

No. 337.

AN ACT

To provide for the erection of a house for the employment and support of the poor in the county of Juniata, and for other purposes.

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. Hugh Hart, John M'Minn and Samuel Pennybaker, 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, eighteen hundred

Purchase real estate. and forty-six, to determine upon and purchase such real estate as they shall deem necessary for the accommodation of the poor of Juniata 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 the county of Juniata, to be filed in his office; and at the next general election, the qualified electors of Juniata county 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 Juniata, 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 director, who shall receive the highest number of votes shall serve three years, and the said director who shall receive the second highest number of votes shall serve two years, and the said director having the next highest number of votes shall serve but one 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 shall be chosen annually: and the said directors shall meet at the

Directors' election. court house to transact business, on the first Monday of November ensuing their election.

Meeting.

SECTION 2. Every director elected in manner aforesaid, or appointed as is directed by the eleventh section of this act, shall, within ten days after he is notified of such election or appointment, and before he enters upon the duties of the said office, take an oath or affirmation, which shall be filed in the office of the clerk of the court of quarter sessions, which any justice of the peace of the said county is hereby authorized to administer, that he will discharge the duties of the office of director of the poor for the 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, he shall forfeit 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 are or shall be by law recoverable; and the directors qualified as aforesaid, are hereby authorized to administer an oath or affirmation,

Oath.

Penalty for refusal to take oath.

in any case when it shall be necessary in relation to the duties of their office.

SECTION 3. The said directors shall forever hereafter, in 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 Juniata, 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 Name. of the house of employment for the county of Juniata; 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; Annual income. 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 suitable buildings for the reception, use and accom- Erect buildings. modation of the poor of said county; to provide all things necessary for the lodging, maintenance and employment of said poor; to appoint a treasurer annually, who shall give bond with full and sufficient surety, Treasurer. for the faithful discharge of the duties of his office, and at the expiration thereof, for the payment and delivery over to his successor in office, of all moneys, bonds, notes, book accounts and other papers, to the said corporation belonging, which shall then be remaining in his hands, custody and possession; and said directors shall have power to employ and at pleasure remove, a steward or stewards, matron or matrons, Stewards, &c. physician or physicians, surgeon or surgeons, and all other attendants that may be necessary for the said poor respectively; to bind out 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, such poor children as shall come under their notice, or as may now be bound apprentices by the overseer of the poor: *Provi-* Proviso. *ded,* That no child shall be bound at a greater distance than thirty miles from the poor house, and to have not less than three months schooling in each year; 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.

SECTION 4. The said directors, as soon as may be after their election and organization, as aforesaid, shall make an estimate of the probable Estimate expense of lands, &c. expense of purchasing the lands and building, or erecting the necessary building or buildings, and furnishing the same, and maintaining the poor within the said county for one year, whereupon, the county commissioners of the said county, shall, and they are hereby authorized and required to increase the county tax by one-fourth part of the sum neces- Tax. sary for the purpose aforesaid, and shall procure on loan on the credit of Loan. 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 not more than one-fourth of the whole amount Proviso. of the sum necessary for the purpose aforesaid shall be added to the county tax, annually thereafter, 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.

SECTION 5. It shall be the duty of the said directors, on or before the first day of November, in each and every year, after the poor house Estimate of ex- shall have been completed, to furnish the commissioners of said county, pense of poor. 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

Accounts.

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 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 sex, of the persons maintained and employed in the 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 or to them.

Apprentices.

Admission of paupers.

SECTION 6. As soon as the said buildings shall have been erected or purchased, 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 of the said county of Juniata, requiring them forthwith to bring the poor of their respective townships to said house of employment; which order the 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 said 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.

Provide for 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 shall have gained a legal settlement in said county of Juniata, 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 Juniata, 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 convenient to do so, to permit any poor person or persons to be maintained elsewhere: *Provided*, 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 Juniata.

Out-door maintenance.

Quorum.
Rules.

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 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 laws of this state, or of the United States : *And provided, also*, Proviso. 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 Juniata, and shall have received the approbation of the same.

SECTION 9. The said directors, or a majority of them, shall have full power and authority to administer oaths or affirmations, to all persons residing in the said house of employment, or becoming chargeable to the said county, touching their place of legal settlement ; and in case such poor person or persons shall refuse to take the said oath or affirmation, or shall refuse to answer such questions as shall be asked by the said directors, touching and relating to the said settlement, the said directors may withhold all further relief from such poor person or persons, until he, she or they shall consent to take such oath or affirmation, and answer all such questions as aforesaid ; and the said board of directors, or a majority of them, in addition to the power hereinbefore granted, are authorized and empowered to administer oaths and affirmations, in all cases whatever, relating to their official duties. Legal settlement.

SECTION 10. 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 meetings.

SECTION 11. The said directors shall, each of them, receive for their services, annually, the sum of twenty dollars to defray the expenses of the necessary attendance on the duties of their office. Pay.

SECTION 12. In case of any vacancy, by death, resignation or otherwise, of any of the said directors, the remaining directors shall fill such vacancy by the appointment of a citizen of their county, under the same penalty as is provided by the third section of this act, to serve until the next general election, when another director shall be elected to serve as if no such vacancy had happened. Vacancy.

SECTION 13. All claims and demands existing at the time of this act being carried into effect, shall have full force and effect as if this act had not passed, and when the same may 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 several townships in the county of Juniata, shall be paid over to the treasurer of the poor house, to be applied to the maintenance and support of the poor. Claims.

SECTION 14. As soon as the poor of the county of Juniata shall have been removed to the house of employment of the said county, and the outstanding taxes collected and paid over, the office of overseer of the poor within the said county shall from thenceforth be abolished. Overseer's office 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 guardians of the poor in 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 Juniata ; and that the justices of the peace, and sheriff within the said county, are hereby required and enjoined to pay to the 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. Powers and duties conferred on supervisors.

in other counties to the overseer 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 the said county shall be subject to all fines, penalties and forfeitures to which the justices and sheriffs in other counties by the said act are subject or liable.

County commissioners. SECTION 16. The commissioners of said county are hereby authorized and empowered to pay to 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, including the annual sum allowed them by this act, exceed fifty dollars for any one year.

Repeal. SECTION 17. 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 Juniata.

Sheriff to notify commissioners. SECTION 18. 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 19. For the purpose of ascertaining the sense of the citizens of Juniata 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 boroughs 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, on casting up the votes of the different districts, at the court house, on the same day that the other returns are made out, that a majority of those who voted are for a poor house, then the foregoing act to take effect; but if a majority of the votes are found to be against a poor house, the foregoing act be and the same is hereby null and void.

Sheriff's duty. SECTION 20. That the sheriff of Juniata county, shall cause this act to be published in all the newspapers printed in said county, at least six weeks previous to the next general election, the expenses of which to be paid out of the county treasury.

Mifflin county, mortgages, recognizances, &c. SECTION 21. That the execution of all process for the recovery of any moneys now due, or that shall hereafter become due, the payment of which is secured by a mortgage or mortgages, recognizance or recognizances, duly entered of record in the courts of Mifflin county, previously to the passage of the act erecting certain parts of Mifflin county into a new county to be called Juniata, passed the second day of March, one thousand eight hundred and thirty-one, and binding lands lying in that part of Mifflin county, erected into a new county by the aforesaid act, may be proceeded in and carried into complete execution in the same manner as if the said act had not been passed.

Philadelphia guardians of the poor, to admit poor of Moyamensing, &c. SECTION 22. That from and after the passage of this act, it shall be the duty of the board of guardians of the poor, under the act, entitled "An Act for the relief and employment of the poor of the city of Philadelphia, the district of Southwark, and the townships of the Northern Liberties and Penn.," passed the fifth day of March, one thousand eight hundred and twenty-eight, to receive into the Blockley alms-house all the poor of the township of Moyamensing, in the county of Philadelphia, and treat the same in the same manner as the poor of the city of Philadelphia are now or may hereafter be treated; and the said board of

guardians are hereby fully empowered to levy, assess and collect taxes from the said township, in like amount and in like manner as they now collect the taxes laid and assessed for the support of the poor in the city of Philadelphia, and incorporated districts in the county of Philadelphia; and the said board of guardians of the poor shall appoint one citizen of said township to be a visiter of the poor, with like authority and duties, now imposed or that may hereafter be imposed on the visitors of the poor appointed by said board, and with such compensation for his services as the board may deem just and proper.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM P. WILCOX,
Speaker of the Senate.

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

DAVID R. PORTER.

No. 338.

AN ACT

Authorizing the supreme court to take cognizance of certain proceedings in the court of common pleas of Cumberland county.

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 the supreme court of this commonwealth is hereby authorized and required to take jurisdiction of a certain record and proceedings in the court of common pleas of the county of Cumberland, and state of Pennsylvania, number one hundred and eighty-nine, of January term, Anno Domini, one thousand eight hundred and forty-four, whereby the name of Peter F. Ege, Esquire, was, on Tuesday, the thirteenth day of February, Anno Domini, one thousand eight hundred and forty-four, stricken from the list of attorneys of said court, and that the said supreme court shall, with as little delay as possible, and during their session, commencing at the borough of Harrisburg, on Monday, the twenty-seventh day of May, Anno Domini, one thousand eight hundred and forty-four, proceed to hear and determine the questions arising upon the said record and proceedings, in any shape which may be approved or prescribed by the said supreme court, and shall cause the decision of the said court to be duly certified to the court of common pleas of the county of Cumberland, and make all orders, and direct all measures which may be necessary and proper, and which shall be effectual in the premises.

SECTION 2. That the said Peter F. Ege, Esquire, be and he is hereby authorized to take the depositions of witnesses, on five days notice to the Honorable Samuel Hepburn, president judge of the court of Depositions admitted.