

[No. 66.]

AN ACT

To provide for the erection of a House for the Employment and Support of the Poor of the county of Bedford.

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 Job Mann, Peter Schell, George Geller, John T. Vickroy, Abraham Bennet, Joseph Barkman, John Nichum, Simon Stuckey, junior, John F. Davis, Thomas Morton, junior, John E. Knable, Esquire, Henry Hoke, Benjamin Wollet, James Dixon, George B. Kay, Martin Loy, John Fickes, and Thomas Blackburne, of Thomas, be and hereby are appointed commissioners, whose duty it shall be, or a majority of them, on or before the first day of January, Anno Domini eighteen hundred and forty-two, to determine upon and purchase such real estate as they shall deem necessary for the accommodation of the poor of Bedford 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 Bedford 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 Bedford 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.

Commis'rs

Their duties

To certify their proceedings to court of qr. sessions

Election of directors and proceedings thereon

Classification of directors

SECTION 2. Every director elected in the 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.

Directors to
be swornPenalty in
case of refusal

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 Bedford, 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 Bedford, and by that name, shall and may receive, take and hold any lands, tenements and hereditaments not exceeding the yearly value of five thousand dollars, and any goods and chattles 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, notes, bonds, book accounts, and other papers to the said corporation belonging, which shall then be remaining in his hands, custody and possession, and said director shall have power to employ and at pleasure remove a steward or stewards, matron or matrons, physician or physician, 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: *Provided*, That no child shall be bound out for a longer time than until he arrives to the age of eighteen years, unless he be bound out to a trade other than a farmer: *And provided*, In all cases the

Directors cre-
ated a body
politicMay hold
lands &cTo appoint a
treasurerPower to ap-
point and re-
move stew'ds

Proviso

2d proviso

3d proviso person to whom they are bound, be required to give the child at least three months schooling in each year: *Provided also*, That no child shall be bound without the limits of the State, or at a greater distance than fifty 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.

Directors to estimate expenses of buildings &c SECTION 4. That 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, of 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 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.

Tax—relative to

Proviso

Directors to estimate expense of poor & poor house for one year 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,

To be paid by treasurer.

Duty of auditors

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 Bedford, 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 times as he or she may be in a situation to be removed, and then to 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 Bedford, 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 Bedford, 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 Bedford.

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*, That 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 Bedford, and shall have received the approbation of the same.

Directors to meet and visit poor house 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.

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.

Money and taxes to be paid over to supervisors 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 Bedford, 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 Bedford, 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 henceforth be abolished.

Power of overseers transferred to supervisors 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 Bedford, 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. Their duty

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, including the annual sum allowed them by this act, exceed fifty dollars for any one year. Duty of county commis'rs
Proviso

SECTION 16. So much of the laws of this commonwealth relating to the poor, as are by this act altered or supplied, be the same are hereby repealed, so far as they effect the county of Bedford. Repealing clause

SECTION 17. 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. Duty of sheriff

SECTION 18. For the purpose of ascertaining the sense of the citizens of Bedford 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 in 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 to be and the same is hereby null and void. Citizens to vote for or against poor house

SECTION 19. And the sheriff of Bedford county shall cause to be published the eighteenth section of this act in all the newspapers printed in said county, at least six weeks previous

to the next general election, the expenses of which to be paid out of the county treasury.

WM. A. CRABB,
Speaker of the House Representatives.

JN. H. EWING,
Speaker of the Senate.

APPROVED—The thirty-first day of March, one thousand eight hundred and forty-one.

DAVID R. PORTER.

[No. 67.]

AN ACT

To incorporate the Mutual Fire Insurance Company, of Montgomery county.

- 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 William Earnest, William H. Dewees, John Styer, Peter Colehower, Edward Foulke, Isaiah Lukens, Isaac Burk, William Barton, Jacob Fisher, Frederick W. Hoover, David Jones, Jesse Barns and Lukens Paul, and such other persons as are or may be associated with them, under the authority of this act, being citizens of Montgomery county, their successors or assigns, are hereby made a corporation, by the name of the Mutual Fire Insurance company of Montgomery county, and they and their successors are hereby made a body politic and corporate in law, with all the legal incidents of a corporation aggregate: *Provided,* That they shall not have power to hold a greater amount of real estate, than is necessary for the use of the corporation, in the transaction of the business thereof, or such as shall be taken in security for, or in payment of, debts; nor shall the yearly income thereof exceed two thousand dollars; nor shall any by-laws be repugnant to this instrument, the constitution of the United States, or this Commonwealth.
- SECTION 2.** The power of this association shall be vested in thirteen managers, to be chosen by ballot annually, on the first Monday of November, at an annual meeting of the company to be held, and each member being entitled to one vote.
- SECTION 3.** Each insurer in or with said company, shall be a member thereof during the term of his or her policy, and no longer.
- Corporators
- Style & title
- Proviso
- Number of managers
- Insurers