

ANNO TERTIO & QUARTO

GULIELMI IV. REGIS.

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held by Lease or Leases originally made for an absolute Term of not less than Twenty-one Years, whether the same shall or shall not be determinable on any Life or Lives, and also every resident Merchant, Freeman, and Householder having a House and Tenements in any City, Town, or Borough, situate within the said County, of the clear yearly Value of Twenty Pounds, such City, Town, or Borough not being a County in itself, shall be qualified with respect to Property, and shall be liable to serve on Juries for the Trial of all Issues joined in any of the King's Courts of Record in *Dublin*, and in all Courts of Assize, Nisi Prius, Oyer and Terminer, and Gaol Delivery, such Issues being respectively triable in the County in which every Man so qualified respectively shall reside, and shall also be qualified with respect to Property, and liable to serve on Grand Juries in Courts of Sessions of the Peace, and on Petty Juries for the Trial of all Issues joined in such Courts of Session of the Peace, and triable in the County in which every Man so qualified respectively shall reside; and that every Man, except as herein-after excepted, being between the aforesaid Ages, residing in any County of a City or County of a Town in *Ireland*, and being there qualified as aforesaid, and also every resident Merchant, Freeman, and Householder having Lands or Tenements or Personal Estate of the Value of One hundred Pounds, shall be qualified with respect to Property, and shall be liable to serve as a Juror for the Trial of all Issues joined in any of His Majesty's Courts of Record at *Dublin*, and in all Courts of Assize, Nisi Prius, Oyer and Terminer, and General Delivery, such Issues being respectively tried in the said City or Town in which every Man so qualified shall respectively serve.

Exemptions from serving on Juries.

II. Provided always, and be it further enacted, That all Peers; all Judges of the King's Courts of Record in *Dublin*; all Clergymen in Holy Orders; all Persons who shall teach or preach in any Religious Congregation; all Serjeants and Barristers at Law actually practising; all Assistant Barristers; all Judges of Ecclesiastical Courts; all Advocates in Ecclesiastical Courts or in Courts of the Civil Law, actually practising; all Attornies, Solicitors, and Proctors duly admitted in any Court of Law or Equity, or of Ecclesiastical or Admiralty Jurisdiction, in which Attornies, Solicitors, and Proctors have usually been admitted, actually practising and having duly taken out their annual Certificates; all Officers of any such Courts, or of any Court of Criminal Jurisdiction, actually exercising the Duties of their respective Offices; all Public Notaries duly admitted; all Coroners, Gaolers, and Keepers of Houses of Correction; all Members and Licentiates of the King and Queen's College of Physicians in *Ireland* actually practising, and all other Physicians actually practising; all Surgeons, being Members of One of the Royal Colleges of Surgeons in *London*, *Edinburgh*, or *Dublin*, and actually practising; all Apothecaries certificated by the Court of Examiners of the Governor and Company of the Apothecaries Hall of the City of *Dublin*, and actually practising; all Officers in His Majesty's Navy or Army on full Pay; all Officers of Customs and Excise; all Sheriffs Officers, Police Constables, and Parish Clerks; all Postmasters General and their Deputies, and all other Persons employed and acting in the Service of His Majesty's Post Office; all Treasurers, Secre-

taries of Grand Juries, shall be and are hereby absolutely freed and exempted from being returned, and from serving upon any Juries or Inquests whatsoever, and shall not be inserted in the Lists to be prepared by virtue of this Act as herein-after mentioned: Provided also, that all Persons exempt from serving upon Juries in any of the Courts aforesaid, by virtue of any Prescription, Charter, Grant, or Writ, shall continue to have and enjoy such Exemption, in as ample a Manner as before the passing of this Act, and shall not be inserted in the Lists herein-after mentioned.

Aliens disqualified, except on Juries de medietate; Convicts or Outlaws, &c., disqualified.

III. Provided also, and be it enacted and declared, That no Man, not being a natural-born Subject of the King, is or shall be qualified to serve on Juries or Inquests, except only in Cases herein-after expressly provided for; and no Man who hath been or shall be attainted of any Treason or Felony, or convicted 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, or under Excommunication, is or shall be qualified to serve on Juries or Inquests in any Court or on any Occasion whatsoever.

Clerk of the Peace to issue Precept to Collectors of Grand Jury Cess in July.

IV. And, for the Assistance of the Sheriff in framing the Jurors Book, be it further enacted, That the Clerk of the Peace in every County and Clerk of the Peace in every County of a City and County of a Town in *Ireland* shall, within One Week after the Commencement, in every Year, of the Midsummer Sessions herein-after next mentioned, issue and deliver his Precept (in the Form set forth in the Schedule hereunto annexed, or as near thereto as may be,) to the High Constable and Collectors of Grand Jury Cess in each Barony, Half Barony, or other District of Collection, and to the Collectors of other Cess or Assessment where no Grand Jury Cess is levied, requiring such Collectors respectively to prepare and make out, within One Month then next ensuing, a true List of all Men residing within their respective Districts qualified with respect to Property, and liable to serve on Juries according to this Act as aforesaid, and also to perform and comply with all other the Requisitions in the said Precepts contained.

Clerk of the Peace to annex printed Forms of Returns to his Precepts.

V. And be it further enacted, That every such Clerk of the Peace shall cause a sufficient Number of Precepts and Returns to be printed according to the several Forms set forth in the Schedule marked (A.) hereunto annexed, at the Expence of the County, City, or Town, and shall annex to every Precept a competent Number of Returns for the Use of the respective Persons by whom such Returns are to be made.

Where there are several Collectors, each to be responsible for the Duties required by this Act.

VI. Provided always, and be it further enacted, That where, in any Barony, Half Barony, or other District of Collection, there shall be more than One such Collector, in such Case the Clerk of the Peace or Town Clerk shall issue and deliver his Precept to every one of such Collectors, each of whom shall be individually liable for the due Performance of the several Matters commanded in such Precept throughout the whole of such Barony, Half Barony, or other District, and

and shall for the Nonperformance thereof be subject to all and every the Penalties by this Act imposed upon any such Collector.

Collector of County Cess shall make out alphabetical List of Persons liable to serve on Juries, with Residences, &c.

VII. And be it further enacted, That such High Constable and Collector or Collectors shall forthwith, after the Receipt of such Precept from the Clerk of the Peace, prepare and make out in alphabetical Order a true List of every Man residing within their respective Districts of Collection who shall be qualified and liable to serve on Juries as aforesaid, with the Christian and Surname written at full Length, and with the true Place of Abode, the Title, Quality, Calling, or Business, and the Nature of the Qualification of every such Man, in the proper Columns of the Form of Return set forth in the Schedule marked (B.) hereunto annexed.

Collectors to deliver Lists to Clerk of Peace, &c.

VIII. And be it further enacted, That such High Constable and Collector or Collectors, having made out according to this Act a List of every Man within his or their District qualified and liable to serve on Juries as aforesaid, shall, within One Month from the Receipt of such Precept as aforesaid, deliver a true Copy of such List to the Clerk of the Peace of the County, and of every County of a City and County of a Town, who shall respectively keep the same for a Period of Three Weeks from the Delivery thereof in their respective Offices, to be perused by any of the Inhabitants of such County, County of a City, or County of a Town, at any reasonable Time during such Three Weeks, without any Fee or Reward, and shall after the Expiration of such Three Weeks lay the same before the Justices assembled at Special Sessions in manner herein-after provided.

At October Sessions. Place and Time to be fixed for considering Lists.

IX. And be it further enacted, That the Justices assembled at every *October* General or Quarter Sessions of the Peace to be holden in each Division of each County at large, and the Justices for and in each County of a City and County of a Town in *Ireland*, shall, at a Sessions to be holden at *October* in every Year, fix a Place within such Division and within such Counties of Cities and Counties of Towns respectively, and also a Time not less than Two nor more than Three Calendar Months after the first Day of such General or Quarter Sessions, for holding a Special Sessions for the Purpose of examining the said Lists of Jurors pursuant to the Provisions herein-after contained, and shall give public Notice of such Place and Time; at which Place and Time such Justices shall attend; and such High Constables and Collectors as aforesaid, within such Divisions of Counties and within such Counties of Cities and Counties of Towns respectively, shall attend the said Justices, and shall answer upon Oath such Questions touching the same as shall be put to them by the Justices then present; and if any Man not qualified or not liable to serve on Juries as aforesaid shall be inserted in any List so produced, it shall be lawful for the said Justices, if satisfied, from the Oath of any Party examined before them, or from other Proof, or upon their own Knowledge, that he is not qualified or not liable to serve on Juries, to strike his Name out of such List, and also to strike thereout the Name of any Man disabled by Lunacy or Imbecility of Mind, or by Deafness or Blindness or other permanent Infirmity, from serving

Lists to be there produced considered, reformed, and allowed.

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on Juries; and it shall also be lawful for such Justices to insert in such List the Name of any Man omitted and who ought to have been inserted therein, and likewise to reform any Errors or Omissions which shall appear to them to have been committed in respect to the Name, Place of Abode, Title, Quality, Calling, Business, or the Nature of the Qualification of any Man included in any such List: Provided always, that no Man's Name, if omitted, shall be inserted in such List, nor shall any Man's Name be struck out of such List, nor shall any Error or Omission in the Description of any Man in such List be reformed by the said Justices, unless upon the Application of such Men respectively, or unless such Men respectively shall have had Notice that an Application for such Purpose would be made to the Justices at such Special Sessions, or unless the said Justices at such Sessions, or any Two of them, shall cause Notice to be given to such Men respectively, requiring them to show Cause, either at the same Special Sessions, or at an Adjournment thereof to be holden within Four Days thereafter, and at such Time and Place as the said Justices shall in such Notice specify, why their Names should not be inserted or struck out of such List, or why any Error or Omission in the Description of such Men in such List should not be reformed; and when every such List shall be duly corrected by the Justices present at such Special Sessions or Adjournment thereof, and allowed and signed by them or Three of them, they the said Justices shall cause one general List to be made out therefrom, containing the Names of all Persons whose Qualification shall have been so allowed, arranged according to Rank and Property; and the presiding Justices at such Sessions shall deliver the same to the Clerk of the Peace who shall thereupon cause the same to be truly and fairly copied, in the same Order, in a Book to be by him provided for that Purpose, at the Expence of the County, City, and Town respectively, with proper Columns for making the Register herein-after directed, and shall forthwith deliver the same Book to the Sheriff of the County, City, or Town, or his Under Sheriff, or the Town Clerk, which Book shall be called "The Jurors Book for the Year ," (inserting the Calendar Year for which such Book is to be in use), and that every Sheriff, on quitting his Office, shall deliver the same to the succeeding Sheriff; and that every Jurors Book so prepared shall be brought into use on the First Day of *January* after it shall be so delivered by the Clerk of the Peace to the Sheriff or his Under Sheriff, and shall be used for One Year then next following.

Justices to deliver one general amended List to Clerk of the Peace to be kept among the Records of the County, and copied into a Book, to be delivered to Sheriff.

Sheriff to deliver the Book to his Successor.

X. And be it further enacted, That every Writ of Venire facias juratores, for the Trial, in any County, County of a City, or County of a Town, of any Issue whatsoever, whether civil or criminal, or on any penal Statute, in any of the Courts herein-before mentioned, shall direct the Sheriff of such County, City, or Town to return Twelve good and lawful Men of the Body of his County, qualified according to Law, and the rest of the Writ shall proceed in the accustomed Form; and that every Precept to be issued for the Return of Jurors before Courts of Oyer and Terminer, Gaol Delivery, and Sessions of the Peace, in *Ireland*, shall in like Manner direct the Sheriff to return a competent Number of good and lawful Men of the Body of his

Form of Venire facias and of Precept for Jurors at Gaol Deliveries and Sessions of the Peace.

his County, qualified according to Law, and shall not require the same to be returned from any particular Venue within the County; any Law, Custom, or Usage to the contrary notwithstanding.

Juries to be returned from Jurors Book by Sheriff, and by Coroners and Elisors.

XI. And be it further enacted, That the Sheriff shall not, in answer to any Writ of Venire facias, or Precept for the Return of Jurors, return the Names of any Persons not contained in the Jurors Book for the then current Year; and that where Process for returning a Jury for the Trial of any of the Issues aforesaid shall be directed to any Coroner, Elisor, or other Minister, he shall have free Access to the Jurors Book for the current Year, and shall not return the Names of any Persons not contained in the said Book: Provided always, that if there shall be no Jurors Book in existence for the current Year, it shall be lawful to return Jurors from the Jurors Book for the Year preceding; and that if it shall happen that any Person not in the Jurors Book shall be returned, and any Trial shall proceed, and Verdict be found, without any Objection to any such Person as a Juror, such Trial shall not be deemed a Mis-trial, nor shall the Verdict thereon be impeached or questioned on account of the Return of such Juror; provided that nothing herein contained shall be construed to prevent any Sheriff or other Returning Officer, in making Returns to any Writ of Venire or Precept, from exercising his Discretion in framing the Panel annexed to such Returns in such Manner as he is now by Law directed to do, save only so far as to prevent the Insertion in such Panel of any Names not contained in the said Jurors Book.

Sheriff, &c. on Return of Writs of Venire facias, to annex a Panel of Jurors, &c.

XII. And be it further enacted, That every Sheriff or other Minister to whom the Return of Juries for the Trial of Issues before any Court of Assize or Nisi Prius in any County, City, or Town of *Ireland* may belong, shall, upon his Return of every such Writ of Venire facias, (unless in Causes intended to be tried at Bar, or in Cases where a Special Jury shall be struck by Order or Rule of Court,) annex a Panel to the said Writ, containing the Names, together with the Places of Abode and Additions, of a competent Number of Jurors named in the Jurors Book; and that the Names of the same Jurors shall be inserted in the Panel annexed to every Venire facias for the Trial of all Issues at the same Assizes or Sessions of Nisi Prius in such County, City, or Town, which Number of Jurors shall not be less than Thirty-six nor more than Sixty, unless by the Direction of the Judges appointed to hold the Assizes or Sessions of Nisi Prius in the same County, City, or Town, or One of them, who are and is hereby empowered, by Order under their or his Hands or Hand, to direct a greater or lesser Number, and then such Number as shall be so directed shall be the Number to be returned; and such Jury so returned shall be competent to try all the Issues at that Assizes or Session of Nisi Prius; and that in the Writ of Habeas corpora juratorum or Distringas subsequent to such Writ of Venire facias it shall not be requisite to insert the Names of all the Jurors contained in such Panel, but it shall be sufficient to insert in the mandatory Parts of such Writs respectively, "The Bodies of the several Persons in the Panel to this Writ annexed named," or Words of the like Import, and to annex to such Writs

respectively Panels containing the same Names as were returned in the Panel to such Venire facias, with their Places of Abode and Additions; and that for making the Returns and Panels aforesaid, and annexing the same to the respective Writs, the legal Fee, and no other, shall be taken; and that the Men named in such Panels, and no others, shall be summoned to serve on Juries at the then next Court of Assizes or Session of Nisi Prius for the respective Counties, Cities, and Towns named in such Writs.

If Plaintiff sue forth a Venire, &c. in order to Trial, and proceed not, he may afterwards sue forth another Venire, &c. and try it at any subsequent Assizes.

XIII. And be it further enacted, That if any Plaintiff or Demandant in any Cause which shall be at issue in any of His Majesty's Courts of Record at *Dublin*, or any Defendant in any Action of Quare impedit or Replevin which shall be so at issue, shall sue out any Writ of Venire facias upon which any Writ of Habeas corpora or Distringas with a Nisi prius shall issue, in order to the Trial of the said Issue at the Assizes or Sessions of Nisi Prius in any County, City, or Town, and shall not proceed to Trial at the first Assizes or Sessions of Nisi Prius for such County, City, or Town after the Teste of such Writ of Habeas corpora or Distringas, then and in every such Case (except when a View by Jurors shall be directed as herein-after mentioned) such Plaintiff, Demandant, or Defendant, whensoever he or she shall think fit to try the said Issue at any other Assizes or Sessions of Nisi Prius for such County, City, or Town, shall sue forth a new Writ of Venire facias, commanding the Sheriff to return anew Twelve good and lawful Men of the Body of his County, qualified according to Law, and the rest of the Writ shall proceed in the accustomed Manner; which Writ being duly returned, a Writ of Habeas corpora or Distringas with a Nisi prius shall issue thereupon, (for which the same Fees shall be paid as in the Case of the Pluries, Habeas corpora or Distringas with a Nisi prius,) upon which such Plaintiff, Demandant, or Defendant shall and may proceed to Trial as lawfully and effectually to all Intents and Purposes as if no former Writ of Venire facias had been prosecuted in that Cause, and so *toties quoties* as the Case shall require; and if any Defendant or Tenant in any Action depending in any of the said Courts shall be minded to bring to Trial, in any County, City, or Town, any Issue joined against him, where by the Practice of the Court he may do the same, by Proviso, he shall or may, of the issuable Term next preceding such intended Trial to be had at the next Assizes or Sessions of Nisi Prius of such County, City, or Town, sue out a new Venire facias to the Sheriff or other Officer having the Return of such Process, in the Form aforesaid, by Proviso, and prosecute the same by Writ of Habeas corpora or Distringas with a Nisi prius, as lawfully and effectually to all Intents and Purposes as if no former Writ of Venire facias had been sued out or returned in that Cause, and so *toties quoties* as the Matter shall require.

Defendant may do the same.

Copy of the Panel to be kept in the Sheriff's Office, for the Inspection of the Parties.

XIV. And be it further enacted, That the Sheriff or other Minister to whom the Return of Jurors for the Trial of Causes in any County, City, or Town in *Ireland* may belong, shall cause to be made out a List of the Names of all the Jurors contained in the Panels to the several Writs of Venire facias annexed as aforesaid, with

with their respective Places of Abode and Additions; and every such Sheriff or other Minister shall keep such List in the Office of his Under Sheriff or Deputy for Seven Days at least before the Sitting of the next Court of Assize or Nisi Prius; and the Parties in all Causes to be tried at any such Court of Assize or Nisi Prius, and their respective Attornies, shall, on Demand, have full Liberty to inspect such Lists, without any Fee or Reward to be paid for Inspection.

Not to alter the Powers of Courts to make Orders for returning Juries as heretofore.

XV. Provided always, and be it further declared and enacted, That nothing herein contained shall be construed to prevent the Court of King'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.

Where Jurors are to view Lands, &c. Court may order special Writs of Venire facias, Distringas, or Habeas corpora.

XVI. And be it further enacted, That where in any Case, either civil or criminal, or on any penal Statute depending in any of the said Courts of Record in *Dublin*, it shall appear to any of the respective Courts, or to any Judge thereof in Vacation, that it will be proper and necessary that the Jurors or some of the Jurors who are to try the Issue in such Case should have the View of the Place in question, in order to their better understanding the Evidence that may be given upon the Trial of such Issues, in every such Case such Court, or any Judge thereof in Vacation, may order a Rule to be drawn up containing the usual Terms, and also requiring, if such Court or Judge shall so think fit, the Party applying for the View to deposit in the Hands of the Under Sheriff a Sum of Money to be named in the Rule, for Payment of the Expences of the View, and commanding special Writs of Venire facias, Distringas, or Habeas corpora to issue, by which the Sheriff or other Minister to whom the said Writs shall be directed shall be commanded to have Six or more of the Jurors named in such Writs, or in the Panels thereunto annexed, (who shall be mutually consented to by the Parties, or, if they cannot agree, shall be nominated by the proper Officer of the respective Courts of King's Bench, Common Pleas, or Exchequer, at *Dublin*, for the Causes in their respective Courts,) at the Place in question, some convenient Time before the Trial, who then and there shall have the Place in question shown to them by Two Persons in the said Writs named, to be appointed by the Court or Judge; and the said Sheriff or other Minister who is to execute any such Writ shall, by a special Return upon the same, certify that the View hath been had according to the Command of the same, and shall specify the Names of the Viewers.

XVII. And

XVII. And be it further enacted, That where a View shall be allowed in any Case, those Men who shall have had the View, or such of them as shall appear upon the Jury to try the Issue, and shall not be challenged off, shall be first sworn; and so many only shall be added to the Viewers who shall appear as shall, after all Defaulters and Challenges allowed, make up a full Jury of Twelve. Viewers, in case of Appearance, to be sworn upon the Jury first.

XVIII. And be it further enacted, That the Summons of every Man to serve on any Jury, Common or Special, in any of the Courts aforesaid, shall be made by the proper Officer Six Days at least before the Day on which the Juror is to attend, by showing to the Man to be summoned, or in case he shall be absent from the usual Place of his Abode, by leaving with some Person there inhabiting, a Note, in Writing under the Hand of the Sheriff, Sub-Sheriff, or other proper Officer, containing the Substance of such Summons. Jurors to be summoned Six Days before Day of Attendance.

XIX. And be it further enacted, That the Name of each Man who shall be summoned and impanelled 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, such Pieces of Parchment or Card being all as nearly as may be of an equal Size, and shall be delivered unto the Clerk of the Judge of Assize or Nisi Prius who is to try the Cause, by the Under Sheriff of the County, City, or Town, or other Officer returning the Process, and shall, by Direction and Care of such Clerk, 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 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 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, 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 the 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, that 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: Names of Jurors to be delivered to Clerk of Judge of Assize and ballotted for Juries in Civil Courts. Where the Jury have not brought in their Verdict, Twelve others to be drawn.

The same Jury, if consented to, may try several Issues in Succession, without being redrawn.

Provided also, that where both Parties shall consent thereto it shall be lawful for the Court to 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 redrawn, or to order the Name or Names of any Man or Men on such Jury whom both Parties may consent to withdraw, or who may be justly challenged or excused by the Court, to be set aside, and another Name or other Names to be drawn from the Box, and to 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.

Want of Qualification in Common Jurors to be Cause of Challenge.

XX. And be it further enacted, That if any Man shall be returned as a Juror for the Trial of any Issue in any of the Courts hereinbefore mentioned, who shall not be qualified according to this Act, the Want of such Qualification shall be good Cause of Challenge, and he shall be discharged upon such Challenge, if the Court shall be satisfied of the Fact; and that if any Man returned as a Juror for the Trial of any such Issue shall be qualified in other respects according to this Act, the Want of Freehold shall not be accepted as good Cause of Challenge, either by the Crown or by the Party, nor as a Cause for discharging the Man so returned upon his own Application, any Law, Custom, or Usage to the contrary notwithstanding; provided that nothing herein contained shall extend in anywise to any Special Juror.

Not to extend to Special Jurors.

No Challenges for want of a Knight.

XXI. And be it further enacted, That no Challenge shall be taken to any Panel of Jurors for want of a Knight's being returned in such Panel, nor any Array quashed by reason of any such Challenge; any Law, Custom, or Usage to the contrary notwithstanding.

Act not to affect Irish Acts, 33 H.8. sess. 1. c. 4. & 7 W.3. c. 8. as to Consanguinity.

XXII. Provided always, and be it enacted, That nothing in this Act contained shall in anywise be construed or deemed to repeal, alter, or affect an Act made in the First Session of the Thirty-third Year of the Reign of His late Majesty King *Henry* the Eighth, intituled *An Act that Consanguinity or Affinity, being not within the Fifth Degree, shall be no principal Challenge;* or an Act made in the Parliament of *Ireland*, in the Seventh Year of the Reign of King *William* the Third, intituled *An Act for Redress of Inconveniences for Want of Proof of the Decease of Persons beyond the Seas or absenting themselves upon whose Lives Estates do depend.*

Court to have the Power of ordering Special Juries to be struck before the proper Officer.

XXIII. And be it further enacted and declared, That it is and shall be lawful for His Majesty's Courts of King's Bench, Common Pleas, and Exchequer in *Ireland* respectively, upon Motion made on behalf of the King, or upon the Motion of any Prosecutor, Relator, Plaintiff, or Demandant, or of any Defendant or Tenant, 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 authorized in any of the Cases before mentioned to order and appoint a Special Jury to be struck before the proper Officer of each respective

tive 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.

What Persons shall be qualified and liable to serve on Special Juries.

XXIV. And be it further enacted, That the Sheriff of every County, City, and Town respectively, or his Under Sheriff, shall, within Ten Days from the Delivery of the Jurors Book for the current Year to either of them, take from such Book the Names of all such Persons as are Sons of Peers, and of all Baronets, Knights, Magistrates, and of Persons who have served or been returned to serve the Office of Sheriff or Grand Juror at the Assizes, and of all Bankers and wholesale Merchants who do not exercise retail Trades, and of all Trades who are possessed of Personal Property of the Value of Five thousand Pounds, and of the eldest Sons of such Persons respectively, and if such Descriptions of Persons shall not be so numerous as to furnish a competent Number of Persons out of whom a Special Jury may be formed, as herein-after provided, then a sufficient Number of other Persons whose Names are contained in the Jurors Book, Consideration being had of the Rank and Property of such Persons, and shall respectively cause the same to be fairly and truly copied out in alphabetical Order, together with the respective Places of Abode and Additions of such Men in a separate List, to be subjoined to the Jurors Book, which List shall be called "The Special Jurors List," and shall prefix to every Name in such List its proper Number, beginning the Numbers from the first Name, and continuing them in a regular arithmetical Series down to the last Name, and shall cause the said several Numbers to be written upon distinct Pieces of Parchment or Card, being all, as nearly as may be, of equal Size, and, after all the said Numbers shall have been so written, shall put the same together in a separate Drawer or Box, and shall there safely keep the same, to be used for the Purpose herein-after mentioned.

A List thereof to be made, and a Number to be prefixed to each Name.

Numbers to be written on separate Cards and put into a Box.

Officer of Court to appoint the Time and Place for nominating Special Jury.

XXV. And be it further enacted, That whenever any of the Courts or Judges above mentioned 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 or Under Sheriff of the County, City, or Town 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 Under Sheriff, or his Agent, who are hereby respectively required to bring with them the Jurors Book and such Special Jurors List, or Two Copies thereof signed by such Sheriff or Under Sheriff, and all the Numbers so written on distinct Pieces of Parchment or Card as aforesaid, shall, in the Presence of all the Parties in any of the Cases aforesaid, and of their Attornies, if they respectively choose to attend, or if the said Parties or their Attornies, 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-

Under Sheriff, or his Agent, to attend Officer with the Special Jurors List.

Officer to put all the Numbers into a Box, and to

draw out Forty-eight, and to check them with the Numbers and Names in the List;

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 List, 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 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 said List, 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 hereinbefore 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 Special Jurors List, 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 from the General Jurors List 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 after having made out such List shall return all the Numbers so drawn out, together with all the Numbers remaining undrawn, to such Sheriff or Under Sheriff, or his Agent, to be by such Sheriff or Under Sheriff safely and securely kept for future Use; and all the subsequent Proceedings for reducing the said List of Forty-eight, 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 striking of Special Juries shall continue to be paid in the accustomed Manner.

and to deliver a List of the Forty-eight Names to each Party, to be reduced as heretofore.

The Parties may, by Consent, have a Special Jury struck according to the ancient Mode,

XXVI. Provided always, and be it further enacted, That nothing herein contained shall be construed to prevent the Parties in any Cause, or their Attornies, from consenting to have a Special Jury nominated according to the Mode used and accustomed before the passing of this Act; and upon a Consent to that Effect, signed by each Party or his Attorney, being communicated to the proper Officer, he is hereby authorized and required to nominate a Special Jury for the Trial of every such Cause according to the Mode used and accustomed before the passing of this Act: Provided also, that nothing herein contained shall be construed to prevent the same Special Jury, however nominated, from trying any Number of Causes, so as the Parties in every such Cause, or their Attornies, shall have signified their Assent in Writing to the Nomination of such Special Jury for the Trial of their respective Causes, or shall consent thereto in open Court; Provided also, that it shall be lawful for the Court,

The same Special Jury may, by Consent, try any Number of Causes.

Court may discharge any

if it shall so think fit, upon the Application of any Man who shall have served upon One Special Jury or more at any Assizes or Sessions of Nisi Prius, to discharge such Man from serving upon any other Special Jury during the same Assizes or Session of Nisi Prius. one who has served at the same Assizes.

XXVII. And be it further enacted, That the Person or Party who shall apply for a Special Jury shall pay the Fees for striking such Jury, and all the Expences 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 immediately 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.

XXVIII. And be it further enacted, That 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 Jury is likely to remain untaken for Default of Jurors, every such Court, upon Request made for the King by any one thereto authorized or assigned by the Court in Cases of such Criminal Prosecutions as aforesaid, or on Request made by the Parties, Plaintiff or Demandant, Defendant or Tenant, or their respective Attornies, in any Action or Suit, whether popular or private, shall command the Sheriff or other Minister 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, City, or Town, then present, and the Sheriff or other Minister 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 where a Special Jury shall have been struck for the Trial of any Issue, the Talesmen shall be such as shall be impanelled 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 Cards, being all as near as may be of equal Size, and shall be delivered to the Clerk 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, be rolled up all as near as may be in the same Manner, and put together in a Box or Drawer and shaken together, and some 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 King, by any one so authorized 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; Tales de Circumstantibus.

nexed; and the Court shall proceed to the Trial of every such Issue, with those Jurors who were before impanelled, together with the Talesman so newly added and annexed, as if all the said Jurors had been returned upon the Writ or Precept awarded to try the Issue.

1 G. 3. (I.) c. 17. s. 10.

XXIX. And whereas by an Act passed in the Parliament of *Ireland* in the First Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for reviving, continuing, and amending several temporary Statutes, and for other Purposes therein mentioned*, it is amongst other things enacted, that no Issue shall be tried by a Jury of any City, in any Action or Suit concerning any Tolls, Duties, or Customs claimed by the Corporation of such City, but that every such Issue shall be tried by a Jury of an indifferent County, to be appointed by the Court in which such Action or Suit shall depend: And whereas by an Act passed in the Parliament of the United Kingdom in the Sixth Year of His late Majesty's Reign, intituled

6 G. 4. c. 51. s. 2.

An Act for the Amendment of the Laws with respect to Special Juries, and to Trials in Counties of Cities and Towns and Towns Corporate in Ireland, it is amongst other things enacted, that in every Action, whether the same be transitory or local, which shall be prosecuted or depending in any of His Majesty's Courts of Record in *Dublin*, and in every Indictment removed into His Majesty's Court of King's Bench in *Dublin* by Writ of Certiorari, and in every Information filed by His Majesty's Attorney or Solicitor General in *Ireland*, or by Leave of the Court of King's Bench in *Ireland*, and in all Cases where any Person or Persons shall plead to or traverse any of the Facts contained in the Return to any Writ of Mandamus in *Ireland*, if the Venue in such Action, Indictment, or Information be laid in any County of a City, County of a Town, or Town Corporate within *Ireland*, or if such Writ of Mandamus be directed to any Person or Persons, or Body Politic or Corporate, in *Ireland*, it shall and may be lawful for the Court in which such Action, Indictment, Information, or other Proceeding shall be depending, at the Prayer and Instance of any Prosecutor or Plaintiff or of any Defendant, to direct the Issue or Issues joined in such Action, Indictment, Information, or Proceeding to be tried by a Jury of the County next adjoining to such County of a City, County of a Town, or Town Corporate, and to award proper Writs of Venire or Distringas accordingly, if the said Court shall think fit and proper so to do: And whereas it may be difficult, in Cases in which Corporations may be Parties, to procure a Jury of suitable Persons in adjoining Counties, who shall not be of Kindred or Affinity in some collateral Degree with some Member of such Corporation, or such Degree of Kindred or Affinity may be so remote as to be unknown to the Sheriffs or other Officers who shall return the Jury to try such Cases: And whereas it is expedient that Persons returned on any such Jury should not be liable to be challenged by either Plaintiff or Defendant for any remote Degree of collateral Kindred or Affinity with any Member of such Corporation; be it therefore enacted, That in any Action or Suit instituted by or against any Corporate Body in *Ireland*, it shall not be deemed, taken, allowed, or admitted as a good Cause or Ground of Challenge of any Person returned as a Juror to try

No Cause of Challenge for collateral Affinity to a Corporator

try the Issue in such Action or Suit, that such Person so challenged is of collateral Kindred or Affinity with any Member of such Corporate Body, unless such Person shall be either the Brother, Uncle, Nephew, or First Cousin of some Member of such Corporate Body, or the Brother, Uncle, Nephew, or First Cousin of the Wife of some Member of such Corporate Body, or unless some Member of such Corporate Body shall be the Brother, Uncle, Nephew, or First Cousin of the Wife of such Person so to be challenged: Provided always, that nothing herein contained shall extend or be construed to extend to deprive any Plaintiff or Defendant in any such Action or Suit of any Right of Challenge of any Person returned on any such Jury for any other Cause for which any such Juror might have been challenged before the passing of this Act.

allowed, except in case of a Brother, Uncle, Nephew, or First Cousin to any Corporator or his Wife.

XXX. And be it further enacted, That whenever an Order shall be made in any such Action or Suit for a Special Jury to be struck, it shall and may be lawful to and for the proper Officer of the Court in which such Action or Suit shall be depending, after he shall in the Manner by this Act directed have made out a List of Forty-eight Persons, at the Instance of the Plaintiff or Plaintiffs, or Defendant or Defendants, in such Action or Suit, to allow to the Party so applying such Time as shall appear to such Officer to be reasonable for the Purpose of making Inquiry respecting the several Persons named in such List; and if it shall be made appear satisfactorily to such Officer that any of the Persons named in such List shall be the Brother, Uncle, Nephew, or First Cousin of any Member of such Corporate Body, or the Brother, Uncle, Nephew, or First Cousin of the Wife of any Member of such Corporate Body, or that any Member of such Corporate Body shall be the Brother, Uncle, Nephew, or First Cousin of the Wife of any Person named in such List, then such Officer shall strike out of such List the Name or Names of any and every such Person, and the Name or Names of another or other Person or Persons shall be inserted in such List by the said Officer; and such Name or Names of such Person or Persons may be set aside or struck out in like Manner as if such Name or Names had been originally placed in such List as aforesaid; and in such Case the Names of other Persons shall be resorted to for the Purpose of supplying Names in the Places of those set aside or struck out, until the whole Number of Forty-eight Names of Persons not objected to as liable to be struck out shall be completed; and the said Officer shall afterwards make out for each Party a List of such Forty-eight Names, together with the respective Places of Abode and Additions of the Persons; and all the subsequent Proceedings for reducing the said List, and all other Matters whatsoever relating to Special Juries, shall remain and continue in force; and in any such Action or Suit it shall not afterwards be deemed, taken, allowed, or admitted as a Cause or Ground of Challenge of any of such Persons, that any such Person was of collateral Kindred or Affinity with any Member of such Corporate Body.

On striking Special Juries in such Cases, Time shall be allowed for Inquiry as to such Affinity, and the Relation may be set aside, and another Special Juror named.

XXXI. And whereas by an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Amendment of the Laws with respect to Special Juries and*

Certain Provisions of 6 G. 4. c. 51 rendered ap

plicable to Indictments found by Term Grand Juries in His Majesty's Court of King's Bench in Ireland.

and to Trials in Counties of Cities and Towns and Towns Corporate in Ireland, it is amongst other things enacted, that in every Action, whether the same be transitory or local, which shall be prosecuted or depending in any of His Majesty's Courts of Record in *Dublin*, and in every Indictment removed into His Majesty's Courts of King's Bench in *Dublin* by Writ of Certiorari, and in every Information filed by His Majesty's Attorney or Solicitor General in *Ireland*, or by Leave of the Court of King's Bench in *Ireland*, and in all Cases where any Person or Persons shall plead to or traverse any of the Facts contained in the Return to any Writ of Mandamus in *Ireland*, if the Venue in such Action, Indictment, or Information be laid in any County of a City, County of a Town, or Town Corporate within *Ireland*, or if such Writ of Mandamus be directed to any Person or Persons, or Body Politic or Corporate, in *Ireland*, it shall and may be lawful for the Court in which such Action, Indictment, Information, or other Proceeding shall be depending, at the Prayer and Instance of any Prosecutor or Plaintiff, or of any Defendant, to direct the Issue or Issues joined in such Action, Indictment, Information, or Proceeding to be tried by a Jury of the County next adjoining to such County of a City, County of a Town, or Town Corporate, and to award proper Writs of Venire or Distringas accordingly, if the said Court shall think fit and proper so to do: And whereas it is expedient that the said Provisions of the said last-mentioned Act should be applied to Indictments found by Term Grand Juries of the County or County of the City of *Dublin*, in His Majesty's Court of King's Bench in *Ireland*; be it therefore enacted, That so much of the said Act of the Sixth Year of the Reign of King *George* the Fourth as is herein-before specified shall apply and extend to and include any Indictment found by any Term Grand Jury of the County of *Dublin* or of the County of the City of *Dublin*, in His Majesty's Court of King's Bench in *Ireland*, in like Manner, to all Intents and Purposes, as in the Case of an Indictment removed into the said Court by Writ of Certiorari.

Fine on Jurors making default, 10*l*.

XXXII. And be it further enacted, That if any Man, having been duly summoned to attend on any kind of Jury in any of the Courts in this Act mentioned, 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 upon every such Man or Talesman so making default (unless some reasonable Excuse shall be proved by Oath or Affidavit) as the Court shall think meet: Provided always, that where any Viewer, having been duly summoned to attend on any Jury, shall make default as aforesaid, the Court is hereby authorized 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.

Sheriff indemnified in returning

XXXIII. And be it further enacted, That every Sheriff and other Minister to whom the Return of Juries shall belong shall be and is hereby

hereby indemnified for impanelling and returning any Man named in the Jurors Book, although he may not be qualified or liable to serve on Juries; and that if any Sheriff or other such Minister shall wilfully impanel and return any Man to serve on any Jury before any of the Courts herein-before mentioned, (except on the Grand Jury at any Assizes or Sessions,) such Man's Name not being inserted in the Jurors Book for the current Year, or if such Book has not been delivered, then in the Jurors Book last delivered, or if any Prothonotary, Judge's Clerk, Clerk of the Peace, Town Clerk, or other Officer of any of the Courts in this Act mentioned, shall wilfully record the Appearance of any Man 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 Sheriff, Minister, Prothonotary, Judge's Clerk, Clerk of the Peace, or other Officer offending, as the Court shall think meet.

any Person whose Name is in the List. If he returns One not in the List, or if the Clerk of Assize records Appearances when the Party did not appear, to be fined.

XXXIV. And be it further enacted, That no Sheriff, Under 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 that no Bailiff or other Officer appointed by any Sheriff, Under Sheriff, Coroner, or Elisor, to summon Juries, shall summons any Man to serve thereon, other than those whose Names are specified in a Warrant or Mandate signed by such Sheriff, Under Sheriff, Coroner, or Elisor, and directed to such Bailiff or other Officer; and if any Sheriff, Under Sheriff, Coroner, Elisor, Bailiff, or other Officer shall wilfully transgress in any of the Cases aforesaid, or shall neglect to summon any Juror, or shall summon any Juror less than Four Days before the Day on which he is to attend, except in the Cases herein-before excepted, the Court of Assize, Nisi Prius, Oyer and Terminer, Gaol Delivery, or Court of Sessions of the Peace within whose Jurisdiction the 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.

No Money to be taken to excuse Persons from serving.

None to be summoned but those named in the Warrant.

XXXV. And be it further enacted, That if any such High Constable or Collector as aforesaid shall refuse or neglect (unless prevented by Sickness) to make out or assist in making out any List required by this Act, so that the same shall not be made out at the Time and in the Manner herein-before directed, or shall wilfully omit out of such List any Man whose Name ought to be inserted therein, or shall wilfully insert therein the Name of any Man who ought to be omitted, or shall take any Money or other 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, Business, or the Nature 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

Penalties on Collectors for neglecting to make out Lists, &c.

apply to the Clerk of the Peace for a sufficient Number, so that the List may be made out at the Time and in the Manner herein-before directed; or shall refuse to allow any Inhabitant of their respective Districts to inspect such List, or a true Copy thereof, *gratis*, at any reasonable Time during the Three Weeks herein-before mentioned; or shall on due Notice refuse or wilfully neglect to produce such List at such Sessions as aforesaid, or to answer on Oath such Questions touching the same as shall there be put, or to attend at such Sessions 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 Justice before whom he shall be convicted; and the Justice before whom such Offender shall be convicted of any such Offence of wrongful Insertion or Omission shall forthwith, in Writing under his Hand, certify the same to the Clerk of the Peace of the County, City, or Town in which the Man or Men so wrongfully omitted or inserted shall reside; and the said Clerk of the Peace shall cause the List in which such wrongful Insertion or Omission shall have occurred to be corrected according to such Certificate, and shall also give Notice thereof to the Sheriff or Under Sheriff, who shall correct the Jurors Book accordingly.

Penalties on Clerks of Peace, Town Clerks, and Sheriffs neglecting their Duty.

XXXVI. And be it further enacted, That if any Clerk of the Peace or Town Clerk shall refuse or wilfully neglect to cause a sufficient Number, either 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 Collector within the Meaning of this Act the Precepts as herein-before directed, or to annex to the same such a Number of the Forms of Return as he shall *bonâ fide* deem sufficient, or to deliver to any High Constable or Collector such additional Number thereof as he may apply for within Three Days after such Application; or shall refuse or wilfully neglect to provide or prepare a Jurors Book within the Time or in the Manner and Form herein-before prescribed, or to deliver the same to the Sheriff or Under Sheriff within the Time herein-before prescribed, or to give Notice to the Sheriff or Under Sheriff of any wrongful Insertion or Omission certified to him by any Justice of the Peace as aforesaid; or if any Sheriff or Under Sheriff shall make or cause to be made any Alteration whatsoever in the List of Jurors contained in the Jurors Book, except in the Cases herein-before provided for; or if any Sheriff or Under Sheriff of a County shall wilfully neglect or refuse to provide or prepare a List of Special Jurors in the Manner and within the Time herein-before prescribed, or shall wilfully write or cause to be written therein the Name of any Person not qualified, or shall wilfully omit thereout the Name of any Person duly qualified as a Special Juror, or shall neglect or refuse to write or cause to be written the several Numbers contained in such List upon distinct Pieces of Parchment or Card, in the Manner and within the Time herein-before prescribed, or shall subtract or destroy, or by any Default or Neglect lose, any of the said Pieces of Parchment or Card, or shall wilfully neglect or refuse, upon Discovery of such Loss, to supply the same within Five Days; or if any Sheriff or Under Sheriff shall refuse or wilfully neglect,

within Ten Days after the next succeeding Sheriff shall have entered upon Office, to deliver over to him, as well all the Jurors Books and Lists which shall be made or prepared in the Year of his Sheriffalty, as also such other like Books and Lists as were prepared in the Sheriffalty of any of his Predecessors, within Four Years then next preceding, and which were delivered over to him by any of his Predecessors; every such Clerk of the Peace, Sheriff or Under 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 His Majesty, His Heirs or Successors, and the other Moiety, with full Costs, to such Person as shall sue for the same, in any of His Majesty's Courts of Record at *Dublin*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Juries de medietate linguæ.

XXXVII. Provided always, and it is hereby further enacted, That nothing herein contained shall extend or be construed to extend to deprive any Alien, indicted or impeached of any Felony or Misdemeanor, of the Right of being tried by a Jury *de medietate linguæ*, but that on the Prayer of every Alien so indicted or impeached the Sheriff or other proper Minister shall, by Command of the Court, return for One Half of the Jury a competent Number of Aliens, if so many there be in the Town or Place where the Trial is had, and if not, then so many Aliens as shall be found in the same Town or Place, if any; and that no such Alien Juror shall be liable to be challenged for Want of Freehold or of any other Qualification required by this Act, but every such Alien may be challenged for any other Cause, in like Manner as if he were qualified by this Act.

Justices not to be summoned as Jurors.

XXXVIII. And be it further enacted, That no Justice of the Peace shall be summoned or impanelled as a Juror to serve at any Sessions of the Peace for the Jurisdiction of which he is a Justice.

Persons qualified to serve in Civil Causes not to be returned to serve on Capital Offences; but if sworn, not afterwards to be objected to.

XXXIX. And be it further enacted, That no Man shall be impanelled or returned to serve on any Jury for the Trial of any Capital Offence in any County, City, or Town, who shall not be qualified to serve as a Juror in Civil Causes within the same County, City, or Town; and the same Matter and Cause being alleged by way of Challenge, and so found, shall be admitted and taken as a principal Challenge, and the Person so challenged shall and may be examined on Oath of the Truth of the said Matter; provided that if it shall happen that any such Person, not qualified as last aforesaid, shall have been impanelled on any such Jury, and shall be sworn to try the Issue in such Case as last aforesaid, without any Challenge having been taken in due Time for the Cause aforesaid, no Objection shall ever afterwards be admitted or taken for the Want of such Qualification.

Qualification of Jurors on Writs of Inquiry, &c.

XL. And be it further enacted, That no Man shall be summoned or impanelled to serve as a Juror in any County, City, or Town in *Ireland* upon any Inquest or Inquiry to be taken or made by or before any Sheriff or Coroner by virtue of any Writ of Inquiry, or by or before any Commissioners appointed under the Great Seal or the Seal of the Court of Exchequer, who shall not be duly qualified according

Exception for Coroners Inquests.

according to this Act to serve as a Juror upon Trials at Nisi Prius in such County, City, or Town: Provided always, that nothing herein contained shall extend 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.

Sheriffs, Coroners, and Commissioners may fine Jurors for Non-attendance.

XLI. And be it further enacted, That if any Man having been duly summoned and returned to serve as a Juror in any County, City, or Town in *Ireland*, upon any Inquest or Inquiry before any Sheriff or Coroner by virtue of any Writ of Inquiry, or before any of the Commissioners aforesaid, shall not, after being openly called Three Times, appear and serve as such Juror, every such Sheriff, or, in his Absence, the Under Sheriff, and such Coroner and Commissioners respectively, are hereby authorized 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, Under Sheriff, Coroner, and Commissioners 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 or Town Clerk for the Place in which every such Defaulter shall reside on or before the first Day of the Quarter Session next ensuing; and every such Clerk of the Peace and Town Clerk is hereby required to copy the Fines so certified on the Roll 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.

Fines to be inrolled by Clerk of the Peace, and levied as Fines imposed at Quarter Sessions.

How Fines and Penalties are to be recovered and applied.

XLII. And be it further enacted, That all Fines to be imposed under this Act by any of the King's Courts of Record at *Dublin*, or by any Court of Assize, Nisi Prius, Oyer and Terminer, or Gaol Delivery, or any Court of the Sessions of the Peace in *Ireland*, shall be levied and applied in the same Manner as any other Fines imposed by the same Court; and that all other Penalties hereby created (for which no other Remedy is given) shall, on Conviction of the Offender before any one Justice of the Peace within the Jurisdiction, be levied, unless such Penalty be forthwith paid, by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice, who is hereby authorized to hear and examine Witnesses on Oath or Affirmation on any Complaint, and to determine the same, and to mitigate the Penalty, if he shall see fit, to the Extent of One Moiety thereof; and all Penalties the Application whereof is not herein-before particularly directed shall be paid to the Complainant; and

and for Want of sufficient Distress the Offender shall be committed, by Warrant under the Hand and Seal of such Justice, to the Common Gaol or House of Correction for such Term not exceeding Six Calendar Months as such Justice shall think proper, unless such Penalty be sooner paid.

Form of Conviction.

XLIII. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That the Justice before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; *videlicet*,

'BE it remembered, That on in the Year of 'our Lord at *A. B.* is con- 'victed before me *C. D.*, one of His Majesty's Justices of the Peace 'for the of for that he the said *A. B.* did '[*specifying the Offence and the Time and Place where the same was* 'committed, as the Case shall be]; and the said *A. B.* is for his said 'Offence adjudged by me the said Justice to forfeit and pay the 'Sum of

'Given under my Hand and Seal, the Day and Year first above 'mentioned.'

Conviction not to be quashed for Want of Form.

XLIV. And be it further enacted, That no such Conviction shall be quashed for Want of Form, or be removed or removable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Dublin*; and that where any Distress shall be made for any Penalty to be levied by virtue of this Act, the Distress itself shall not be deemed to be unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards done by him, but the Person aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action upon the Case, first giving Notice in Writing of the Cause of Action to the opposite Party One Calendar Month before the Commencement of such Action; but no Plaintiff shall recover in any Action for such Irregularity if Tender of sufficient Amends shall have been made before such Action brought, or if a sufficient Sum of Money to satisfy the Damages and Costs up to that Time shall have been paid into Court after such Action brought, by or on behalf of the Party distraining.

Persons sued for any thing done in pursuance of this Act may plead the General Issue.

XLV. And be it further enacted, That if any Suit or Action shall be prosecuted against any Person for any thing done in pursuance of this Act, such Person may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, or in Replevin may avow generally that the Goods in question were taken under and by virtue of this Act; and if a Verdict shall pass for the Defendant or Avowant, or the Plaintiff shall

become nonsuited, or discontinue his or her Action after Issue joined, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff, the Defendant or Avowant shall recover Double Costs, and have the like Remedy for the same as any Defendant hath by Law in other Cases; and though a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be shall certify his Approbation of the Action, and of the Verdict obtained thereon.

Venue to be laid in the County where the Fact is committed.

XLVI. And be it further enacted, That all Actions, Suits, and Prosecutions to be commenced against any Person for any thing done in pursuance of this Act shall be laid and tried in the County where the Fact was committed, unless where the Defendant or Avowant in such Action shall be the Sheriff or Under Sheriff or other Person having the Return of Jury Process in such County, in which Case it may, at the Option of the Plaintiff, be laid and tried in any next adjoining County; and every such Action, Suit, and Prosecution shall be commenced within Six Calendar Months after the Fact committed, and not otherwise; and that Notice in Writing of such Cause of Action shall be given to the Defendant or Defendants, or Avowant or Avowants, One Calendar Month at least before the Commencement of the Action.

Writs of Attaint, &c. against Juries abolished.

XLVII. And be it further enacted, That from and after the passing of this Act it shall not be lawful, either for the King or any One on His Behalf, or for any Party or Parties in any Case whatsoever, to commence or prosecute any Writ of Attaint against any Jury or Jurors for the Verdict by them given, or against the Party or Parties who shall have Judgment upon such Verdict; and that no Inquest shall be taken to inquire of the Concealments of other Inquests, but that all such Attaints and Inquests shall henceforth cease, become void, and utterly abolished; any Law, Statute, or Usage to the contrary notwithstanding.

Embracery and corrupt Jurors punishable by Fine and Imprisonment.

XLVIII. Provided always, and be it enacted and declared, That notwithstanding any thing herein contained, every Person who shall be guilty of the Offence of Embracery, and every Juror 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 Juror might have been before the passing of this Act.

Commencement of Act.

XLIX. And be it further enacted, That those Parts of this Act which relate to the issuing of Warrants and Precepts for the Return of Jury Lists, the Preparation, Production, Reformation, and Allowance of those Lists, the holding of Sessions for those Purposes, the Formation of a Jurors Book, and the Delivery thereof to the Sheriff, and the Preparation of a List of Special Jurors, and of Parchment or Cards, in the Manner heretofore mentioned, shall commence and take effect so soon after the passing of this Act as the proper Periods for doing those Things shall occur; and that the rest of this Act

shall commence and take effect on the First Day of *January* in the Year One thousand eight hundred and thirty-four.

Repeal of ancient Acts extending to Ireland; viz.

L. And be it further enacted, That from and after the Commencement of the several Parts of this Act, the several Statutes and Acts, and Parts of Statutes and Acts, herein-after mentioned, so far as the same relate to *Ireland*, shall be repealed; (that is to say,) so much of the Provisions made in the Forty-third Year of the Reign of King *Henry* the Third as relates to Exemptions from Assizes, Juries, and Inquests; and so much of a Statute made in the Fifty-second Year of the same Reign as relates to the like Exemptions; and so much of the same Statute as provides that all, being Twelve Years of Age, ought to appear at Inquests for the Death of Man; and so much of a Statute made at *Westminster* in the Thirteenth Year of the Reign of King *Edward* the First as directs that the Justices shall not put in Assizes or Juries any other than those that were first summoned to the same at first; and so much of the same Statute as ordains how many and what sort of Persons shall be returned on Juries and Petty Assizes; and a Statute made in the Twenty-first Year of the same Reign, intituled *Statutum de illis qui debent poni in Juratis et Assizis;* and so much of a Statute made in the Twenty-eighth Year of the same Reign, intituled *Articuli super Cartas*, as directs that the Jurors shall be of the next Neighbours; and an Ordinance made in the Thirty-third Year of the same Reign, commonly called *An Ordinance for Inquests;* and so much of a Statute made in the Thirty-fourth Year of the same Reign, commonly called *Ordinatio Forestæ*, as enjoins that none of the Ministers therein mentioned be put in Assizes, Juries, or Inquests without the Forest; and so much of a Statute made in the Fifth Year of the Reign of King *Edward* the Third as relates to the Punishment of a corrupt Juror; and so much of a Statute made in the Twentieth Year of the same Reign as relates to the Punishment of Embracers and corrupt Jurors; and so much of a Statute or Ordinance made in the Twenty-seventh Year of the same Reign, commonly called *The Ordinance of the Staples*, as prescribes the Mode of Trial where one Party or both Parties are Aliens; and so much of a Statute made in the Twenty-eighth Year of the same Reign as directs that all Manner of Inquests and Process shall be taken between Aliens and Denizens; and so much of a Statute made in the Thirty-fourth Year of the same Reign as accords that Panels of Inquests shall be of the Neighbourhood; and so much thereof as directs the Proceedings against Jurors taking a Reward to give their Verdict; and so much thereof as relates to the Qualification of Jurors on Inquests of Escheat; and so much of a Statute made in the Thirty-sixth Year of the same Reign as relates to Jurors on Inquests of Escheat; and so much of the First Statute made in the Thirty-eighth Year of the same Reign as ordains the Penalty on corrupt Jurors and Embracers; and so much of a Statute made in the Forty-second Year of the same Reign as directs that Panels in Assizes shall be arrayed Four Days before the Sessions, and that the Jurors therein shall be those that have the best Knowledge of the Truth, and be nearest; and so much of a Statute made in the Seventh Year of the Reign of King *Richard* the Second as relates to granting a Writ of Nisi prius at the Suit of any Jurors;

43 H. 3.
52 H. 3. c. 14.
c. 24.
13 E. 1. c. 30.
c. 38.
21 E. 1. st. 1.
28 E. 1. st. 3. c. 9.
33 E. 1. st. 4.
34 E. 1. st. 5. c. 8.
5 E. 3. c. 10.
20 E. 3. c. 6.
27 E. 3. st. 2. c. 8.
28 E. 3. c. 13.
34 E. 3. c. 4.
c. 8.
c. 13.
36 E. 3. st. 1. c. 13.
38 E. 3. c. 12.
42 E. 3. c. 11.
7 R. 2. c. 7.

11 H. 4. c. 9. Jurors; and so much of a Statute made in the Eleventh Year of the Reign of King *Henry* the Fourth as directs that Jurors in Indictments shall be returned by the Sheriffs or Bailiffs without the Denomination of any; and so much of the Second Statute made in the Second Year of the Reign of King *Henry* the Fifth as relates to the Qualifications of Jurors; and so much of a Statute made in the Sixth Year of the Reign of King *Henry* the Sixth as relates to the Panels in Special Assizes; and so much of a Statute made in the Eighth Year of the same Reign as relates to Inquests and Proofs taken between Aliens and Denizens; and so much of a Statute made in the Twenty-third Year of the same Reign as ordains that no Sheriff or Under Sheriff shall return any of their Officers or Servants in any of the Cases therein mentioned; and an Act passed in the First Year of the Reign of King *Richard* the Third, intituled *An Act for returning sufficient Jurors;* and that the several Acts and Parts of Acts passed in the Parliament of *Ireland*, and hereinafter mentioned, shall also be repealed; (that is to say,) an Act passed in the Seventh Year of the Reign of King *Henry* the Sixth, intituled *An Act for the Additions of Jurors;* and also an Act passed in the Thirteenth Year of the Reign of King *Henry* the Eighth, intituled *An Act touching Jurors to pass in Attaint;* and also an Act passed in the Second Session of the Tenth Year of the Reign of King *Charles* the First, intituled *An Act concerning the Appearance of Jurors in the Nisi Prius;* and also an Act passed in the Tenth and Eleventh Years of the same Reign, intituled *An Act for the limiting of peremptory Challenges in Cases of Treason and Felonies, and so forth;* and so much of an Act passed in the Sixth Year of the Reign of Queen *Anne*, intituled *An Act for the Amendment of the Law, and the better Advancement of Justice*, as relates to Writs of Venire facias, and to Jurors having the View; and also so much of an Act passed in the Sixth Year of the Reign of King *George* the First, intituled *An Act for exempting the Protestant Dissenters of this Kingdom from certain Penalties to which they are now subject*, as relates to Exemptions from serving upon Juries; and also so much of an Act passed in the Twelfth Year of the same Reign, intituled *An Act for the better regulating the Office of Sheriffs, and for the ascertaining their Fees, and the Fees for suing out their Patents, and passing their Accounts*, as relates to the impanelling or Return of Juries; and also an Act passed in the Twenty-ninth Year of the Reign of King *George* the Second, intituled *An Act for better regulating Juries*, so far as the same relates to Counties at large; and also so much of an Act passed in the Thirteenth and Fourteenth Years of the Reign of King *George* the Third, intituled *An Act for reviving and continuing several temporary Statutes, and to prevent the destructive Practice of trawling Fish in the Bay of* Dublin, as revives or continues the said Act of the Twenty-ninth Year of King *George* the Second; and also so much of an Act passed in the Seventeenth and Eighteenth Years of the Reign of King *George* the Third, intituled *An Act for the Amendment of the Law with respect to Outlawries, returning Special Juries, and the future Effects of Bankrupts, in certain Cases*, as in anywise relates to Special Juries for Trials in Counties at large; and also so much of an Act passed in the Twenty-third and Twenty-fourth Years of the Reign of King *George* the Third, intituled

2 H. 5. st. 2. c. 3.
6 H. 6. c. 2.
8 H. 6. c. 29.
23 H. 6. c. 9.
1 R. 3. c. 4.
7 H. 6. c. 1.
13 H. 8. c. 3.
10 C. 1. st. 2. c. 13.
10 & 11 C. 1. c. 9.
6 Anne, c. 10. s. 6, 7, 8.
6 G. 1. c. 5. s. 11.
12 G. 1. c. 4. s. 16.
29 G. 2. c. 6.
13 & 14 G. 3. c. 41. s. 1.
17 & 18 G. 3. c. 45. s. 3. to s. 10.

Repeal of Acts made in the Parliaments of Ireland; viz.

intituled

intituled *An Act for establishing a Post Office within this Kingdom,* as relates to any Exemption from serving upon any Jury or Inquest; and also an Act passed in the Twenty-fifth Year of the same Reign, intituled *An Act to take away the Challenge to the Array of Panels of Jurors for Want of a Knight on Trials which a Peer or Lord of Parliament is a Party;* and also so much of an Act passed in the Thirty-fourth Year of the same Reign, intituled *An Act for reviving and continuing certain temporary Statutes,* as revives and makes perpetual the said Act of the Twenty-fifth Year of the same Reign; and also so much of an Act passed in the Twenty-sixth Year of the same Reign, intituled *An Act for making, widening, and repairing public Roads in the County of* Dublin, *and for repealing Parts of several Acts formerly made for that Purpose,* as provides that any Treasurer, Inspector of the Accounts, Secretary of the Grand Jury, or Collector of any Barony, shall not be returned upon any Panel for any Jury in the County of *Dublin;* and also so much of an Act passed in the Thirty-fifth Year of the same Reign, intituled *An Act for the better Regulation of the Receipts and Issues of His Majesty's Treasury, and for repealing an Act of Parliament passed in the Tenth Year of* Henry *the Seventh, intituled 'An Act authorizing the 'Treasurer to make all Officers as the Treasurer of England doth,'* as relates to any Exemption from serving upon any Jury; and that so much of an Act passed in the Parliament of the United Kingdom of *Great Britain* and *Ireland* in the Sixth Year of the Reign of His late Majesty, intituled *An Act for the Amendment of the Laws with respect to Special Juries, and to Trials in Counties of Cities and Towns and Towns Corporate in* Ireland, as relates to Special Juries in any Indictments or Informations tried in any County at large in *Ireland,* shall also be repealed; and the said several herein-before recited Statutes and Acts, and Parts of Statutes and Acts, are hereby severally and respectively repealed accordingly, save only so far as the same or any of them repeals or repeal any other Acts or Parts of Acts, and save only as far as any of them direct that the Sheriff, Sub-Sheriff, or other Returning Officer, shall return upon Panels, when so required by Writ of Venire facias or other Precept, such Persons as shall be most sufficient, substantial, and worthy of Credit, and not suspect: Provided always, that nothing herein contained shall be construed to affect or alter any Part of an Act passed in the Parliament of *Ireland* in the Nineteenth Year of the Reign of King *George* the Second, intituled *An Act for accepting the solemn Affirmation or Declaration of the People called* Quakers, *instead of an Oath in the usual Form:* Provided also, that nothing herein contained shall extend or be construed to extend to alter, abridge, or affect any Power or Authority which any Court or Judge now hath, or any Practice or Form in regard to Trials by Jury, Jury Process, Juries or Jurors, except in those Cases only where any such Power or Authority, Practice or Form, is repealed or altered by this Act, or is or shall be inconsistent with any of the Provisions thereof, nor to abridge or affect any Privilege of Parliament: Provided also, that nothing herein contained shall extend to or in any Manner affect any Jurors or Juries in any Matter or Cause to be heard or tried by Civil Bill before any Assistant Barrister in *Ireland,* but that all such Matters and Causes may be heard and tried as before the passing of this Act.

& 24 G. 3. c. 17. s. 35.

25 G. 3. c. 31.

34 G. 3. c. 23. s. 4.

26 G. 3. c. 14. s. 71.

35 G. 3. c. 28. s. 35.

Repeal of Act of United Parliament, 6 G. 4. c. 51. s. 1.

Not to affect Act relating to Quakers;

nor any Powers unrepealed;

nor Juries on Civil Bills before Assistant Barristers.

Act may be amended this Session.

LI. And be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

SCHEDULE (A.)

PRECEPT for RETURNING LISTS of JURORS.

County of [*or* County of the City of *or* County of the Town of .] To the High Constable and Collector of Grand Jury Cess [*or A. B.* one of the Collectors of Grand Jury Cess] in the Barony [*or* Half Barony, *or* District, *&c.*] in the said County [City *or* Town].

YOU are hereby required, within One Month from the Date hereof, to make out a true List in Writing, in the Form hereunto annexed, containing the Names of all Men, being natural-born Subjects of the King, between the Ages of Twenty-one and Sixty, residing within your District of Collection, qualified to serve upon Juries; (that is to say,) of every such Man who has in his own Name or in Trust for him a clear Income of Ten Pounds by the Year in Lands or Tenements situate in the said County [City *or* Town], or in Rents issuing out of any such Lands or Tenements, or in such Lands, Tenements, and Rents taken together, in Fee Simple or Fee Tail, or for his own Life, or for the Life of any other Person; and also of every such Man who has a clear Income of Fifteen Pounds by the Year in Lands or Tenements situate in the said County [City *or* Town], held by Lease, originally made for an absolute Term of Twenty-one Years or more, whether the same be or be not determinable on any Life or Lives; and also of any resident Merchant, Freeman, and Householder having a House and Tenement in any City, Town, or Borough situate within the said County, of the clear yearly Value of Twenty Pounds, such City, Town, or Borough not being a County of itself; [*and if in any City or Town, add,* (and also of every resident Merchant, Freeman, and Householder having Lands or Tenements or Personal Estate of the Value of One hundred Pounds;)] and you are required to make out the said List in alphabetical Order, and to write the Christian and Surname of every Man at full Length, and the Place of his Abode, his Title, Quality, Calling, or Business, and the Nature of his Qualification, in the proper Columns of the Forms hereunto annexed, according to the Specimens given in such Columns for your Guidance; and if you have not a sufficient Number of Forms, you must apply to me for more; and in making such Lists you are to omit the Names of all Peers, all Judges, all Clergymen, all Roman Catholic Priests, all Ministers of any Religious Congregation; all Serjeants and Barristers at Law, all Assistant Barristers, all Advocates in Ecclesiastical Courts or in Courts of the Civil Law, if actually practising; and all Attornies, Solicitors, and Proc-

tors, if actually practising, and having taken out their annual Certificates; all Officers of the Courts of Law and Equity, and of the Admiralty and Ecclesiastical Courts, and Courts of the Civil Law, and of all Courts of Criminal Jurisdiction, if actually exercising the Duties of their respective Offices; all Public Notaries, all Coroners, all Gaolers and Keepers of the Houses of Correction; all Members and Licentiates of the King and Queen's College of Physicians in Ireland, and all other Physicians, all Members of the Royal Colleges of Surgeons in London, Edinburgh, and Dublin, and Apothecaries certificated by the Court of Examiners of the Governor and Company of the Apothecaries Hall of the City of Dublin, if actually practising as Physicians, Surgeons, or Apothecaries respectively; all the Officers of the Navy and Army on Full Pay; all Officers of Customs and Excise; all Sheriffs Officers, Police Constables, and Parish Clerks; all Persons employed or acting in the Service of His Majesty's Post Office; all Treasurers, and Secretaries of Grand Juries; and also all Persons exempt by virtue of any Prescription, Charter, Grant, or Writ: And when you have made out such List you are authorized to order a sufficient Number of Copies thereof to be printed, (the Expence of which printing will be allowed you by the County,) and you are required, within One Month from the Date hereof, to deliver a true Copy of such List to the Clerk of the Peace of the County of every County of a City or County of a Town within the said County, and to attend the Justices at any Special Sessions to be held for the Purpose of examining the Lists, 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 His Majesty's Justices of the Peace there present touching the said Lists: And these several Matters you are in nowise to omit, upon the Peril that may ensue.

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

Clerk of the Peace for the said County [City,
or Town].

SCHE-

SCHEDULE (B.)

FORM of RETURN of JURORS.

County of [*or* County of the City of *or* County of the Town of .] } The Return of the High Constable and of the Collector of the Grand Jury Cess of the District of in the County [City *or* Town] of .

MEN QUALIFIED TO SERVE ON JURIES.

Christian and Surnames, in alphabetical Order of Surnames.	Barony, District, and Place in which the Men live.	Title, Quality, Calling, or Business.	Qualification, whether Freehold or Leasehold, Merchant, Freeman, or Householder.

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