



THE  
**NEW ZEALAND GAZETTE.**

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WELLINGTON, WEDNESDAY, SEPTEMBER 15, 1869.

G. F. BOWEN, Governor.  
ORDER IN COUNCIL.

At the Government House, at Wellington, this  
fifteenth day of September, 1869.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

**WHEREAS** by "The Disturbed Districts Act, 1869," it is enacted that it shall be lawful for the Governor, by Order in Council, from time to time to appoint special sittings of the Supreme Court, to be held at such times and places, and before such one or more Judges of the Supreme Court as the Governor shall from time to time by any Order in Council fix and appoint, for the trial of persons accused or suspected of offences within the meaning of the said Act:

Now, therefore, His Excellency the Governor, in exercise of the powers vested in him by the said Act, by and with the advice and consent of the Executive Council of New Zealand, doth hereby appoint a special sitting of the Supreme Court to be held at the Supreme Court House at the Town of Wellington, in the Province of Wellington, at ten of the clock in the forenoon, on the twenty-seventh day of September instant, before Alexander James Johnston, Esquire, a Judge of the said Supreme Court, for the trial of persons accused or suspected of offences within the meaning of the said Act.

FORSTER GORING,  
Clerk of the Executive Council.

G. F. BOWEN, Governor.  
ORDER IN COUNCIL.

At the Government House, at Wellington, this  
fifteenth day of September, 1869.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

**WHEREAS** by "The Disturbed Districts Act, 1869," it is enacted that where in "The Jury Act, 1868," any act, matter, or thing in relation to

the issue or delivery of Jury process, or selection of Jurors, or summoning of Jurors or otherwise, is required to be done at or within a particular time or period of time therein mentioned, it shall be lawful for the Governor in Council, from time to time, to order that, for the purpose of any special sitting of the Supreme Court appointed as in the said Act mentioned, such act, matter, or thing shall be done at or within some other and shorter, or earlier or later time, as he may think fit: And whereas by "The Disturbed Districts Act, 1869," it is also enacted that if at any time it shall appear to the Governor in Council expedient that, for the purposes of any such special sitting of the Supreme Court, a jury list should be formed or jurors should be selected or summoned in a different manner from that now provided by law, or that any provision of "The Jury Act, 1868," should be suspended, it shall be lawful for the Governor in Council to declare that "The Jury Act, 1868," or any part or parts thereof, shall not apply to trials to be held at such special sitting, and that for the purposes of such special sittings juries shall be formed of and from such persons or in such manner as shall be in accordance with Rules to be from time to time made by the Governor: And for the purpose of any such special sitting it shall be lawful for the Governor from time to time to make Rules, and the same from time to time to revoke or alter, prescribing what persons shall be liable to serve on such juries, or providing for the formation of lists of persons liable to serve as jurors, or for the issuing of jury process, or for the summoning of jurors, or for selecting from such lists the jurors to be summoned, or for the challenging of jurors on the part of the Crown or the person informed against, or for selecting juries from the jurors summoned, and, generally, for the formation of juries for the trial of informations exhibited at any such special sitting of the Supreme Court, and, generally, in and by such Rules to make such other provision as the Governor may think fit in lieu of any part of "The Jury Act, 1868," which may have been suspended, and also in and by any such Rules to fix and appoint pecuniary penalties for the breach of any such Rules, which penalties shall

be recovered in a summary way before any two or more Justices of the Peace: Provided that as to any penalties for neglect or refusal to attend or serve on any such jury, the Judge or Judges before whom any such special sitting shall be held shall have the same power of enforcing such penalty as the Supreme Court or any Judge thereof now hath in like cases in the exercise of the ordinary criminal jurisdiction of such Court: Provided, however, in such cases, the juries shall consist of such number of jurors, not less than five nor more than twelve, as the Judge or Judges before whom any information is to be tried shall in each case direct, and the verdict of every such jury shall be an unanimous verdict:

And whereas, by an Order in Council bearing even date herewith, a special sitting of the Supreme Court has been appointed under the said Act to be held at the Supreme Court House, at Wellington, at ten of the clock in the forenoon, on the twenty-seventh day of September instant, before Alexander James Johnston, Esquire, a Judge of the Supreme Court: And whereas it is expedient that, for the purposes of the said special sitting of the Supreme Court, so

much of the twenty-first section of "The Jury Act, 1868," as provides that the Jury precept mentioned in the said section shall be delivered to the Sheriff or other person to whom the same is directed fourteen days before the same is returnable, should be suspended:

Now, therefore, His Excellency the Governor, in exercise of the powers vested in him by the said Act, by and with the advice and consent of the Executive Council of New Zealand, doth hereby declare that such part of the twenty-first section of "The Jury Act, 1868," as provides that the Jury precept mentioned in the said section shall be delivered to the Sheriff or other person to whom the same is directed fourteen days before the same is returnable, shall not apply to the trials to be held at the said special sitting, but that the said precept shall be issued to the Sheriff or other person to whom the same is directed not less than seven days before the same is returnable.

FORSTER GORING,  
Clerk of the Executive Council.