much of the said recited Ordinance as relates to the constitution of juries and the formation of Jury Lists into operation within the several districts or counties of the Colony: Be it enacted that it shall be lawful for His Excellency the Governor, with the advice of the Executive Council, by Proclamation from time to time to declare that so much of the said recited Ordinance as aforesaid shall come into operation within any district or county to be named in such Proclamation at such time as shall be therein mentioned, at which time this Ordinance shall be deemed to be repealed as to such district or county.

So much of former Ordinance as relates to constitution of Juries may from time to time be brought into operation.

## No. III.

AN ORDINANCE to amend "*The Land Claims Ordinance*"  
(Session I., No. 2). [13th January, 1844.]

LAND CLAIMS  
AMENDMENT.

WHEREAS by an Ordinance enacted by the Governor of New Zealand, with the advice and consent of the Legislative Council, (Session I., No. 2,) intituled "*An Act to repeal within the said Colony of New Zealand a certain Act of the Governor and Legislative Council of New South Wales made and passed in the fourth year of the reign of Her present Majesty and adopted under an Ordinance of the Governor and Legislative Council of New Zealand, for extending the Laws of New South Wales to the said Colony of New Zealand, and which said Act of the Governor and Council of New South Wales is intituled 'An Act to empower the Governor of New South Wales to appoint Commissioners with certain powers to examine and report on Claims to Grants of Land in New Zealand, and also to terminate any*"

Preamble.

Commission