

if such language be either English or French, he shall be tried by a Jury composed, for the one-half, at least, of the persons whose names stand first in succession upon the general panel, and who, on appearing, and not being lawfully challenged, are found in the judgment of the Court to be skilled in the language of the defence.

XI. And whenever from the number of challenges, or from any other cause there is, in any such case, a deficiency of persons skilled in the language of the defence, the Court shall fix another day for the trial of such case, and the Sheriff shall supply the deficiency by summoning, for the day so fixed, such additional number of jurors skilled in the language of the defence as the Court may order, and as shall be found inscribed next in succession on the list of Petit Jurors.

Further provision in the same matter.

JURY TRIALS IN CIVIL SUITS.

XII. And be it enacted, That the Judges of the Superior Court in Lower Canada, at their weekly sittings, shall have and exercise the same and like power and authority in all matters and proceedings connected with, preceding or consequent upon trials by Jury in civil suits, as fully to all intents and purposes as the Superior Court in term.

Powers of Judges in weekly sittings.

XIII. That in every case in which a Jury shall be demanded to try the issue or issues in any civil suit or action, such issue or issues shall be tried by a special jury, and no person but those whose names are found inscribed on the lists of Special Jurors shall serve or be summoned to serve on any such trial, any law, custom or usage to the contrary notwithstanding.

Special Jurors only to serve.

XIV. That the trial of the issue in any such suit or action shall not be fixed until, upon the motion and suggestion of the party applying for the same, the Court or two Judges thereof, shall have determined upon and defined the fact or facts to be enquired into by the Jury, who shall in every case be required to return a special verdict in relation to such fact or facts.

Every verdict to be special.

XV. That no person shall be summoned or be liable to serve as a Special Juror in any civil suit, before any Court to be held in the Districts of Quebec and Montreal, at a distance of more than three leagues from his place of residence, or before any Court to be held in any other District at a distance of more than five leagues from his place of residence, nor shall any Sheriff include in any list of Special Jurors hereafter to be made, the name of any person hereby exonerated from serving as such special juror.

From what distance special Jurors may be summoned, &c.