

challenged, are found in the judgment of the Court to be skilled in the language of the defence ;

3. If upon the trial of a person for any crime not punishable with death, the prosecuting officer and the party prosecuted consent that the trial jury shall be composed exclusively of persons speaking the English language or of persons speaking the French language ; the jury shall be composed of the first twelve persons speaking the language agreed upon, who being called in succession from the Panel appear and are not lawfully challenged ;

Jury all of one language by consent.

4. But if there be not a sufficient number of persons speaking the language agreed upon, remaining unchallenged, the remainder of the number required shall be taken from the Panel without reference to language, in the order in which they appear therein ;

If there be not sufficient on the panel.

5. No person arraigned and about to be tried for any felony shall be permitted peremptorily to challenge more than twenty of the Jurors, appearing when called in Court to serve as Jurors upon such trial ; and no challenge on behalf of the Crown shall be finally maintained by the Court except for cause, unless there remains a sufficient number of qualified Jurors in attendance on the Court, without the persons challenged, after the right of challenge on behalf of the party prosecuted has been exhausted ;

Peremptory challenges by prisoner limited.

Crown challenges.

6. Judgment after verdict upon any indictment or information for any Felony or Misdemeanour shall not be arrested, stayed or reversed because any unqualified person or persons served upon the Jury who tried the case.

Unqualified persons on Jury not to affect judgment.

#### OF CHANGING THE VENUE.

8. In any case in which a person is charged with the commission of any offence punishable with death, and in which, by reason of any unusual excitement prevailing generally at the place where the proceedings against such prisoner are pending, there is just cause for apprehending that an impartial verdict will not be rendered upon such trial ; the Court or any Judge thereof, either before or after the presentation of a Bill of indictment against him, upon application to that effect, either on behalf of the Crown or of the prisoner, sustained by satisfactory proof of the allegation of such application, may order the transmission of the prisoner for trial to another District ; But if the application be made on behalf of the Crown, all additional expense thereby caused to the prisoner in procuring the attendance of witnesses shall be paid by the Crown ;

In what cases and how the place of trial may be changed.