

No. 162.

## AN ACT

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

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 at the next general election, the qualified electors of Erie county, 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 Erie, 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 hands and seals, 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 direc-

Election of directors

Their meeting and classifica-

Time of entering upon duty

Penalty for refusal or neglect to take oath of office

tors 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.

**Directors incorporated** 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 Erie, 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 Erie, 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, erect on the one hundred acres of land, reserved to the county of Erie for that purpose, by the act of twenty-fifth of February, Anno Domini, eighteen hundred and thirty-three, 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 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, not 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.

**Name, style and title**

**Privileges and franchises**

**Treasurer to give bond**

**Powers of directors**

**To bind out apprentices**

**Proviso**

**Estimate of expense of building, &c.** 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 building 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 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, 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 Erie, requiring them forthwith to bring the poor of their respective townships, to said house of employment,

County tax to be increased

Proviso

If loan cannot be made

Directors to furnish commissioners with annual estimate

To settle with auditors

To submit list of papers to the court

Inspection of visitors, &amp;c.

Removal of paupers to poor-house

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 to be received in poor-house, and mode

Proviso

Rules, regulations, and ordinances

Proviso

2d proviso

Powers to administer oaths to paupers; &c.

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 Erie, 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 Erie, 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 Erie.

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

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, touch-

ing 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.

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.

SECTION 11. The said directors shall, each of them, receive for their services, annually, the sum of thirty dollars, to defray the expenses of the necessary attendance on the duties of their office.

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.

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 of the county of Erie, shall be paid over to the supervisors of the highways, of their respective townships, to be by them applied towards repairing the roads therein.

SECTION 14. As soon as the poor of the county of Erie 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.

SECTION 15. 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, in the several townships, within this commonwealth, to recover certain fines, penalties, and forfeitures, and for other pur-

Quorum of directors to meet monthly

Compensation

Vacancies how supplied

Money remaining in hands of overseers, &c., how to be disposed of

Office of overseers abolished

Transfer of certain duties of overseers to supervisors

poses, are hereby conferred and imposed on the supervisors of the highways, in the said county of Erie, 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.

County to  
compensate  
directors

SECTION 16. The commissioners of said county are hereby authorized and empowered to pay to the 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, excluding the annual sum allowed them by this act, exceed sixty 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 Erie.

Citizens to  
vote "for" and  
"against" a  
poor-house

SECTION 18. For the purpose of ascertaining the sense of the citizens of Erie county, as to the expediency of erecting a poor house, it shall be the duty of each of the inspectors of 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 other 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 votes are found to be against a poor house, the foregoing act be, and the same is hereby declared null and void.

Sheriff's duty

SECTION 19. The sheriff of Erie county shall cause this act to be published in all the newspapers printed in said county, at least three 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 twenty-fourth day of June, eighteen hundred and thirty-nine.

DAVID R. PORTER.

No. 163.

AN ACT

Giving the assent of this Commonwealth to the act of the Legislature of New Jersey, entitled "An act to incorporate the Columbia Delaware Bridge Company."

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 assent of this commonwealth be, and the same is hereby given to the provisions mentioned and contained in an act of the legislature of the state of New Jersey, passed the seventh day of March, Anno Domini, one thousand eight hundred and thirty-nine, entitled "an act to incorporate the Columbia Delaware bridge company of the county of Warren;" and the said act of the legislature of the state of New Jersey is hereby adopted, ratified and confirmed by this commonwealth, and the provisions thereof shall be in full force and effect within this commonwealth, and the said act of the legislature of the state of New Jersey shall be annexed to this act, and be published in the same manner as the laws usually are, and the governor shall likewise cause an exemplified copy thereof to be deposited in the secretary's office of this commonwealth, and transmit an attested copy of this act to the governor of the state of New Jersey.

Assent to the act of New Jersey legislature incorporating Delaware Bridge company

SECTION 2. That Enos Goble, Jacob Deiterich and George Troxell, be, and they are hereby appointed commissioners on the part of the commonwealth of Pennsylvania, to receive subscriptions of stock, in conjunction with the commissioners named in the first section of the said act.

Commissioners on part of Pennsylvania

WM. HOPKINS,

*Speaker of the House of Representatives.*

CHARLES B. PENROSE,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of June, eighteen hundred and thirty-nine.

DAVID R. PORTER.