

book called the "jury book." After the nameslips have been copied in the jury book and the jury book entry compared and found to be correct, the nameslips shall be immediately sealed in an envelope by the clerk and on said envelope and in said jury book the specific week or weeks of jury service for which said jurors whose names are on said slips are drawn shall be entered. These nameslips shall be held for safekeeping as the court shall direct until the end of the year, when they shall be destroyed unless the court shall order otherwise.

Section 10,  
amended.

Section 5. Section ten of said act is hereby amended to read as follows:

#### Proceedings if Array is Quashed

Section 10. When the array of jurors returned at any court shall be quashed by reason of any fault or irregularity in the selection of said array of jurors the court shall forthwith order another public drawing of jurors in the manner provided in this act to take the place of the jurors on the quashed array, and said jurors shall be legal jurors for the week for which the jurors in said quashed array were drawn. The court shall prescribe what notice shall be given of the names, occupations, and addresses of the persons thus drawn so as to conform as nearly as may be practicable under the circumstances to the notice of and to jurors drawn as prescribed by sections five and six of this act. If there has been any fundamental irregularity in filling the jury wheel, the court of common pleas may upon satisfactory proof of said irregularity order the wheel emptied and then refilled with names of persons qualified for jury service. Said names shall be selected by the jury [board] *commissioners* and as nearly as possible according to the procedure prescribed in this act, except that the same shall be done within a time to be prescribed by the court.

Section 1,  
repealed.

Section 6. Section one of said act is hereby repealed.

APPROVED—The 2d day of July, A. D. 1937.

GEORGE H. EARLE

No. 578

#### AN ACT

To amend section one of the act, approved the sixth day of May, one thousand eight hundred and seventy-four (Pamphlet Laws, one hundred twenty-five), entitled "An act regulating State tax on certain county offices," as amended, regulating the payment over to the county of excess earnings of county officers.

Section 1, act of  
May 6, 1874 (P.  
L. 125), as last  
amended by act  
of March 30,  
1921 (P. L. 69),  
further amended.

Section 1. Be it enacted, &c., That section one of the act, approved the sixth day of May, one thousand eight

hundred and seventy-four (Pamphlet Laws, one hundred twenty-five), entitled "An act regulating State tax on certain county offices," as last amended by the act, approved the thirtieth day of March, one thousand nine hundred and twenty-one (Pamphlet Laws, sixty-nine), is hereby further amended to read as follows:

Section 1. That in counties of less than one hundred and fifty thousand inhabitants, the prothonotaries or clerks of the several courts of common pleas, quarter sessions of the peace, oyer and terminer, and orphans' courts, the register of wills, and the recorder of deeds, shall keep, or cause to be kept, a fair and accurate account of all fees received for services performed by them or any person employed by them in their respective offices; and shall also, on the first Monday of January of each year, furnish a copy of said account, upon oath or affirmation, to the auditor appointed by the court to settle the accounts of county officers; and shall also pay to the county treasurer, for the use of the respective counties, after deducting all necessary clerk hire and office expenses, fifty per centum on the amount of any excess over and above the sum of [three] four thousand dollars, which shall be found by the said auditor, appointed by the court to settle the accounts of county officers, to have been received by any officer in any one year: Provided, That if two or more of said offices shall be held by one person, the said auditor shall add together the fees received in the offices so held, and shall charge the same percentage on the aggregate amount of fees received by such person holding more than one of said offices. A copy of the report of the said auditor, when completed, shall be presented by him to the court of common pleas of the respective counties, and filed among the records of said court; which said report shall thereafter have all the force and effect of, and be subject to the same procedure as applies to, the report of the county auditors.

Account of fees.

Auditing.

Payment to county treasurer.

Proviso.

Filing of auditor's report.

APPROVED—The 2d day of July, A. D. 1937.

GEORGE H. EARLE

No. 579

AN ACT

Regulating the mining of bituminous coal in counties of the second class; prescribing duties for county commissioners; and imposing penalties.

Section 1. Be it enacted, &c., That it shall be unlawful for any owner, operator, director, or general manager, superintendent, or other person in charge of or

Restrictions on mining bituminous coal.