

names from the fifth election district in number five; the names from the sixth election district in number six; and the names from the eighth election 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 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-seven 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; provided that after the foreman has been selected the district of his residence shall be carefully noted, and at said drawing one less name than above provided shall be drawn from the compartment representing the district in which he resides in order that the same number of names may be drawn from each district as before the passage of this Act, and the names appearing on said ballots so drawn shall be recorded by the clerk of the said Court, or one of his deputies, in the presence of the said judge or judges in order drawn; and thereupon said judge or judges shall forthwith order a *venire facias* directed to the sheriff of said county commanding him to summon as jurors, to attend at the next ensuing term of said Court, on the first day thereof, the several persons whose names may be drawn as aforesaid, and also the foreman selected as aforesaid; and if any of the persons 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 said sheriff forthwith to return the fact of such death, disability or absence 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 of such person so dead, sick, 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; provided, that should the person selected as foreman of the grand jury die, be returned *non est* or be excused on account of sickness or for any other cause, the judge or judges may select or appoint another person from the names remaining on the original list provided for in section 1, and that the Court, at the beginning of the term for which the said persons were drawn and summoned, shall direct the clerk of said Court, or one of his deputies, to legibly write upon ballots the names of

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Names to be drawn.

Recorded.

Duty of sheriff.