

Decennial re-
port to legis-
lature

railroad aforesaid shall be completed, the company shall render to the general assembly, a like abstract for three preceding years, and if at the end of such decennial period, it shall appear from such abstract, that the clear yearly profits and income of the said company shall bear a dividend of more than fifteen per cent. per annum, then the said tolls shall be lessened by an accurate ratio as will reduce the said dividend to fifteen per centum per annum; but these abstracts, and the graduation of the tolls, are to be made in reference to the bridge and railroad immediately connected therewith, that is, that part embraced within the bridge, and no reference is to be had to the mining of coal, or transporting the same to market, or to the profits or losses pertaining thereto.

Commence-
ment & com-
pletion limited

SECTION 15. That if the company shall not proceed to carry on the said work of erecting the said bridge, within the space of four years, after they shall have been incorporated, or shall not within the space of ten years, from the passing of this act, complete the said bridge, it shall and may be lawful for the legislature to resume all and singular the rights, liberties and privileges hereby granted to the said company, and in the meantime, alter, amend or extend the act of incorporation at any time when the legislature may deem the exercise of such power just and proper.

WM. A. CRABB,

Speaker of the House of Representatives.

JN. H. EWING.

Speaker of the Senate.

APPROVED—The twenty-second day of April, one thousand eight hundred and forty-one.

DAVID R. PORTER.

[No. 105.]

A N A C T

To provide for the erection of a House for the Employment and Support of the Poor, in the county of Allegheny.

Com'issioners

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 Robinson, jr., William Hays, John Anderson, Robert Hilands, Francis Karns, James Espy, James Carter, Robert Wallace and David Shields, be and they are hereby appointed commissioners, whose duty it shall be, or

that of a majority of them, if this act shall be approved as is hereinafter provided, to determine upon and purchase a site for the location of a house for the employment and support of the poor, in the county of Allegheny, and to take a conveyance or conveyances therefor, in the name and for the use of the corporation erected in and by this act; and they, or a majority of them, shall certify their proceedings therein, under their hands and seals, to the commissioners of said county, on or before the first day of August, one thousand eight hundred and forty-two, to be filed in their office; and at the next general election thereafter, 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 poor and house of employment, for Allegheny county, one of whom shall serve three years, one of whom shall serve two years, and the other one year; and the citizens qualified to vote as aforesaid, shall, at each succeeding general election, elect one person to serve as director, for the period of three years, in room of him whose term of office shall then expire; and the return judges of the general election, shall, at their meeting on the succeeding Friday, cast up the number of votes, and certify under their hands and seals, the names of the directors so chosen, to the commissioners of said county, who shall file the said certificate in their office, and forthwith give notice to the said directors of their election. And it shall be the duty of the sheriff of Allegheny county, to give public notice of the time of holding the election for the directors of the house of employment, at the same time and in the same manner as he is required to do in regard to other officers. And when the said directors shall have been sworn into office, the duties and powers of the commissioners appointed by this act, shall cease and determine, and said powers and duties shall devolve upon and be executed by said directors.

To purchase site

Election of directors

SECTION 2. Every director elected in manner aforesaid, or appointed as hereinafter directed, shall, within ten days after he is notified of said 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 authorized 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, and perform the duties 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; and in case of any vacancy by a refusal to serve, or by death, resignation or otherwise, of any of said directors, the commissioners of said county shall fill

Oath

Penalty for neglect or refusal

Vacancy such vacancy, by the appointment of a citizen of their county, under the same penalty as is provided as aforesaid, to serve until the next general election, when another director shall be elected to serve, as if no vacancy had happened.

Liberties and franchises

SECTION 3. The said directors and their successors, shall forever hereafter be one body politic and corporate in law, to all intents and purposes whatsoever, relative to the poor of the county of Allegheny, 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 Allegheny," 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, purchase, take, and hold, any lands and tenements, within their county, in fee simple or otherwise, and erect thereon suitable buildings, for the reception, use, and accommodation of the poor of said county, provide all things necessary for the reception, lodging, maintenance, and employment of said poor, and 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 then be remaining in his hands, custody, and possession, and the said directors shall employ, and at pleasure remove a steward or stewards, and require of him or them an oath or affirmation, and such security for the faithful performance of his or their duties, as they, the said directors shall deem expedient, and shall 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, with the consent of two justices of the peace, 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 shall moreover exercise and enjoy all such powers as are 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.

Treasurer bond

Steward, matron, &c.

Seal

Estimate of cost of lands, buildings, &c.

SECTION 4. The said directors shall on or before the first day of January, Anno Domini one thousand eight hundred and forty-three, furnish to the county commissioners, an estimate of the probable expense of purchasing the lands, 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 or loan on credit of the taxes herein directed to be levied, the remaining three fourths thereof to be paid by 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, eighteen hundred and forty-three, and annually thereafter, to furnish the commissioners of said county with an estimate of the probable expense of the poor and poor house for one year thereafter, 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 provided 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 which shall have been made by or to them.

SECTION 6. As soon as the said buildings 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, wards and boroughs of the said county of Allegheny, requiring them forthwith to bring the poor of their respective districts to the 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 where, by reason of 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 person 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

Relief—how
obtained

SECTION 7. The said directors of the house of employment 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 found, after due and careful examination, to be entitled to relief, or shall have gained a legal settlement in the county of Allegheny, and the said directors and their successors in office are hereby authorized to administer the necessary oaths or affirmations to paupers or other persons, in the examination into the place of their last legal settlement, and to issue the necessary process to compel the attendance of witnesses; and in case it shall appear that any pauper thus examined shall not be entitled to relief in said house of employment, and is unable to provide for him or herself, said directors shall cause such pauper to be removed to the county or district in which he or she shall have gained a legal settlement, or from which he or she shall be entitled to relief; and the cost of such removal and the necessary temporary relief, shall be paid by the county or district from which the said pauper shall be entitled to relief, and the said directors are hereby empowered to collect the same agreeably to the act of assembly made for the relief of the poor in the several counties of this Commonwealth; and that the said directors are hereby empowered to discharge from the said house of employment, in the county of Allegheny, every pauper whom they shall deem to possess sufficient mental and bodily ability to take care of him or herself, and to provide for his or her maintenance; but such pauper so discharged may, at any time thereafter, be re-admitted in the manner by this act directed. *Provided*, He or she shall become infirm and unable to provide for his or her own maintenance and support.

Temporary
relief

Rules, &c

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 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*, That the same be not repugnant to this 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 quarter sessions, for the time being, of the county of Allegheny, and shall have received the approbation of the same.

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 from the neglect or misconduct of any person or persons in their employment or otherwise.

SECTION 10. The said directors shall each receive one dollar per day for each and every day which he shall necessarily spend in the performance of the duties prescribed by this act. *Provided*, That the same shall not amount to more than forty dollars for the first year for each director, nor to more than thirty dollars each for every subsequent year.

SECTION 11. The commissioners of said county of Allegheny are hereby directed to pay to each of the commissioners named in the first section of this act, the sum of one dollar per day for each and every day, which he shall necessarily spend in performing the duties prescribed by the first section of this act.

SECTION 12. 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 continue to have like force as though 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 wards, boroughs and townships in said county of Allegheny shall be paid over to the directors elected under this act, to be by them applied towards the support of the poor and house of employment aforesaid.

SECTION 13. As soon as the poor of Allegheny county shall be removed to the house of employment of the said county, and the outstanding debts and taxes collected and paid over, the office of overseer of the poor within the said county, shall from thenceforth be abolished.

SECTION 14. The powers conferred and the duties imposed on the overseers of the poor of the several wards, boroughs, and townships, by an act to empower the overseer and guardians of the poor of the several townships of this Commonwealth, to recover certain fines, penalties and forfeitures, and for other purposes, are hereby conferred and imposed on the

Proviso

2d proviso

Monthly meeting

Compensation

Proviso

Commissioners to pay directors

Uncollected taxes, &c—how disposed of

Office of overseer abolished

Duties transferred to directors

directors elected under this act. And the justices of the peace and sheriff of said county, are hereby required and enjoined to pay to said directors, to be by them applied to the support of the poor and house of employment aforesaid, 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 directors, within the time and in the manner aforesaid; and 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 of said county, shall be subject to all fines, penalties and forfeitures, to which justices and sheriffs in other counties, by the said act, are subject or liable.

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

SECTION 15. For the purpose of ascertaining the sense of the citizens of Allegheny county, as to the expediency of erecting a poor house, it shall be the duty of each of the inspectors for the several wards, 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 the votes are found to be against a poor house, the foregoing act to be and the same is hereby declared null and void. And the sheriff of said county, shall cause this section thereof to be published in all the newspapers printed in said county, at least six weeks previous to the next general election; the expenses of which publication, shall be paid out of the county treasury.

Duty of co-commissioners

SECTION 16. The commissioners of the said county, are hereby authorized and required, to cause this act to be published in not less than three of the public newspapers of the city of Pittsburg, on or before the first of September next.

Repeal

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 effect the county of Allegheny.

WM. A. CRABB,

Speaker of the House of Representatives.

JN. H. EWING,

Speaker of the Senate.

APPROVED—The twenty-second day of April, one thousand eight hundred and forty-one.

DAVID R. PORTER.