

from which the drawing is to be made as directed by this article; nor shall any person be drawn and summoned to two successive terms of court; but the selection or drawing of any person disqualified as a juror under this article shall not invalidate the drawing or selection, but such error may be corrected by drawing another person from the box in place of the person improperly selected or drawn; and the said court shall have full power and authority to coerce the attendance of jurors drawn and summoned under this article and to punish by fine or imprisonment or both for any default or contempt committed in disregarding such summons.

Objection to qualification of grand jurors, or to mode of summoning or impanelling them, must be made by motion to quash or plea in abatement. Although there may be technical objections to the latter, proceedings will not be set aside unless they have prejudiced accused. *Pontier v. State*, 107 Md. 388.

As to necessity that accused shall have been prejudiced, see also *State v. Keating*, 85 Md. 198; *Mills v. State*, 76 Md. 281; *State v. Glasgow*, 59 Md. 211.

The disqualification arising from the fact that a person's name was recommended or suggested to sheriff, still prevails. *Avirett v. State*, 76 Md. 537.

See notes to sec. 1, 3, 6 and 7.

An. Code, sec. 12. 1904, sec. 12. 1888, sec. 12. 1867, ch. 329, sec. 7.

12. Before the drawing of any new panel of jurors from the tax lists and poll books as provided in sections 7 and 8, it shall be the duty of the said courts to have the box in which the names of jurors have been deposited emptied of any and all the ballots therein remaining.

An. Code, sec. 13. 1904, sec. 13. 1888, sec. 13. 1797, ch. 87, sec. 9.

13. In all civil cases called for trial in any court in which a jury shall be necessary, according to the constitution and laws of this State, twenty persons from the panel of petit jurors shall be drawn by ballot by the clerk under the direction of the court, and the names of the twenty persons shall be written upon two lists, and one of said lists forthwith delivered to the respective parties or their counsel in the cause; and the said parties or their counsel may each strike out four persons from the said lists and the remaining twelve persons shall thereupon be immediately empanelled and sworn as the petit jury in such cause.

Before jury was sworn the court allowed a party to withdraw his strike of a juror and exercise such strike against a man who had been originally accepted for panel, the result being the substitution on panel of former for latter; such action being within the discretion of the court and not appearing to have resulted in injury, was no ground of reversal. *Blumenthal & Bickart v. May Co.*, 127 Md. 285.

Object of this section discussed. The parties have a right to have their challenges determined before they strike under this section. *Lee v. Peter*, 6 G. & J. 452.

Either party may challenge a juror for cause before he is sworn, whether he has or has not struck under this section. *Edelen v. Gough*, 8 Gill, 89.

Where there is more than one plaintiff or defendant the right to strike four names does not extend to each party, but is limited to each side. *Diamond State Co. v. Blake*, 105 Md. 573.

Where there is more than one traverser they can only strike four names between them. *Hamlin v. State*, 67 Md. 335; *Diamond State Co. v. Blake*, 105 Md. 573.

Right of court to consolidate cases, discussed in connection with this section. *Friedenwald v. Baltimore*, 74 Md. 124.