

the opposite party or his attorney, at which time and place the said Clerk or his deputy shall attend with the said Jury list, and shall then and there in the presence of the parties, or their counsel or attorneys, or such of them as shall attend, select from the said Jury list the names of forty eight persons whom he shall deem most indifferent between the parties and best qualified to try such cause, and whose attendance is likely to be procured, and if no such list shall be entered for the current year, the selection shall be made from the list of the preceding year; and the said Clerk or his deputy shall thereupon make out a list of the names of the said forty eight persons so selected, and shall certify the same to be the list from which such special Jury shall be struck, and shall deliver the same to the party who obtained the order for such special Jury, his attorney or agent, and such party shall thereupon get an appointment from the said Clerk of the time and place for striking the said Jury, and shall serve a copy thereof, together with a copy of the said list of forty eight names, on the opposite party or his attorney, at which time and place the said Clerk of the Peace or his deputy shall attend, and shall then and there in the presence of the parties, or their counsel or attorneys, or such of them as shall be present, proceed to strike a Jury in the manner following:—First, The party on whose application such special Jury was ordered, or his attorney or agent, shall first strike out one of the said names, and the opposite party, or his attorney or agent, shall strike out another of such names, and so alternately until each party shall have struck out twelve names; Second, If either party shall fail to attend for striking such Jury, or shall neglect to strike out any names according to the foregoing provisions, the Clerk or his deputy shall strike for such party; Third, The Clerk or his deputy shall thereupon make out a list of the names of twenty four persons not struck out and shall notify the same to be the persons drawn to serve as Jurors pursuant to the order of the Court, and shall deliver such list so certified to the Sheriff of the County or City and County, Coroner, or Returning Officer, as the case may require, who shall proceed to summon the said Jurors pursuant to the directions of the said recited Act, without any writ of distringas or other process whatever.

opposite party or his attorney to attend and select from the Jury list forty eight persons.

Clerk to deliver to the party obtaining the order a list of the forty eight persons selected and a further appointment which he shall serve on the opposite party or his attorney.

Attendance to be given at the appointed time, and the Jury struck in the manner herein specified.

IV. And be it enacted, That the sixth and seventh sections of the said recited Act be and the same are hereby repealed.

Act 12 V. c. 41, s. 6 and 7, repealed.

V. And be it enacted, That the number of persons to serve as Petit Jurors to attend at and for the Courts of Nisi Prius, Sittings after Term, Oyer and Terminer and General Gaol Delivery, shall in future be thirty instead of twenty four as provided in and by the fourth, fifth and fifteenth sections of the said recited Act.

Number of Jurymen to be summoned to be thirty instead of twenty four.

CAP. XLIV.

An Act to prevent Desertion from Her Majesty's Forces.

Passed 26th April 1850.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That any person who shall apprehend any Deserter from Her Majesty's Forces, and deliver up such Deserter to any Officer commanding any Military Post in this Province, shall for each and every Deserter so apprehended and delivered up, receive a reward of five pounds on producing a certificate of such apprehension and delivery, specifying the name of any such Deserter, and to what Regiment or Corps he may belong, signed by such Commanding Officer and one Justice of the Peace for the County or District before whom such Deserter shall be brought; provided always, that the rewards so to be given out of the Province Treasury shall not in any one year exceed the sum of one hundred pounds.

Any person apprehending and delivering up a Deserter from Her Majesty's Forces to receive a reward of five pounds.

II. And be it enacted, That it shall henceforth be the duty of all keepers of Her Majesty's Gaols in the County or Counties between the place where such Deserter may be apprehended and the place of his final destination, to receive such Deserter in their custody without any fee or reward, whether such Deserter be conveyed by virtue of a Warrant from any Justice of the Peace, or under military escort by an order of the Commandant of any Garrison within this Province.

Aggregate rewards in one year not to exceed one hundred pounds.

Gaolers to receive Deserters into custody while under escort.

III. And be it enacted, That the rewards so to be paid under and by virtue of this Act, shall be by Warrant under the Hand and Seal of the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of the Executive Council, directed to the Province Treasurer, provided the same do not exceed one hundred pounds.

Rewards to be paid by Warrant on the Treasury.