

ARTICLE LI.

JURIES.

Qualification and Selection of Jurors.

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| <ol style="list-style-type: none"> 1. Age of juror. 2. Judges of orphans' court ineligible. 3. Persons exempt. 4. No property qualification. 5. Persons having matter of fact depending for trial at same term not to be selected. 6. Clerk of county commissions to prepare lists; penalty. Special laws for certain counties. 7. Selection of the panel. Special laws for certain counties. 8. Drawing and summons. Special provisions for certain counties; other counties excepted. 9. Residue of names to be kept sealed in box; selection of additional talesmen. 10. Grand jury; petit jury; Prince George's and Talbot counties excepted. | <ol style="list-style-type: none"> 11. Selection of disqualified persons; coercion of jurors. 12. Emptying box before new panel. 13. Petit jury in civil cases, how selected. 14. Refusal by party to strike out. 15. Talesmen to be summoned. 16. Dispensing with full panel. 17. Criminal cases where no peremptory challenge. 18. Trial of alien. 19. Peremptory challenge. 20. Pay and mileage; not applicable to Baltimore city and certain counties. 21. In cases of forcible entry and detainer. 22. Grand jury to visit jail. 23. Court may resummon grand or petit juries after their discharge in special criminal cases. Non-jury terms. |
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Qualification and Selection of Jurors.

1904, art. 51, sec. 1. 1888, art. 51, sec. 1. 1860, art. 50, sec. 1. 1797, ch. 87, sec. 5.

1. No person shall be selected and placed upon a panel as a juror who shall not have arrived at the age of twenty-five years.

The fact that two of the jurors were under age, though unknown to the losing party, is no ground for a new trial. A cause for challenge can not be relied on if the right of challenge was not exercised. *Johns v. Hodges*, 60 Md. 220.

The selection of jurors is not essentially a judicial function, and hence an act is constitutional which authorizes the governor to appoint a jury commission. *State v. McNay*, 100 Md. 626.

This section is applicable to Baltimore city by reason of the act of 1860, ch. 308, section 1, which provides that jurymen shall be selected from those "qualified under the law of this state." *Albert v. White*, 33 Md. 306.

See notes to sections 3 and 11.

Ibid. sec. 2. 1888, art. 51, sec. 2. 1860, art. 50, sec. 2. 1832, ch. 170.

2. No judge of the orphans' court shall be selected to serve as a juror in any case whatever.

This section is applicable to Baltimore city by reason of the act of 1860, ch. 308, section 1, which provides that jurymen shall be selected from those "qualified under the law of this state." *Albert v. White*, 33 Md. 306.

See notes to sections 1, 3 and 11.