

CHAPTER MDCXCIII.

AN ACT FOR EXTENDING THE BENEFITS EXPERIENCED FROM THE INSTITUTION OF THE PENNSYLVANIA HOSPITAL.

Whereas it appears from the accounts annually laid before the legislature, and from other authentic documents, that the institution of the Pennsylvania Hospital hath been extensively useful, not only to the diseased and unfortunate in body and mind of this state, but to those in like circumstances from other states and countries, and that the limits of the present building are insufficient to receive the number of patients, which from the increased population of this state and the intercourse with other states and countries, are daily applying for admission to the benefits of the institution, and from the mode of conduct pursued in the said house by the managers and physicians thereof, the legislature are firmly persuaded that the grant hereinafter contained will not only meet the approbation of their constituents, but of the friends of humanity throughout the civilized world, to whom a knowledge thereof shall come, and whereas the extending the usefulness of the institution to the further purposes of a lying-in foundling hospital is deemed to be an object deserving of public encouragement: Therefore:

[Section I.] (Section I, P. L.) 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 twenty-six thousand six hundred and sixty-six dollars and sixty-seven cents be, and they are hereby, granted to the contributors to the Pennsylvania Hospital, for the uses and purposes hereinafter mentioned, out of the principal and interest which now is, or on the first day of January last was, or hereafter may, become due to this commonwealth, in pursuance of an act passed on the

twenty-sixth day of February, one thousand seven hundred and seventy-three, entitled "An act for emitting the sum of one hundred and fifty thousand pounds in bills of credit on loan, and providing a fund for the payment of public debts,"¹ and of the bonds, mortgages and other securities which have been taken by the loan officer, in pursuance of the said act, and which are now in the possession and custody of the state treasurer, [at] it shall and may be lawful for the state treasurer, at the request of the treasurer of the contributors to the Pennsylvania Hospital, at any time after the passing of this act, to pay over to the said treasurer, all such money as shall have been paid into the treasury of this commonwealth since the said first day of January last, in discharge of the said bonds, mortgages and other securities; taken in pursuance of the said act, and to assign, transfer, and set over to the managers of the Pennsylvania Hospital, all the said bonds, mortgages and securities now in his possession, whereon any part of the said principal and interest may at the time of such assignment remain due, taking receipts therefor from the said treasurer of the contributors to the Pennsylvania Hospital, which receipts shall be available to the state treasurer in the settlement of his account with this commonwealth.

Provided always nevertheless, That previous to the payment of the said moneys, or the assignment of the said securities, or any of them, such sufficient security, as shall be approved by the governor of this commonwealth, shall be given by the said managers on behalf of the said institution, with condition that they and their successors shall use their utmost endeavors to collect the moneys due on the said securities, and shall, within three years from and after the passing of this act, pay to the treasurer of this commonwealth, such surplus as may remain in their hands (beyond the said sum of twenty-six thousand six hundred and sixty-six dollars and sixty-seven cents), together with interest thereon, from the time of their receiving the same.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That the managers of the said con-

¹ Chapter 672.

tribution and hospital shall be, and are hereby, appointed trustees, for the purpose of collecting the moneys due as aforesaid, and shall have, use, exercise and enjoy the same powers and authorities, which by the said recited act were given to the trustees of the said loan office, and by the ninth section of an act passed on the first day of April, one thousand seven hundred and ninety, entitled "An act to enforce the due collection of the revenues of this state, and for other purposes therein mentioned,"¹ were transferred to and vested in the treasurer of the state, touching the collection of the same.

Provided, That nothing in this act contained, shall in any degree affect such proceedings as have already taken place, for the recovery of any of the moneys due on the said bonds, mortgages or securities, but the same shall be conducted in the same manner and form as if this act had not been passed, excepting only that the said managers shall, as trustees aforesaid, conduct and superintend the same, in the same manner as the state treasurer might or could otherwise have done.

And provided also, That nothing in this act contained, shall in anywise be construed to affect such exonerations from, or extensions of the time of making payment of any of the moneys due or to become due, in manner aforesaid, as the legislature have or hereafter may think just and necessary, on behalf of any of the said obligors or mortgagors, who have been or may hereafter be liable to pay the same.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the contributors to the Pennsylvania Hospital shall, and they are hereby enjoined and required to expend the moneys hereby granted, in the erection, finishing and furnishing, for the accommodation of the diseased in body and mind, one building fronting the west part of their hospital lot, at the same distance from Ninth street as the present building is distant from Eighth street, and of the same form so as to be a wing in all respects, as nearly as may be uniform thereto in external appearance, and with such variation in the internal apartments, as experience has shown to be necessary

¹Chapter 1506.

for the better accommodation of lunatics and persons disordered in mind, and other patients, and one other building to connect the said wings, for the accommodation of the managers, physician, apothecary, steward, matron and other officers and servants of the said hospital, and for a library and other offices necessary thereto, and to render an account to the general assembly within the month of January in every year, from January, one thousand seven hundred and ninety-five, inclusive, until the said building shall be finished, of the moneys by them received and expended in the prosecution of the said buildings in pursuance of this act.

(Section IV, P. L.) And whereas the extension of the buildings of the said Pennsylvania Hospital hereby provided for, will necessarily increase the expense of maintaining the increased number of patients therein to be admitted, and the benevolence of generous and charitable persons willing to contribute to the support of the institution ought to be aided by every means in the power of the legislature, and it is represented that considerable sums of money have for some time remained in the hands of the commissioners of bankrupts, unclaimed by the persons to whom the same, respectively, belong, and it will afford an additional security to the persons entitled to the same, to place them in the hands of a permanent corporate body, subject to such claims.

[Section IV.] Be it therefore enacted by the authority aforesaid, That the commissioners of bankrupts, appointed by the president of the supreme executive council or by the governor of this commonwealth, in pursuance of an act of the general assembly of Pennsylvania,¹ passed the sixteenth day of September, one thousand seven hundred and eighty-five, and the acts amending the same, shall, on or before the first day of February next, make out just and true accounts of their administration of the estate and effects of all and every the bankrupts of whom they have been or are commissioners, containing the neat amount of the produce of each bankrupt's estate and effects, and of the aggregate amount of debts due from each

¹Chapter 1183.

bankrupt, and of the dividend or dividends thereof declared and advertised, and of the time of payment of the same, and of the surplus undivided and remaining in their hands, of each respective estate, and of the creditors to whom they have paid their respective dividends, and of those who have not applied for and demanded the same, and shall certify such accounts under their hands and seals, or the hands and seals of the major part of the survivors of them, and deliver the same to the master of the rolls of the commonwealth, to be recorded in his office, and shall pay the net amounts of the said unclaimed dividends and surpluses, after the expiration of the term aforesaid, respectively, to the treasurer of the contributors to the Pennsylvania Hospital, taking his receipts for the same, and he paying the costs of making out and recording the said accounts, which receipts shall forever discharge the said commissioners of bankrupts, and the survivors and survivor of them, and his executors and administrators, of and from all claims from the creditors of the bankrupts, in such accounts mentioned, for the respective sums therein contained and paid over for dividends and surpluses, and in lieu of the said commissioners, the contributors to the Pennsylvania Hospital shall become, and be and remain, liable to the said non-claiming creditors of such bankrupts, for all and every sum and sums of money by their treasurer received and contained in such accounts and receipts, whensoever the same shall be lawfully demanded by the respective creditors, their executors, administrators or assigns.

Provided nevertheless, That such demand or claim shall be liable to the same limitations as other debts and demands are by law liable to.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That if the commissioners of bankrupts in any commission named, or the survivor or survivors of them, upon reasonable request of the treasurer of the contributors to the said Pennsylvania Hospital, and tender of a sufficient sum to pay the costs of making out and recording the accounts hereinabove mentioned, shall neglect or refuse to make out and certify the same, and pay the said unclaimed dividends in manner aforesaid, they, and the survivor and sur-

vivors of them, and his executors and administrators, shall forfeit and pay to the contributors to the Pennsylvania Hospital, the sum of two hundred dollars for every such neglect or refusal, to be recovered by action of debt, in any court of record within this commonwealth having competent jurisdiction of such demands.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That as the relief of unfortunate women laboring in child birth and not able to provide for the expenses necessarily incident thereto, and also the misfortunes of suffering and forsaken infancy, are objects very deserving of some humane provision, it shall and may be lawful for the managers of the Pennsylvania Hospital to provide commodious apartments, for the purpose of answering the ends intended by a lying-in and foundling hospital, whenever moneys shall be placed in their hands for such a purpose, and that they are hereby authorized to call for any such sums as may now be detained for such an use, whenever they shall be in a situation to carry the benevolent design, for which such moneys were granted, into full effect, anything in the constitution or charter of the said hospital to the contrary thereof notwithstanding.

Passed April 11, 1793. Recorded L. B. No. —, p. —. (not given).

See the act of May 11, 1751; Chapter 390, incorporating the Hospital. For the Bankrupt Laws see Act of September 16, 1785. Chapter 1183. See Act of April 18, 1794; Chapter 1746, extending limit of time in Section IV P. L. Supplement passed April 4, 1796. Chapter 1908.

CHAPTER MDCXCIV.

AN ACT TO APPROPRIATE CERTAIN SUMS OF MONEY FOR THE LAYING OUT, OPENING AND IMPROVING SUNDRY ROADS WITHIN THIS COMMONWEALTH, AND FOR OTHER PURPOSES THEREIN MENTIONED.

[Section I.] (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of