

Jurors not to be summoned if no case appears to be tried.

If such cases should afterwards arise.

Second panel not to be summoned unless required.

For what time the second panel shall be summoned if required.

First panel discharged.

3. In every District, the Sheriff, before summoning persons to serve therein as Grand or Petit Jurors shall inquire of the Clerk of the Crown or Clerk of the Peace, as the case may be, whether there are any Criminal cases to be tried at the next term or session of any Court of Criminal jurisdiction to be held therein:—and he shall not summon any Grand or Petit Jurors for such Court, unless he is thereupon informed that such Jurors are required; but every such Court shall nevertheless meet at the time fixed by law; and if thereupon it appears to the Court to be necessary for the investigation or trial of any case coming before such Court, the Court may then direct the Sheriff to summon the usual number of persons to serve as Grand or Petit Jurors before that Court on any day to which it may be adjourned; and all proceedings had at and before such adjourned Court, shall be as valid as if had at or before such Court at the ordinary time of holding it; and any judge or person holding such adjourned Court shall adjourn the same from day to day, so long as there is any business before it; but the above provision shall in no way prevent the Court from proceeding in the absence of Grand or Petit Jurors, to the despatch of such business as does not require the intervention of either of them;

4. Before summoning Petit Jurors for Criminal Matters in any District, the Sheriff shall inquire of the Clerk of the Crown or of the Peace, as the case may be, whether the number of cases and the nature thereof to be tried before the Court appear to justify the summoning of a second panel of Petit Jurors, and if he is thereupon informed in writing that a second panel will be required, then, but not otherwise, the Sheriff shall summon a second panel of Petit Jurors for such Court in the same manner, and to the same number, and subject to the same rules as to exemptions and as to additions to such panels, as that summoned for the first day of the Court; and such second panel of Petit Jurors shall, for the Court of Queen's Bench, be summoned to attend on the eighth judicial day of the Term thereof, and for the Court of General Quarter Sessions, on the sixth judicial day of the Sessions thereof; and every such second panel of Petit Jurors shall attend and serve for the residue of every such Term or Session; and when a second panel of Jurors are summoned as aforesaid for any Term or Session, the Jurors on the first panel shall be discharged in the Court of Queen's Bench, on the seventh judicial day of such term, or on the fifth judicial day of such Session, as the case may be.

OF THE TRIAL.

Trial Juries.

7. Except in the cases hereinafter mentioned, the names of the Petit Jurors summoned to attend any Court of Criminal Jurisdiction, shall be called over in the order in which they stand on the panel, and the first twelve Jurors whose names are so called, and who are present in Court, and are not lawfully challenged or declared disqualified, shall be sworn for the first trial; and the Clerk shall, at every trial, begin at the name next after that of the last Juror sworn, and so on until he has gone through the panel when he shall begin at the top thereof again, and go through it as aforesaid, omitting the names of any Jurors who are then engaged in trying any case;

If a Jury half of one language be demanded.

2. If any prosecuted party, upon being arraigned, demands a jury composed, for the one half at least, of persons skilled in the language of his defence, if such language be 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 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;