

Passed February 9, 1750-51. Confirmed by the King in Council, May 10, 1753. See Appendix XIX, Section I, and the Act of Assembly passed September 15, 1756, Chapter 411.

CHAPTER CCCXC.

AN ACT TO ENCOURAGE THE ESTABLISHING OF AN HOSPITAL FOR THE RELIEF OF THE SICK POOR OF THIS PROVINCE AND FOR THE RECEPTION AND CURE OF LUNATICS.

Whereas the saving and restoring useful and laborious members to a community is a work of public service, and the relief of the sick poor is not only an act of humanity but a religious duty: And whereas there are frequently in many parts of this province poor distempered persons, who languish long in pain and misery under various disorders of body and mind, and, being scattered abroad in different and very distant habitations, cannot have the benefit of regular advice, attendance, lodging, diet and medicines but at a great expense, and therefore often suffer for want thereof; which inconveniency might be happily removed by collecting the patients into one common provincial hospital, properly disposed and appointed, where they may be comfortably subsisted and their health taken care of at a small charge, and where by the blessing of God on the endeavors of skillful physicians and surgeons their diseases may be cured and removed: And whereas it is represented to this assembly that there is a charitable disposition in divers inhabitants of this province to contribute largely towards so good a work if such contributors might be incorporated with proper powers and privileges for carrying on and completing the same, and some part of the public money given and appropriated to the providing a suitable building for the purposes aforesaid:

Therefore for the encouragement of so useful, pious and charitable a design, we pray that it may be enacted,

[Section I.] And be it enacted by the Honorable James Hamilton, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute

Proprietaries of the Province of Pennsylvania and counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That it shall and may be lawful to and for all persons, each of whom shall have contributed or subscribed the sum of ten pounds or more towards founding and establishing an hospital for the reception and relief of lunatics and other distempered and sick poor within this province, or as many of them as shall think fit, to assemble and meet on the first day of the month called July next; and for all persons who shall thereafter contribute the like sum of ten pounds or more together with the said first subscribers [or so many of them as shall think fit,] to assemble and meet on the second day of the first week in the month called May yearly forever at some convenient place in the city of Philadelphia, then and there to elect by ballot twelve fit and suitable persons of their own number to be managers of the said contribution and hospital and one other person to be treasurer of the same until the next election; and further, to make such laws, rules and orders as shall appear to them the said contributors m[et] or the major part of them to be good, useful and necessary, for the well governing, ordering and regulating the said hospital and for the regulation of the future elections of managers, treasurer and other necessary officers and ministers thereof and for limiting and appointing their number, trust and authority, and generally for the well ordering all other things concerning the government, estate, goods, lands, revenues, as also all the business and affairs of the said hospital: All which laws, rules and orders so to be made as aforesaid shall be from time to time inviolably observed by all concerned, according to the tenor and effect of them, provided they be not repugnant to the laws of England or this government and are approved by the chief justice, the speaker of the assembly and the attorney general of this province for the time being under their hands and seals. And the said contributors shall be and [are] hereby made a body corporate in law to all intents and purposes, and shall have perpetual succession, and may sue or be sued, plead or be impleaded, by the name of the "Contributors.

to the Pennsylvania Hospital," in all courts of judicature within this province, and by that name shall and may receive and take any lands, tenements or hereditaments not exceeding the yearly value of one thousand pounds of the gift, alienation, bequest or devise of any person or persons whomsoever and of any goods or chattels whatsoever; and the said contributors are hereby empowered to have and use one common seal in their affairs and the same at their pleasure to change and alter.

Provided nevertheless, That no general meeting of the said contributors nor any persons acting under them shall employ any money or other estate expressly given or added to the capital stock of the said hospital in any other way than by applying its annual interest or rent towards the entertainment and care of the sick and distempered poor that shall be from time to time brought and placed therein for the cure of their diseases, from any part of this province, without partiality or preference.

And for the further encouragement of this beneficent undertaking,

[Section II.] Be it enacted by the authority aforesaid, That when the said contributors shall have met and chosen their managers and treasurer as aforesaid and shall have raised by their contributions a capital stock of two thousand pounds value (the yearly interest or rent of which is to be applied to the accommodating of the sick poor in the said hospital free of charge for diet, attendance, advice and medicines), and shall make the same appear to the satisfaction of the speaker of the assembly for the time being, that then it shall and may be lawful for the said speaker of the assembly, and he is hereby required, to sign an order or orders on the provincial treasurer or trustees of the loan office for the payment of two thousand pounds in two yearly payments to the treasurer of the said hospital, to be applied to the founding, building and furnishing of the same.

[Section III.] And be it further enacted by the authority aforesaid, That the accounts of the disbursements of the said two thousand pounds so ordered by the speaker of the assembly aforesaid or any part thereof that shall be hereafter expended, as the case may be, and of the rents, products and interests of any real or personal estates or sums of money charitably given

to the use of the said hospital, together with a list of such donations, shall be fairly drawn out and published annually in the Gazette or other newspapers; and the managers of the said hospital shall at all times when required submit the books, accounts, affairs and economy thereof to the inspection and free examination of such visitors as may from time to time be appointed by the assembly of this province to visit and inspect the same.

[Section IV.] Provided always, and it is hereby further enacted by the authority aforesaid, That if at any time hereafter there should not be a constant succession of contributors to meet yearly and choose managers as aforesaid then the said hospital and the estate and affairs thereof shall be in the management and under the direction of such persons as shall be from time to time appointed by act of general assembly of this province for that purpose.

Passed May 11, 1751. Confirmed by the King in Council, May 10, 1753. See Appendix XIX, Section I, and the Acts of Assembly passed April 21, 1759, Chapter 439; September 26, 1761, Chapter 470; February 28, 1787, Chapter 1262; April 11, 1793, Chapter 1693; April 4, 1796, Chapter 1908; April 4, 1805, P. L. 263; April 3, 1872, P. L. 870.

CHAPTER CCCXCI.

AN ACT FOR REPEALING AN ACT, ENTITLED "A SUPPLEMENT TO THE ACT, ENTITLED 'AN ACT FOR IMPOSING A DUTY ON PERSONS CONVICTED OF HEINOUS CRIMES AND TO PREVENT POOR AND IMPOTENT PERSONS BEING IMPORTED INTO THIS PROVINCE.'" ¹

[Section I.] Be it enacted by the Honorable James Hamilton, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and the counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the

¹ Passed September 2, 1738, Chapter 347.