

No. 30.

AN ACT

Relative to the Western and Eastern state penitentiaries, and to the Philadelphia county prisons.

SECT. 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 the inspectors of the Western Penitentiary be and they are hereby authorized to cause to be taken down all the cells within the outer walls of the said penitentiary, and cause to be erected in lieu thereof, upon a plan most approved by them, one hundred and eighty four cells, adapted to separate or solitary confinement, with labor, as now practised in the Eastern Penitentiary. Inspectors of Western penitentiary to construct 184 cells upon new principle.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the sum of sixty thousand dollars be and the same is hereby appropriated to effect the alterations authorized by the first section of this act, and the further sum of one hundred and thirty thousand dollars, be and is hereby appropriated for the completion of the Eastern Penitentiary, the said sums of sixty thousand, and one hundred and thirty thousand dollars, to be paid by warrants drawn by the Governor in favor of said inspectors respectively: *Provided,* That the Governor shall have full power to draw warrants for said money in such instalments only as in his opinion the progress of the work requires: *And provided also,* That the said inspectors furnish a detailed statement of their accounts to the accountant department, half yearly, to be settled and adjusted in the usual manner, and the wardens of said penitentiaries shall be authorized to administer an oath or affirmation where it may be necessary in the performance of their duties respectively. Appropriations, \$60,000 for Western and \$130,000 to complete Eastern penitentiary. Proviso. Instalments to be paid at discretion of Governor. 2d proviso. Semi-annual statement of accounts. Wardens to administer oaths.

SECT. 3. *And be it further enacted by the authority aforesaid,* That if on the annual settlement of the accounts of the Eastern and Western penitentiaries it shall be found that the nett profits on the articles manufactured and the labor performed shall be equal to the full amount of expenditures of said establishments, that the inspectors shall not make any charge to the counties from whence the prisoners are sent, and that whenever the whole number of convicts from any one county earn as much as the amount of expenses of said prisoners that the said counties shall not be chargeable for the deficiency of any one individual prisoner. When profits of manufactures equal expenditures, counties to be free from charge for convicts, &c.

Penit'y. accts heretofore audited by c'ty. auditors to be adjusted annually by accountant of office of state:

SECT. 4. *And be it further enacted by the authority aforesaid,* That so much of the seventh section of an act entitled "A supplement to an act entitled An act to reform the penal laws of this commonwealth," passed the twenty-third of April, one thousand eight hundred and twenty-nine, as directs that the accounts of the Western and Eastern penitentiaries shall be audited by the auditors of the county of Allegheny and the county of Philadelphia, be and the same is hereby repealed, and that the inspectors of said penitentiaries, shall, on or before the first Monday in February in every year, transmit to the accountant department a detailed statement of their accounts, to be settled and adjusted in the usual manner.

Certain portions of acts of 1829 and 1830 repealed.

SECT. 5. *And be it further enacted by the authority aforesaid,* That so much of the third section of an act passed the twenty-third of April, eighteen hundred and twenty-nine, entitled A supplement to an act entitled An act to reform the penal laws of this commonwealth, as relates to the grand juries of the counties of Allegheny and Philadelphia, so much of the eighth section of said act as relates to the time of making the annual report, and so much of the ninth section of said act as relates to the maintenance of the convicts, and the third section of an act passed the third of April eighteen hundred and thirty, entitled "An act providing the means of employing the convicts in the Eastern and Western penitentiaries," be and the same are hereby repealed.

Comm'rs. under the act of 30th March, 1831, authorized to borrow an additional sum of \$70,000.

SECT. 6. *And be it further enacted by the authority aforesaid,* That the commissioners appointed pursuant to the act entitled "An act to provide for the erection of a new prison and debtors apartment within the city and county of Philadelphia, and for the sale of the county prison in Walnut street in said city," passed the thirtieth of March, one thousand eight hundred and thirty one, and their successors in office, be and they are hereby authorized to borrow from any person or persons, bodies politic or corporate, a further sum of seventy thousand dollars beyond the sum of one hundred and fifty thousand, which the said commissioners are already authorized to borrow, pursuant to the act of the thirtieth of March eighteen hundred and thirty-one, so that the sum or sums of money shall not altogether exceed the sum of two hundred and twenty-thousand dollars, at such times as they may think proper and necessary, to defray the expenses of finishing the aforesaid prisons; and it shall be the duty of the said commissioners to issue a certificate or certificates under their hands to the lenders, in sums not less than one hundred dollars, for the payment of the sum or sums lent, with interest, not exceeding five per centum per annum, payable half yearly, which said certificate or certificates shall be entered in a book kept for that purpose, and shall

Certificates of stock, rate of interest, &c.

be severally transferable by the lender or lenders or his, her, or their legal attorney, attornies, executors, administrators or assigns, by endorsement thereof at the office of the commissioners, and in the presence of one of them, or such officer as they may appoint for that purpose.

SECT. 7. *And be it further enacted by the authority aforesaid,* That for the security of the persons who may become holders of the loans hereby authorized, that "the jail and penitentiary house in Philadelphia, commonly called the Walnut street prison and the Prune street apartment, and the lots of ground bounded by Walnut, Sixth and Prune streets, in the said city," shall be and the same are hereby specifically pledged as a security for the payment of all loan or loans authorized by this act; that the said commissioners and their successors in office, or a majority of them, be and they are hereby authorized to make sale of all that lot and piece of ground whereon the prison and debtors apartment are erected, commonly called "the Arch street prison;" bounded on the north by Arch street, on the east by Broad street, and on the south by land now belonging to Joshua Percival and wife, and formerly of Anthony Cuthbert, deceased, and on the west by Schuylkill Eighth street, in the city of Philadelphia aforesaid, together with all the rights, privileges and appurtenances thereunto belonging, altogether or in such parts or parcels, at such time or times, and upon such terms and conditions as they, the said commissioners, or a majority of them may determine, to make and execute a good and sufficient deed or deeds, conveying of fee simple to the purchaser or purchasers, and appropriate the proceeds thereof to the payment and liquidation of the said sum of two hundred and twenty thousand dollars, or so much as shall be borrowed: *Provided always nevertheless,* That the said prison, commonly called "the Arch street prison," shall remain until all the prisoners confined therein shall be by law removed therefrom.

Certain property pledged to loan holders.

Commissioners authorized to sell Arch street prison.

Proviso.

SECT. 8. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commissioners of the county of Philadelphia to provide from time to time and pay over to the commissioners aforesaid, and their successors in office, sufficient sums of money to pay the interest on all loans which have already or which may hereafter be made by them for the finishing the building of the prison in the township of Moyamensing in the county of Philadelphia aforesaid, which may become due half yearly on said loans, and thus for that purpose they are hereby authorized and required to raise money in any mode or manner in which money for the ordinary purposes and expenses of the said county may by law be raised and obtained.

County commissioners of Phila. to pay interest on Moyamensing prison loans.

Comm'rs. under act of March 30, 1831, to pay off loans from proceeds of sale of Walnut, Prune & Arch street prisons.

SECT. 9. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said commissioners appointed in pursuance of the act of Assembly passed the thirtieth of March, one thousand eight hundred and thirty-one, as aforesaid, for erecting the said prison, and their successors in office, and they are hereby expressly enjoined and required, so soon as they receive the moneys arising from the sale as well of the said Walnut street prison and Prune street apartment and the lots thereunto belonging, as also all that lot and piece of ground whereon the prison and debtors apartment are erected, commonly called the Arch street prison, bounded as is hereinbefore described, together with all the rights, privileges and appurtenances thereunto belonging, to satisfy and discharge all sum or sums of money which they may have borrowed, as well by virtue and under the authority of the aforesaid act of the thirtieth March, one thousand eight hundred and thirty one, as by virtue and authority hereof, and all other debts by them contracted in pursuance of the act of the thirtieth March, one thousand eight hundred and thirty-one, and the provisions of this act.

Counties of Centre, Mifflin & Juniata transferred from Western to Eastern peniten. dist.

SECT. 10. *And be it further enacted by the authority aforesaid,* That the counties of Centre, Mifflin and Juniata, from and after the passage of this act, be and the same are hereby attached to the Eastern district of Pennsylvania, so far as regards the punishment of offenders convicted in said counties.

SAM'L. ANDERSON,

Speaker of the House of Representatives.

JESSE R. BURDEN,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini, eighteen hundred and thirty-three.

GEO. WOLF.

No. 31.

AN ACT

To enable Thomas Laird, of the borough of Erie to perfect his title to out-lot number four hundred and twelve of the second section of the town of Erie.

Preamble. WHEREAS it has been represented that out-lot number four hundred and twelve of the second section of the town