

MAINE STATE LEGISLATURE

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FORTY-NINTH LEGISLATURE.

HOUSE.

No. 125.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY.

AN ACT relative to the selection and empanelling of juries for the trial of civil causes and criminal cases other than capital.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECTION 1. A jury for the trial of each civil cause
2 and of every criminal case, other than capital, shall be
3 empanelled in the manner hereinafter provided ; and
4 all acts and parts of acts inconsistent herewith are
5 hereby repealed.

SECT. 2. When any such civil or criminal case is in
2 order for trial, and before proceeding to its trial, the
3 clerk, under the direction of the court, shall place the
4 names of all jurors who are legally summoned and in
5 attendance, and not engaged in the trial of any other

6 cause, separately upon tickets in a box, and the names
7 shall be drawn from the box by the clerk, (after hav-
8 ing been thoroughly mixed) one at a time, for the
9 purpose of constituting a jury ; and each party shall
10 have a right peremptorily to challenge two jurors ; but
11 all peremptory or other challenges and objections to a
12 juror drawn (if then known) shall be made and deter-
13 mined, and the juror sworn or set aside, before another
14 name is drawn, and so on until the panel is completed.
15 A new jury shall be thus drawn for the trial of each
16 and every cause ; and after the panel is thus completed,
17 the presiding justice shall appoint one of their number
18 to be foreman for the trial of the case to be tried by
19 that jury.

SECT. 3. This act shall take effect on and after the
2 first day of May, A. D. eighteen hundred and seventy.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
March 5, 1870. }

Reported by Mr. SMITH of Saco, from the Committee on the
Judiciary, and printed under the rules.

S. J. CHADBOURNE, *Clerk.*