

rected, to appear before him, and then and there, in the presence of the said Judge and such other persons as may choose to be present, after well and thoroughly shaking said box so that the ballots be well mixed, to draw from said box, though such an opening or aperture made by moving the sliding top thereof, as will only conveniently admit the hand, and without in any manner looking into said box, one by one, seventy-three of said ballots, and the names appearing on said ballots, as drawn, shall be duly recorded by the said Judge, or by the clerk, in his presence and under his direction, in the order in which they shall be drawn, and thereupon forthwith the said Judge shall order a *venire facias*, directed to the Sheriff of the said county, commanding him to summons as jurors, to attend at the next ensuing term of said Court, the several persons whose names may be drawn, as aforesaid; and if any such persons, whose names are so drawn and embraced in said *venire facias*, should be dead, sick, or otherwise unable to attend, or should be absent, and, therefore, not to be found, it shall be the duty of the Sheriff forthwith to return the fact of such death, disability or absence, and the said Judge shall thereupon cause to be drawn from said box, in the manner hereinbefore directed, other names, in the place and stead of the original who may be dead, disabled or absent, and shall cause the name or names of such person or persons so as last aforesaid drawn, to be invested in the said *venire facias*, to be summoned, as aforesaid; and it shall be the duty of the Sheriff to summon the persons named in said *venire facias*, and make return thereof to said Court at the opening of its session.

How drawn.

Fill vacancy.

Sheriff to make return.

Sec. 63. Of the seventy-three jurors drawn and summoned, the twenty-three names first occurring in the order in which they were drawn, shall constitute and be the grand jury for the ensuing term of said Court, and the remaining fifty names next in order in the drawing shall constitute and be the petit jury of the said ensuing term of the said Court; and the Judge of the said respective Courts shall divide the petit jurors into two panels, one of which shall serve during the first week of the said Court, and the other during the second week; and the said Court may make such order for the alter-

Grand jury.

Petit jurors.