

second district in number two, the thirty-five names from the third district in number three, the thirty-five names from the fourth district in number four, the thirty-five names from the fifth district in number five, the forty-five names from the sixth district in number six, and the thirty names from the eighth district in number seven ; and after so depositing the said ballots, the said box shall be closed and the judge or judges shall cause the clerk of said Circuit 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 and 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 : Six names from compartment number one, six from number two, seven from number three, seven from number four, seven from number five, nine from number six and six from number seven ; 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 the said judge or judges, in the presence of the members of the bar and such other persons as may attend, of the forty-eight jurors drawn, shall select and appoint one who shall be foreman of the grand jury, and shall direct the clerk of said court to legibly write upon ballots of the same size and color 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, said clerk shall draw said ballots therefrom, one at a time, without looking into said box, and the first twenty-two names so 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 said court, and thereupon said judge or judges shall order a *venire facias* directed to the sheriff of said county commanding him to summon the juror selected as foreman and the other twenty-two grand jurors to attend at the first day of the next ensuing term of court, and the twenty-five petit jurors to attend at the fourth day of the same term ; and if any of the persons so drawn as grand or petit jurors are dead, sick or returned *non est* by the sheriff or excused by the court for such as and dead, sick or returned *non est*, 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, returned *non est* or excused by the judge or judges, was drawn another name to take the place

Number
in each
district.