

LEGISLATURE OF PENNSYLVANIA.

FILE OF THE HOUSE OF REPRESENTATIVES.

No. **1078** Session of
1919.

INTRODUCED BY MR. RAMSEY, MARCH 24, 1919.

REFERRED TO COMMITTEE ON JUDICIARY GENERAL,
MARCH 25, 1919.

AN ACT

To carry into effect section twenty-two of article five of the Constitution by establishing separate orphans' courts in the several counties of this Commonwealth now or hereafter having a population exceeding one hundred and fifty thousand inhabitants

1 Section 1 *Be it enacted by the Senate and House of Repre-*
2 *sentatives of the Commonwealth of Pennsylvania in General Assembly*
3 *met and it is hereby enacted by the authority of the same* That
4 in accordance with section twenty-two of article five of
5 the Constitution a separate orphans' court is hereby es-
6 tablished in every county now having or which shall
7 hereafter attain a population exceeding one hundred and
8 fifty thousand inhabitants which court shall be a court of
9 record and shall consist of one judge learned in the law
10 Nothing in this act contained shall be construed to re-
11 peal any act now in force providing for or the establishing
12 a separate orphans' court in any county of this Common-
13 wealth

1 Section 2 In any county which now has or shall
2 hereafter attain a population exceeding one hundred fifty
3 thousand, inhabitants the Governor shall upon the ascertain-
4 ment of that fact from the last preceding decennial cen-
5 sus of the United States appoint and commission a judge
6 learned in the law to preside over the separate orphans'
7 court herein established The judge so appointed and com-
8 missioned shall continue in office until the first Monday
9 in January next succeeding the first municipal election oc-
10 ccurring at least three months after such appointment at
11 which election a judge of said court shall be elected
12 and duly commissioned to hold office from the first Mon-
13 day of January next succeeding such election for the
14 same term and in the same manner as the judges of
15 the court of common pleas of said county The separate
16 orphans's court in any such county shall be deemed to have
17 been established when an appointment hereunder is made
18 by the Governor

19 Section 3 The annual salary of such judge shall be
20 the same as is paid to the judges of the court of
21 common pleas of the said county and shall be paid in
22 the same manner as the salaries of the said judges of
23 the court of common pleas are now or may be hereafter
24 made by law payable

25 Section 4 The terms of the orphans' court so estab-
26 lished shall be the same as the terms of the court of
27 common pleas in such county and may also be held at
28 such other times and as often as the judge thereof shall
29 deem necessary or proper

1 Section 5 The said court shall exercise all the juris-
2 diction and powers now vested in or which may hereafter
3 be conferred upon the orphans' courts and thereupon the
4 jurisdiction of the judges of the court of common pleas
5 within such county in orphans' court proceedings shall
6 cease and determine

7 Section 6 The register of wills shall act as clerk of
8 said court and shall be subject to its direction in all
9 matters pertaining to his office The said register and
10 clerk may appoint assistant clerks but only with the con-
11 sent and approval of said court

12 Section 7 The commissioners of the respective county
13 shall provide proper and suitable quarters in which the
14 said orphans' court shall be held and its business trans-
15 acted and in which also the records thereof shall be
16 safely and securely kept