

lected: *Provided*, That the annual compensation of any toll gatherer, shall never exceed the sum of two hundred dollars.

RECOVERY AND APPROPRIATION OF PENALTIES, &c.
 SECT. 9. *And be it further enacted by the authority aforesaid*, That the penalties and forfeitures which may be incurred under this act, shall and may be sued for and recovered, in the name of the commissioners of the road, without naming them as individuals, or of any person prosecuting the same; the one moiety thereof to the use of the commonwealth, the other to the person so prosecuting for the same, before any magistrate or court having jurisdiction in like cases.

THIS ACT NOT TO GO INTO EFFECT UNTIL CONGRESS MAKES CERTAIN PROVISIONS.
 PROVISOR. RELATIVE TO ALTERATIONS OF THIS ACT.
 SECT. 10. *And be it further enacted by the authority aforesaid*, That this act shall not have any force or effect, until the Congress of the United States shall assent to the same, and until so much of the said road as passes through the state of Pennsylvania, be first put in a good state of repair, and an appropriation made by congress for erecting toll houses and toll gates thereon, to be expended under the authority of the commissioners appointed by this act: *Provided*, The legislature of this state may, at any future session thereof, change, alter, or amend this act, provided that the same shall not be so altered or amended, as to reduce or increase the rates of toll hereby established, below or above a sum necessary to defray the expenses incident to the preservation and repair of said road, for the payment of the fees or salaries of the commissioners, the collectors of tolls, and other agents: *And provided further*, That no change, alteration, or amendment, shall ever be adopted, that will in any wise defeat or affect the true intent and meaning of this act.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini, one thousand eight hundred and thirty-one.

GEO. WOLF.

No. 194.

AN ACT

To provide for the erection of a house for the employment and support of the poor, in the county of Schuylkill.

COUNTY COMMISSIONERS TO ERECT A HOUSE.
 SECT. 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the commissioners of the county of Schuylkill, shall have power to direct that a house for the employment

and support of the poor, be erected in said county, and John C. Offerman, Michael Graeff, Samuel R. Kepner, John Barr, John Hughes, Simon Marborger, and William Griff, be and they are hereby appointed, whose duty it shall be or any five of them, on or before the first day of September next, to determine upon and purchase a scite, on which the said buildings shall be erected; and it shall be lawful for the persons above named, or a majority of them to take conveyances therefor, in the name of and for the use of the corporations mentioned in the third section of this act; and they shall certify their proceedings therein, under their hands and seals, to the clerk of the court of quarter sessions of the county of Schuylkill, to be filed in his office; and at the next general election the inhabitants of said county, qualified to vote for members of the legislature, shall elect three reputable citizens of said county, to be directors of the house of employment for the county of Schuylkill, for the ensuing year; and the judges of the election of the said county, shall immediately on receiving the returns from the several election districts, and casting up the number of votes therein, and within three days thereafter certify, under their hands and seals, the names of the directors so chosen, to the clerk of the court of quarter sessions of said county, who shall file the said certificate in his office, and forthwith give notice in writing to the said directors, of their being elected; and the said directors shall meet at the court house in said county, on the first Monday in November next, ensuing their election, and divide themselves by lot into three classes; the place of the first to be vacated at the expiration of the first year, of the second at the expiration of the second year, and of the third at the expiration of the third year, so that those who shall be chosen after the first election, and in the mode above described may serve for three years, and one third be chosen annually.

Persons appointed to fix on scite.

Mode, &c. of proceeding.

Election of directors.

Their meeting and classification.

SECT. 2. *And be it further enacted by the authority aforesaid,* That every director elected in manner aforesaid, or appointed as is directed by the eleventh section of this act, shall within ten days after he is notified of such election or appointment, and before he enters on the duties of said office, take an oath or affirmation, before any justice of the peace of said county, who is hereby authorised to administer the same, that he will discharge the duties of director of the poor for said county, truly, faithfully and impartially, to the best of his knowledge and ability; and in case of neglect or refusal, to take the said oath or affirmation, within the time aforesaid, he shall forfeit and pay the sum of ten dollars, for the use of the poor of said county, which fine shall be recovered by the directors for the time being, as debts of the same amount are or shall be by law recoverable.

Oaths of office

Penalty on refusal or neglect.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the said directors shall forever hereafter in law, and in

Incorporation

fact be one body politic and corporate in law, to all intents and purposes, whatsoever, relative to the poor of the county of Schuylkill, and shall have perpetual succession, and may sue and be sued, plead and be impleaded by the name, style and title of "The directors of the poor and of the house of employment for the county of Schuylkill," and by that name shall and may receive, take and hold, any lands, tenements and hereditaments, not exceeding the yearly value of ten thousand dollars, and any goods and chattels whatsoever, of the gift, alienation or bequest, of any person or persons whatsoever; to purchase, take and hold, any land and tenements within their county, in fee simple or otherwise, and erect suitable buildings, for the reception, use and accommodation of the poor of said county; to provide all things necessary for the reception, lodging, maintenance and employment of said poor; to appoint a treasurer, annually, who shall give bond, with sufficient surety, for the faithful discharge of the duties of his office, and at the expiration thereof, that he will well and truly pay and deliver over to his successor in office, all moneys, bonds, notes, books, accounts and other papers to the said corporation belonging, which shall be then remaining in his hands, custody and possession; and said directors shall employ, and at pleasure remove a steward or stewards, and require from him or them an oath or affirmation, and such security for the faithful performance of his or their duties, as the board of directors shall deem expedient; and to appoint a matron or matrons, physician or physicians, surgeon or surgeons, and all other attendants that may be necessary for the said poor respectively, and at pleasure remove; and to bind out as apprentices, so that such apprenticeship may expire, if males at or before the age of twenty one years, if females at or before the age of eighteen years, such poor children as shall come under their care; and to exercise and enjoy all such powers, now vested in the overseers of the poor; and the said directors are hereby empowered, to use one common seal in all business relating to the said corporation, and the same at their pleasure to alter or renew.

SECT. 4. *And be it further enacted by the authority aforesaid,* The said directors as soon as may be, after their election and organization as aforesaid, shall make an estimate of the probable expense of purchasing the lands, erecting the necessary building, and furnishing the same, and the maintaining the poor within the said county for one year, whereupon the county commissioners of the said county, shall and they are hereby authorised and required, to increase the county tax by one-fourth part of the sum necessary, for the purposes aforesaid, and shall procure on loan, on the credit of the taxes herein directed to be levied, the remaining three fourths thereof, to be paid in instalments, with interest, out of the

Style.

Privileges,
&c.Appointment
of treasurer.

Stewards.

Matrons,
Physicians,
&c.Powers of
overseers ves-
ted in direc-
tors.Estimate of
expenses.Increase of
county tax.
Loan.

county taxes: *Provided always*, That if such loan cannot be made, the whole amount of the sum necessary, for the purpose aforesaid, or such part thereof, as may be deemed proper, shall immediately be added to the county tax, to be paid by the county treasurer, to the directors aforesaid, on orders drawn in their favor by the county commissioners, as the same may be found necessary.

Proviso.
For failure to obtain loan.

SECT. 5. *And be it further enacted by the authority aforesaid*, That it shall be the duty of the said directors, on or before the first day of November, in each and every year, to furnish the commissioners of said county, with an estimate of the probable expense of the poor, and poor house for one year; and it shall be the duty of said commissioners to assess, and cause to be collected, the amount of said estimate, which shall be paid to said directors, by the county treasurers, on warrants drawn in their favor by the county commissioners, as the same may be found necessary; and the said directors shall at least once in every year, render an account of all monies by them received and expended, to the auditors appointed to audit and settle the county accounts, subject to the same penalties, rules and regulations as are by law directed, respecting the accounts of the county commissioners, and shall at least once in every year, lay before the court of quarter sessions, and grand jury of said county, a list of the number, ages and sex of the persons maintained and employed in the said house of employment, or supported or assisted by them elsewhere, and of the children by them bound out to apprenticeship as aforesaid, with the names of their masters or mistresses, and their trade, occupation or calling, and shall at all times when thereunto required, submit to the inspection and free examination of such visitors, as shall from time to time be appointed, by the court of quarter sessions of the said county, all their books and accounts, together with the rents, interest and monies, payable and receivable by the said corporation, and also an account of all sales, purchases, donations, devises and bequests, as shall have been made by or to them.

Annual estimate.

Warrants on treasurer.

Annual statement to auditors.

Annual report to court.

Appointment of visitors by court.

SECT. 6. *And be it further enacted by the authority aforesaid*, That as soon as the said building shall be erected, and all necessary accommodations provided therein notices, shall be sent, signed by any two of the said directors, to the overseers of the several townships, of the said county of Schuylkill, requiring them forthwith, to bring the poor of their respective townships, to said house of employment, which order the said overseers, are hereby enjoined and required to comply with or otherwise to forfeit the costs of all future maintenance, except in cases when by sickness, or any other sufficient cause, any poor person cannot be removed, in which case the said overseers shall represent the same, to the nearest justice of the peace, who being satisfied of the truth thereof, shall certify the same to the said directors, and at

On completion of building arrangement for removal of paupers.

Support of persons unable to be removed. the same time issue an order, under his hand and seal; to the said overseers, directing them to maintain such poor, until such time as he or she may be in a situation to be removed, and then convey the said pauper, and deliver him or her to the steward or keeper of the said house of employment, together with the said order, and the charge and expense of such temporary relief, and of such removal shall be paid by the said directors, at a reasonable allowance.

Who are entitled to relief. **SECT. 7.** *And be it further enacted by the authority aforesaid,* That the said directors shall from time to time receive, provide for and employ according to the true intent and meaning of this act, all such poor and indigent persons as shall be entitled to relief, or shall have gained a legal settlement in said county of Schuylkill, and shall be sent there by an order or warrant for that purpose, under the hands and seals of any two justices of the peace, directed to any constable of the said county of Schuylkill; and the said directors are hereby authorised when they shall deem it proper and convenient so to do, to permit any person or persons to be maintained elsewhere: *Provided*, the expense of their maintenance does not in any case exceed that for which they could be maintained at the poor house of the said county of Schuylkill.

Support of out-door paupers. **Proviso.**

General powers of directors. **SECT. 8.** *And be it further enacted by the authority aforesaid,* That the said directors or any two of them, who shall be a quorum in all cases to do business, shall have full power to make and ordain all such ordinances, rules and regulations as they shall think proper, convenient and necessary for the direction, government and support of the poor and house of employment aforesaid, and of the revenues thereunto belonging, and of all such persons as shall come under their cognizance: *Provided*, the same be not repugnant to this law, or any of the other laws of this state or of the United States: *And provided also*, That the same shall not have any force or effect, until they shall have been submitted to the court of common pleas, for the time being, of the county of Schuylkill, and shall have received the approbation of the same.

Proviso. Of the by-laws.

Directors to visit house monthly. **SECT. 9.** *And be it further enacted by the authority aforesaid,* That a quorum of said directors shall and they are hereby enjoined and required to meet at the said house of employment, at least once in every month, and visit the apartments and see that the poor are comfortably supported, and hear all complaints and redress or cause to be redressed, all grievances that may happen by the neglect or misconduct of any person or persons in their employment or otherwise.

Expenses of directors. **SECT. 10.** *And be it further enacted by the authority aforesaid,* That the said directors shall each of them receive for their services the sum of twenty dollars annually, to defray the expenses of their necessary attendance on the duties of their office.

SECT. 11. *And be it further enacted by the authority aforesaid,* That in case of any vacancy by death, resignation or otherwise, of any of the said directors, the commissioners of the county aforesaid shall fill such vacancy, by the appointment of a citizen of their county, under the same penalty as is provided by the third section of this act, to serve until the next general election, when another director shall be elected to serve as if no such vacancy had happened.

Vacancies in board, how filled.

SECT. 12. *And be it further enacted by the authority aforesaid,* That all claims and demands in relation to the poor in the aforesaid county, existing at the time of this act being carried into effect, shall have full force and effect as if this act had not been passed; and when the same shall have been duly adjusted and settled all moneys remaining in the hands of the overseers, as well as the uncollected taxes levied for the support of the poor in the several townships in the county of Schuylkill, shall be paid over to the supervisors of the highways of their respective townships, to be by them applied towards repairing the roads therein.

Balances of poor funds to be paid over to supervisors

SECT. 13. *And be it further enacted by the authority aforesaid,* That as soon as the poor of the county of Schuylkill, shall be removed to the house of employment of the said county, and the outstanding taxes collected and paid over, the office of overseer of the poor within the said county, shall from thenceforth be abolished.

Office of supervisor abolished.

SECT. 14. *And be it further enacted by the authority aforesaid,* That the powers conferred and the duties imposed on the overseers of the poor, in and by an act to empower the overseers and guardians of the poor of the several townships within this commonwealth, to recover certain fines, penalties and forfeitures, and for other purposes, are hereby conferred and imposed on the supervisors of the highways in the said county of Schuylkill, and that the justices of the peace and sheriff within the said county, are hereby required and enjoined to pay to the said supervisors, to be by them applied to the repair of the highways, the aforesaid fines, forfeitures and penalties, within the time and in the manner prescribed by the said act for the payment thereof in other counties, to the overseers of the poor, and to give notice of the receipt thereof to the said supervisors, within the time and in the manner aforesaid, and that for any neglect or refusal to perform any of the duties enjoined on them by the said act, the said justices of the peace and sheriff in the said county, shall be subject to all fines, penalties and forfeitures to which the justices and sheriffs in other counties by the said act are subject or liable.

Certain powers, funds, &c. vested in supervisors of highways.

SECT. 15. *And be it further enacted by the authority aforesaid,* That the commissioners of said county are hereby authorised and empowered to pay to the persons who are appointed by this act to fix the place where the building for the

Expenses of persons appointed to fix on site.

Compensation of building committee.

accommodation of the poor in the said county shall be erected, such sums of money as will be sufficient to reimburse them for their expenses; and also to pay to each of the said directors, such sum of money as, together with the annual sum allowed them by this act, in the opinion of the commissioners, shall be a reasonable compensation for their services during the term they are employed in erecting the building aforesaid.

Power of directors to administer oaths, &c.

SECT. 16. *And be it further enacted by the authority aforesaid,* That the said directors for the time being and their successors in office, are hereby authorised and empowered to administer the necessary oaths or affirmations to paupers or other persons in the examination, after the place of the last legal settlement of a pauper, and to issue the necessary orders for removal.

Repealing clause.

SECT. 17. *And be it further enacted by the authority aforesaid,* That so much of the laws of this commonwealth, relating to the poor, as are by this act altered or supplied, be and the same is hereby repealed, so far as they affect the county of Schuylkill.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The fourth day of April, one thousand eight hundred and thirty-one.

GEO. WOLF.

No. 195.

AN ACT

To authorise the Governor to incorporate a company, to make a canal navigation round the western abutment of the permanent bridge, over the river Schuylkill, at the city of Philadelphia.

Commissioners appointed to open books.

SECT. 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George N. Baker, W. G. Alexander, John Snyder, B. Augustus Stevenson, M. E. Israel, Joseph A. Clay, George F. Goodman, Jacob Souder, Michael Baker, Henry Leech, John Naglee, David Hoopes, Joseph L. Thomas, Joseph B. Haines, William M'Glincy, Joseph B. Mitchell, Robert C. Martin, James M'Cormack, John Waters, John Crean, George Emerick, or a majority of them, be,