

No. 246.

AN ACT

Providing for county poor districts in counties of the sixth class; providing for their management, direction, and control by the county commissioners; defining their powers and duties; imposing certain duties upon the county treasurer and county controller or county auditors; abolishing the present poor districts, and transferring their property.

Counties of the sixth class.

County poor district.

Establishment.

Petition of electors.

Election.

Disposition of property of existing districts.

Township poor districts.

Borough poor districts.

City poor districts.

Section 1. Be it enacted, &c., That for the purpose of furnishing relief to the poor, destitute, and paupers, giving them employment, and carrying out the provisions of this act, each county of the sixth class is hereby created a poor district, to be known as "..... County Poor District."

Section 2. The county commissioners shall, upon the petition of at least two thousand electors of such county requesting the establishment of a county poor district, submit the question of the establishment of such district to the electors of the county at the next municipal or general election. If a majority of the persons voting at such election are in favor of the establishment of a county poor district, the result of such election shall be certified by the returning board to the county commissioners, and shall by them be entered upon their minutes, and thereupon it shall become the duty of the county commissioners to establish such district as is in this act provided.

Section 3. Upon the acceptance of this act, the title to all real and personal property, equipment, and supplies, now owned by the various township, borough, city, county, or other poor districts, within any such county is disposed of as follows, to wit:

That of each township poor district is hereby transferred to and vested in the township in which located. The township commissioners in first-class townships and the supervisors in second-class townships are hereby given the power and authority to sell the same and transfer the title thereto, and the proceeds thereof, together with all other moneys of such districts, shall be used for general township purposes.

That of each borough poor district is hereby transferred to and vested in the borough in which located. The council and burgess of such borough are hereby given the power and authority to sell the same and transfer the title thereto. The proceeds thereof, together with all other moneys of such district, shall be used for general borough purposes.

That of each city poor district is hereby transferred to and vested in the city in which located. The council and mayor of such city are hereby given the power and

authority to sell the same and transfer the title thereto. The proceeds thereof, together with all other moneys of such district, shall be used for general city purposes.

That of each county poor district, and of any other poor districts located in such county, other than those named above, is hereby transferred to and vested in the county in which located. The county commissioners of such county are hereby given the power and authority to use the same, if adaptable to the purposes, for the care of the poor as herein provided. All moneys in the treasury of such county or other poor district shall be forthwith paid to the county treasurer. If any of such property is not adaptable to the needs of the county poor district, the same shall be sold, and the proceeds of the sale be paid into the county treasury.

The sales above authorized shall be by public outcry or vendue and only after due public notice published, once a week for four weeks, in two daily or weekly newspapers published in such county, and by not less than ten handbills, one of which shall be posted on the property, if real estate, and at other conspicuous places in the poor district; in which handbills a description of the property and the time and place of sale shall be given.

Section 4. The county commissioners shall elect, on the first Monday of January in each year, the following officers to serve for one year, and fix their compensation, that is, a superintendent, a matron or matrons, a physician, and all other necessary employes and assistants; all of whom shall be subject to removal by the county commissioners at any time. They may require bond with security, in such amount as they deem proper, from any officer or employe appointed.

Section 5. The treasurer of such county shall be treasurer of said poor district. He shall receive all moneys belonging to the district, and pay out the same on warrants drawn by the county commissioners. The accounts of the treasurer with the said district shall be audited by the county controller or county auditors of said county, in accordance with the laws relating to accounts of county treasurers.

The county commissioners shall require the county treasurer to give bond, with sufficient surety, in such amount as they shall determine requisite, for the safe-keeping and proper payment of all moneys that come into his hands on account of said district.

Section 6. As soon as the county commissioners are prepared to accommodate the poor of said county poor district, they shall give notice of the same by personal notice upon each of the directors or overseers of the poor of each township, borough, city, county, or other

Other poor districts.

Sales of property of existing districts.

Advertising.

Officers and employes.

Treasurer.

Treasurer's bond

Notice to directors and overseers of existing districts.

poor district within said county, and also by publication, once a week for three weeks, in two newspapers in said county.

Removal of poor to poorhouse of county districts.

Section 7. Immediately after notice that the county commissioners are prepared to accommodate the poor of said district, it shall be the duty of the directors or overseers of the poor of each township, borough, city, county, or other poor district within said county, to remove all poor persons entitled to relief to the poorhouse as designated by the county commissioners, and deliver them to the custody of the superintendent; and, from and after such time, no expense for help, assistance, and maintenance of poor and destitute shall be incurred by such directors or overseers. When, by sickness or other sufficient cause, any poor person cannot be removed to said poorhouse, the overseers or directors shall represent the case to the nearest justice of the peace or alderman, who, being satisfied that said person cannot be removed, shall certify the same to the county commissioners, with an order directing the county commissioners to maintain such poor persons until he or she can be removed, and the charge and extra expense of such maintenance shall be paid by said county commissioners from the funds of the county poor district.

Removal prevented by sickness or other cause.

Abolishment of existing district

Section 8. After delivery of the poor and destitute to the county commissioners as before provided, the various township, borough, city, county, or other poor districts, within any such county, are hereby abolished, and the directors or overseers of the poor of such poor districts shall cease to act in such capacity, and said offices are hereby abolished, except so far as may be necessary to collect outstanding taxes, settle the accounts, pay the debts incurred, and wind up the unfinished business transactions of such district.

Acquisition of lands by county districts.

Section 9. Whenever any county poor district shall come within the provisions of this act, and no adequate site or suitable buildings are available for the care of the poor, or whenever the lands, buildings, furnishings, and equipment for maintaining the poor in such county poor district are inadequate, unsuitable, and unsafe for the proper maintaining of the poor within such county, the county commissioners are authorized to purchase or acquire by right of eminent domain, and take title in the name of the district, such lands as to them may appear most eligible and suitable for the purpose of the erection thereon of proper, adequate, and suitable buildings for the employment and support of the poor in such county. Any such purchase or acquisition shall be only with the approval of the court of quarter sessions.

After the purchase or acquisition of such lands, the said county commissioners, or a majority of them, are authorized to have prepared plans and specifications in accordance with existing law, and to cause the necessary buildings to be erected upon the lands according to said plans and specifications.

Erection of buildings.

Before the said county commissioners shall let any contract for the erection of said buildings according to plans and specifications adopted, they shall advertise, in two or more newspapers of general circulation in such county, for bids for the erection of buildings on said lands according to said plans and specifications. The letting of the contract or contracts for the erection of said buildings shall first be approved by the court of quarter sessions of such county.

Advertising for bids.

Approval of contracts by court.

All proceedings for the assessment of damages for property taken, injured, or destroyed, under the exercise of the right of eminent domain in this section conferred, shall be in accordance with proceedings provided for by existing laws for the acquisition of property for county purposes.

Eminent domain procedure.

Section 10. After the construction, equipment, and furnishing of new buildings, the county commissioners, with the approval of the court of quarter sessions of the respective county, are authorized to sell the site and buildings of any county poorhouse, and apply the proceeds of such sale, together with any sum or sums of money belonging to such poor district, by whomsoever the same may be held or deposited, toward the payment of such new lands, buildings, equipment, and furnishings.

Sale of old buildings.

Section 11. Whenever new buildings shall be finished and completed, the said county commissioners shall certify their proceedings to the clerk of the court of quarter sessions of said county, whereupon the said court shall appoint three competent and disinterested persons as viewers to view and thoroughly examine said buildings and report to the court whether the said contract or contracts have been faithfully and fully performed and completed; and, until such report be so made, final payment on said contract or contracts shall not be made. The said viewers shall be entitled to a sum not in excess of ten dollars per day for each day necessarily engaged in the performance of their duties, as the court shall determine, to be paid from the funds of the poor district.

Examination of new buildings by viewers.

Report of viewers.

Final payment for buildings.

Compensation of viewers.

Section 12. For the purpose of purchasing any lands or buildings, or erecting, constructing, repairing, improving, furnishing, and equipping any county poorhouse or buildings, the county commissioners are authorized to borrow money and issue bonds therefor and negotiate the same for the purpose of raising the nec-

County commissioners may borrow money and issue bonds.

Character of bonds.

essary money. Such bonds shall not be of a denomination less than one hundred dollars, nor bear interest of a higher rate than six per centum. They shall be payable by the said poor district, and shall not be sold below par, and shall not be subject to taxation, except for State purposes.

Quorum of commissioners.

Section 13. A majority of the county commissioners shall be a quorum for the transaction of business.

Regulations.

They shall have full power to make all such rules and regulations as they shall think proper, convenient, and necessary for the direction, government, and support of the poor, the poorhouse and grounds and poor farm, and of the revenues thereunto belonging, and of all such persons and things as shall come under their care or cognizance, but such rules and regulations shall not be repugnant to the Constitution or laws of this State or of the United States.

Repairs and improvements.

Section 14. The county commissioners shall make all necessary repairs and improvements of buildings and grounds, provide for the cultivation of the real estate and all things necessary for the maintenance and employment of the poor of such district, and use the proceeds of labor of the poor under their charge in their support and maintenance. They shall, from time to time, receive, maintain, provide for, and employ all paupers, poor, and destitute persons within their district entitled to relief and having a settlement therein.

Cultivation of real estate.

Receipt and maintenance of paupers.

Any such pauper, poor, or destitute person shall be admitted into the poorhouse on an order for that purpose granted by any two of the county commissioners or by any justice of the peace or alderman of the respective county, or upon a legal order of removal from any other county within this Commonwealth, or in such other manner as may be provided by existing laws. Said county commissioners may grant such relief as they may judge right, and, in exceptional and special cases, grant outdoor relief to poor persons, if they deem it best, but no person shall be entitled to claim relief who refuses to go to said poorhouse.

Admission of paupers.

Outdoor relief.

Discharge from poorhouse.

Said county commissioners may discharge from the said poorhouse any inmate whom they shall deem to possess sufficient mental and physical ability to take care of him or herself and provide for his or her maintenance and support, but such pauper, poor, or destitute person, so discharged, may, at any time thereafter, be readmitted in the manner aforesaid. Any pauper, poor, or destitute person, whose legal settlement is not in the county, may be admitted into the poorhouse by the county commissioners, whenever they shall deem it expedient, upon such terms, and be discharged therefrom in such manner, as shall be provided by their rules and regulations.

Paupers having settlement in another county.

Section 15. Such county commissioners shall meet at least once a month at the poorhouse, visit the apartments, inspect the management of the work upon and about the real estate, see that the poor are properly treated, hear all complaints, and cause all grievances that may happen by neglect to be redressed. They shall keep a record of their proceedings, which shall be evidence of their action in any subsequent judicial proceedings.

Meetings of
commissioners.

Section 16. All fines, forfeitures, bequest, gifts, and devises for the use of the poor of said district shall go to, and be received by, said county commissioners, who shall demand and receive the same, and use, invest, or expend the same, as they in their judgment deem best, for the purpose of providing support and employment for the poor and in paying the debts of said district.

Gifts, etc., to
district.

Section 17. The basis of taxation for poor purposes shall be the last preceding assessment for county rates and levies.

Taxation.
Basis.

The county commissioners shall have authority to levy and collect a tax, not exceeding in one year ten mills on the dollar of the assessed valuation, for the purpose of supporting the poor, paying officials and employes, and the current expenses of managing the buildings and the poor farm. The taxes shall be levied at the same time, and collected in the same manner, as other county taxes.

Rate.

Levy.

For the purpose of paying any debt incurred in the purchase of real estate and the erection of buildings, and to redeem bonds authorized by this act, and also for the purpose of making permanent improvements on real estate, the commissioners may levy a special tax, which shall be payable at the same time, and collected in the same manner, as the tax for current expenses.

Special tax.

Such special tax shall in no year exceed in amount one-half of the amount levied for current expenses.

Section 18. The county commissioners shall keep accurate accounts of all moneys received by them in any way for the purposes of this act, as well as all paid out, including such reasonable expenses as they may incur in carrying out their duties. All accounts under this act shall be audited by the county controller or county auditors, as the case may be.

Accounts.

Section 19. The county commissioners shall report to the court of quarter sessions, at its first term each year, a list of the number, ages, and sex of the persons maintained and employed in the poorhouse, a summary of the amount received and expended in their support, the balance of money on hand, and also an account of all sales or purchases of real estate, furnishings, or equipment, all donations, devises, and bequests

Reports of county
commissioners to
court.

that shall have been made by or to them, and of the improvement or additions to buildings or equipment.

Inspection of grounds and buildings.

Section 20. The poorhouse buildings and grounds shall, at all times, be open to inspection by the State Board of Public Charities and its agents, by visitation committees appointed or constituted by existing law, and by visitors appointed by the court of quarter sessions; and said court is hereby given authority to appoint such visitors as it shall deem proper from time to time, and the county commissioners shall, at all times when required, submit, to the inspection and free examination of such visitors, all their books, accounts, and records.

Repeal.

Section 21. All acts or parts of acts, general, special, or local, supplied by, or inconsistent with, the provisions of this act, be, and the same are hereby, repealed; but this repeal shall not be operative in any county until such county has come within the provisions of this act.

APPROVED—The 12th day of May, A. D. 1921.

WM. C. SPROULL.

No. 247.

AN ACT

Authorizing counties, cities, boroughs, towns, and townships to acquire lands by purchase, gift, or condemnation, and to convey such lands to the Commonwealth for use of the National Guard.

National Guard.

Municipalities may acquire land.

Eminent domain.

Section 1. Be it enacted, &c., That it shall be lawful for any county, city, borough, town, or township, to acquire, by purchase or by gift or by the right of eminent domain, any land for the use of the National Guard of Pennsylvania, and to convey such lands so acquired to the Commonwealth of Pennsylvania to assist the Armory Board in the erection of armories. The proceedings for the condemnation of lands under the provisions of this act, and for the assessment of damages for property taken, injured, or destroyed, shall be taken in the same manner as is now provided by law for the condemnation of lands for public purposes in counties, cities, boroughs, towns, and townships.

Property which cannot be condemned.

Section 2. The power conferred by this act shall not be exercised to take any church property, graveyard, cemetery, or any dwelling-house, or the curtilage of the same, in the actual occupancy of the owner.

APPROVED—The 12th day of May, A. D. 1921.

WM. C. SPROULL.