

*such appointment shall occur. If for any reason any person selected as a grand juror shall fail to attend by reason of death, absence, sickness or any other cause, or shall be disqualified or excused from serving, the court may fill such vacancy from those selected as petit jurors in the order in which their names were selected in the drawing and may thereafter in its discretion fill the vacancy thus made in the petit jury by drawing the necessary number of additional names in the manner prescribed by this section and by Section 49 9 of this Article.*

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 BOX IN THE MANNER HEREINBEFORE DIRECTED, 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.

OF THE JURORS SO DRAWN IN ACCORDANCE WITH THIS SECTION AND SUMMONED, NOT LESS THAN THIRTY-FIVE (35) NOR MORE THAN SEVENTY (70), ARE TO BE DESIGNATED IN THE VENIRE FACIAS AS THE FIRST WEEK'S JURY AND SHALL BE REQUIRED TO ATTEND THE OPENING SESSION OF THE COURT. THE NEXT GROUP OF JURORS DRAWN AND SUMMONED IN ACCORDANCE WITH THIS SECTION, AFTER THOSE DESIGNATED AS THE FIRST WEEK'S JURY, CONSISTING OF NOT LESS THAN THIRTY-FIVE (35), NOR MORE THAN SEVENTY (70), SHALL BE DESIGNATED IN THE VENIRE FACIAS AS THE SECOND WEEK'S JURY AND SHALL NOT BE REQUIRED TO ATTEND UNTIL THE SECOND WEEK. THE THIRD GROUP SO DRAWN AND SUMMONED IN ACCORDANCE WITH THIS SECTION AFTER THOSE DESIGNATED AS THE SECOND WEEK'S JURY, CONSISTING OF NOT LESS THAN THIRTY-FIVE (35) NOR MORE THAN SEVENTY (70), SHALL BE DESIGNATED IN THE VENIRE FACIAS AS THE THIRD WEEK'S JURY AND