

AN ACT,

To Amend the manner of taking the Verdict of a Jury in Civil Cases.

WHEREAS, much delay and expense in the administration of Justice Preamble has been occasioned by the rule of law, that in the trial of a Civil Action, the Jury must be unanimous in their verdict, and whereas, it is expedient that the said rule should be altered.

Be it therefore enacted, by His Excellency the Governor, on behalf of Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Vancouver Island and its Dependencies, and by authority of the same as follows.

I. From and after the passage of this Act, on the trial of any issue joined, or on the trial of any cause in the Inferior Court of Civil Justice of Vancouver Island or on the execution of any Writ of Inquiry of Damages, it shall be lawful for the Chief Justice of the Supreme Court of Civil Justice or other, the Judge presiding in such Inferior Court or the person acting in the execution of the said Writ in a Judicial capacity, respectively to receive the Verdict of six-eighths, or of any equal or greater proportion of the Jury empanelled to try such Issue, or on the execution of any such Writ of Inquiry after the expiration of three hours from the time when such Jury shall have retired to consider their verdict, in case at the end of such three hours they shall not in all respects be unanimous.

The Judge may take the Verdict of six-eighths of the Jury

II. Such Verdict shall be as binding in all respects and have the same operation and effect as if it had been the unanimous verdict of the Jury, but nothing herein contained shall be deemed to apply to any prosecution, suit or other proceeding in respect of any offence or for the recovery of any penalties or forfeitures by or on behalf of the Crown.

The Verdict to have the same effect as if Jury were unanimous

III. The expression, Chief Justice, shall be deemed to include any Acting Chief Justice, or Judge of the said Supreme Court.

Interpretation clause

This Act may be cited as "The Vancouver Island Jury Act, 1865."

Short Title