

No. 176

AN ACT

To amend section one as amended, sections seven and thirteen of the act, approved the eleventh day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, five hundred sixty-one), 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 organizations 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," regulating the personnel of the board in certain contingencies.

Counties
of second
class.

Jurors.

Section 1,
act of
May 11,
1925
(P. L. 561),
as amended
by act of
May 1, 1929
(P. L. 1218),
further
amended.

Section 1. Be it enacted, &c., That section one of the act, approved the eleventh day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, five hundred sixty-one), 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 organizations 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," which was amended by the act, approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred thirteen), entitled "An act to amend section one of the act, approved the eleventh day of May, one thousand nine hundred and twenty-five (Pamphlet Laws,

five hundred sixty-one), 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,' is hereby further amended to read as follows:

Section 1. Be it enacted, &c., That for an improved and impartial selection of persons to serve as jurors in the several courts, civil and criminal, of counties of the second class, there is hereby created a commission to be known as the "Commission for the Selection of Jurors," hereinafter called "commission." Said commission shall consist of three members. One of said members shall be the president judge of the court of common pleas of the respective county. [whose duty it shall be to preside at and oversee the drawing of jurors, as hereinafter provided.] *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*

Commission for selection of jurors.

President judge may appoint another judge to perform duties.

Eligibility of commissioner for reelection.

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.

Judge
may
act
alone.

Section 7
amended.

Manner of
drawing
names
for jury
service.

Section 2. That section seven of said act is hereby amended to read as follows:

Section 7. After obtaining the said list of taxables, the said commission shall meet forthwith, and two members shall constitute a majority for such meeting, [providing one of the members is the president judge of the court of common pleas belonging upon said commission,] and shall select from the said list of taxables every fiftieth name, beginning with the first name on said list, then the fifty-first name, and so continuing until the whole of said list of taxables has been passed through, and then shall proceed in a similar manner by selecting the second name on said list and then the fifty-second name and so continue until the list has been passed through if necessary to procure the number of jurors designated to serve for the ensuing year, as hereinafter provided; and said procedure shall be followed until a sufficient number has been procured from said list of taxables to supply with jurors the several courts, civil and criminal, of the respective county holding jury trials. In each succeeding year after the first year, the same procedure in the selection of names from the list of taxables shall be followed; beginning, however, with the fiftieth name after the last name drawn in the year last preceding: Provided, however, That if less than fifty names remain on the said list of taxables after the last name selected in the preceding year, then the selection shall continue by beginning at the head of the list, as hereinbefore provided. No person shall be selected to serve as a juror if two members of said commission shall find that such person is disqualified for service under the provisions of this act.

Proviso.

Section 13
amended.

Drawing
names
from
jury
wheel.

Section 3. That section thirteen of said act is hereby amended to read as follows:

Section 13. When and as such venirens 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. [Provided, One of such majority shall be the president judge of the court of common pleas. In the event that the president judge of the court of common pleas is unable by reason of illness or other cause to temporarily perform the duties herein imposed upon him, he may temporarily appoint another judge of the court of common pleas to perform such duties; and] 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 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 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.

Record of
jurors.

Summon-
ing of
jurors.

APPROVED—The 12th day of June, A. D. 1931.

GIFFORD PINCHOT

No. 177

AN ACT

To amend section two of the act, approved the twenty-fifth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, seven hundred sixty-seven), entitled "An act to define the crime of arson, and attempted arson; prescribing penalties therefor; and to punish the wilful and malicious burning of, or attempt to burn, property of various kinds; and the defrauding of, or attempt to defraud, insurers thereby; and repealing certain acts and parts of acts relating thereto," by extending provisions of act to include other buildings and structures.

Section 1. Be it enacted, &c., That section two of the act, approved the twenty-fifth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, seven hundred sixty-seven), entitled "An act to define the crime of arson, and attempted arson; prescribing penalties therefor; and to punish the wilful and malicious burning of, or attempt to burn, property of various kinds; and the defrauding of, or attempt to defraud, insurers thereby; and repealing certain acts and parts of acts relating thereto," is hereby amended to read as follows:

Crimes.

Arson.

Section 2,
act of
April 25,
1929
(P. L. 787).
amended.