ANNO TERTIO

GEORGII IV. REGIS.

CAP. LXXXV.

An Act to allow peremptory Challenge of Jurors in Criminal Trials in *Scotland*. [26th *July* 1822.]

WHEREAS it is expedient that a peremptory Challenge of Jurors chosen to serve on Criminal Trials in *Scotland* should be allowed, and that Provision should be made for summoning in certain Cases an additional Number of Jurors on such Trials: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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, That from and after the passing of this Act, in all Criminal Trials by Jury in *Scotland*, it shall be lawful for the Prosecutor, and for each Pannel respectively, when the whole Jury of Fifteen shall have been chosen, and before they shall have been sworn, to challenge Five of the Jurors, without being obliged to assign any Reason therefor; and this Challenge shall of itself disqualify the Person challenged from serving as a Juror on the Trial in respect of which he was so chosen and challenged: Provided always, that after each Challenge made by any of the said Parties respectively, it shall be incumbent upon the Judge to chuse another Juror, so as again to complete the Number of Fifteen, before the Party challenging shall be obliged to make any Second or subsequent Challenge; and the Juror or Jurors to be chosen to supply the Place or Places of the Juror or Jurors challenged shall be equally liable to be challenged as the Jurors originally chosen.

In Criminal Trials the Prosecutor and Pannel may challenge Five of the Jurors without assigning any Reason.

Empowering the summoning for Jurors such Number of Persons exceeding 45 as may be deemed necessary.

II. And be it further enacted, That it shall and may be lawful for the Lord Justice Clerk and Lords Commissioners of Justiciary, and they are hereby authorized and empowered, by Act of Adjournal, to direct to be summoned as Jurors, to serve on any Criminal Trial or Trials before the High Court or any Circuit Court of Justiciary in *Scotland*, any such Number of Persons exceeding Forty-five as may be deemed necessary towards the Proceeding with any such Trial or Trials; any Law or Practice to the contrary notwithstanding.

Not to extend to Trials for Treason.

III. And be it further enacted, That nothing in this Act contained shall be held to apply to any Trial for the Crime of High Treason or Misprision of Treason.

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