

spirit and intent of this Act; and which said lists and certificates shall be filed with the clerks of the said courts, and by them preserved as other proceedings of the said courts are kept.

Sec. 3. *And be it further enacted, by the authority aforesaid,* That when said lists of names, selected as directed in the preceeding Section, is made and certified, as therein provided for, immediately thereupon the said Judges of the said respective courts, in the presence of the members of the Bar as aforesaid, and such other persons as may think proper to be present, shall cause all the names selected and placed on the list as aforesaid, to be legibly written upon ballots, which shall be of equal size, and of the same color and appearance, and shall be closely rolled or folded, and placed by the Judge himself with his own hands, immediately before the drawing herein provided for, into a cubiform box with sliding top, of the square of eight inches, to be procured for that purpose by the Clerk of said Court, under the direction of the said Judge; and after so depositing said ballots, the said box shall be closed, and the said Judge shall then cause the Clerk or one of his deputies whom the said Judge shall designate, neither the one nor the other who may be so required to act, to be present at the writing, rolling or folding and depositing said ballots into the box, as herein directed, to appear before him, and then and there in the presence of the said Judge, and such other persons as may chose to be present, after well and thoroughly shaking said box, so that the ballots be well mixed, to draw from said box through such an opening or aperture made by moving the sliding top thereof, as will only conveniently admit the hand, and without in any manner looking into said box, one by one, forty-eight of said ballots; and the names appearing on said ballots as drawn, shall be duly recorded by the said Judge, or by the Clerk in his presence, and under his direction in the order in which they shall be drawn, as aforesaid, and thereupon forthwith the said Judge shall order a *venire facias* to issue, directed to the Sheriff of said County, commanding him to summon as Jurors to attend at the next ensuing term of said Court, the several persons whose names may be drawn as aforesaid; and if any such persons whose names are so drawn and embraced in said *venire facias* should be dead,

Duty of the Judges in selecting Jurors.

*Venire facias* to be issued.