

SEC. 3. Judges, on day of annual election, to select the number apportioned to their respective townships or precincts, and return a list of same, with return of election, to clerk of board of commissioners. That the judges of the said election of each township or precinct, shall, on the day of holding said election, annually select, of good judicious persons having the qualifications of electors, their apportionment of the persons to be returned as jurors, and shall make a list thereof and return the same along with the poll books or return of said election, to the clerk of the board of commissioners in the county where said election is held.

SEC. 4. Jurors, how and by whom drawn; number of; list of to be delivered to clerk of the district court; summons, by whom issued and served. That the said clerk of the board of commissioners shall write the names of said persons so selected upon separate pieces of paper, and put them into a box to be by him provided at the expense of the county; and the said clerk shall, at least thirty days before the sitting of any term of the district court to be holden in said county, in the presence of the sheriff of said county, (the sheriff having first shaken the box so as to mix the ballots on which the names are written,) [46] proceed to draw forty-seven ballots, the first twenty-three of which shall be summoned as grand jurors, and the remaining twenty-four as petit jurors; and the said clerk of the board of commissioners shall, within three days thereafter, make out and deliver to the clerk of the district court of said county, an attested copy of the names of the grand and petit jurors so selected, who shall thereupon issue and deliver to the sheriff of the said county a *venire* or summons, under the seal of the court, commanding him to summon the persons so selected and returned to appear before the said court as is already provided by the act to which this is amendatory.

SEC. 5. Not to serve two terms in succession; how panels to be drawn for succeeding term. That the persons selected and summoned as grand and petit jurors for any one term of the district court shall not be included in the ballots to be drawn from for the next succeeding term of said court; but the panels for the succeeding term shall be drawn from those remaining in the box: provided, that if there be more than two terms of court in any one year, the panel shall be drawn from all the names returned from the different townships or precincts, after taking out the names of the persons who served on the preceding term as jurors.

SEC. 6. Repealing clause; not to affect any selection of jurors heretofore made. That so much of the act to which this is amendatory as conflicts with the provisions of this act be and the same is hereby repealed, but such repeal shall not render void or affect any selection of jurors that may be made before the taking effect of this act; but any jurors selected under the act to which this is amendatory and required to serve as such after the taking effect hereof, shall serve as though this act had not been passed, and be fully qualified as such.

SEC. 7. Time of taking effect. This act to take effect and be in force from and after the first day of April next.

Approved, 15th February, 1844.

CHAPTER 25.

PEDLARS.

AN ACT granting license to pedlars.

Be it enacted by the Council and House of Representatives of the Territory of Iowa:

SECTION 1. Pedlars, by whom licensed; particulars of license, time for which it may be granted; compensation to clerk for issuing, by whom paid.

That the board of commissioners in any county of this territory, when in session, or the clerk of such board of commissioners in vacation, may grant license, under the seal of said [47] board, to pedlars or traveling merchants, to vend clocks or goods, wares and merchandise, either at private sale or public outcry, within their respective counties, for any time not more than one year nor less than three months, stating the time for which such license is granted, and whether for peddling clocks, or goods, wares, etc.; and for issuing such license the clerk shall be paid fifty cents, to be paid by the person applying for the same.

SEC. 2. Application for license, how made; what to contain. Every person desirous to obtain a license as a pedlar or traveling merchant, shall deliver to the said clerk, when such application for license is made, a note in writing, signed by such applicant, or his authorized agent, stating the time for which license is desired, and whether he wishes to vend clocks, or goods, wares, etc.

SEC. 3. Amount to be paid for license; receipt for same, by whom given, and where filed. Every such applicant, before he shall be entitled to a license, shall pay into the treasury of the county the following duties for a license for one year, or a proportionate sum for any less time, to wit: If he intends to vend clocks, thirty dollars; if he wishes to vend goods, wares and merchandise, thirty dollars; for which he shall take the treasurer's receipt, and file the same with the said clerk of the board of commissioners.

SEC. 4. Penalty for peddling without license, how recovered; fine, how applied; refusal to exhibit license when demanded, effect of; exemption in favor of home manufacturers. If any pedlar, or traveling merchant, shall vend any clocks, or other goods, wares and merchandise, either at private sale or public outcry, within any county in this territory, without first obtaining a license so to do, as provided for in this act, he shall forfeit and pay, for every such offense, not less than five dollars nor more than fifty dollars, to be recovered in an action of debt in the name of the board of commissioners of the proper county, before any justice of the peace having jurisdiction thereof, and paid into the treasury of the county in which such offense shall be committed, for the use of such county; and if any such pedlar, or traveling merchant, shall, on demand, refuse to exhibit his license to any person of full age to whom he shall offer any clocks, or goods, wares and merchandise, such refusal shall be taken as conclusive evidence that he has no such license: provided, that all mechanics and manufacturers shall be permitted to vend throughout the territory the goods or wares wholly made or manufactured by them in this territory, without obtaining licenses therefor.

SEC. 5. Violations of this act, by whom prosecuted. That whenever it shall come to the knowledge of the clerk of the board of commissioners, or county treasurer of any county in this territory, upon information, complaint or otherwise, that any of the provisions of this act have been violated, it shall be and is hereby made the duty of said officers to institute suit for the forfeiture incurred; and it shall be lawful for any other person, in case of their neglect, to cause all such offenders to be brought to justice.

SEC. 6. Time of taking effect. This act to be in force and take effect from and after the first day of April next.

Approved, 15th February, 1844.