

Section 2. This act shall take effect immediately, but shall not apply to any person holding two such offices on the effective date of this act until the expiration of the term of either of said offices, and shall not apply to any person nominated to any such office prior to the effective date of this act and elected thereto prior to January 1, 1964.

Effective date
and applicability.

APPROVED—The 1st day of August, A. D. 1963.

WILLIAM W. SCRANTON

No. 230

AN ACT

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," further regulating the service of jurors.

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

Jurors in third
class counties.

Section 1. Section 5, 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," is amended to read:

Section 5, act of
May 17, 1939,
P. L. 157,
amended.

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 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 [each week of] 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 type-written 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 [week] *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 [week] *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.

* "at" in original.

APPROVED—The 1st day of August, A. D. 1963.

WILLIAM W. SCRANTON