

LAWS OF PENNSYLVANIA,

No. 640.

AN ACT

To vacate part of Oak street, in West Philadelphia.

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* Oak street from Crammond to Mansion street, in the district of West Philadelphia, as laid down upon the plan and not opened, be and the same is hereby vacated, and that Lehigh street, from Chestnut to Market streets, be reduced to its width of sixty feet as originally presented to the court by the surveyor of West Philadelphia: *Provided, The same be approved by the board of commissioners of said district, or the councils of the city of Philadelphia.*

E. B. CHASE,

Speaker of the House of Representatives.

M. McCASLIN,

Speaker of the Senate.

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

WM. BIGLER.

No. 641.

AN ACT

To authorize the erection of a Poor House, by the Borough of Danville and Mahoning Township, in the County of Montour.

Commissioners.

Privileges.

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* Robert Moore and Thomas Woods, of the borough of Danville, and Samuel Yorks, Junior, of Mahoning township, in Montour county, be and they are hereby appointed commissioners, whose duty it shall be, or a majority of them, as soon after the passage of this act as practicable, to determine upon and, with the assent of the Court of quarter sessions of Montour county, purchase such real estate as may be necessary and proper for the accommodation of the poor of the borough of Danville and Mahoning township aforesaid. And it shall be lawful for said commissioners to take and receive proper conveyances therefor, in the name and for the use of the corporation mentioned in the second section of this act, and, upon the receipt of such conveyance, to execute, in the name of said corporation, and deliver to the vender or venders, bonds and mortgage upon said real estate, to secure the payment of so much of the pur-

chase money thereof as shall then remain unpaid; and also to erect and build thereon suitable buildings for the accommodation and keeping of the poor of said borough and township; and they are also authorized and empowered to borrow such sum or sums of money as may, in their opinion, be advisable and necessary, not exceeding four thousand dollars, to be used in the payment of the expense of purchasing said farm and erecting said buildings, and to secure the payment of the same by bonds and mortgages on said real estate.

SECTION 2. That the said Robert Moore, Thomas Woods and Samuel Yorks, Junior, are hereby constituted directors of the poor in the borough and township aforesaid, until successors are appointed and qualified as hereinafter provided; and they and their successors in office are hereby created a body-politic and corporate in law, to all intents and purposes whatsoever, relative to the poor of said borough and township, and shall have perpetual succession, by the name, style and title of the Directors of the Poor of Danville and Mahoning, and by that name may be sued, plead and be impleaded, receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of three thousand dollars, to erect and keep in proper condition suitable buildings for the reception, use, accommodation and employment of the poor of said borough and township, and to provide all things necessary for the lodging, maintenance and employment of the poor of said borough and township.

SECTION 3. That the said Robert Moore, Thomas Woods and Samuel Yorks, Junior, shall continue in office as directors, until the annual March election in the year one thousand eight hundred and fifty-five, at which time the qualified electors of said borough and township shall elect three persons to serve as directors of the poor of said borough and township, one to serve for one year, one for two years, and one for three years; and yearly thereafter the said electors shall elect one person, to serve as director as aforesaid, for three years: *Provided*, That, at all times, one of said directors shall reside in the said township of Mahoning, one in the North ward, and one in the south ward of said borough; and that, at the first election, the director chosen from said township shall hold his office for the term of two years; and the director chosen from the north ward of said borough shall hold his office for the term of three years; and the returns of all elections under this act, and proceedings connected therewith, shall be the same as in the case of the election of township officers: *Provided further*, That any vacancy in the said office of director, by resignation or otherwise, shall be filled by the Court of Quarter Sessions of Montour county, until the next ensuing election of directors, when the said vacancy shall be filled by election, under the limitations aforesaid; and the said court shall have power to remove any director, for gross neglect of duty or other misconduct, upon the petition of fifty or more of the aforesaid electors, upon a hearing of the complaint, after reasonable notice to the director complained of.

SECTION 4. The said directors shall, before entering upon the duties of their office be duly sworn or affirmed, to faithfully discharge the duties of said office. And the persons herein appointed directors shall, as soon as they shall think proper, after the passage of this act, appoint a treasurer, steward or superintendent, collector of poor taxes, and such other assistants as they

Directors of the poor.

Term of office.

Proviso.

Proviso.

Qualifications of directors.

Officers.

shall deem necessary, who shall serve until successors are appointed; and in the month of January, in the year one thousand eight hundred and fifty-five, and in the month of January, in each year thereafter, the said directors shall appoint a treasurer, a collector, a steward, physcian and such other assistants as they may deem necessary, to serve for one year, and until successors are appointed and qualified, the said treasurer and collector to give bonds, with sufficient security, conditioned for the faithful performance of their respective duties, in such sum as the directors shall require. Any of said officers or assistants may be removed by said directors, for neglect of duty, or for improper conduct in office, and the vacancies as well as all vacancies, which shall otherwise occur to be filled by them.

Quorum, and directors to levy a rate of assessment.

SECTION 5. That the said directors, any two of whom shall constitute a quorum for the transaction of business, shall have power, annually, as soon after the returns of the annual assessments in said county as is practicable, to lay a rate or assessment, not exceeding one cent on the dollar at one time, upon all real and personal estates within the borough and township aforesaid, for defraying the expenses of purchasing said farm, erecting said buildings, and maintaining the poor in said borough and township, which shall be the same rate per centum in said township and borough, and shall be levied upon the basis of the last adjusted valuation made for regulating county rates and levies, and having caused fair duplicates of such rate or assessment, by them laid, to be made, which shall be signed by them, shall issue their warrant to the collector of such tax therein, authorizing and requiring him to demand, receive and collect from every person therein named, the sum wherewith such person stands charged, in the manner and by the same process as poor taxes are now by law collectable; and the said directors shall, from the time of the providing by them of suitable buildings for the accommodation of said poor, exercise and perform all the powers and duties which overseers of the poor may and are now required by law, to exercise and perform within said borough and township, except so far as such acts, duties and powers as are herein expressly prescribed or limited.

Certificates to be filed in the office of the clerk of the court of quarter sessions.

SECTION 6. That the said directors shall, as soon as they shall have provided suitable buildings for the accommodation of the poor of said borough and township, file in the office of the clerk of the court of quarter sessions, of Montour county, a certificate setting forth that such buildings are ready for the reception and accommodation of said poor, which certificate shall also contain a statement of the real estate purchased, with a brief description of the buildings thereon, the cost of procuring and fitting up the same; and they shall, also, thereupon give notice to the overseers of the poor of said borough and township, of their readiness to receive and accommodate the poor thereof, which said overseers are required forthwith to furnish said directors with a list of the names of the persons then a charge upon said borough and township, respectively, or receiving relief therefrom, with the place of residence of each; and the said directors shall, thereupon, cause such poor persons or such of them as they shall think it expedient, to be removed to said house so provided, and thereafter to be kept, lodged and maintained therein, so long as such persons shall continue a charge upon said borough or township, and no person who shall refuse to go to said poor house, or to be maintained therein, shall be entitled to

relief or support from said directors, or from said borough or township, during the time of such refusal: *Provided, however,* That said directors may, if they think proper, furnish assistance and afford relief to any poor persons, without requiring them to be removed to and kept at said poor house. Proviso.

SECTION 7. That the said directors are hereby authorized to provide work and employment for such poor persons as may be able to perform any labor or pursue any employment, and if any poor person, unless unable by reason of age, infancy, disease, infirmity or other disability, shall refuse to perform such reasonable labor or service as shall be allotted to or required of him or her by said directors, such person or persons shall not be entitled to, or receive any relief or assistance during such refusal, and shall immediately upon such refusal be discharged from said poor house. Directors to provide work and employment for poor persons.

SECTION 8. That the overseers of the poor of the borough and township aforesaid, shall as soon as notified by the directors in the manner provided for in the sixth section of this act, cease to act as overseers of the poor in said borough and township, except so far as may be required to settle, adjust and close their accounts as overseers with said borough and township, or with persons with whom they have transacted business, and they shall upon demand deliver to the said directors transcripts of all poor taxes remaining unpaid on duplicates in their hands, together with all books, papers, orders and documents pertaining to their office as overseers, and shall also pay to the said directors or to the treasurer appointed by them, all the moneys unexpended in their hands belonging to the said borough or township, and the said directors shall forthwith issue their warrant to the collector for the collection of all such unpaid poor taxes, which shall be collected in the same manner as is provided for the collection of taxes assessed by said directors. Duties of overseers of the poor.

SECTION 9. If upon a final settlement by said overseers of the borough and township aforesaid, of their accounts as overseers, any balance shall be found due them or either of them, the said balance due shall be certified by the auditors making such settlement, and thereupon the said directors are required to issue their order upon the treasurer in favor of such overseer or overseers, for the amount or amounts so certified to be due. Settlement by overseers of the poor.

SECTION 10. The steward or manager of said poor house is hereby required yearly on the first Monday in January, in each year, to furnish to said directors a statement of the income of said real estate, as nearly as the same can be done; also of excess of his expenditures over and above said income; the amount and kind of personal property then on hand, including grain, et cetera; the number of poor persons admitted and discharged during the year, with the number then therein; the length of time each remained, and the age and sex of each: the treasurer shall annually on the first Monday of each year, render to said directors a just and correct account of his receipts and disbursements during the preceding year, and the said directors shall annually in the month of January in each year, publish in two papers published in Danville, a statement of the receipts, disbursements and expenditures of said corporation during the preceding year, with a statement of the property real and personal then held by them. Steward to furnish yearly a statement.

SECTION 11. The auditors of the borough of Danville and of the township of Mahoning, shall jointly constitute a board of auditors to settle the accounts of the treasurer and of the di- Duties of the auditors of the borough of Danville.

rectors, which auditors shall meet for that purpose on the second Monday of January in each year, and shall receive for their services each one dollar per day, for every day necessarily employed.

Orders to be directed to the directors.

SECTION 12. All orders issued for the relief of any poor person or persons within said borough or township, after the filing of the certificate mentioned in the sixth section of this act, shall be directed to the directors of the poor of Danville and Mahoning, and upon the receipt of such order, said directors or any one of them shall immediately proceed to inquire into the circumstances, and if the person or persons therein named are found by him to be entitled to relief, he or they shall furnish such relief or cause such person or persons to be removed and taken to said poor house, and there kept and maintained until legally discharged; any one of said directors shall have authority to direct a poor person to be admitted into said poor house, but no person shall be discharged therefrom unless at his or her own request, except by the direction of at least two of said directors.

Authority to bind out poor children.

SECTION 13. That the said directors are hereby authorized to bind out poor children under their care, whose parents are dead or unable to support them, as apprentices, in the same manner, and under the same restrictions, as overseers of the poor may now by law put out such children; and the said directors shall exercise the same power and authority over all real and personal estate of any poor persons under their care, as is now by law vested in the overseers of the poor.

Compensation.

SECTION 14. That the compensation of the treasurer, collector, steward, matron, physician, and other officers or assistants, shall be fixed by the directors, and the compensation of the directors shall be fixed by the board of auditors at each yearly settlement, for the next succeeding year: *Provided*, That the compensation of said directors, from the passage of this act until the first yearly settlement, shall be fixed by the board of auditors, at the first yearly settlement; the said directors to furnish the said auditors a correct account of the time and expenses lost and incurred by them in attending to their duties, from which account the said compensation shall be fixed and adjusted.

Proviso.

Appeal.

SECTION 15. That the said directors or treasurer, or any one or more of the tax payers of said borough or township may, within twenty days from the yearly settlement by the auditors as aforesaid, appeal from such settlement to the court of common pleas of Montour county, in the same manner, and under the same provisions and regulations, that appeals from settlements by township auditors are now allowed.

Monies to be paid on orders.

SECTION 16. That no moneys shall be paid by the treasurer, except upon orders drawn by the directors, and signed by at least two of said directors.

Repeal.

SECTION 17. That all acts of Assembly, or parts of acts hereby supplied or inconsistent with this act, are hereby repealed.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

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

WM. BIGLER.