

be the president judge of the court of common pleas of the respective county. In the event the president judge is unable by reason of illness or other cause to temporarily perform the duties imposed on him under the provisions of this act, he may temporarily appoint another judge of said court to perform his duties. The other two members of said commission shall be chosen by the qualified electors of said county at the municipal elections at which other county officers are chosen: Provided, however, That in no event shall both of said elective members of the commission be members of the same political party, but the majority political party in said county shall elect one of said elective commissioners, and the other shall be the candidate for such office receiving the highest number of votes of the next ranking or minority political party; the elective members of the commission to be chosen for a term of four years. Any jury commissioner shall be eligible for reelection for any number of terms. In the event that two of the members of the commission are unable by reason of illness or other cause to temporarily perform the duties imposed upon them in the selection of taxables to serve as jurors or in the drawing from the jury wheel, the remaining member, if he the president judge or judge appointed to act in the place of the president judge, may act alone.

Section 3. This act shall take effect June 30, 1968.

APPROVED—The 3rd day of April, A. D. 1968.

RAYMOND P. SHAFER.

No. 41

AN ACT

HB 2099

Amending the act of May 17, 1939 (P. L. 157), entitled "An act regulating the selection, drawing, and summoning of all jurors and talesmen, in counties of the third class, and defining their qualifications in such counties; creating a jury board and defining its powers and procedure; providing for the appointment of a clerk to the jury board and fixing his maximum salary; providing for the custody of the jury wheel, and the filing and custody of jury lists; providing for the public drawing of jurors and the methods thereof; giving the trial judge the right to excuse jurors; prescribing the time of challenging jurors or the array, regulating the procedure if array is quashed; providing for the drawing of names of jurors from wheels heretofore filled; and repealing inconsistent acts," authorizing counties of the second class A to come within the provisions of this act.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The title and section 1, act of May 17, 1939 (P. L. 157), entitled "An act regulating the selection, drawing, and summoning

of all jurors and talesmen, in counties of the third class, and defining their qualifications in such counties; creating a jury board and defining its powers and procedure; providing for the appointment of a clerk to the jury board and fixing his maximum salary; providing for the custody of the jury wheel, and the filing and custody of jury lists; providing for the public drawing of jurors and the methods thereof; giving the trial judge the right to excuse jurors; prescribing the time of challenging jurors or the array, regulating the procedure if array is quashed; providing for the drawing of names of jurors from wheels heretofore filled; and repealing inconsistent acts," are amended to read:

AN ACT

Regulating the selection, drawing, and summoning of all jurors and talesmen, in counties of the second A and third class, and defining their qualifications in such counties; creating a jury board and defining its powers and procedure; providing for the appointment of a clerk to the jury board and fixing his maximum salary; providing for the custody of the jury wheel, and the filing and custody of jury lists; providing for the public drawing of jurors and the methods thereof; giving the trial judge the right to excuse jurors; prescribing the time of challenging jurors or the array, regulating the procedure if array is quashed; providing for the drawing of names of jurors from wheels heretofore filled; and repealing inconsistent acts.

Section 1. Organization of Jury Board.—Within ten days after the passage and approval of this act and annually thereafter there shall be organized in each county of the third class and in each county of the second class A electing to come within the provisions of this act, a jury board consisting of the judges of the court of common pleas and the two elected jury commissioners of such county. The president judge shall be the chairman of the board. One of the judges of the court of common pleas and the two commissioners, or one of said commissioners and two of said judges, shall constitute a quorum of said board. The court of common pleas in each county of the third class and in each county of the second class A electing to come within the provisions of this act shall appoint a clerk to the jury board to serve at the pleasure of the court. His duties shall be such as are prescribed by this act and any other duties incidental thereto. His salary shall be fixed by the court of common pleas and shall not exceed nine hundred dollars (\$900) per year and shall be paid by the county.

Section 2. Section 5 of the act, amended August 1, 1963 (P. L. 437), is amended to read:

Section 5. Drawing of and Notices to Jurors.—The issuing of writs commanding the impaneling and summoning of jurors to serve as jurors in the trial of any issue triable by jury in the several courts

of the counties affected by this act, and to serve as grand jurors, shall be as now provided by law, except the appropriate writs shall be directed not as heretofore to the sheriff and commissioners but to the jury board commanding it to impanel and summon such jurors as required under the law, or by order or praecipe of any of the several courts of the respective second A or third class counties

affected by this act. After the jury boards, as herein provided for, are organized, all drawings of jurors and proceedings incident to said drawings shall be as follows. At least thirty days before each term of court there shall be drawn from the jury wheel name-slips equaling the number of jurors which the jury board has been directed to impanel and summon for said term of court, and, at least thirty days before the commencement of the grand jury, there shall be drawn from said wheel twenty-four name-slips of jurors to be summoned for said grand jury. The names, occupations, addresses, and numbers of the persons so drawn for jury service shall be typewritten upon a list, and the list shall be posted in the office of the prothonotary and clerk of the court at least twenty-five days before the first day of the beginning of the term of court or the session of grand jury for which said jurors are chosen. These lists shall be signed by at least two of the judges of the court of common pleas and by at least two jury commissioners, and also by the clerk of the jury board. The jurors so chosen shall, at least twenty days before the first day of the period during the term of court or session of the grand jury for which they have been drawn for service, be notified to appear for service at the proper time, by card duly mailed to the proper address and signed by the sheriff of the county, with a postage-prepaid return card attached to said notice setting forth that notice to appear at the hour and date therein stated is accepted. This return card shall be addressed to the sheriff of the county. The citizens to whom cards have been mailed and from whom return cards have not been received five days after the cards were mailed to them, shall be served, personally by the sheriff of the county or his deputies, with notice to appear for jury service at the proper time. These summonses for jury service, whether by card duly mailed or by personal service, shall be deemed summonses of the court, and disobedience to them shall be considered the same as disobedience to any other summons of the court.

Jurors may be chosen for any period within any term as may, from time to time, be directed by the court.

Section 3. This act shall take effect June 30, 1968.

APPROVED—The 3rd day of April, A. D. 1968.

RAYMOND P. SHAFER