

No. 179.

AN ACT

To provide for the erection of a house for the employment and support of the poor for the county of Lehigh.

SECTION 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

Commissioners.

Lewis Schmidt, Michael D. Eberhard, John S. Gibons, Casper Kleckner, John Ritter, Martin Ritter, Charles Foster, Charles Burkhalter, Philip Knappenburger, Daniel Bastian, Solomon Fogel, John Lichtenwalder, Conrad Knerr, John Weida, Benjamin Bare, Jesse Grim, David Follweiler, Tobias Schmidt, Asa Krames, Michael Harter, Benjamin Breinig, George Levan, Peter Troxel, Solomon Knauss, Charles Ritter, John Peter, Jacob Erdman and Henry Yager, be and hereby are appointed commissioners, whose duty it shall be, or a majority of them, on or before the first day of January, Anno Domini, one thousand eight

Purchase real estate.

hundred and forty-five, to determine upon and purchase such real estate as they shall deem necessary for the accommodation of the poor of Lehigh county; and it shall be lawful for said commissioners, or a majority of them, to take conveyances therefor, in the name and for the use of the corporation mentioned in the third section of this act; and they shall certify their proceedings therein, under their hands and seals to the clerk of the court of quarter sessions of Lehigh county, to be filed in his office; and at the next general election the qualified electors shall elect three reputable citizens of the said county, to be directors of the poor and of the house of employment for the county of Lehigh, for the ensuing year; and the judges of the election of said county shall immediately, on receiving the returns from the several election districts, and casting up the number of votes therein, or within three days thereafter, certify under their hands and seals, the names of the persons so elected directors, to the clerk of the court of quarter sessions of the said county, who shall file the said certificate in his office, and forthwith give notice in writing to the said directors of their being elected; and the said directors shall meet at the court house in the said county, on the first Monday of November next, ensuing their election, and divide themselves by lot, into three classes—the place of the first to be vacated at the expiration of the first year; of the second at the expiration of the second year; and the third at the expiration of the third year; so that those who shall be chosen after the first election, and in the mode above described, may serve for three years, and one-third may be chosen annually.

Election of directors.

for the ensuing year; and the judges of the election of said county shall immediately, on receiving the returns from the several election districts, and casting up the number of votes therein, or within three days thereafter, certify under their hands and seals, the names of the persons so elected directors, to the clerk of the court of quarter sessions of the said county, who shall file the said certificate in his office, and forthwith give notice in writing to the said directors of their being elected; and the said directors shall meet at the court house in the said county, on the first Monday of November next, ensuing their election, and divide themselves by lot, into three classes—the place of the first to be vacated at the expiration of the first year; of the second at the expiration of the second year; and the third at the expiration of the third year; so that those who shall be chosen after the first election, and in the mode above described, may serve for three years, and one-third may be chosen annually.

Classification of directors.

SECTION 2. Every director elected in the manner aforesaid, or appointed as hereinafter directed, shall, within ten days after he is notified of said election or appointment, and before he enters on the duties of said office, take an oath or affirmation before any justice of the peace of said county, who is hereby authorized to administer the same; that he will discharge the duties of director of the poor for said county, truly, faithfully and impartially, to the best of his knowledge and ability; and in case of neglect or refusal to take the said oath or affirmation within the time aforesaid, and perform the duties aforesaid, he shall for-

Oaths.

Penalty for refusal.

feit and pay the sum of ten dollars for the use of the poor of said county, which fine shall be recovered by the directors for the time being, as debts of the same amount are or shall be by law recoverable; and the directors qualified as aforesaid, are hereby authorized to administer oaths or affirmations in any case where it shall be necessary, in relation to the duties of their office.

SECTION 3. The said directors and their successors, shall forever hereafter, in the name and in fact, be one body politic and corporate in law, to all intents and purposes whatsoever, relative to the poor of the county of Lehigh, and shall have perpetual succession, and may sue and be sued, plead and be impleaded, by the name, style and title of "the directors of the poor and of the house of employment for the county of Lehigh," and by that name shall and may receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of ten thousand dollars; and any goods and chattels whatsoever, of the gift, alienation or bequest, of any person or persons whatsoever; to purchase, take and hold any lands and tenements within their county, in fee simple or otherwise, and erect thereon suitable buildings for the reception, use and accommodation of the poor of said county; to provide all things necessary for the reception, lodging, maintenance and employment of said poor; to appoint a treasurer annually, who shall give bond with sufficient surety for the faithful discharge of the duties of his office, and at the expiration thereof that he will well and truly pay and deliver over to his successor in office, all moneys, bonds, notes, books, accounts and other papers, to the said corporation belonging, which shall then be remaining in his hands, custody and possession; and the said directors shall employ and at pleasure remove a steward or stewards, and require of him or them an oath or affirmation, and such security for the faithful performance of his or their duties, as the board of directors shall deem expedient; and to appoint a matron or matrons, physician or physicians, surgeon or surgeons, and all other attendants that may be necessary for the said poor respectively; and at pleasure remove, and to bind out as apprentices, so that such apprenticeship may expire, if males, at or before the age of twenty-one years—if females, at or before the age of eighteen years: *Provided*, That no child shall be bound out for a longer time than until he arrives to the age of eighteen years, unless he be bound out to a trade other than a farmer: *And provided*, In all cases the person to whom they are bound be required to give the child at least three months schooling in each year: *Provided also*, That no child shall be bound without the limits of the state, or at a greater distance than fifty miles from the poor house; and the said directors shall exercise and enjoy all such other powers, now vested in the overseers of the poor, as are not herein granted or supplied; and the said directors are hereby empowered to use one common seal, in all business relating to the said corporation, and the same at their pleasure to alter and renew.

Name.

Powers and privileges.

Officers and agents, duties, &c.

SECTION 4. The said directors shall on or before the first day of January, one thousand eight hundred and forty-five, furnish to the county commissioners, an estimate of the probable expense of purchasing the lands, erecting the buildings and furnishing the same and maintaining the poor for one year; whereupon said commissioners shall and they are hereby authorized to increase the county tax by one-fourth of the sum necessary for the purpose aforesaid, and shall procure on loan or credit of the taxes herein directed to be levied, the remaining three-fourths thereof, to be paid in instalments, with interest, out of the county taxes: *Provided always*, That if such loan cannot be made, the whole amount of the sum necessary for the purpose aforesaid, or

Estimate of buildings, &c.

Tax.

Loan.

Proviso.

- Tax.** such part thereof as may be deemed proper, shall immediately be added to the county tax, to be paid by the county treasurer to the directors aforesaid, on orders drawn in their favor by the county commissioners, as the same may be found necessary.
- Estimate of expense for supporting poor house.** SECTION 5. It shall be the duty of the said directors on or before the first day of November, in each and every year, to furnish the commissioners of said county, with an estimate of the probable expense of the poor and poor house for one year; and it shall be the duty of said commissioners to assess and cause to be collected, the amount of said estimate, which shall be paid to said directors by the county treasurer, on warrants drawn in their favor by the county commissioners, as the same may be found necessary; and the said directors shall, at least once in every year, render an account of all moneys by them received and expended, to the auditors appointed to audit and settle the county accounts, subject to the same penalties, rules and regulations, as are by law directed, respecting the accounts of the county commissioners; and
- Accounts.** shall, at least once in every year, lay before the court of quarter sessions and grand jury of said county, a list of the number, ages and sexes of the persons maintained and employed in the said house of employment, or supported or assisted by them elsewhere, and of the children by them bound out to apprenticeship as aforesaid, with the names of their masters or mistresses, and their trade, occupation or calling; and shall, at all times, when thereunto required, submit to the inspection and free examination of such visitors as shall, from time to time, be appointed by the court of quarter sessions of the said county, all their books and accounts, together with the rents, interests, and moneys payable and receivable by the said corporation; and also an account of all sales, purchases, donations, devises and bequests, as shall have been made by them or to them.
- Quarter sessions.**
- Apprenticeship.**
- Visitors.**
- Admission of poor.** SECTION 6. As soon as the said buildings shall be erected, and all necessary accommodations provided therein, notices shall be sent, signed by any two of the said directors, to the overseers of the several townships and borough of the said county of Lehigh, requiring them, forthwith, to bring the poor of their respective townships and borough, to the said house of employment; which order, the said overseers are hereby enjoined and required to comply with, or otherwise to forfeit the costs of all future maintenance, except in cases when by sickness or any other sufficient cause, any poor person cannot be removed, in which case, the said overseers shall represent the same to the nearest justice of the peace, who being satisfied of the truth thereof, shall certify the same to the said directors; and at the same time, issue an order under his hand and seal, to the said overseers, directing them to maintain such poor until such time as he or she may be in a situation to be removed, and then convey the said pauper and deliver him or her to the steward or keeper of the said house of employment, together with the said order; and the charge and expense of such temporary relief and of such removal, shall be paid by the said directors, at a reasonable allowance.
- Temporary relief.**
- Provision and employment of the poor.** SECTION 7. The said directors shall, from time to time, receive, provide for and employ, according to the true intent and meaning of this act, all such poor and indigent persons as shall be entitled to relief, or as shall have gained a legal settlement in the said county of Lehigh, and shall be sent there by an order or warrant for that purpose, under the hands and seals of any two justices of the peace, directed to any constable of the said county of Lehigh, or to the overseers of the proper township in any other county of this commonwealth; and the said directors are hereby authorized, when they shall deem it proper and
- Out-door relief.**

convenient to do so, to permit any poor person or persons to be maintained elsewhere: *Provided*, That the expense of their maintenance does not in any case exceed that for which they could be maintained at the poor house of the said county of Lehigh. Proviso.

SECTION 8. The said directors or any two of them, who shall be a quorum, in all cases to do business, shall have full power to make and ordain all such ordinances, rules and regulations, as they shall think proper, convenient and necessary, for the direction, government, and support of the poor and house of employment aforesaid, and of the revenues thereunto belonging, and of all such persons as shall come under their cognizance: *Provided*, The same be not repugnant to this law or any of the other laws of this state or of the United States: *And provided*, also, That the same shall not have any force or effect until they shall have been submitted to the court of common pleas, for the time being, of the county of Lehigh, and shall have received the approbation of the same. Quorum. Rules. Proviso.

SECTION 9. A quorum of said directors shall and they are hereby enjoined and required to meet at the said house of employment, at least once in every month, and visit the apartments and see that the poor are comfortably supported, and hear all complaints and redress, or cause to be redressed all grievances that may happen by the neglect or misconduct of any person or persons in their employment or otherwise. Monthly meet- ings.

SECTION 10. The said directors shall, each of them, receive for their service, annually, the sum of twenty dollars to defray the expenses of their necessary attendance on the duties of their office. Pay.

SECTION 11. In case any vacancy or vacancies should happen by death, resignation, removal out of the county or otherwise, the remaining directors or director, together with the court of quarter sessions of the said county, shall appoint a suitable citizen or citizens, to fill such vacancy or vacancies until the next general election, when a director or directors shall be elected for the unexpired term of said vacancy or vacancies. Vacancy.

SECTION 12. The commissioners of said county of Lehigh, are hereby directed to pay to each of the commissioners named in the first section of this act, the sum of one dollar per day for each and every day he shall necessarily spend in performing the duties prescribed by the first section of this act; and also to pay each of the directors a reasonable compensation for their services during the term they are employed in erecting any building or buildings aforesaid: *Provided*, The same shall not include the annual sum allowed them by this act exceed fifty dollars for any one year. Commissioners of Lehigh county. Proviso.

SECTION 13. All claims and demands in relation to the poor in the aforesaid county, existing at the time of this act being carried into effect, shall have full force and effect, as if this act had not been passed; and when the same shall have been duly adjusted and settled, all moneys remaining in the hands of the overseers, as well as the uncollected taxes levied for the support of the poor in the said townships and borough in said county of Lehigh, shall be paid over to the supervisors of the highways of the respective townships and borough, to be by them applied towards repairing the roads therein. Claims.

SECTION 14. As soon as the poor of the county of Lehigh shall be removed to the house of employment of the said county, and the outstanding debts and taxes collected and paid over, the office of overseer of the poor within the said county shall from thenceforth be abolished.

SECTION 15. The powers conferred and the duties imposed on the overseers of the poor in and by an act to empower the overseers and

Certain powers transferred to supervisors. guardians of the poor of the several townships within this commonwealth, to recover certain fines, penalties and forfeitures, and for other purposes, are hereby conferred and imposed on the supervisors of the highways in said county of Lehigh; and that the justices of the peace and sheriff within the said county, are hereby required and enjoined to pay to said supervisors, to be by them applied to the repair of the highways, the aforesaid fines, forfeitures and penalties, within the time and in the manner prescribed by the said act, for the payment thereof, in other counties, to the overseers of the poor, and to give notice of the receipt thereof to the said supervisors within the time and in the manner aforesaid; and that for any neglect or refusal to perform any of the duties enjoined on them by the said act, the said justices of the peace and sheriff in said county, shall be subject to all fines, penalties, and forfeitures, to which justices and sheriffs in other counties, by the said act, are subject or liable.

Repeal.

SECTION 16. So much of the laws of this commonwealth relating to the poor, as are by this act altered or supplied, be and the same are hereby repealed, so far as they affect the county of Lehigh.

Notice of commissioners' appointment.

SECTION 17. That the sheriff of the said county shall, in due time, notify the said commissioners of their appointment, and when and where they shall meet for entering upon the duties assigned them by this act, which place of meeting shall be as near the centre of the county as possible.

Citizens to vote for or against a poor house.

SECTION 18. For the purpose of ascertaining the sense of the citizens of Lehigh county, as to the expediency of erecting a poor house, it shall be the duty of each of the inspectors for the several townships and borough, at the next general election, to receive tickets either written or printed, from the qualified voters thereof, labelled on the outside "poor house," and in the inside, "for a poor house" or "against a poor house;" and if it shall appear upon casting up the votes in the different districts, at the court house on the same day, that other returns are made out, that a majority of those who voted are found to be against a poor house, then the provisions of this act shall be and the same are hereby declared to be suspended for the time being: *Provided, nevertheless,* That the provisions contained in the eighteenth section of said act, shall survive and continue in force for the period of five years from the time of its passage; and it shall be the duty of the inspectors aforesaid, to comply with the duties imposed on them by the provisions of this act, at each general election during said period of time; and if at any general election as aforesaid, it shall appear upon casting up the votes as provided in the said eighteenth section of this act, that a majority of those who voted are found to be in favor of a poor house, then the foregoing act shall be declared to be in full force and virtue.

Suspension.**Duty of sheriff.**

SECTION 19. And the sheriff of the said county of Lehigh, shall cause to be published the eighteenth section of this act, in all the newspapers printed in said county, at least six weeks previous to the next general election; the expenses of which shall be paid out of the county treasury.

JAMES ROSS SNOWDEN,

Speaker of the House of Representatives.

WILLIAM BIGLER,

Speaker of the Senate.

APPROVED—The eleventh day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.