

sible. Provided, that if the foreman so selected should die or for any cause should be disqualified or be excused by the Court, the said judge or judges, after drawing another name from the compartment representing the district in which the foreman originally selected, and so dead, disqualified or excused, resided, may select and appoint any one of the jurors drawn as foreman in place of the foreman so dead, disqualified or excused. The names so drawn shall be duly recorded by the said judge or judges or by the clerk in his or their presence and under his or their direction, in the order in which they shall be drawn. Thereupon forthwith the said judge or judges shall order a venire facias directed to the sheriff of the county, commanding him to summon as jurors to attend at the next ensuing term of said Court the several persons whose names may be drawn as aforesaid; and if any such persons whose names are so drawn and are embraced in said venire facias shall be dead, sick or otherwise unable to attend, or shall be absent and therefore not to be found, it shall be the duty of the sheriff forthwith to return the fact of such death, disability or absence to the Court; and the said judge or judges shall thereupon cause to be drawn from said compartments of said box in the manner hereinbefore directed, namely, from the compartment or compartments representing the district, or districts from which said juror or jurors, being dead, under disability or absent, was originally drawn, other names in the place and stead of the original persons who may be dead, under disability or absent; and shall cause the name or names of such persons so as last aforesaid drawn to be inserted in the venire facias to be submitted as aforesaid. It shall be the duty of the sheriff to summon the persons named in the venire facias and to make return thereof to said Court at the opening of its session.

825. Of the jurors so drawn in accordance with the preceding section and summoned not less than forty-eight nor more than fifty-eight including the Foreman of the Jury previously selected, to be designated in the venire facias as the first week's jury shall be required to attend the opening session of the Court, from which is to be selected the Grand Jury and the first week's Petit Jury, the remaining jurors to be designated in the venire facias as the second week's jury shall not be required to attend until the second week. Of the not less than forty-seven nor more than fifty-seven jurors (the Foreman of the Grand Jury having been previously selected) drawn and summoned to attend at the opening session, the said Court at said session, shall direct the clerk to legibly write upon ballots the names of said jurors and after carefully folding said ballots separately to place them in