

drawer from which the name of the person so dead, sick or not found, was drawn, another name or names to take the place of such person dead, sick or not found by the sheriff, and shall cause the 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 person so last drawn, and make returns thereof to the court at the opening of its session; provided, however, that no person shall be drawn and summoned to two successive terms of court; and further that the drawing, selection or summons, of any person disqualified as a juror by law, or otherwise, shall not invalidate the whole drawing or selection, but such error may be corrected by drawing another person from the box in place of the person improperly selected or drawn.

230D.

On the first day of the term the judge or judges present shall designate one person from the forty-eight names drawn as aforesaid, to be foreman of the grand jury, and after selecting the foreman and causing all the drawers in the jury box to be emptied, the forty-seven names remaining of those summoned as jurors, shall be deposited in the said drawers from which they were respectively drawn, and the clerk of the court, in the presence of the court, or his deputy in the presence of the court, shall draw them therefrom, beginning with drawer number one and taking one name out and recording it, and then taking one name from each of the other drawers, successively, in the numerical order of the drawers and recording each as drawn, and repeating the process until all the names shall have been drawn out and recorded; the first eighteen names, or persons, so drawn, together with the foremen previously appointed, and four other names, or persons, one of which shall be taken from each of four districts to be designated by the court, (the residence district of the foreman not to be one of them), which four names, or persons, shall be, in each case, the third name among those drawn from the respective drawers for the districts so designated, shall constitute the grand jury and the remaining twenty-five shall constitute the petit jury for said term of court. As soon as the grand and petit juries have been drawn, the remaining one hundred and fifty-two names which were placed in the box at the time the jury was drawn for the term shall be returned to the respective drawers in which they were originally placed, for future use in drawing jurors for the said court.

230E.

Whenever a vacancy shall occur in the position of foreman of the grand jury, either temporary or permanent, caused by death, absence, sickness or by consent of court, the court shall have power to appoint some other member of the grand jury to be foreman during such vacancy. 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 be excused for cause, the court shall forthwith proceed to fill such vacancy or vacancies from the remaining number of 25 names of those who are present in the order in which the names were drawn from the election district or districts, corresponding with those from which such vacancy may be created, as above, but if there be no names, or persons, or an inadequate number of them left in the boxes for the districts where the vacancies occur, the court may fill such vacancies by drawing the necessary number of names or persons, from any of the districts at