

except the name of the foreman, to be legibly written on ballots of equal size and the same color and appearance, which shall be closely folded and placed by the judge or judges, with their own hands, immediately before the drawing herein provided for, into a cubiform box of the square of twenty inches, to be procured for that purpose by the clerk of the court, under the direction of the judge or judges of the court, which box shall have seven compartments or drawers, which shall be numbered to correspond with the numbers of the respective councilmanic districts of the county; and the names of the persons so selected as aforesaid, except the name of the foremen shall be placed by the judge or judges in the compartments or drawers as follows: The names selected from the first councilmanic district in number one; the names from the second councilmanic district in number two; the names from the third councilmanic district in number three; the names from the fourth councilmanic district in number four; the names from the fifth councilmanic district in number five; the names from the sixth councilmanic district in number six; and, the names from the seventh councilmanic district in number seven; and after so depositing such ballots, the box shall be closed, and the judge or judges shall cause the clerk of the circuit court, or one of his deputies, whom the judge or judges shall designate then and there in the presence of the judge or judges, and such other persons as may choose to be present, to draw, without looking into the same, from the box one hundred and [twenty-two] *twenty-three* names as follows: Fifteen names from compartment number one; seventeen from number two; twenty-one from number three; twenty-one from number four; twenty-one from number five; [eighteen] *nineteen* from number six and nine from number seven; provided, that after the foreman has been selected the district of his residence shall be carefully noted, and at the drawing one less name than above provided shall be drawn from the compartment representing the district in which he resides and the names appearing on the ballots so drawn shall be recorded by the clerk of the court, or one of his deputies, in the presence of the judge or judges in the order drawn; and thereupon the judge or judges shall forthwith 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 the court, on the first day thereof, the several persons whose names may be drawn as aforesaid, and also the foreman selected as aforesaid; and if any of the persons so drawn and embraced in the venire facias should be dead, sick or otherwise unable to attend, or should 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 judge or judges, who shall thereupon cause to be drawn from the compartment or drawer from which the name of the person so dead, sick, returned non est or excused by the judge or judges was drawn, another name to take the place of such person so dead, sick, returned non est or excused, and shall cause the name or names last as aforesaid drawn to be inserted in the venire facias to be summoned as aforesaid; provided, that should the person selected as foreman of the grand jury die, be returned non est or be excused on account of sickness or for any other cause, the judge or judges may select or appoint another person from the names remaining on the original list provided for in this section, and the court, at the beginning of the term for which the persons were drawn and summoned, shall direct the clerk of the court, or one of his deputies, to legibly write