

## No. 37.

**An Act**

To increase the Contingent Fund of the Land office, and Auditor General's office, and the office of the State Treasurer.

SECTION 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 sum of two hundred and fifty dollars be appropriated to the contingent fund of the Land office, two hundred and fifty dollars to the contingent fund of the Auditor General's office, and one hundred dollars to the Treasurer's office, in addition to the present amount thereof, and that the same be annually paid out of any unappropriated money in the treasury.

SECTION 2. That the sum of five hundred dollars be appropriated from any moneys in the treasury not otherwise appropriated, to pay the amount of deficiency in said fund at the Land office, if the same be required, to be accounted for as provided for by law.

§500 appropriated to supply deficiency in the contingent fund of Land office.

LEWIS DEWART,

Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini, one thousand eight hundred and thirty-seven.

JOS : RITNER.

## No. 38.

**An Act**

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

SECTION 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 Barnabas Davis, George Barnet, (Miller,) Jacob Vogel, Jacob Wagener of Saucon, Jacob Hower, Jacob Commissioners.

Young, John D. Bauman, David Kamerer, and Conrad Sheiner, be, and are hereby appointed commissioners, whose duty it shall be, or a majority of them, on or before the first day of November next, to determine upon and purchase such real estate as they shall deem necessary for the accommodation of the poor of Northampton county, and it shall be lawful for said commissioners, or a majority of them, to take conveyances therefor, in the name and for the use of the corporation 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 Northampton county, to be filed in his office, and at the next general election, the qualified electors shall elect three reputable citizens of the said county to be directors of the poor and of the house of employment for the county of Northampton, for the ensuing year, and the judges of the election of said county shall, immediately on receiving the returns from the several election districts, and casting up the number of votes therein, or within three days thereafter, certify under their hand and seal, the names of the persons so elected directors, to the clerk of the court of Quarter Sessions of the 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 the said county, on the first Monday of 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, 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 may be chosen annually.

**SECTION 2.** 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 upon the duties of the said office, take an oath or affirmation, which any justice of the peace of the said county is hereby authorized to administer, that he will discharge the duties of the office of director of the poor for the 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 are or shall be by law recoverable, and the directors qualified as aforesaid, are hereby authorized to administer

Their duty.

Election of directors.

Directors to be classed.

Oath of office

Fine.

an oath or affirmation in any case when it shall be necessary, in relation to the duties of their office.

SECTION 3. The said directors shall forever hereafter, in name and in fact, be one body politic and corporate in law, to all intents and purposes whatsoever, relative to the poor of the county of Northampton, 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 Northampton, 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 lands 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 lodging, maintenance and employment of said poor, to appoint a treasurer annually, who shall give bond, with full and sufficient surety, for the faithful discharge of the duties of his office, and at the expiration thereof, for the payment and delivery over to his successor in office, of all moneys, bonds, notes, book accounts, and other papers, to the said corporation belonging, which shall then be remaining in his hands, custody and possession, and said directors shall have power to employ and at pleasure remove a steward or stewards, matron or matrons, physician or physicians, surgeon or surgeons, and all other attendants that may be necessary for the said poor respectfully, 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 notice, or as may now be bound apprentices by the overseers of the poor: *Provided*, That no child shall be bound at a greater distance than thirty miles from the poor house, and the said directors shall exercise and enjoy all such other powers now vested in the overseers of the poor, as are not herein granted or supplied, and the same 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 and renew.

SECTION 4. 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 and building, or erecting the necessary building or buildings, and furnishing the same, and maintaining the poor within

Corporate powers.

Treasurer.

Steward, matron & physician, &c.

Proviso.

Estimate of expense of purchasing land & erecting buildings &c.

the said county for one year, whereupon the county commissioners of the said county shall, and they are hereby authorized and required to increase the county tax by one-fourth part of the sum necessary for the purpose 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 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.

Estimate of  
annual ex-  
pense.

Auditors to  
settle the ac-  
counts.

Report to  
court of Quar-  
ter Sessions  
and grand  
jury.

Books and  
accounts may  
be examined.

Duty of  
overseers.

SECTION 5. 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 treasurer, 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 moneys 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, interests and moneys 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.

SECTION 6. As soon as the said buildings shall have been erected or purchased, 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 Northampton, requiring them forthwith to bring the poor of their respective townships to said house of employment, which order the 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 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.

SECTION 7. 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 Northampton, 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 in the said county of Northampton, or to the overseers of the proper township, in any other county of this commonwealth, and the said directors are hereby authorized, when they shall deem it proper and convenient to do so, to permit any poor 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 Northampton.

Who shall be received, provided for and employed.

Proviso.

Rules.

Proviso.

2d Proviso.

SECTION 8. 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 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 Northampton, and shall have received the approbation of the same.

**Meeting.** SECTION 9. 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.

**Director's pay.** SECTION 10. The said directors shall each of them receive for their services annually, the sum of twenty dollars, to defray the expenses of their necessary attendance on the duties of their office.

**Vacancies.** SECTION 11. In case of any vacancy by death, resignation or otherwise, of any of the said directors, the remaining directors 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.

**Relative to claims and uncollected taxes.** SECTION 12. All claims and demands existing at the time of this act being carried into effect, shall have full force and effect as if this act had not passed, and when the same may 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 Northampton, shall be paid over to the supervisors of the highways of their respective townships, to be by them applied towards repairing the roads therein.

**Office of overseer abolished.** SECTION 13. As soon as the poor of the county of Northampton shall have been 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.

**Fines & penalties.** SECTION 14. 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 Northampton, 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 overseer 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.

SECTION 15. The commissioners of said county are hereby authorized and empowered to pay to the persons who are appointed commissioners by the first section of this act, the expenses incurred by them in the performance of their duty, and also, to pay to each of the said directors a reasonable compensation for their services, during the term they are employed in erecting any building or buildings aforesaid : *Provided*, The same shall not include the annual sum allowed them by this act, exceed fifty dollars for any one year. Commissioners and directors to be paid.

SECTION 16. That the sheriff of said county shall in due time notify the said commissioners of their appointment, and when and where they shall meet for entering upon the duties assigned to them by this act, which place of meeting shall be as near the centre of the county as possible. Sheriff to notify commissioners.

SECTION 17. So much of the laws of this commonwealth relating to the poor as are by this act altered or supplied, be, and the same are hereby repealed, so far as they affect the county of Northampton. Repeal.

SECTION 18. That the managers of the poor house of the township of Roxborough, in the county of Philadelphia, or any two of them, shall have full power and authority to examine, under oath or affirmation, all such poor persons who have or shall become chargeable to the said township, or who shall apply to any of the said managers for relief, respecting their place of legal settlement, in the same manner that any two justices of the peace of the said county may now examine them, and it shall and may be lawful for a majority of the said managers, or any two of them, (unless prohibited by the said majority,) by their warrant or order, directed to the steward of the said poor house or other suitable person, to remove and convey such poor person or persons to the city, borough, township, state or place where he, she or they, was or were last legally settled, unless such poor person or persons shall be able to maintain him, her or themselves, or shall give sufficient security to discharge or indemnify the said township ; and the said warrant or order made by the said managers, or any two of them, in manner aforesaid, shall have the same effect, to all intents and purposes, that they would have if they had been signed and sealed, or made by any two of the said justices, and the penalties for refusing or Roxborough poor-house.  
Power of managers.

neglecting to receive any poor person or persons, agreeably to any of the said warrants or orders, shall be as heretofore, or the same that they would be if the said warrants or orders were made by any two of the said justices.

*The managers may bind poor children as apprentices.*  
 SECTION 19. That it shall and may be lawful for the said managers, or a majority of them, by indenture, signed and sealed by their president and secretary, to put out and bind as apprentices to learn some art, trade or mystery, any poor child or children who shall have become chargeable to the said township: *Provided*, That the term of service of a female shall not extend beyond the age of eighteen years, nor the term of service of a male beyond that of twenty-one years: *And provided*, That the provisions of any act which are incompatible with this act, are hereby repealed.

*Proviso.*

*2d Proviso.*

LEWIS DEWART,

Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,

Speaker of the Senate.

APPROVED—The eleventh day of March, one thousand eight hundred and thirty-seven.

JOS: RITNER.

No. 39.

### An Act

Authorizing the construction of a railroad to connect the North Branch division of the Pennsylvania canal, at or within the borough of Wilkesbarre, with the slack water navigation of the Lehigh.

*Preamble.*

WHEREAS, notwithstanding several acts of Assembly have been passed authorizing the construction of railroads from the Susquehanna, at or near Wilkesbarre, to the river Lehigh, no preparations have yet been made to accomplish that object, so desirable to a large portion of the inhabitants of this commonwealth, now that the Lehigh Coal and Navigation company are about completing their navigation to Wright's creek, the point considered most favorable for the connection of the two rivers by railroad; Therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in Gen-*