

forthwith delivered to the respective parties or their counsel in the cause; and the said parties or their counsel may each strike out four persons from the said lists and the remaining twelve persons shall thereupon be immediately empanelled and sworn as the petit jury in such cause.

The object of this section discussed. The parties have a right to have their challenges determined before they strike under this section. *Lee v. Peter*, 6 G. & J, 452.

Either party may challenge a juror for cause before he is sworn, whether he has or has not struck under this section. *Edelen v. Gough*, 8 Gill, 89.

Where there is more than one plaintiff or defendant the right to strike four names does not extend to each party, but is limited to each side. *Diamond State Co. v. Blake*, 105 Md. 573.

Where there is more than one traverser they can only strike four names between them. *Hamlin v. State*, 67 Md. 335; *Diamond State Co. v. Blake*, 105 Md. 573.

The right of the court to consolidate cases, discussed in connection with this section. *Friedenwald v. Baltimore*, 74 Md. 124.

1904, art. 51, sec. 14. 1888, art. 51, sec. 14. 1860, art. 50, sec. 10. 1797, ch. 87, sec. 9.

14. If the said parties or their counsel, or either of them, shall neglect or refuse to strike out from the said lists the number of persons directed in the preceding section, the court may direct the clerk to strike out from the list of the party so neglecting or refusing the number in said section directed, and the remaining twelve persons shall be empanelled and sworn as aforesaid; but this and the preceding section shall not take away the right of any person to challenge the array or polls of any panel returned in the manner allowed by the laws of this State.

The privilege of striking distinguished from the right to challenge the array or polls for favor or cause. The latter extends to each person accused. *Hamlin v. State*, 67 Md. 337.

The challenges for cause should be determined before the jury is struck under section 13. The object of this section discussed. *State v. Glasgow*, 59 Md. 212.

*Ibid.* sec. 15. 1888, art. 51, sec. 15. 1860, art. 50, sec. 11. 1798, ch. 94.

15. The several courts of this State shall at all times have power to direct talesmen to be summoned to serve on juries where, without such talesmen, there would not be twenty of the original panel, exclusive of the jury charged, from whom a jury can be formed; or may direct such talesmen to be summoned whenever, by challenging or otherwise, a sufficient number of jurors cannot be had to try the case, either civil or criminal.

*Ibid.* sec. 16. 1888, art. 51, sec. 16. 1860, art. 50, sec. 12. 1798, ch. 94.

16. If the parties or their counsel agree, the drawing of a panel of twenty jurors in any cause may be dispensed with.

*Ibid.* sec. 17. 1888, art. 51, sec. 17. 1860, art. 50, sec. 13. 1802, ch. 69. 1809, ch. 138, secs. 13, 14.

17. The provisions of the four preceding sections shall apply to all criminal cases where the right of peremptory challenge is not allowed,