

each name contained on the two lists so returned to him, and shall, in the presence of the President of the Board of Supervisors, compare the ballots so made out with the original lists returned, as aforesaid, and deposit in a box, to be prepared for that purpose, all the ballots containing the names returned for Grand Jurors, and in a separate box, to be likewise prepared for that purpose, all the ballots containing the names so returned for Trial Jurors. The ballots, before being deposited in the boxes shall be closely folded so as to conceal the name written upon them. From the box containing the names returned for Grand Jurors, all Grand Jurors shall be drawn by lot; and from the box containing the names returned for Trial Jurors, all Trial Jurors shall be drawn by lot.—[Amendment, April 9, 1859.

SEC. 3. Upon renewing the said lists, annually, all the ballots not drawn out during the year, containing the names of persons still residing in the county qualified to serve on juries, and not exempt by law, shall be retained on the lists of the several districts where they belong; and the Supervisor of each district, in making out his list, shall add so many names thereunto as shall be requisite to complete and keep good the number of names apportioned for his district as prescribed in the preceding section.—[Amendment, April 14, 1858.

SEC. 4. The boxes shall be furnished with safe-locks and keys, which, together with said boxes, shall remain in the custody and safe keeping of the County Clerk; and if any person shall unlock or open either of said boxes, or deposit any names or ballots therein, or extract any ballots therefrom, when not authorized by order of court, he shall be deemed guilty of felony, and on conviction thereof, shall be punished by imprisonment in the State's Prison, for a period not less than one year, nor more than five years.

SEC. 5. Whenever a Grand Jury, or a Trial Jury, is authorized by law to be drawn and summoned, for any of the courts of said city and county, except the Police Court, Justices' Courts, and Coroners' Juries, the County Clerk, upon receipt of the order therefor from the proper court, shall request the attendance at his office, of the Sheriff, and shall then, in the presence of said Sheriff, and at least two witnesses, to be named by the Judge of said Court, proceed to draw by lot the requisite number of names for Grand Jurors, or Trial Jurors, as the case may be; (the number so to be drawn for Trial Jurors, to be fixed by an order of the proper Court, and to be not less than twenty-four, nor more than forty-eight;) and shall deliver a list of the persons so drawn, with their residences, certified by him to the Sheriff, who shall summon the jurors so drawn, in the manner now provided by law. The County Clerk shall also return to the proper Court, a list of names of the jurors drawn, with their residences, and file a copy thereof in his office.

SEC. 6. If at the time of drawing any ballot from the box, it shall be ascertained by the officers aforesaid, that the person whose name appears on it is from any cause disqualified, such ballot, unless in case of temporary disqualification, shall be destroyed, and another drawn in place of it, until the requisite number be completed.

SEC. 7. If, of the persons summoned as Grand Jurors, for any term of a court, less than seventeen attend, or by challenge or otherwise, the number in attendance shall be reduced to less than seventeen, the number requisite to complete the Grand Jury, shall be drawn from the proper box, and summoned in the same mode as the original number.

SEC. 8. Whenever from any cause, during any term of a court, a Trial Jury shall be required, and ordered by the court to be summoned, or the requisite number to complete such Trial Jury, where one has been drawn and summoned, shall not be in attendance, such Trial Jury, or the requisite number to complete such Trial Jury, shall be drawn from the proper box, and summoned in the manner provided by law, except in such civil cases wherein the parties or their attorneys may consent that the Sheriff shall summon a jury, or the requisite number to complete a jury, in such case, from the body of the county, and not from the bystanders, to be specified in such consent, which shall be entered of record.

SEC. 9. All ballots drawn from the boxes containing the names of persons who