THE PHILADELPHIA METHOD OF SELECTING AND DRAWING JURORS.

BY T. ELLIOTT PATTERSON, OF THE PHILADELPHIA BAR.

(Delivered March 13, 1922, before The Historical Society of Pennsylvania.)

To the Wheel and From the Wheel—Into Court and Out of Court.

There are very few subjects more interesting to the average lawyer, and indeed to the public at large, than that which in some of its features comes before us tonight.

To the lawyer it calls up memories of the greatest tragedies and greatest achievements in human life, marked with features distressing and pathetic as well as humorous and exceptionally fortunate and happy.

Two illustrations come to my mind this evening suggested by the very locality where we are meeting, of the exercise of the right of trial by jury that made a distinctive impression upon the communal and legal history of our city. I refer to the Twitchell murder trial in the criminal court, and the equally noted Whittaker will case in the civil court. Both were tried in the old court buildings, then located on Independence Square, and both were participated in by one of the ablest and most powerful advocates, as well as one of the most profound and learned lawyers of the Philadelphia Bar of his day, if not in any period of its history—I refer to the late Furman Sheppard.

In the one case the question of life was at issue, in the other the question of property. Sometimes such striking contrasts help us to visualize the importance of the humble means and parts of our great system
of administrative justice, brought into use in all jury trials, great or small, where the right of trial by jury is exercised; for say what we will, reflect as we may, there is that element of question as to the outcome, that throws a glamour about the entire process, from the selecting of the jury to the rendering of their verdict, that commands our earnest and thoughtful attention. With no purpose of magnifying preliminaries, or over-estimating the essential requirements in the "superintending and managing the selection and drawing of jurors," but rather to stimulate the spirit of patriotic regard for this great institution of our English-speaking race, are we prompted to eulogy of the system as we take into our hand this little "scrap of paper," that but for the successful issue of the late world's war might have been blotted and helmeted out of our judicial system.

In this room on May 3, 1917, Hon. William Renwick Riddell, Justice of the Supreme Court of Ontario, delivered an address before our Law Academy of Philadelphia upon the Magna Charta.

A facsimile of that instrument, framed, placed upon an easel and draped with the mingled colors of the Stars and Stripes and the Union Jack, stood by the speaker's desk. Turning to it, in a few most tactful and graceful sentences he paid the highest tribute I ever heard or read from an Englishman to our American Fathers for teaching England how to take better care of her colonies." That she has continued to do so to the present time was evidenced by Canada, South Africa, New Zealand, India and Australia, that held true to the traditions of the mother country from Aug., 1914, to the treaty of Versailles, November 11, 1918, in which we, too, participated. In the mandatory, prophetic and statutory language of our constitution, "Trial by Jury shall remain as heretofore," it still remains.
But, however fine the tribute paid to our American fathers for their spirit of independence, and the lesson they imposed upon the mother country, it was at some cost to both parties, reminding me of Major Thorrington's answer to the question, "How many British soldiers came over from England to participate in the Revolutionary War?"—he had never seen a statement and it was one of the questions to be answered to go into President Grant on the Major's application for a consulship—in desperation he wrote down, "a blank site more than ever went back," an answer that pleased President Grant so much that at once he received his appointment.

Justice Riddell told us that in Ontario "we have got rid of the jury system in the vast majority of cases, but it has free course and is glorified in most if not all the United States." He facetiously, however, went so far as to say, "the saving of time—and wind—is enormous." In criminal cases, however, they have not gone quite so far. But how different from the view of the eminent French writer, DeTocqueville, on the jury system of America: "The jury contributes most powerfully to form the judgment, and to increase the natural intelligence of a people; and this is in my opinion, its greatest advantage. It may be regarded as a gratuitous public school ever open, in which every juror learns to exercise his rights, enters into communication with the most learned and enlightened members of society (the upper classes) and becomes practically acquainted with the laws of his country, which are brought within the reach of his capacity by the efforts of the bar, the advice of the judge, and even by the passions of the parties. I think that the practical intelligence and political good sense of the Americans are mainly attributable to the long use which they have made of the jury in civil cases."

These sentiments and observations of this French-
man of the middle of the 18th century, after a careful study of our institutions are certainly in striking contrast with the Canadian Justice of our own day nearly a century later.

As Americans, we are awaking to the importance of comparative study on those lines. Only a few mornings ago the Public Ledger informed us that over 200 Americans in Paris had registered for the course on French Civilization that was to be given in one of their universities, showing that the American spirit of intelligent inquiry and examination into governmental methods is still alert. (March, 1922).

Jury Trials in Philadelphia in 1921.

Some idea may be formed of the amount of jury work in Philadelphia from the following data gathered from a tabulated report furnished me by Joseph P. Bartilucci, Esq., under the heading, "Disposals at bar of Court for year 1921, of the Common Pleas and Municipal Courts."

<table>
<thead>
<tr>
<th>Verdicts and findings for Plaintiff in the Common Pleas</th>
<th>1625</th>
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<tbody>
<tr>
<td>Verdicts and findings for Defendants in the Common Pleas</td>
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<td>Verdicts and findings for Plaintiffs in the Municipal Court</td>
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<td>Verdicts and findings for Defendants in the Municipal Court</td>
<td>569</td>
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<td>1596</td>
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<td>3618</td>
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Philadelphia Method of Drawing a Juror.

A Report from the District Attorney for 1921

Shows—Bills of indictment drawn ............... 10,041
          True bills found ........................ 9,020
          Bills disposed of ....................... 7,581

Report for January Sessions, 1922, from his office shows: During the month of January, 1922, with four prison courts running, viz.: Rooms 453, 653, 442, and 285, 62 Homicide cases were tried, including 67 defendants, 30 of them being prison cases, and 32 of them bail cases, resulting in verdicts of first degree, 7; pleas, fixed as murder in first degree, 2; verdicts of second degree, 3.

A total of 65 homicide cases disposed of in January, and upwards of 250 General Prison cases and some bail cases.

The report of the Survey Committee on the administration of criminal procedure, appointed by the Law Association of Philadelphia, at the instance of the Courts, will give further interesting information along these lines.

Compared With Canadian and English Courts.

In Toronto in 1913 the official report for the Division Court (the lowest trial court) of Canada showed that out of 63,675 suits only 117 were tried by jury, less than 1/5 of 1%.

In 1901 in England of the 783,655 civil actions tried only 1001 were tried by jury. These comparative statements have been made to show how our American Courts have held, in Philadelphia particularly, to the traditions of our fathers in keeping our people in touch with, and participation in the administration of justice, as established amongst us, as called, they come up to and go down from the discharge of their duties, safer, better, more contented citizens as recognized factors in the administration of justice.
And before taking up the routine work of the Jury Board, let me read to you the impressive words which quite possibly some of you heard when, administered in our criminal courts by the crier in his reading the indictment in a trial for murder in the first degree to which the prisoner has pleaded "Not Guilty." This form was given to me by Mr. Levi Hart, the senior Court Crier in Room 453:

"Gentlemen . . . . of the jury harken to an indictment presented by the Grand Inquest of the Commonwealth of Pennsylvania, inquiring for the County of Philadelphia . . . . To this indictment the prisoner at bar John Doe pleads—"Not Guilty," and "for trial hath put himself upon God and his country—Which Country You Are—and if you find the prisoner at the bar John Doe Guilty you will say "so, if you find the prisoner at the bar John Doe Not Guilty, you will say so and no more—Good men and "true stand together and harken unto the evidence."

The Assessors.

It shall be the duty of the several assessors of the city of Philadelphia to ascertain, by strict inquiry, the proper orthography of the name of each taxable person within his ward, the exact number of his place of residence, together with his present occupation, profession or business, and to state, plainly written, all such particulars in his assessment list. Act of April 13, 1859, P. L. 595, Sec. I. The lists are turned in to the City Commissioners, who have them printed, division by division, separately for each division of each ward, and the divisions of the said ward are bound into one book, known as the Assessor's List for that ward. There are 1430 divisions in the 48 wards of the city of Philadelphia, containing a list, as tabulated and furnished by the City Commissioners of (for the year 1921, from which the jurors for 1922 were selected) 754,124, from
which were selected the 15,000 names that were placed in the jury wheel last December for this year, 1922.

When the City Commissioners receive the returns of the divisions from all the 48 wards they furnish to the "Board for Superintending and Managing the Drawing and Selecting Jurors," hereafter called the Jury Board, for brevity, a tabulated statement of the assessables of each ward and the grand total for the entire city. They also have these separate ward books printed and bound in heavy paper backs and a full set of them furnished to the Jury Board by sending them from the printer to the office of the clerk of the board. The Jury Board is composed of the 15 Common Pleas Judges and the Sheriff of the County.

The Ward Allotments.

The Judges and the Sheriff constituting the Board, draw their respective wards by lot, and as drawn by a Judge and the Sheriff, the clerk of the board records the drawing and together with the Judge and Sheriff certifies to the fact. The proportion to be marked averages nearly a thousand to a member.

The City Commissioners’ Tabulation.

From the tabulation furnished by the City Commissioners the clerk of the Board proceeds to make up the proportion to be marked in each ward. It may be interesting to observe, that with an approximate population of 2,000,000, from which the 754,000 taxables were returned, and out of which the 15,000 names for the wheel were selected—Act of Apl. 20, 1858, P. L. 354, Sec. 2,—402,000 separate homes in Philadelphia were represented. And as stated in the Real Estate Board’s Review for March of this year—“very uncongenial soil ‘for European anarchy.’”

On the back of each ward book the clerk writes the name of the Judge to whom it is allotted, and under his name the proportion of names to be marked from
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that ward, and personally delivers them under seal to each member of the board, who when he has marked up his required number returns them to the clerk to be written on separate slips of paper of same color, ruling and dimension, the name, surname, occupation, residence, and ward, as required by Act of Assembly. The September Assessment is the one from which the names of "sober, healthy and discreet citizens"—Act of Apr. 20, 1858, P. L. 354—are selected. As the clerk can not proceed with the writing until the books come back from the members of the board, which varied from the 12th of October to the 26th and later, last year, but little time was left in which the 15,000 names had to be written and typewritten before the 10th of December, and in the wheel—Act of April 20, 1858, P. L. 354, Secs. 2 and 3; also Act of March 13, 1867, P. L. 420, Sec. 7.—The delay was not on the part of the members of the board, but in the late work of the assessors and the return of their lists to the city commissioners, who have to print and furnish them to the board.

Klemmer vs. Railroad, 163 Pa. 521 (1894), at pages 529–530, recognizes the importance and clearly states the responsibility and requirements of those intrusted with the selection of the names for the jury wheel. Also see 65 Pa. Supr. Ct. 365 (1916).

Comparisons.

The written slips have first to be compared with the ward books, then arranged alphabetically and typewritten and compared again, and then together with typewritten lists in duplicate delivered under seal to all the members of the board for comparison before they deposit them in the wheel.

Filling the Wheel.

On a day fixed by the board, the Sheriff brings the jury wheel before them, and the board produces the
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key, which is kept apart from the wheel, and after inspection of the wheel to see if there are any names remaining from the old filling, and clearing it of the same they proceed to deposit the slips in the wheel. Generally when they come to the board meeting they have signed the typewritten lists, certifying to the fact of their correctness, but if not, they sign them at the meeting. After they are signed and a certificate attached signed by all the board certifying to the filling of that date, the clerk gathers up the 96 copies, takes them to his office, arranges them in numerical order of wards, and binds one set for deposit in the office of the Prothonotary of the Supreme Court, as required by the Act of Assembly, and retains the other set for the use of the Board. In 13 years the clerk has known but one instance of the set on deposit in the Supreme Court being referred to. As soon as deposited, which is on or about the 1st to 10th of December, the newly-filled wheel is ready for immediate service. The period of exemption from jury service in Philadelphia is now limited to one year by Act of March 27, 1865, P. L. 799.

Drawing for Service.

About the first week in every month, orders are received by the Sheriff from the courts directing him to furnish the required number of jurors for the respective courts for the succeeding calendar month. To instance the work of the past week, which commenced on Monday and ended on Friday morning, 1614 names were drawn for the coming month of April, for all of the Civil Courts and Criminal Courts and the Grand Jury.

The Wheel in Court.

The Sheriff brings the wheel into court and the clerk brings the key, and in the presence of the court the wheel is opened and the Sheriff proceeds to draw, one
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by one, the names for service. As drawn the clerk writes down the name into the jury book, which is arranged beforehand by proper heading and numbered lines, and the drawing continues through to the end of the required number. As drawn and finished, room by room, the slips are placed in properly-endorsed and corresponding envelopes, sealed in court, and initialed by the Judge before whom the drawing is conducted.

The clerk on his return opens the envelopes and compares the slips with the jury book, and proceeds to arrange them in alphabetical order for typewriting for the respective rooms, and courts, as indicated by the orders given to the Sheriff. Five (5) copies are made for each room in the civil courts, and four (4) for the criminal courts. Two (2) copies of the civil lists are furnished to the Prothonotary, and two (2) copies to the Sheriff, the Prothonotary receives none of the Criminal Court lists, but the Sheriff receives copies for all the courts, Civil and Criminal, and the Grand Jury, and prepares the notices, which are served on each of the jurors or left at his place of residence, according to requirement. These notices are sent out 10 days before the time of service, and are served by the Sheriff's Deputies, some of whom have had rather amusing experiences since women have become eligible to jury service. One of the deputies who is with us this evening told me of summoning a young woman, who became quite indignant and asked him in very decided tones, "What right have you with my name?" and when told it had been drawn from the jury wheel, came back at him with, "Who had the right to put my name in the wheel? No, sir, I'm not coming," and only after quite persuasive argument and an intimation that possibly an officer of the court would have to come for her on the day appointed if she did not appear did she submit. She had no excuse to offer, and was not like her sister, a milkmaid up the country, who a few days
ago was summoned, but could not appear because, while engaged at milking, the cow kicked her shin and broke it, and her excuse had to be presented that she was done up in splints.

Talesmen and Special Jurors.

Some of you possibly have been, and at least you are likely to be very summarily summoned to attend as jurors in murder trials, especially where the panel has become exhausted and has to be filled by calling for immediate service from the wheel. In such cases the court directs the Sheriff to bring in the jury wheel and draw the additional number that may be needed. Generally, when this is done, there are a number already accepted, and they have to wait until the full number of 12 has been secured. For every juror needed five names are drawn with instructions to the sheriff to bring in forthwith or by 10 o’clock the next morning someone from each of the five names placed in his hands. The reason for this prompt requirement is the fact that the trial cannot continue or proceed until the full 12 are secured, accepted and sworn.

In the civil courts the number required there is sometimes exhausted before the end of the term, when additional names have to be drawn to carry on the business. In all these instances the wheel is brought into open court and the names drawn. In a murder trial the names are usually read aloud by the sheriff as drawn and written down by the clerk in the presence of the Court and the Prisoner and his counsel. If it is near the end of the day, it seems quite impressive, as in the lateness of the hour the prisoner and his counsel watch carefully the proceedings and the court remains in session until the full number of names have been furnished to the sheriff, five for every one needed, and as in one instance where 60 were called 300 names had to be drawn to secure the 60. If it is a “forthwith
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order’’ the sheriff has to bring them in as soon as served however inconvenient to him or to them.

Our Supreme Court of Pennsylvania,
in its relation to our jury system.

In Commonwealth vs. Maxwell, 271 Pa. 378 (1921) Mr. Justice Schaffer wrote a very exhaustive opinion, covering 11 pages, on the right of “women jurors” in Pennsylvania, which I would commend to the good women of our State who are interested in their rights as jurors, to secure copies of and read.

At the present time there is going through the press Mr. Chief Justice Moschzisker’s “Trial by Jury,” a most valuable contribution to the legal literature of our State. In his lecture or chapter four (4) he gives special attention to our Philadelphia system. I have purposely refrained from reading the proof, which was kindly offered me, excepting the above chapter, which I was requested to do while it was still in typewritten form. It was, however, by one of his predecessors in that high office, Chief Justice Black, that special tribute was paid to the venerable system of trial by jury.

The Tribunal Defined.

In McFadden vs. The Commonwealth, 23 Penna. State Reports, page 12 (1853). Black, C. J.

“Until they have taken the oath they are not jurors, and have no more control of his (the prisoner’s) fate than any other equal number of citizens. His trial cannot begin until the tribunal which is to try him is organized and qualified. If he is in jeopardy at any earlier period, he is in jeopardy from the hour when the first informal accusation was made, and at every step of the subsequent proceedings against him.” . . .

The right of the Commonwealth and that of the prisoner to challenge for cause stand upon the same ground.
One is as sacred as the other. It cannot be exercised after the juror has lifted up his right hand, or taken the book in obedience to the directions of the officer, or after the formula of the affirmation has been commenced.''

The Tribunal Exalted.

In Ex-Parte Milligan, 71 U. S. 2-142 (1866), thirteen years later, as counsel in that case, Judge Black, in his argument before the United States Supreme Court, said: "I do not assert that the jury trial is an infallible mode of ascertaining truth. Like everything human, it has its imperfections. I only say that it is the best protection for innocence, and the surest mode of punishing guilt, that has yet been discovered. It has borne the test of a longer experience, and borne it better than any other legal institution that ever existed among men. England owes more of her freedom, her grandeur, and her prosperity to that, than to all other causes put together. It has had the approbation not only of those who have lived under it, but of the great thinkers who looked at it calmly from a distance, and judged it impartially: Montesquieu and DeTocqueville speak of it with an admiration as rapturous as Coke and Blackstone.''

Trial List, No. 499, March Term, 1922.

The trial list for March term, 1922, for three weeks, commencing Monday, March 6th, was produced.

Number of pages in this list, sixty-eight, each page representing about thirty cases. Sixty-eight pages, averaging thirty cases to a page, would amount to two thousand cases, representing at least two parties each, making four thousand parties, requiring two counsel each, would be four thousand counsel. Averaging four witnesses to a case, eight thousand witnesses; with seven hundred and sixty jurymen for that period, and
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this is exclusive of the spectators, who, indirectly, acquire knowledge as to the manner of administering justice, suggests the far-reaching educational effect of our jury trials.

This list is for the Courts of Common Pleas alone, without reference to the Grand Jury, or to our Criminal Courts, or to the Civil and Criminal trials in the Municipal Court.

In Pennsylvania, no guilty man is convicted, nor innocent man acquitted, without the right of inquest by the Grand Jury, and trial by the twelve petit jurors. And the elimination of the one, or numerical change in the other, from the unanimous twelve (12) to any lesser number, would not be in keeping with our State’s high regard for these time-honored institutions of our country. Money and time are minor considerations in comparison with these established and well-tried safeguards of life, liberty and property of the people.

“Remove not the ancient landmark which thy fathers have set.” Proverbs 22:28.

Conclusion.

But aside from encomiums from the highest to the very ordinary citizen, as an inheritance from our forefathers as well across the water as in our own land, it is with us essentially American, and under our representative democracy is a most important factor not merely in protecting the lives, liberty, property and reputation of our people, but as a great common school for them to become intelligent factors in the administration of justice throughout our country, “which country you are.”

Philadelphia, March 13, 1922.
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APPENDIX.

FORMS AND CERTIFICATES.

DRAWING OF WARDS FOR (1921).

<table>
<thead>
<tr>
<th>Names of Members of the Board</th>
<th>Numbers of the Wards</th>
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<tbody>
<tr>
<td><strong>COURT NO. 1.</strong></td>
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<td>BREGY.*</td>
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<td>PATTERSON.</td>
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<td>SHOEMAKER.</td>
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<td><strong>COURT NO. 2.</strong></td>
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<td>BARRATT.</td>
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<td>ROGERS.</td>
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<td>STERN.</td>
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<td><strong>COURT NO. 3.</strong></td>
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<td>McMICHAEL.</td>
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<td>FERGUSON.</td>
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<td>DAVIS.</td>
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<td><strong>COURT NO. 4.</strong></td>
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<td>AUDENRIED.</td>
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<td>FINLETTER.</td>
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<td>McCULLEN.</td>
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<tr>
<td><strong>COURT NO. 5.</strong></td>
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<td>MARTIN.</td>
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<td>STAAKE.</td>
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<td>MONAGHAN.</td>
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<td><strong>SHERIFF.</strong></td>
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<tr>
<td>LAMBERTON.</td>
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The above is a correct list of the Wards drawn by lot in Room_________CITY HALL, PHILADELPHIA, on the_________day of October 1921, for each of the above members of the “BOARD FOR SUPERINTENDING AND MANAGING THE DRAWING AND SELECTING JURORS,” for the CITY AND COUNTY OF PHILADELPHIA.

DRAWN in the presence of Hon. ____________one of the Judges of the Court of Common Pleas No._________ for the CITY AND COUNTY OF PHILADELPHIA, and ____________ESQ., Sheriff, of said County.

__________________________________________
Clerk of the Board.

* Hon. Charles E. Bartlett succeeded Judge Bregy, deceased.
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FORM AND SIZE OF SLIP.

JUDGE'S CERTIFICATE TO HIS WARD LISTS.

WARD
Compared and found Correct

JUDGE

THE BOARD'S CERTIFICATE.

CERTIFIED LIST OF NAMES PLACED IN THE JURY WHEEL FOR YEAR 1922.

PHILADELPHIA, DECEMBER 1921.

WE, THE MEMBERS OF THE BOARD FOR SUPERINTENDING AND MANAGING THE DRAWING AND SELECTING JURORS, in the several courts for the COUNTY OF PHILADELPHIA, HEREBY CERTIFY, that the foregoing list of 15,000 names, selected from the FORTY-EIGHT (48) WARDS of the City of PHILADELPHIA, is a correct list of the names, residences and occupations of the taxables selected in due proportion from the several Wards, by the said Board, to serve as Jurors, in the said several Courts, for the next ensuing year, and that the names with their respective residences and occupations, were written on separate slips of paper, and in the presence of the said Board, were this .... day of December, A. D., 1921, in Room .... of the City Hall in said City, placed in a closed wheel, securely locked, provided by and kept in the exclusive control of the Sheriff of said City and County.

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Philadelphia Method of Drawing a Juror.

THE COMMONWEALTH OF PENNSYLVANIA.

COUNTY OF PHILADELPHIA, TO WIT:

To the Sheriff of the County of Philadelphia—GREETING:

We Command You, That, in your proper person, you draw from the proper wheel containing the names of the persons selected for Jurors according to law, the names of Twenty-four persons, to appear on Monday, the ........................................ day of ........................................ next, at Ten o'clock in the forenoon of that day, to be GRAND JURORS in our Court of ........................................

for the said City and County of Philadelphia: and further, that you the said Sheriff do summon the persons whose names shall be so drawn, and every of them, to come before our said Court at the said time and place to enquire of and perform all those things which on our part shall be enjoined upon them, and that you the said Sheriff, have then and there this writ, and the names and surnames of the persons so summoned as aforesaid, with their additions respectively, in a panel hereto annexed, and otherwise make return at the day and place aforesaid, how you shall have executed this writ.

WITNESS the Honorable ........................................ President of our said Court of ........................................ at Philadelphia, this ............... day of ............... A.D., 19

........................................

CLERK.

THE COMMONWEALTH OF PENNSYLVANIA.

COUNTY OF PHILADELPHIA, TO WIT:

To the Sheriff of the County of Philadelphia—GREETING:

We Command You, That, in your proper person, you draw from the proper wheel containing the names of the persons selected for Jurors according to law, the names of PETIT JURORS, to appear on Monday, the day of next, at Ten o'clock in the forenoon of that day, to serve

in our Court of Oyer and Terminer and General Jail Delivery for the said City and County of Philadelphia: and further, that you the said Sheriff do summon the persons whose names shall be so drawn as aforesaid, to make up the Juries requisite for the trial of all issues, which may be then there depending for trial in our said Court, and that you the said Sheriff, have then and there this writ, and the names and surnames of the persons so summoned as aforesaid, with their additions respectively, in a panel hereto annexed, and otherwise make return at the day and place aforesaid, how you shall have executed this writ.

WITNESS the Honorable President of our said Court of Oyer and Terminer and General Jail Delivery, etc., at Philadelphia, this day of A.D., 19

CLERK.
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COURT OF OYER AND TERMINER AND GENERAL JAIL DELIVERY FOR THE CITY AND COUNTY OF PHILADELPHIA.

COMMONWEALTH

COURT OF OYER AND TERMINER AND GENERAL JAIL DELIVERY FOR THE CITY AND COUNTY OF PHILADELPHIA.

COMMONWEALTH

AND Now, to wit, this .............. day of .................
A.D. 19 .... present, Hon. ........................................ Judge
...................................................... Esquire, Assistant District Attorney,
and ......................................................, the defendant, with his counsel,
...................................................... Esq'rs, and it appearing to the
Court that ................. talesmen are required in said Court for
the trial of the above indictment, and upon motion of the District At-
torney it is ordered by the Court, that the Sheriff forthwith produce
the jury wheel in open Court and draw therefrom five names for every
talesman required, to wit, .............. names;

AND IT IS FURTHER ORDERED, that a Venire shall issue requiring
said Sheriff to bring into Court on ........................................
any one of said persons so drawn to serve as tales jurors upon the
trial of said indictment.

In Witness Whereof, I have hereunto set my hand and the seal of
said Court, this ........................................ day of
...................................................... A. D. .............

......................................................
Pro Clerk.

THE COMMONWEALTH OF PENNSYLVANIA.

COUNTY OF PHILADELPHIA, ss.

To the Sheriff of the County of Philadelphia,

GREETING:

WHEREAS the foregoing names of persons, were this
day drawn in open Court of Oyer and Terminer and General Jail De-

livery for the City and County of Philadelphia, from the proper wheel,
on a prayer for talesmen to serve as jurors in the case of the Commonwealth vs.

Sessions, 190 No.

We Command you, the said Sheriff, forthwith to summon persons, one out of each five of the names so drawn, to ap-
pear in our said Court
to act as talesmen
in the said issue; and that you have then and there this writ, and the
names and surnames of the persons so summoned, with their additions
respectively, in a panel hereto annexed, and otherwise make return at
the day and place, as aforesaid, how you shall have executed this writ.

WITNESS the Honorable President

Judge of our said Court of Oyer and Terminer, &c., at Philadelphia, this day of
A.D. 190

......................................................Clerk.
COUNTY OF PHILADELPHIA, ss.  

THE COMMONWEALTH OF PENNSYLVANIA.

To the Sheriff and Jury Commissioners of the County of Philadelphia,

GREETING:

WE COMMAND YOU, and every of you, that, in your proper persons, you draw from the wheel containing the names of the persons selected according to law, to be jurors in the Courts of the said County, the names of persons to be jurors in our Court of Common Pleas No. for the County of Philadelphia, Room for the Period of Term, 191 to be holden at Philadelphia, in and for the said County, on the day of next, A.D., 191, at ten o'clock in the forenoon of that day: AND FURTHER, that you, the said Sheriff, do summon the persons whose names shall be so drawn, and every of them to come before our said Court at the same time and place, to make up the juries requisite for the trial of all issues in the pleas depending and for trial by jury in our said Court, AND that you, the said Sheriff, have then there this writ, and the names of the persons so summoned, with their additions respectively in a panel hereto annexed, and otherwise make return at the day and place aforesaid how you shall have executed this writ.

WITNESS the honorable President Judge of our said Court, at Philadelphia, this day of in the year of our Lord, one thousand nine hundred and

Pro Prothonotary.

Sheriff's Certificate.

ROBERT E. LAMBERTON, Sheriff aforesaid, being duly sworn, says that, to the best of his knowledge and belief, the Jurors in the annexed Panel have been served in the manner set forth in the return thereto; that the Summonses to those returned as served were served ten days before the day of 19; that all the said Jurors to whose names the letter "P" is prefixed were served personally; and that all the said Jurors to whose names the letter "L" is prefixed were served by leaving a Summons at the residence of each Juror, with an adult member of the family.

Sworn to and subscribed in open Court: Sheriff.
**NOTICE TO JUROR.**

**COMMON PLEAS, No. 1 (Room A).**

SHERIFF’S OFFICE.

Philadelphia, 1819

Sir:

You are hereby summoned to appear at the Common Pleas Court, No. 1, City Hall (Broad and Market Streets), Room No. A, second floor, on Monday, the ____ day of ________, next, at 10 o'clock in the forenoon, as a JURYMAN for the Court of COMMON PLEAS for the County of Philadelphia.

ROBERT E. LAMBERTON, Sheriff

Mr. No. Street Ward

Sheriff’s Return.

TO THE HONORABLE THE JUDGES WITHIN NAMED.

WE, The Sheriff and Board for selecting Jurors of the County of Philadelphia do hereby Certify and return: That the Jurors named in the annexed Panel were duly drawn according to Law and the requisitions of the within writ.

Sheriff.

Sheriff and Board for Selecting Jurors.

And I, the said Sheriff, do further return, that I have summoned all the said Jurors.

The names and surnames of the Jurors so summoned, with their additions respectively, are contained in a Panel hereunto annexed.

Sheriff.

LIST OF GRAND JURY.

24 Grand Jurors for a Court of Oyer and Terminer, General Jail Delivery and Quarter Sessions of the Peace for the City and County of Philadelphia, to be held at Philadelphia, commencing ________ (date).


I CERTIFY that the above is an accurate list of the names of persons drawn by the Board for Superintending and Managing the Drawing and Selecting Jurors to serve as Grand Jurors for a Court of Oyer and Terminer, General Jail Delivery and Quarter Sessions of the Peace for the City and County of Philadelphia, to be held at Philadelphia, commencing ________ (date) at 10 A. M. ________ (date) Clerk of the Board.
Philadelphia Method of Drawing a Juror.

LIST OF JURORS.

<table>
<thead>
<tr>
<th>Name</th>
<th>Occupation</th>
<th>Residence</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Term 1922.

I CERTIFY that the above is an accurate list of the names of persons drawn by the Board for Superintending and Managing the Drawing and Selecting Jurors to serve as Petit Jurors for a Court of Oyer and Terminer, General Jail Delivery and Quarter Sessions of the Peace for the City and County of Philadelphia, to be held at Philadelphia commencing (date) at 10 A.M. (R. Panel.)

Clerk of the Board.

REPORT TO THE BOARD OF DRAWINGS FOR YEAR ENDING DECEMBER 1921.

Number of names placed in the wheel December 3, 1920 ...........14,000
Number of additional names required to be marked, written and typewritten and placed in wheel Oct. 7, 1921 ...............1,400

Total number of names placed in wheel for 1921 ...............15,400

DRAWINGS—REGULAR, SPECIAL AND TALESMEN.

<table>
<thead>
<tr>
<th></th>
<th>T radiator</th>
<th>Used</th>
<th>Returned</th>
</tr>
</thead>
<tbody>
<tr>
<td>JANUARY 11, '21</td>
<td>Regular</td>
<td>1884</td>
<td></td>
</tr>
<tr>
<td>January 27, '21</td>
<td>talesmen</td>
<td>20</td>
<td>100</td>
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<tr>
<td>FEBRUARY 11, '21</td>
<td>talesmen</td>
<td>35</td>
<td>175</td>
</tr>
<tr>
<td>FEBRUARY 23, '21</td>
<td>talesmen</td>
<td>40</td>
<td>200</td>
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<td>MARCH 8, '21</td>
<td>talesmen</td>
<td>15</td>
<td>75</td>
</tr>
<tr>
<td>MARCH 15, '21</td>
<td>talesmen</td>
<td>24</td>
<td>120</td>
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<tr>
<td>MARCH 28, '21</td>
<td>talesmen</td>
<td>40</td>
<td>200</td>
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<tr>
<td>APRIL 12, '21</td>
<td>Special, C. P.</td>
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<tr>
<td>MAY 5, '21</td>
<td>talesmen</td>
<td>80</td>
<td>400</td>
</tr>
<tr>
<td>JUNE</td>
<td>Regular</td>
<td>654</td>
<td></td>
</tr>
<tr>
<td>JULY</td>
<td>Regular</td>
<td>104</td>
<td></td>
</tr>
<tr>
<td>JULY, Special for Municipal Ct. for Aug. 15</td>
<td>80</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AUGUST</td>
<td>Regular</td>
<td>104</td>
<td></td>
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<tr>
<td>SEPTEMBER</td>
<td>Regular</td>
<td>254</td>
<td></td>
</tr>
<tr>
<td>OCTOBER</td>
<td>Regular</td>
<td>1854</td>
<td></td>
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<tr>
<td>October 24, '21</td>
<td>talesmen</td>
<td>70</td>
<td>350</td>
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<tr>
<td>NOVEMBER</td>
<td>Regular</td>
<td>1494</td>
<td></td>
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<tr>
<td>November 2, 21</td>
<td>talesmen</td>
<td>80</td>
<td>400</td>
</tr>
<tr>
<td>DECEMBER</td>
<td>Regular</td>
<td>724</td>
<td></td>
</tr>
</tbody>
</table>

TOTAL NUMBER USED 14302 (2170 434 1736) 14,302

Remaining in wheel, December 1921 .................. 1,098
NOTE OF EXPLANATION.

The total drawing—14,302 of names used are copied into the jury book by the clerk, from the slips as drawn from the wheel by the Sheriff and certified to by him in open Court or at the Judge's chambers. The slips containing the names of talesmen used—434—were returned to the clerk of the Board by the Sheriff for the record of the Board.

The names of the unused talesmen—1736—were returned to the wheel by the Sheriff in open Court on the completion of the panel or a few days thereafter.

The slips containing the names of specials were returned to the clerk of the Board for record the same as those of the regular drawings.

.....................................................
Clerk.

JURORS FOR THE FEDERAL COURT.

The selecting and drawing jurors for the Federal Courts is independent of the State Courts. The United States Jury Commissioner and the Clerk of the District Court for the United States have the selecting and drawing of jurors for the District Court of the United States for the Eastern District of Pennsylvania, and for the year 1921 selected three thousand (3000) names and drew about one thousand (1000). These names were selected and drawn from the following ten (10) counties comprising the district: Berks, Bucks, Chester, Delaware, Lancaster, Lehigh, Montgomery, Northampton, PHILADELPHIA, and Schuylkill.

As the report of the district Federal Jury Trials for 1921 will not be made up until after July, and there is no completed tabulated record at hand, the United States District Attorney, George W. Coles, Esq., kindly offers any information they may have after that date, but too late for this paper.