

NO. 222.

AN ACT

Providing a system of management and control of the jail or county prison in each county of the fifth class; providing for a warden; defining his powers and duties; providing for other employes and salaries; and describing the duties and powers of the county commissioners and the sheriff in connection therewith.

Counties of the fifth class.

Jails and prisons.

Control and management.

Responsibility of sheriff for prisoners.

Receipt for prisoners.

County commissioners' minutes.

Rules and regulations.

Warden.

Employes.

Bond.

Section 1. Be it enacted, &c.; That in each county of the fifth class, the government, management, and control of the jail or county prison, and the safe-keeping, care, maintenance, discipline, and employment of prisoners therein, is exclusively vested in the county commissioners and the officers appointed by them as hereinafter provided. The responsibility of the sheriff of each of the said counties for the safe-keeping, care, and support of the prisoners shall cease and determine on their delivery to the proper authorities at the jail; and the sheriff shall no longer be furnished a residence in said institution. Acknowledgment of the delivery of each prisoner shall be made in the form of a receipt, given by the warden of the jail or his deputy to the sheriff or his deputy or to any one authorized to execute commitments, upon the arrival of the prisoner at the jail or county prison.

Section 2. The county commissioners shall keep regular minutes of its proceedings in all transactions authorized or directed by this act in a separate book.

The county commissioners shall, with the approval of the court of quarter sessions, make such rules and regulations for the government and management of the prison or jail, the care, maintenance, safe-keeping, discipline, and employment of the prisoners, and defining the duties of the employes therein, as may be deemed necessary.

The county commissioners shall appoint a warden and fix his salary.

The warden shall reside in the jail building. He may, upon approval of the county commissioners, appoint and fix the salaries of a physician, matron, and such deputies, assistants, or keepers, as may be required in taking care of the prison or jail and prisoners therein.

Section 3. The warden, prior to assuming the duties of his office, shall give bond to the Commonwealth of Pennsylvania, with good and sufficient security to be fixed and approved by the court of quarter sessions of such county, conditioned for the faithful performance of his duties and the delivery to his successor in office of all books, papers, documents, and records, and

also all goods, chattels, and effects, which he may have and hold in right of his said office or appointment. He may at any time be removed by the county commissioners. All deputies, assistants, or keepers shall, if required by the county commissioners, also give bond, to be approved by the county commissioners, and may at any time be suspended by the warden.

Removal.

Section 4. From and after the time when a warden of said jail or county prison shall be appointed and qualified to act, and shall have entered upon the duties of his office, he shall be the keeper of the jail or county prison of such county, and shall have the same powers and duties over the jail or county prison and the prisoners therein which by law is now vested in the high sheriff or other keeper of the jail or county prison of said county, and such other powers and duties as are described in this act or by the laws of this Commonwealth.

Powers and duties.

Section 5. The warden of said prison shall also take charge of all persons lawfully committed by any court, magistrate, justice of the peace, or alderman, or other officer having power to commit to prison, and said warden shall be responsible for the safe-keeping, care, maintenance, discipline, employment, and discharge of all persons so committed, in the same manner and to the same extent that sheriffs, jailors, or other keepers of county jails or prisons, are now by law held liable. He shall keep a journal, in which shall be regularly entered the names, sexes, length, and character of the sentence, date of reception, discharge, death, pardon, or other termination of the sentence of any prisoner. The said warden shall and he is hereby bound to deliver unto the sheriff of said county all prisoners whom by virtue of any sentence, order, or decree of any court the sheriff shall be required and directed to receive and take charge of for the purpose of carrying into execution such sentence, order, or decree.

Responsibility for prisoners.

Journal.

Delivery of prisoners to sheriff.

Section 6. The county commissioners shall make such inspections of the jail or county prison as may in their discretion be required, but at least once in each month by at least two of their members. When required by them, the warden shall furnish the county commissioners with a calendar of the persons confined in said prison, and the county commissioners shall, by actual inspection, see whether all persons named in said calendar are confined in the respective cells and apartments assigned to them. They shall have power to examine any person upon oath or affirmation relative to any abuse or oppression in said prison or other matter within the purview of their duties.

Inspection of jail by county commissioners.

Report of commis-
sioners to court.

Section 7. The county commissioners shall, on or before the first Monday of the first term of the court of quarter sessions in each year, make a report in writing to said court of the state of said prison. The report shall cover the previous calendar year, and shall contain the number of prisoners in confinement, their age, sex, alleged place of nativity, time of commitment, and by whom, for what offense, noting those who escaped, died, were pardoned or discharged, also such observations as may be the result of their experience, and give such information as they may deem expedient for making said prison effectual in the punishment and reformation of offenders, whereupon the said court may make such order on said report as it shall think proper, and cause said report to be filed in the office of the clerk of the court aforesaid.

Expenditures for
jails and prisons.

Section 8. All of the expenditures required in the government and management of the jail or county prison and for the care and maintenance of the prisoners therein shall be paid from the county treasury by warrants drawn by the county commissioners in like manner as for other expenditures for the county. Any contracts involving an expenditure of over one hundred dollars shall be awarded to the lowest responsible bidder, after advertising for bids, once a week for three weeks, in one of the newspapers of general circulation published in the county.

Contracts.

When effective.

Section 9. This act shall take effect on the first Monday of January, in the year one thousand nine hundred and twenty-two: Provided, nevertheless, That in counties where the term of sheriff does not begin on the day this act becomes effective, and where he acts as warden or keeper of the county jail or prison, this act shall not take effect until the expiration of the term of office of the sheriff then acting as jail or prison warden or keeper.

Proviso.

Repeal.

Section 10. All acts and parts of acts supplied by or inconsistent with any of the provisions of this act are hereby repealed, but this act shall not affect or repeal any local or special act.

APPROVED—The 10th day of May, A. D. 1921.

WM. C. SPROUL.