

No. 509.

AN ACT

Relative to Culverts, in the District of Penn, Philadelphia 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* the Commissioners of the district of Penn, by a majority of the board, be and they are hereby authorized to complete the culvert in Thompson street, and to provide means for the payment of the same; and that all allotments of said work already made, be and they are hereby confirmed.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 510.

AN ACT

To provide for the establishment and government of a House of Correction and Employment for the City of Philadelphia.

House of correction established.

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* there shall be established a house of correction and employment for the city of Philadelphia, which house of correction shall be under the charge and management of a board of managers, to be appointed as hereinafter designated.

Under control and management of twelve managers.

SECTION 2. That the said house of correction shall be under the control and management of twelve managers, to be appointed on the third Monday in July next ensuing after the passage of this act, the said managers to be appointed as follows, viz: four of said managers shall be appointed by the judges of the court of quarter sessions of the peace of the city and county of Philadelphia, four by the judges of the district court of the city and county of Philadelphia, four by the mayor and aldermen of the city of Philadelphia; the managers so appointed to serve for the terms hereinafter provided for, without any pecuniary compensation for their services: That

the said managers shall, on the first Monday of the month succeeding their appointment, meet at four o'clock in the afternoon, at the county court house, and elect a president and secretary, to serve for the ensuing year; and they shall also divide themselves into four classes, of three members each, the first class of whom shall serve for one year, the second for two years, the third for three years, and the fourth for four years; and whenever a vacancy shall exist in said board, by death, resignation or otherwise, the same shall be supplied by the court who appointed the individual who has caused the vacancy, or the mayor and alderman, as the case may be, upon notice of such vacancy from the board of said managers; and that thereafter the said board of managers shall be a body politic, incorporate in law, under the style and title of the Philadelphia House of Correction and Employment, and under that title shall have all the rights and also be subject to all the liabilities of corporations, and may make any by-laws they may deem expedient for their own government or the government of the said house of correction and employment: *Provided*, The same shall not be inconsistent with the constitution and laws of the United States or of this Commonwealth: *And provided further*, That not less than seven managers shall form a quorum.

SECTION 3. That as early as practicable after the appointment of the aforesaid managers, they shall prepare, or cause to be prepared, plans and estimates for the erection of suitable buildings on and within the farm land now occupied by the Philadelphia and Blockley alms house, or any other site which the aforesaid managers, by and with the consent of the select and common councils of the city of Philadelphia, as consolidated and extended by the act of February second, one thousand eight hundred and fifty-four, may deem most appropriate or conducive to the interest of the said institution, and of the citizens generally; said site not to exceed fifty acres in extent: *Provided*, That the cost of the site and buildings, shall not exceed one hundred thousand dollars.

Plans for buildings to be prepared.

SECTION 4. That so soon as the site, plans and estimates are approved, as aforesaid, the managers appointed under the last foregoing section, shall certify the same to the mayor and councils of the city of Philadelphia, and it shall be the duty of the said councils to borrow, or cause to be borrowed upon loan, at a rate of interest not exceeding six per cent. per annum, redeemable after thirty-five years, a sufficient sum of money to defray the expense of said site and buildings; and it shall be the duty of said city authorities to assess the amount necessary to pay the annual interest of said loan, and one per cent. per annum; which one per cent. shall form a sinking fund for the redemption of said loan; and the moneys thus raised, shall be known as the fund for the use of the house of correction and employment of the city of Philadelphia, and shall not be applied to any other purpose whatsoever, than such as hereinbefore designated.

Sites, &c., to be certified to the mayor and councils.

SECTION 5. That as early as practicable hereafter, after a compliance with the requirements contained in the preceding section, the said managers shall proceed with the moneys procured as aforesaid, to purchase the site chosen as aforesaid, and to erect and complete thereupon the necessary buildings, according to the plans approved as aforesaid, the title to the whole to be vested in the city of Philadelphia; and as soon as the said

Application of money.

buildings shall be completed and ready for occupation, they shall be delivered by the said city councils, into the custody and control of the board of managers as hereinbefore provided, by whom, at the earliest practicable time, the fact of such delivery shall be certified to the said court of quarter sessions, and to the board of managers of the Blockley alms house; which court and managers respectively, shall thereafter commit to the said house of correction and employment, such able bodied paupers and vagrants as may have been committed, or sentenced to be confined in the county prison or Blockley alms house, for a period of less than three months; and it shall be the duty of the said judges of the court of quarter sessions, and inspectors of the Philadelphia county prison, to commit to the said house of correction and employment, all vagrants, habitual drunkards and disorderly persons, whom they may deem best to so confine; and it shall be the duty of the managers of the Blockley alms house to transfer, within twenty-four hours after entrance into said alms house, all able bodied paupers, except such as may be necessary to employ in the service of said alms house.

Power to commit.

SECTION 6. That the managers of the house of correction, or any one of them, may commit thereto any and all persons who are willing to be so committed; and the mayor of the city of Philadelphia, the inspectors of the county prison, and all committing magistrates in the city and county of Philadelphia, may and they are hereby authorized to commit to said house of correction and employment, for any period of time not less than three, nor more than twelve months, all or any person or persons who, under existing laws, are liable to be committed to places of confinement, who shall apply to them for such purpose: all persons that may hereafter be convicted, according to the existing laws of this Commonwealth, before the mayor recorder, or any alderman of the city of Philadelphia, as a vagrant or disorderly person, shall be sentenced to suffer confinement in the said house of correction and employment, for the terms hereinafter mentioned, and to be fed, clothed and treated, in the manner hereinafter mentioned.

Superintendent to be elected.

SECTION 7. There shall be elected annually at the first stated meeting of the board of managers, or at any other time if required, a person who shall be known and designated by the name and title of the superintendent of the Philadelphia house of correction and employment, who shall have the control and superintendence of the said house of correction and employment; shall hold his office during the pleasure of the board of managers, and shall receive such compensation as they shall deem fit: the said board of managers shall elect such other officers, keepers and servants as may be necessary for the management of the institution, but no person shall be elected as keeper, assistant or superintendent, who is not expert in some mechanical or agricultural pursuit.

Employment of persons committed.

SECTION 8. That every person in the custody of the said board of managers, not disqualified by sickness or casualty, shall be employed by the superintendent in quarrying stone, cultivating the ground, manufacturing such articles as may be needed for the prisons, alms-house or other public institutions of the State or city, and at such other labor as shall upon trial be found to be profitable to the institution and suitable to its proper discipline, and to the health and capacities of the inmates.

SECTION 9. That if any person committed to the said house of correction and employment according to law, shall refuse or neglect to perform the work assigned to him or her, it shall be the duty of the superintendent to punish such person by close confinement on a diet of bread and water, only for such time as may be deemed necessary, which refusal and punishment shall be forthwith reported to the managers, and shall by the secretary of the board be recorded in a book to be kept for that purpose; it shall be the duty of the physician of the institution to visit any person so confined for punishment at least once in each and every twenty-four hours, and he shall record in a book to be kept for that purpose, his opinion upon the health of the person confined; upon his opinion being given of said confinement acting injuriously thereon, the said confinement or diet shall be altered in such manner as he shall direct.

SECTION 10. That any inmate of said institution who shall wilfully break, destroy or injure any material, machinery, tool, property or thing belonging to the said institution, or shall escape therefrom shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of record of the county of Philadelphia, may be punished by imprisonment and hard labor for not less than one month or more than one year.

Pnealty for injuries.

SECTION 11. That it shall be the duty of the said superintendent to open an account in a book to be kept for the purpose, with each and every person committed to said institution, charging him or her with all the expenses incurred in the board and clothing, and crediting him or her a fair and reasonable compensation for the labor performed by him or her; if at the expiration of the term of commitment of any person it shall appear that the proceeds of his or her labor are more than sufficient to defray the cost of board and maintenance, and the materials furnished to such person, together with five per cent. thereon, the balance if any shall be paid to him or her in money, but the board of inspectors may at any time during the confinement of any person, when it shall appear that the proceeds of his or her labor are more than sufficient to pay the costs and charges aforesaid, order the surplus or any part thereof to be paid over for the use and maintenance of his or her family.

Accounts of each person committed to be kept.

SECTION 12. The superintendent shall make a monthly requisition on the board of managers, for all articles which he shall deem necessary for the said institution, and such as shall be approved by them shall be purchased, the superintendent shall once in every month report to the board of managers the number of persons committed, discharged, sick, dead, or remaining in the institution, also the quantity and kind of labor performed, and the board of inspectors shall transmit annually to the Legislature of the State, a condensed statement of the affairs of the institution.

Monthly requisitions.

SECTION 13. For any deficiency in furnishing, keeping and maintaining said houses of correction and employment in conformity with the provisions of this act, the managers are authorized to apply to the said city councils, for such sum or sums as shall be necessary, and if it shall appear that such application is reasonable, and that the accounts of said managers have been properly kept, the said city councils shall direct an order to be drawn on the treasurer of said city, for such sum or sums as by them may be deemed necessary and proper.

Deficiency of means, how supplied.

Subject to provisions of certain act.

SECTION 14. The said managers, superintendent and officers of said house of correction and employment, shall be subject to all the restrictions, liabilities and penalties of the fifty-first section of the act supplementary to the act to incorporate the city of Philadelphia, passed the second day of February, eighteen hundred and fifty-four.

Commitments.

SECTION 15. Every person committed to the house of correction and employment, of the city of Philadelphia, shall for the first time be committed for a term of not less than three month, nor more than six months; for the second time shall be committed for a term of not less than six months, nor more than nine months; for the third time for a term of not less than nine, nor more than twelve months; and for the fourth time or at any time thereafter, for a term of not more nor less than twelve months.

Writ of habeas corpus.

SECTION 16. Any person committed to the said house of correction and employment, by any other authority than the court of quarter sessions of the peace of the city and county of Philadelphia, may apply for a writ of habeas corpus to any judge of the said court, and upon return thereof, if such judge shall deem there is sufficient or reasonable ground for granting the same, he shall enter upon a rehearing of the evidence and either discharge the individual, modify or confirm the commitment.

Powers of managers.

SECTION 17. Should said managers deem it advisable, it shall be lawful for them to rent, lease or otherwise contract for the use and occupancy of any suitable building or buildings to be occupied in the manner and for the purposes by this bill defined, and continue to use and occupy the same until such time as the building hereby authorized to be erected, shall have been completed and ready for occupancy as aforesaid: *Provided*, That the appointment of said managers and the organization of this institution, shall not take place until after the second Monday in July, A. D., one thousand eight hundred and fifty-four.

Proviso

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 511.

A FURTHER SUPPLEMENT

To the several acts relative to the Union Canal Company of Pennsylvania.

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 all persons acting in a fiduciary capacity shall be and they are*