

the names of the persons so selected as aforesaid shall be placed by the Judge or Judges in the said compartments or drawers as follows: The thirty-seven names selected from the First District, in No. 1; the thirty-three names from the Second District, in No. 2; the thirty-five names from the Third District, in No. 3; the twenty-five names from the Fourth District, in No. 4; the twenty names from the Fifth District, in No. 5; and after so depositing said ballots the said box shall be closed, and the Judge or Judges shall cause the clerk of said court, or one of his deputies, whom the said Judge or Judges shall designate, and who shall not have been present at the writing, folding and depositing of said ballots into the box, as herein directed, to appear before him or them, then and there, in the presence of said Judge or Judges and such other persons as may choose to be present, to draw, without looking into the same, from said box forty-eight names, as follows: Twelve names from compartment No. 1, ten from No. 2, eleven from No. 3, eight from No. 4, and seven from No. 5, and the names appearing on said ballots so drawn shall be recorded by the Clerk of the said Circuit Court, in the presence of the said Judge or Judges, in the order drawn, and immediately thereupon said Judge or Judges shall order a *venire facias*, directed to the Sheriff of said county, commanding him to summon as jurors to attend at the first day of the next ensuing term of court the forty-eight persons whose names shall be drawn as aforesaid; and if any of the persons so drawn are dead, sick or returned *non est* by the Sheriff, it shall be the duty of the Sheriff to return the fact to the Judge or Judges, who shall thereupon cause to be drawn from the compartment or drawer from which the name of the person so dead, sick or returned *non est*, or excused by the Judge or Judges, was drawn, another name or names to take the place of such person so dead, sick or returned *non est*, or excused, and shall cause the name or names last as aforesaid drawn to be inserted in said *venire facias* to be summoned as aforesaid, and it shall be the duty of the Sheriff to summon the persons so last drawn as aforesaid, and to make returns thereof to the court at the opening of its sessions; provided, however, that no person shall be drawn and summoned to two successive terms of court.

1904, ch. 184, sec. 4.

**264.** At any time after the drawing of said jury, the Judge or Judges of said court shall designate one person from the forty-eight names so as aforesaid drawn to be foreman of the Grand Jury, and after selecting the said foreman the said Judge or Judges shall, on the first day of the term, cause the said drawers or compartments to be emptied, the remaining forty-seven names apportioned as near as may be to the several election districts, shall be deposited in the said drawers or compartments from which they were respectively drawn, and the clerk shall, in the presence of the court, draw therefrom from the several election districts, beginning with the First District, six names from the First District, five names from the Second District, five names from the Third District, four names from the Fourth District and three names from the Fifth District; the twenty-three names thus drawn, including the foremen previously selected, shall