

30th. June, 1953.

Judge :

The Hon. Mr. Justice A.V. Camilleri, B.Litt., LL.D.  
Her Majesty the Queen *versus* A.B. William Waltmaier, et.

**Jurors — Their Presence in the Criminal Court Hall  
Before Their Names are Called Out.**

*This is an order of the Court, whereby the jurors are henceforth to be kept out of the Criminal Court Hall up to the time their respective names are called out by the officers of the said Court to give the services entrusted to them by law; and this in view of the fact that the question put by the Registrar to the accused person in rela-*

*tion to the general issue, as well as the reading out of the bill of indictment together with the punishment meted to the crime charged, might subsequently tend to influence the eventual determination of the case.*

The bill of indictment was read out, and no preliminary exceptions were taken. To the question put by the Registrar according to law, each and every one of the accused pleaded guilty to the charge. Whereupon, the Court allowed them a short time to retract their statement, and warned them of the legal consequences of their statement according to law. On being asked for the second time, each and every one of the accused retracted his statement of guilt and pleaded not guilty to the charge.

Court's Order.

The Court;

Whereas in the present case the question arose as to whether the jurymen called to serve in the case are or are not allowed to be present in the Criminal Court to the question which is put by the Registrar to the accused persons in relation to the general issue, in that, as was submitted by defending counsel, and observed by the Court, against their presence, in case of retraction as laid down in section 465 of the Criminal Code following the statement of guilt, that same retraction may subsequently tend to influence their eventual determination of the case;

And whereas, furthermore, in virtue of section 460 of the Criminal Code, the Registrar, on reading out the bill of indictment, has to mention, of necessity, the punishment meted to the crime charged — a matter which is to be withheld from the jurymen;

And whereas, in order to remove any such possible inconvenience affecting the fairness of the trial, and in consequence for the better administration of justice;

Orders that henceforth the jurymen on the list be kept out of the Criminal Court hall up to the time their respective names are called out to give the service, which they are entrusted by law, by the Officers of the said Court;

The Court put off the case for hearing for the first day of October, 1953, at 9 a.m.

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