

the Persons so drawn, shall be summoned, entered on the *Venire* issuing from that Court, and returned as aforesaid; and so from Court to Court till the whole Number of Freeholders and other Persons qualified as aforesaid, shall have served as *Jurors*.

*Provided*, That if upon the Return of the *Venires* into the *Supream Court*, *Inferior Court*, or *General Quarter Sessions*, it shall appear to any of said Courts, that the Persons so ballotted for, and summoned by the Provost-Marshal, cannot attend by Reason of some unavoidable Accident; that then and in such Cases, the *Chief Justice* at the *Supream Court*, or the *First Justice* at the *Inferior Court* or *General Quarter Sessions*, shall order their respective Clerks in open Court, to draw out as many *Ballotts* out of said Box, as will amount to the Number that cannot attend, who shall be immediately summoned by the Provost-Marshal to attend as *Jurors*, and *Ballotts* for the Names of those that are unable to attend, to be returned into the Box, and a List of all Persons qualified as aforesaid within the said Town and County, shall be taken by the said Provost-Marshal or his Deputy from Year to Year, and returned as aforesaid, or as often as the said Lists shall be fully drawn.

And be it further enacted, That every Person summoned and returned as aforesaid to serve as a *Juror*, who (without sufficient Reason to be judged of by the Court) shall refuse or neglect to give his Attendance at the Court whereunto he is notified and summoned to appear, shall forfeit the Sum of *Five Pounds*, to be paid into the Hands of the said *Clerk*, and on his neglecting to pay the said Fine, before the End of the Term, it shall be levied by Warrant of Distress, to be issued from the said Court; and for any willful Absence or non Attendance on his Duty during the Sitting of the said Court, he shall forfeit for every Day's Neglect, the Sum of *Ten Shillings*, to be paid or levied in manner aforesaid; and the Fines so collected by the *Clerks* aforesaid, shall be paid by them to the *Treasurer* of the Province for His Majesty's Use.

*Provided always*, That if by Reason of Challenge or otherwise, there shall not appear a sufficient Number of good and lawfull Men to make up a *Petit Jury* or *Juries*, then and in such Case, the said *Jury* or *Juries* shall be filled up *de talibus Circumstantibus*, to be nominated and returned by the Provost-Marshal or his Deputy; and where the Provost-Marshal or his Deputy is concerned, or related to either of the Parties in any Case, then the *Jurors* shall be nominated and returned by the *Coroner*.

*Provided also*, That no Persons ballotted for as *Jurors* for any Court, shall at the same Court, be returned to serve as *Grand Jurors*.

*Provided also*, That the Members of *His Majesty's Council*, the Members of the *Assembly*, the *Treasurer* of the Province, *Register of Deeds*, *Chief Surveyor* of the crown Lands, *Secretaries*, *Ministers*, *Officers of His Majesty's Customs*, *Naval Officer*, and his *Deputy*, *Attorneys at Law*, *Officers of His Majesty's Courts*, *Commissary of the Ordnance Stores*, and *Surgeons*, shall be excused from serving as *Jurors*.

Resolution