

1888, art. 51, sec. 10. 1867, ch. 329, sec. 5. 1870, ch. 331. 1878, ch. 369
1890, ch. 62. 1892, ch. 153. 1900, ch. 130. 1902, ch. 341. 1904, ch. 184.

10. Of the forty-eight jurors drawn and summoned, the court at the beginning of the term for which they were drawn and summoned shall select and appoint one as foreman of the grand jury and shall direct the clerk of said court to legibly write upon ballots the names of the remaining forty-seven jurors, and after carefully folding said ballots separately to place them in a box with a sliding top, and said clerk shall draw said ballots therefrom one at a time without looking into said box and the first twenty-two names drawn, with the foreman previously appointed, shall constitute the grand jury, and the remaining twenty-five names shall constitute the petit jury for said term of court; whenever a vacancy shall occur in the position of foreman of the grand jury, either temporary or permanent, by death, absence, sickness or any other cause, the court shall have power to appoint some other member of the grand jury foreman as often as the necessity for such appointment shall occur. If for any reason any person or persons drawn as a grand juror or grand jurors shall fail to attend and be present at the conclusion of the drawing or be disqualified or excused for cause the court shall forthwith proceed to fill such vacancies from the aforesaid remaining number of twenty-five names of those who are present in the order in which the names were drawn from the box and may thereupon in its discretion fill such vacancy or vacancies thus made in the petit jury by drawing the necessary number of additional names therefor in manner provided by section 8 of this article. This section is modified as to Prince George's county and Talbot county.

Cooper v. State, 64 Md. 45. *State v. Vincent*, 91 Md. 724.

Ibid. sec 11. 1867, ch. 329, sec. 6. 1870, ch. 410. 1904, ch. 144.

11. The name of no person disqualified or exempted by existing law from serving as a juror, or whom by existing law the sheriff is forbidden to summon as such, shall be selected and placed upon the panel or list 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