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HOUSE BILL NO. 205

[Continued from page 4]

Section 6: Be it further enacted, That if at any time during said period of two years said jury box shall become so depleted that a regular venire or panel cannot be drawn therefrom, said Board of Commissioners shall meet and supply said jury lists and jury box with a sufficient number of names, as in the first instance, to meet the probable demands for the remainder of said two years, and this they may continue to do during said two years as often as it may become necessary. But it is the intention of this Act that said original lists and any additions thereto shall be made only for the period of two years next after making said original lists to be made biennially as provided in Section 5 of this Act.

Section 7: Be it further enacted, That if at any time during said period of two years said jury box shall become so depleted that the Circuit Judge cannot draw therefrom any regular or special panel, he may call said Board of Commissioners together, who shall meet and supply said jury box with a sufficient number of names as in the first instance, to meet the demands for special panel; Provided, however, that in such instances the Circuit Judge may draw all the names in the jury box and select the remainder of the panel and additional panels necessary until said Board of Commissioners shall have again supplied the lists and box

Section 8: Be it further enacted That said Circuit Court Clerk as Clerk of said Board shall purchase, at the expense of the County, a suitable and well bound book in which he shall record said jury lists and keep said Board's Minutes keeping each list separate from all others, but arranging the names alphabetically. Said names shall be numbered consecutively, beginning with one, and this consecutive numbering shall continue through all succeeding lists, Upon the back of said book shall be written or printed, "Minute Book, Jury Commission,——— County and Jury Lists," Said portion of said book devoted to the lists shall be so ruled as to have space at the left hand side of each page for the names and numbers, next to which shall be arranged such spaces and columns as may be nececessary for the entries herein provided for, or that may be necessary to complete record. Said portion of said book devoted to the minutes of said Board shall be ruled as regular minute books, Preceding each jury list shall be written these words: "Jury list selected by the Jury Commissioners of ——— County, to ——— day of ———, 19— (filling in the name of the County and date)." After each name upon the jury list, in a column ruled for such purpose, shall be written the initials of the Commissioner proposing the name and the number of the jurors civil district, but no name shall be placed upon a list except by the concurrence of at least two members of said Board. At the end of each list shall be written and signed by the Commissioners the following: "We certify that the foregoing is the jury list selected by us on the ——— day of ———, 19— (giving the date or dates upon which said selections were made)."

At the next meeting of the Circuit Court said Clerk shall exhibit said lists and the minutes of said Board to the Judge of said Court, who shall maintain the same secrecy in respect thereto as is required of said Board and Clerk, and said lists and minutes shall be open at all times to said Circuit Judges inspection.

Section 9. Be it further enacted That the names of said jurors, with their number, shall be written on a slip of paper, and after being compared with the original list, said slips shall be deposited in a metal jury box, having a safe lock both of which shall be brought by said clerk of said Board at at the expense of County, and said box shall be securely locked and sealed, the jury commissioners writing their names across the seal, and said seal shall not be broken or said box unlocked except by the Commissioners or the Circuit Judge or the Chancellor, and then only, for the purpose made regular and necessary by the terms of this Act; Provided, that for good and sufficient cause the Circuit Judge may open the same in open court. Said jury book and said jury box shall be kept in secret by said Clerk, under lock and key, and shall be inspected by no one except as herein provided; and then only for the purpose set out under this act. It shall be the duty of the clerk of the Circuit Court as Clerk of said Board, to record said jury lists in said book and to write the names and numbers on said slips. For these service he shall be entitled to receive two and a half cents for each name written upon said lists and two and a half cents for each name written upon the slips placed in the jury box, to be paid by the County upon the certificate of the Circuit Judge that the services have been rendered.

Section 10: Be it further enacted, That not less than ten days nor more than fifteen days before each regular or special term of the Circuit Court said Board shall unlock the jury box and break the seal thereof, and, after having well shaken the same, cause to be drawn therefrom, in the presence of the Board, by a child under ten years of age, a number of names equal to the number of jurors who, under existing laws, are selected by the County Court and the Judge of the Circuit Court or the number designated by order of the Court as hereinafter provided to constitute the regular panel of grand and petit jurors for such term of Court In the event a name or names of a person or persons known by the Commissioners to have died or removed from the county or to be mentally disabled, shall be drawn, such name or names shall be put aside and other name or names drawn in its or their stead. When in this way the required number of names have been drawn the slip or scrolls on which they have been written shall be placed in a sealed envelope and safely kept by the Chairman of the Board, and by him delivered in the open Court to the Judge of the Court on the first day of the term. In the same manner all names which have been drawn and put aside as above provided shall be kept and delivered in open Court. A report shall also be prepared by the Clerk of the Board substantially as follows:

"To the Honorable——— Court of———County (filling in the name of the Court, when Circuit or Criminal and also the name of the County), We, the Jury Commissioners of said County, respectfully report the following as the regular panel jurors, which have been drawn according to law, for the———term of said Court ———viz: (filling in the blank before the word "Term" and then copying the names drawn from the jury box)

If any names have been drawn and put aside as above provided, there shall be aded to the report substantially the following: "In addition to the above there were drawn from the jury box the following names of persons known to the Board to have died or removed from the County or become mentally disabled, viz; (here copying names)"

This shall be delivered to the clerk of the Circut court, and by him filed in his office, and the date of such filing indorsed thereon. Thereafter and at least five days before the next regular or special term of such court the clerk of the court shall issue to the sheriff a writ of venire facias, commanding him to summons the persons whose names are set out in said reports as the jurors for said term of court, and it shall be the duty of the sheriff to serve same as now provided. At such regular or special term of the court the Judge thereof shall first compart the list contained in the report filed with the clerk with the names on the slips or scrolls delivered in open court by the chairman of the board, and if they correspond, they shall constitute the panel of grand and petit jurors for that term of the court, both civil and caiminal. From this panel, the grand and petit jurors shall be made up as now provided by law, examiniug each proposed juror to asertain whether he is qualified In the event that, by some reason of the disqualification of proposed jurors or other cause, the required number of jurors cannot be obtained from said panel, the clerk of Circuit court shall produce in open court the jury box, and said box shall be opened and there shall be drawn therefrom in the manner provided for in the original drawing, except that it be done in open court instead of the presence of the Board the number of names deemed by the judge sufficient to complete the juries. This process shall if necessary, be continued until the grand and petit jurors are completed; Provided, it shall be the duty of the judge of each circuit court to make a rule or order of conrt entered on the minutes, designating how many jurors shall be in attendance at each term of his court, and the number of additional or extra jurors who shall be in attendance to supply the places of such jurors as shall be disqualified in particular cases, and further directing how many names shall be drawn for the board for each term, including such number as he may deem necessary to insure a promt impaneling of the juries

(Continued next week.)

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