

## CHAPTER MCXLII.

AN ACT TO ASCERTAIN, FIX AND ESTABLISH PERMANENT SALARIES  
FOR THE JUDGES OF THE SUPREME COURT.

(Section I, P. L.) Whereas the proper severance and distribution of authority in a free state, the pure and unbiased administration of justice between the citizens, the impartial punishment of offenders and the safety of the innocent when unjustly charged with crimes do greatly depend upon the independency of the judges of the supreme court of judicature of this state as well of the legislature as of the executive branch of government:

(Section II, P. L.) And whereas it is expressly provided in and by the twenty-third section of the frame of government that the judges of the supreme court shall have fixed salaries and be commissioned for seven years:

And whereas fixed and permanent salaries have not been established by act of assembly upon the said judges as ought to have been done, although they have been appointed and commissioned as the constitution of this state directs:

(Section III, P. L.) And whereas by an act of assembly of the late province of Pennsylvania, entitled "An act to amend an act, entitled 'An act for establishing courts of judicature in this province,'" <sup>1</sup> passed on the twentieth day of March, one thousand seven hundred and sixty-seven and revived by an act of this commonwealth, entitled "An act to revive and put in force such and so much of the late laws of the province of Pennsylvania as it is judged necessary to be in force in this commonwealth, and to revive and establish the courts of justice, and for other purposes therein mentioned," <sup>2</sup> passed on the twenty-eighth day of January in the year of our Lord one thousand seven hundred and seventy-seven, it was enacted that there should thereafter be four persons of known integrity and

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<sup>1</sup> Passed March 20, 1767, Chapter 560.

<sup>2</sup> Passed January 28, 1777, Chapter 737.

ability commissioned as judges of the supreme court by several and distinct patents or commissions one of whom should be distinguished in his commission by the name of the chief justice;

Therefore.

[Section I.] (Section IV, P. L.) Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That the present justices of the supreme court and their successors in office duly commissioned as the constitution and laws of this state direct shall for and during their respective continuance in office be entitled to and shall receive the annual salaries herein after set forth and specified and the same salaries shall be payable to the said justices severally in equal quarterly portions by virtue of warrants for the same drawn upon the treasurer of this state which warrants shall be made and signed by the president or vice-president in council and that every such warrant shall be entered in the office of the comptroller-general of this state before it be presented to the treasurer for payment, that is to say, to the chief justice of the supreme court the sum of one thousand pounds, to the senior assistant justice and to each of the other assistant justices of the same court the sum of six hundred pounds each, and in order to secure the certain and punctual payment of the said salaries in the manner herein before directed out of productive and permanent funds without which it would be of little avail to ascertain and establish the yearly value thereof:

[Section II.] (Section V, P. L.) Be it enacted by the authority aforesaid, That the same salaries shall be charged upon and made payable out of the revenues arising to this state from licenses of taverns and other public houses, and from marriage licenses, and that the salaries aforesaid shall be paid previously to every other appropriation upon the said revenues and funds.

[Section III.] (Section VI, P. L.) And it is further declared and enacted by the authority aforesaid, That the salaries aforesaid are and shall be [the] fixed and permanent salaries of the judges of the supreme courts of judicature which are required by the constitution of this state and the same salaries are es-

tablished as such by the present general assembly, and that therefore they ought not to be hereafter withdrawn, withheld or lessened on any pretence whatsoever.

[Section IV.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the act of assembly, entitled "An act for the support of government and the administration of justice,"<sup>1</sup> passed on the twenty-seventh day of December, one thousand seven hundred and eighty-one by which salaries to continue for the space of one year and until the same should be afterwards altered by the legislature were allowed to the justices of the supreme court, as far as the said act relates to the justices of the supreme court, but no farther, shall be and the same is hereby repealed and made null and void.

Passed March 25, 1785. Recorded L. B. No. 2, p. 479, etc.

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## CHAPTER MCXLIII.

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### AN ACT FOR THE RELIEF OF THE PENNSYLVANIA VOLUNTEERS AND EIGHTEEN MONTHS' MEN.

(Section I, P. L.) Whereas the honorable the continental congress did on the thirteenth day of April, one thousand seven hundred and eighty-one recommend to the several states to discharge the pay of their respective new levies on account of the United States:

Wherefore, in order to comply with the recommendation aforesaid so far as the same respects this state and in order that justice may be done to those brave men who served agreeably to their engagements:

[Section I.] (Section II, P. L.) Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That the men who have been furnished

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<sup>1</sup> Passed December 27, 1781, Chapter 959.