

Provision
if party ar-
raigned de-
mands half
French or half
English
speaking
Jurors.

XVIII. Any party who, on arraignment, demands a Jury composed for the one half of persons skilled in the language of his defence, (if either English or French) shall be entitled to take as part of the trial Jury the first six of the Jurors summoned, who appearing and not being lawfully challenged, are found by the Court to be so skilled: and if such skilled persons cannot be found among those summoned, another day shall be fixed for trial, and the Sheriff shall summon such additional number of Jurors so skilled as the Court may order taken from those next in succession on the Roll of Petty Jurors. 5

Peremptory
challenges.

Challenges for
cause, now to
be decided.

XIX. In all cases for treason or capital felony the Crown and the accused may each challenge twenty Jurors peremptorily; and in trials for felonies not capital, the Crown and the accused shall be limited to ten peremptory challenges each; and in all challenges for cause, the Court on legal proof of the facts, shall decide upon the sufficiency of the cause or ground of challenge without the intervention of Triers or Jurors. 10 15

Juries in Civil Cases.

Drawing
Jurors.

Jurors
summoned.
Jurors
serving.

XX. The names of all Juries in civil matters shall be drawn from the Grand and Petty Jury Rolls in the following manner:—Upon service on the Sheriff of any order of any Civil Court within his jurisdiction ordering him to summon a Jury, the Sheriff shall, in the presence of any Judge of any Civil Court, and in the presence of the Attorneys, or of the parties Plaintiff and Defendant, or of their Agents, or in their absence after due notice, place in a box prepared for the purpose, pieces of card of the same size and shape, on each of which shall be inscribed the name of each one of the several Grand and Petty Jurors, who appear by the said Rolls to reside in the Circuit within the limits whereof the said Jury trial is ordered to be had, and shall then draw therefrom forty-eight names, and inscribe them in the order of drawing on a list, from which each of the parties shall then strike twelve names; the remaining twenty-four persons shall be summoned by the Sheriff at least four days before the trial and the first twelve thereof who answer to their names shall be the Jury sworn to hear and determine the matter at issue. 20 25 30

Jurors in
Commercial
cases.

Juries, &c.,
medietate.

XXI. In suits respecting commercial matters between merchants, traders, or trading corporations, or in which merchants, traders, or trading corporations are a party, the Court may order, on the demand of either party, that one half, or by consent of both parties, that the whole of the Jury, sworn be composed of merchants and traders: and in any civil suit, the Court may order on demand of either party, that one half of the Jurors sworn shall be persons speaking the English, and one half persons speaking the French language, or by the consent of both parties, that the whole of the Jury sworn be composed exclusively of persons speaking the English or of persons speaking the French language. 35 40

What Jurors
shall be sum-
moned in such
cases.

XXII. The Sheriff when ordered to summon a Jury composed for the one half of merchants and traders shall draw from the box forty-eight names, and if they do not consist for the one half of merchants and traders, he shall continue drawing therefrom until the names of twenty-four merchants and traders shall have been added to the twenty-four first drawn; of these names of merchants or traders each party shall strike six, and also of the first drawn twenty-four other names each party shall strike six; the remaining twenty-four shall be summoned by the Sheriff, and at the trial the first six Jurors being merchants or traders and the first six other Jurors, called in order and appearing, shall form the trial Jury. 45 50