

list shall be made and a certificate appended thereto by said judges or judge, that the said list of names has been duly selected in conformity with and according to the spirit of this act, and the said list and certificate shall be filed with the clerk of said court and by him preserved as other proceedings of the court are kept.

SEC. 3. *And be it enacted,* That when said list of names selected as directed in the preceding sections is made and certified as herein provided for, immediately thereupon the judges or judge of said court in the presence of the members of the bar as aforesaid, and such other persons who may attend, shall cause all the names selected and placed on the list as aforesaid to be legibly written on ballots of equal size and of same color and appearance, which shall be closely folded and placed by said judges or judge with their or his own hands immediately before the drawing herein provided for, into a box of the square of twenty-four inches to be procured for that purpose by the clerk of said court, under the direction of said judges or judge, and the said box shall have six compartments or drawers which shall be numbered to correspond with the elections districts of said county, and the names of the persons selected as aforesaid shall be placed by the judges or judge in the said compartments or drawers of said box, which shall respectively bear the numbers of the election districts where the persons so selected shall respectively reside, and after so depositing the said ballots the said box shall be closed and the said judges or judge shall cause the clerk, or one of his deputies, whom the judges or judge shall designate, and who shall not be present at the writing, folding and depositing said ballots into the box as herein directed, to appear before them or him and then and there in the presence of said judges or judge and such other persons as may choose to be present, to draw, without looking into the same, from said box, beginning with the compartment containing the names of the first election district, and draw from each compartment the number of names apportioned by the said judges or judge to its respective district until forty-eight ballots shall be drawn, and the names appearing on said ballots as drawn shall be recorded by the clerk in the presence of said judges or judge in the order drawn, and therefor the judges or judge shall order a *venire facias* directed to the sheriff of said county commanding him to summon as jurors to attend at the next ensuing jury term of said court, the several persons whose names shall be drawn as aforesaid, and if any such persons are dead, or by sickness or any other cause are unable to attend, or returned *non est* by the sheriff, it shall be the duty of the sheriff to immediately return the fact to the said judges or judge who shall thereupon cause to be drawn from the compartments of said box for the election district in which said deceased or sick juror resided, in the manner directed, other names in the place or stead of the original who may be dead, disabled or absent, and shall have the

Ballots.

Box.

To draw

Venire facias

Absence.