

secure the rights, property and interests therein; providing for the assignment, cancellation and revocation thereof, and imposing penalties for violations, conferring powers and imposing duties upon the Secretary of the Commonwealth in the administration thereof; and to repeal all acts inconsistent therewith," is amended to read:

Section 2. Registrability.

A trade-mark by which the goods of any applicant for registration may be distinguished from the goods of others shall not be registered which:

* * * * *

(e) consists of or comprises any trade-mark which,
1. when applied to the goods of the applicant is merely descriptive or deceptively misdescriptive of them; or

2. when applied to the goods of the applicant is primarily geographically descriptive or deceptively misdescriptive of them; or

3. is primarily merely a surname.

*Nothing in clause (e) shall prevent the registration of a mark used in this State by the applicant which has become distinctive of the applicant's goods. The Secretary of the Commonwealth may accept as evidence that the mark has become distinctive as applied to the applicant's goods, proof of continuous and *exclusive use thereof as a mark by the applicant in this State, or elsewhere, for the five years next preceding the date of the filing of the application for registration; or*

* * * * *

Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 3rd day of April, A. D. 1956.

GEORGE M. LEADER

No. 439

AN ACT

Amending the act of May eleven, one thousand nine hundred twenty-five (Pamphlet Laws 561), entitled "An act to provide for the selection of jurors to serve in the several courts, criminal and civil, of counties of the second class, and defining the qualifications of such jurors; providing for the organization of a commission for the selection of jurors in such counties, and prescribing its powers and duties, and authorizing it to investigate as to the qualifications of prospective jurors; imposing the expense of maintaining and operating said commission upon said counties, and requiring the county commissioners to provide suitable quarters, equipment, and supplies; authorizing the em-

* "exclusively" in original.

ployment of the necessary clerks and other employes, and providing for a salary board composed of the commission, the county commissioners, and the controller of said counties, to fix the number and compensation of such employes; requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service; repealing inconsistent legislation; and prescribing punishment for the violation hereof," authorizing the president judge of the court of common pleas to transfer and assign jurors summoned to serve in any court, civil and criminal, of the county and changing form of venire and summons to comply therewith.

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

Section 13, act of May 11, 1925, P. L. 561, amended June 12, 1931, P. L. 538, further amended.

Section 1. Section thirteen, act of May eleven, one thousand nine hundred twenty-five (Pamphlet Laws 561), entitled "An act to provide for the selection of jurors to serve in the several courts, criminal and civil, of counties of the second class, and defining the qualifications of such jurors; providing for the organization of a commission for the selection of jurors in such counties, and prescribing its powers and duties, and authorizing it to investigate as to the qualifications of prospective jurors; imposing the expense of maintaining and operating said commission upon said counties, and requiring the county commissioners to provide suitable quarters, equipment, and supplies; authorizing the employment of the necessary clerks and other employes, and providing for a salary board composed of the commission, the county commissioners, and the controller of said counties, to fix the number and compensation of such employes; requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service; repealing inconsistent legislation; and prescribing punishment for the violation hereof," amended June twelve, one thousand nine hundred thirty-one (Pamphlet Laws 538), is amended to read:

Drawing of jury.

Section 13. When and as such venires are received from the several courts, the sheriff and the commission shall thereupon fix a day at which the members of the commission or a majority of them shall attend. In the presence of the members of the commission, the said sheriff shall draw from said jury wheel the number of names required by the said venire or venires; and a permanent record of the names withdrawn, together with the occupation and residence address of each, shall be made in the form of a list thereof as part of the minutes of the said meeting of the commission, and the sheriff and the members of the commission attending shall sign their names, certifying to the correctness of said list and that the law has been complied with

Record of jurors.

in the drawing thereof, and a certified copy of such minutes, including said list, shall be attached by the sheriff to the return made upon the writ of venire, and shall be returned with said writ on the return day thereof to the court for which such venire was drawn; and the persons so drawn shall forthwith be summoned to appear at the time and before the court designated in the venire, and [it] shall serve as jurors in that court or any other court, civil or criminal, of the county as the president judge of the court of common pleas may in his discretion direct. It shall be the duty of the sheriff to summon, at least ten days before the return of venire, the persons whose attendance shall be thereby required, by delivering to each of the said persons a separate ticket in the customary form, specifying the duty enjoined, or by leaving such ticket at their usual places of abode respectively.

Summoning of jurors.

Section 2. Sections twelve and fourteen of the act are amended to read:

Sections 12 and 14, act of May 11, 1925, P. L. 561, amended. Form of venire.

Section 12. Venire for jurors in the several courts of the respective county shall be issued from time to time in the manner now provided by law and shall be substantially in the following form:

COMMONWEALTH OF PENNSYLVANIA }
 COUNTY OF } ss:

To the sheriff and the commission for the selection of jurors: | §

You are hereby directed to draw from the jury wheel the name of.....persons to serve as.....jurors in the court ofto be held in and for the county of.....onat.....o'clock M

to serve as jurors in that court or in any other court of the county, civil or criminal, as the president judge of the court of common pleas may direct, and you are directed to summon the persons so selected to appear in said court at said time and place and to have then and there this writ, with the names, addresses, and occupations of the persons summoned respectively in a panel hereto annexed, and then and there make return as to the manner in which you have executed this writ.

WITNESS the hand and seal of the Honorable Judge of said court this..... day of

.....(Seal)
 Attest

Form of sum-
mons.

Section 14. The summons to the jurors drawn upon each venire shall be in substantially the following form:

SHERIFF'S OFFICE

COMMONWEALTH OF PENNSYLVANIA } ss:
COUNTY OF

TO

Sir:

You are hereby summoned to appear before the judges of the court of.....at (the building in which the court will be held) on the..... day ofat o'clock M, there to serve as a juror in that court or in any other court of the county, civil or criminal, as the president judge of the court of common pleas may direct.

WITNESS the hand and seal of the Honorable Judge of said court thisday of (Seal)

Attest

..... (Sheriff).

APPROVED—The 3rd day of April, A. D. 1956.

GEORGE M. LEADER

No. 440

AN ACT

Amending the act of July eleven, one thousand nine hundred seventeen (Pamphlet Laws 769), entitled "An act to regulate the importation into the State of Pennsylvania of dependent, delinquent, or defective children; and providing a penalty for the violation thereof," authorizing use of forfeited bond for the further placing of children.

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

Section 2, act of July 11, 1917, P. L. 769, amended June 19, 1939, P. L. 436, further amended.

Section 1. Section two, act of July eleven, one thousand nine hundred seventeen (Pamphlet Laws 769), entitled "An act to regulate the importation into the State of Pennsylvania of dependent, delinquent, or defective children; and providing a penalty for the violation thereof," amended June nineteen, one thousand nine hundred thirty-nine (Pamphlet Laws 436), is amended to read:

Importation into Pennsylvania.

Section 2. Such person, corporation, association, or institution, before bringing or sending, or causing to