

BILL No. 23 OF 1925

A BILL TO AMEND THE JURY ACT.

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NOTE.

This Bill makes clearer the procedure as to the submission of questions to a jury and provides that the questions and the replies thereto shall constitute a special verdict.

The Bill further gives to a trial judge the right to excuse from serving on a jury classes of persons or individuals upon whom such service would operate as a hardship.

WALTER S. SCOTT,  
*Legislative Counsel.*

*(This note does not form any part of the Bill, and is offered merely as a partial explanation of some of its provisions.)*

# BILL

No. 23 of 1925.

An Act to amend The Jury Act.

(Assented to \_\_\_\_\_, 1925.)

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Jury Act Amendment Act, 1925.*"

2. Section 21 of *The Jury Act*, being chapter 74 of the Revised Statutes of Alberta, 1922, is hereby amended by striking out the first two lines thereof, and substituting the following:

"21. When the panel is selected the clerk shall (the deposit hereinbefore mentioned having been paid to him) submit the same to the trial judge, who may in his discretion remove from the panel the names of such persons as in his discretion would suffer hardship or unnecessary inconvenience from being called upon to serve upon the jury, and immediately thereafter shall certify to the panel as revised by him and return the same to the clerk, who shall "

3. Section 26a is added to the said Act immediately after section 26:

"26a. The trial judge may for good cause excuse from attendance any person who has been summoned but has not been sworn as a juror."

4. Section 28 of the said Act is struck out, and the following section substituted:

"28.—(1) Every jury shall consist of six persons.

"(2) In all criminal proceedings the verdict of the jury shall be unanimous.

"(3) In all civil proceedings, any five of the jury may return a verdict or answer questions submitted to the jury by the judge, and the verdict given or questions answered by five jurors shall have the same effect as a verdict or answers given by six jurors.

"(4) Where more questions than one are submitted it shall not be necessary that the same five jurors agree to every answer."

5. Section 30 of the said Act is amended by striking out the words "and shall not give any verdict" where they occur in subsection (1) thereof, and substituting the words "and the questions and replies thereto shall constitute a special verdict."

6. This Act shall come into force on the.....day of.....19....

No. 23.

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FIFTH SESSION  
FIFTH LEGISLATURE  
15 GEORGE V  
1925

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**BILL**

An Act to amend The Jury Act.

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Received and read the

First time.....

Second time.....

Third time.....

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EDMONTON:  
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- A.D. 1925