

MISSIONER, OR ONE OF HIS ASSISTANTS (neither the one nor the other who may be so required to act, to be present at the writing, typing, rolling or folding and depositing of the ballots into the box as herein directed) to appear then and there in the presence of the judge and such other persons as may choose to be present, after well and thoroughly shaking the box so that the ballots in the seven compartments thereof be well mixed, to draw from the box through such opening made by removing the sliding top thereof as will conveniently admit the hand, and exposing but one of the compartments at any one time, and without in any manner looking into the box, one by one, twenty-three of the ballots, and the names appearing on the ballots so withdrawn shall be duly recorded by the judge or by the clerk, in the presence of the judge and under his direction in the order in which they shall be drawn and the list so drawn shall constitute and be the grand jury panel for the term of such court immediately following the drawing, and in drawing the twenty-three names aforesaid the ballots shall be drawn in the following manner: Three names from delegate subdistrict No. 1, four names from delegate subdistrict No. 2, three names from delegate subdistrict No. 3, four names from delegate subdistrict No. 4, three names from delegate subdistrict No. 5, three names from delegate subdistrict No. 6, and three names from delegate subdistrict No. 7, making a total of twenty-three grand jurors for the term immediately following the selection, and the judges of the court shall designate one of the grand jurors so drawn as the foreman of the grand jury and one as assistant foreman.

7-77.

If any juror actually drawn for service for any particular term as petit juror or grand juror as hereinbefore provided, shall be able to satisfy the jury judge or the jury commissioner of his inability to serve at such term, but shall be available for service at some subsequent term of court, then the jury judge or the jury commissioner may, in his discretion, excuse the juror from service at such term and draw another juror in his stead, and may then assign the juror so excused, for service at such subsequent term as the jury judge may designate, without the necessity of re-drawing such juror for service at such subsequent term, and the number of jurors to be drawn by the judge from each delegate subdistrict as hereinbefore provided shall be proportionately reduced in accordance with the number of jurors from such delegate subdistrict as shall have been specially assigned for service as herein provided.

7-78.

Whenever a vacancy shall occur in the position of foreman or assistant foreman of the grand jury, either temporary or permanent by death, absence, sickness or any other cause, the court shall have the power to appoint some other member of the grand jury foreman or assistant foreman as often as the necessity for such appointments shall occur. If for any reason any person drawn as a grand juror shall fail to attend and be present at the beginning of the next term of the court following such selection or be disqualified or excused for cause, the court shall forthwith proceed to fill such vacancy from the aforesaid remaining number of names on the grand jury panel from the delegate subdistrict or subdistricts of the county, which is the residence of the juror or jurors creating the vacancy, and the court