

NORTH CAROLINA GENERAL ASSEMBLY  
1965 SESSION

CHAPTER 364  
SENATE BILL 91

AN ACT AMENDING CHAPTER 9 OF THE GENERAL STATUTES OF NORTH CAROLINA, RELATING TO JURORS, AND REPEALING CHAPTER 358, SESSION LAWS OF 1955, CHAPTER 1161, SESSION LAWS OF 1963, AND CHAPTER 1122, SESSION LAWS OF 1951, AND ALL OTHER SPECIAL OR LOCAL LEGISLATION RELATING TO THE SELECTION OF JURORS IN MADISON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Chapter 358 Session Laws of 1955, Chapter 1161 Session Laws of 1963, and Chapter 1122 Session Laws of 1951, and all other special or local legislation relating to the selection of Jurors in Madison County, are hereby repealed.

Sec. 2. That General Statutes 9-1, as the same appears in Volume 1-B of the General Statutes, be and the same is hereby amended by adding at the end of Paragraph One, the following:

"Provided that in Madison County there shall be a Jury Commission comprised of three (3) persons to be appointed by the resident judge of the twenty-fourth (24) judicial district, or the resident judge of the judicial district of which Madison County is then a part, who shall be chosen from lists submitted by the Chairman of the Executive Committees of the Democratic and Republican Parties of Madison County, each of which list shall contain the names of ten (10) persons, of good character and residents of Madison County, and no more than two (2) of which members of the Madison County Jury Commission shall be from any one political party and which Jury Commission shall perform all the duties in Madison County which are vested by G. S. 9-1 in the County Commissioners which members shall serve for a period of two years and until their successors are appointed and qualified, and thereafter, as the terms of office of the members expire, their successors shall be appointed by the resident judge from the list of names submitted biennially to him by the Chairman of the Executive Committees as herein provided and shall serve for two years each and until their successors are appointed and qualified; and further provided that in Madison County the jury list shall, at all times, be on file in the office of the Clerk of the Superior Court and available to public examination and scrutiny, as any other public record of said office, and further provided that in Madison County the duty of drawing names of persons for jury service shall be performed immediately as of the effective date of this amendment and the appointment of the Commission. The list hereinabove provided is to be submitted to said resident judge on or before May 1, 1965, and said initial appointments shall be

made and become effective on May 5, 1965. Said Jury Commission so appointed shall enter upon its duties immediately and shall purge the existing jury box and jury list and shall, prior to the convening of the next term of the Superior Court of Madison County, and, in any event, prior to May 17, 1965, make and provide a new jury list in accordance with the terms of this Act from which list the jurors in the May, 1965 term of the Superior Court of Madison County shall be drawn. Commission duties thereafter shall be performed in accordance with the provisions of G. S. 9-1; and further provided, that it shall be mandatory that said Jury Commission place in the jury box, or boxes, to be available for being drawn as jurors, the names of all qualified taxpayers of Madison County whose names are on the current official public tax ledger for said County, and such persons who do not appear upon the tax lists who are residents of the County and over twenty-one years of age and who are not disqualified under the terms of G. S. 9-1."

Sec. 3. That G. S. 9-2, as the same appears in Volume 1-B, be, and the same is amended by adding to the end thereof, the following:

"Provided that in Madison County there shall be three (3) locks for Division One (1) of said box and three (3) locks for Division Two (2) of said box, with the key to one of the locks to each Division being kept by each of the members of the Madison County Jury Commission, and the box to remain at all times in the office of the Clerk of the Superior Court of Madison County."

Sec. 4. That G. S. 9-3, as the same appears in Volume 1-B, be, and the same is amended by adding to the end thereof, the following:

"Provided that in Madison County the Jury Commission is authorized and empowered to draw as jurors from the box an additional number of jurors to those now provided by law up to and including forty-five (45) jurors for each week of every term of Superior Court, both criminal and civil, and provided that same shall be drawn by said Jury Commission in the office of the Clerk of the Superior Court of Madison County in the County Courthouse in Marshall at 10:00 A. M. at an open and public meeting the third Monday prior to the commencing of any term of Superior Court in said County, except that the initial drawing of a jury as hereinabove provided shall be performed in the office of the Clerk of the Superior Court of Madison County at the County Courthouse in Marshall at 10:00 A.M. at an open and public meeting on Monday, May 17, 1965."

Sec. 5. This Act shall apply to Madison County only.

Sec. 6. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 7. This Act shall be in full force and effect, from and after its ratification.

In the General Assembly read three times and ratified, this the 29th day of April, 1965.