

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 or disqualified from serving.
4. But if there be not a sufficient number of persons speaking the language agreed upon, remaining unchallenged or qualified, the remainder of the number required shall be taken from the Panel without reference to language, in the order in which they appear therein;
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 been exhausted;
6. Judgment after verdict upon any indictment or information for any Felony or Misdemeanor shall not be arrested, stayed or reversed because any unqualified person or persons served upon the Jury who tried the case:
- Jury all of one language by consent.
- If there be not sufficient on the panel.
- Peremptory challenges by prisoner limited.
- Crown challenges.
- 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 transmissions of the prisoner for trial to another District; but no application for a change of the name shall be allowed on behalf of the Crown in cases where the offence charged is of a political character, and 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;
2. Any person in Her Majesty's Military or Naval Service, or any seaman or mariner usually employed upon sea-going vessels, or any other person temporarily within the limits of Lower Canada and having no legal domicile therein, charged with the commission of any felony and imprisoned upon such charge, may be removed for trial under an order to that effect from the Court having criminal jurisdiction where such prisoner is so imprisoned, or any Judge thereof, either before or after the presentation of a Bill of indictment against him, to any District other than that in which the offence is committed, if on application to that effect on behalf of the Crown, it be shown to the satisfaction of the Court in Term or of any Judge thereof in vacation, that the trial may be proceeded with in such other District at an earlier period than in the District in which the prisoner is in custody; but all additional expense thereby caused to the prisoner in procuring the attendance of witnesses shall be paid by the Crown;
3. The order of the Court or of the Judge made under either of the two last preceding sections, shall be a sufficient warrant, justification and authority to all Sheriffs, Gaolers and Peace Officers for the removal,
- In what cases and how the place of trial may be changed.
- And in cases of persons in Military or Naval Service Expenses.
- Order of Court to be warrant to Sheriff, &c.