material for the understanding of the subject sufficiently appear in the respective judgments of Mr. Justice WELDON, and the majority of the Court and by the review which follows, wherein many questions of great interest to the public and to the legal profession are presented:—

Judgment of WELDON, J. This case was tried before the Chief Justice at the adjourned Circuit in Gloucester, at which a new Grand Jury and a Petit Jury had been summoned. At the Circuit in September, a Bill of Indictment had been found against the prisoner and ten other prisoners for murder, and the order to summon one hundred and fifty petit jurors was made in consequence. A *nolle prosequi* was entered on that Bill of Indictment, and another Bill of Indictment was submitted to the Grand Jury. A true bill was found, charging the defendant and eight other persons with the crime of murder. The defendant, Joseph Chasson, one of the parties charged, was placed on trial. The Attorney General, on behalf of the Crown, claimed the right to have the jurors objected to stand aside until the panel was gone through without assigning any cause. By the 32 and 33 Vic., c. 29, sec. 38, it is enacted: "In all criminal trials, whether for treason, felony or misdemeanour, four jurors may be peremptorily challenged on the part of the Crown; but this shall not be construed to affect the right of the Crown to cause any juror to stand aside until the panel has been gone through, or to challenge any number of jurors for cause." There is, by this section, a distinct admission that the right of the Crown is preserved, and the *Queen* v. *Maunsell* (8 E. & B. 52; 3 Jurist N. S. 564), and on appeal (4 Jurist 435), Lord CAMPBELL, in *Gray* v. *The Queen* (11 Cl. & F.; House of Lords Case, 487), shews what the right is, which, practically speaking, "the Crown has an unlimited right of challenge till the panel is exhausted," and this was considered as disposed of at the hearing, it not being an arguable question. Then as to the challenge of jurors, requiring it to be in writing, and to what it shall contain and the extent which a juror may be examined. As to the challenge being put in writing, all the authorities seem to agree that it should be made in such form as to be put on the record. ABBOTT, C. J., in *Rex* v. *Edmonds* (4 B. & Ald. 471), in delivering the judgment of the Court in that case says: "Every challenge, either to the array or to the polls, ought to be propounded in such a way that it may be put at the time upon the *Nisi Prius* record, and so particular were they in early times, when challenges were more in use, that it was made a question (in 27 Hen. 8, 13 B., pl. 38) whether it was not a fatal defect to omit the concluding of it with an '*et hoc paratus est verificare*;' and it was because many precedents were shewn without