

No. 57.

AN ACT

To provide for the crection of a House for the employment and support of the Poor in the county of Columbia.

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 George Kelchner, John Yager, Martin Billmyer, John Laney, Samuel Oakes, Thomas Morehead, Jacob Swisher, Peter Yohe, George Kaufman, Joseph Maus, Daniel Snyder, Samuel Yorks, Michael Fornwaldt, Isaac Welsh, and John Rhoads be, and are hereby appointed commissioners, whose duty it shall be, or a majority of them, on or before the first day of May, Anno Domini, eighteen hundred and thirty-nine, to determine upon and purchase such real estate as they shall deem necessary for the accommodation of the poor of Columbia 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 Columbia county, to be filed in his office. And at the next general election of 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 Columbia; 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 hands 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.

Commissioners authorized to erect a poor house

To purchase real estate

Proceedings to be certified to the court

Election of directors

Their meeting and classification

- 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 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 Columbia, 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 Columbia, 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, respectively; to bind out 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
- Penalty on neglect or refusal to take oath of office**
- How recovered and appropriated**
- Incorporation**
- Style and title**
- Privileges**
- Treasurer to give bond**
- Power of directors**
- To bind out apprentices**
- Term of service**

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

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

To be subject to inspection of visitors, &c. 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.

Arrangements for removal of paupers to house when erected, &c.

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 Columbia, 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.

Expense in certain cases how paid

Who are entitled to, and mode of obtaining relief

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 Columbia, 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 Columbia, 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 Columbia.

Out-door paupers

Proviso

Duties and powers of directors
Rules and regulations

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 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 Columbia, and shall have received the approbation of the same.

Proviso

2nd proviso

Rules to be submitted to the court

SECTION 9. The said directors, or a majority of them, shall have full power and authority to administer oaths or affirmations to all persons residing in the said house of employment, or becoming chargeable to the said county, touching their place of legal settlement, and in case such poor person or persons shall refuse to take the said oath or affirmation, or shall refuse to answer such questions as shall be asked by the said directors, touching and relating to the said settlement, the said directors may withhold all further relief from such poor person or persons, until he, she, or they shall consent to take such oath or affirmation, and answer all such questions, as aforesaid; and the said board of directors, or a majority of them, in addition to the power hereinbefore granted, are authorized and empowered to administer oaths and affirmations in all cases, whatever, relating to their official duties.

To administer oaths, &c. to paupers

On refusal to answer, relief may be withheld, &c.

SECTION 10. 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.

Monthly meeting of, inspection, &c.

SECTION 11. 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.

Compensati'n

SECTION 12. 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.

Vacancies in board, how supplied

SECTION 13. 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

Relative to the settlement of overseers and disposal of uncollected tax

of the county of Columbia, 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 14. As soon as the poor of the county of Columbia 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.

Transfer of certain duties to supervisors of highways SECTION 15. The powers conferred, and the duties imposed on 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 directors of the poor, in the said county of Columbia, and that the justices of the peace and sheriff, within the said county, are hereby required and enjoined to pay to the said directors, to be by them applied for the maintenance of the poor of said county, 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 directors, 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.

County commissioners to defray expenses of viewers and compensate directors SECTION 16. The commissioners of the 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, including the annual sum allowed to them by this act, exceed fifty dollars for any one year.

Repealing clause 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 is hereby repealed, so far as they effect the county of Columbia.

Sheriff to notify commissioners of their appointment, &c. SECTION 18. That the sheriff of the 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 them by this act, which place of meeting shall be as near the centre of the county as possible.

SECTION 19. For the purpose of ascertaining the sense of the citizens of Columbia county, as to the expediency of erecting a poor house, it shall be the duty of each of the inspectors for the several townships and boroughs, at the next general election, to receive tickets, either written or printed, from the qualified voters thereof, labelled on the outside "poor-house," and in the inside "for a poor-house," or "against a poor-house;" and if it shall appear upon casting up the votes of the different districts at the court-house, on the same day that the returns are made out, that a majority of those who voted are for a poor-house, then the foregoing act to take effect; but if a majority of the votes are found to be against a poor-house, the foregoing act be, and the same is hereby null and void.

SECTION 20. The sheriff of Columbia county shall cause this act to be published in all the newspapers printed in the said county, at least four weeks previous to the next general election, the expenses of which to be paid out of the county treasury.

WM. HOPKINS,

Speaker of the House of Representatives.

CHARLES B. PENROSE,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini, eighteen hundred and thirty-nine.

DAVID R. PORTER.