

10.

(a) When said list of names selected as directed in Section 9 is made and certified as therein provided for, immediately thereupon the said judges of the said respective courts, in the presence of the members of the bar, as aforesaid, and such other persons as may think proper to be present, shall cause all the names selected and placed in the list as aforesaid to be legibly written upon ballots, which shall be of equal size and of the same color and appearance, and shall be closely rolled or folded, and in each of the counties, except Frederick, Montgomery and Carroll counties, placed by the said judges with their own hands before the drawings herein provided for in a cubiform box, with a sliding top of the square of eight inches, to be procured for that purpose by the clerk of said court, under the direction of the said judges, and after so depositing said ballots, the said box shall be closed and the said judges shall then cause the clerk, or one of his deputies, whom the said judges shall designate (neither the one nor the other who may be so required to act to be present at the writing, rolling or folding and depositing said ballots into the box as herein directed) to appear before them and then and there, in the presence of the said judges and such other persons as may choose to be present after well and thoroughly shaking the said box, so that the ballots be well mixed, to draw from said box through such opening made by removing the sliding top thereof as will only conveniently admit the hand and without in any manner looking into said box one by one, forty-eight of said ballots, and the names appearing on said ballots as drawn shall be duly recorded by said judges or by clerk, in their presence and under their direction, in the order in which they shall be drawn. *In Harford County the clerk or his designated deputy shall draw seventy-three rather than forty-eight ballots.* This section shall not apply to Charles County except to the extent provided for in subsection (f), and to Prince George's County except to the extent provided for in subsection (g).

12. 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 (except that in Montgomery County the foreman shall be selected from the original panel of five hundred names, with his name being included among the jurors drawn and summoned and in Washington County the foreman shall be selected from the list of names presently being used as a panel in said county, as provided in Section 9 of this article, and in Charles County the foreman shall be selected from its original panel of names presently being used in said county), 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 (or, in *Harford*, *Montgomery* and *Washington* counties the remaining number of 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