

company," as makes Bald Eagle furnace a point on said road, be and the same is hereby repealed.

J. S. M'CALMONT,
Speaker of the House of Representatives.

V. BEST,
Speaker of the Senate.

APPROVED—The twenty-second day of March, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 202.

AN ACT

For the erection of a poor house in Mercer 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 John Finley, Michael G. Trout, William S. Garvin, William Stewart, William Clark, David B. Hayn, James Sheriff, Samuel Goodwin, M. B. Kremm, William W. Smith, William Dunn, George Sheakley, Thompson Graham, William Maxwell, James Brown, John P. Vath, Joseph Kerr, John Kelly, James Devin, G. B. Williams, Dawson Wadsworth, John Breckenridge, W. W. Breckenridge, Henry Black, Franklin B. Hubbard, John Duncan, Matthew L. Murdock, B. F. Baskin, all of Mercer county, be and are hereby 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 hundred and fifty one, to determine upon and purchase such real estate as they shall deem necessary for the accommodation of the poor of Mercer 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 Mercer, to be filed in his office; and at the next general election the qualified electors of Mercer county shall elect three reputable citizens of said county, to be directors of the poor and of the house of employment for the county of Mercer 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 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 num-

Commissioners.

Duties.

Purchase real estate.

Election of directors of the poor.

ber 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 court house in the county of Mercer, to transact business, on the first Monday of November ensuing their election.

Take oath.

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 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 recoverable; and the directors qualified as aforesaid, are hereby authorized to administer an oath or affirmation in any case when it shall be necessary in relation to the duties of their office.

Incorporate.

SECTION 3. The said directors 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 Mercer, 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 Mercer;" 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 chattles 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 accommodation 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 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, 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, 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 male, at or before the age of twenty-one, 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 overseers of the poor: *Provided*, 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 and every 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 said corporation, and at their pleasure to alter and renew the same.

Style.

Privileges.

Proviso.

SECTION 4. The said directors, as soon as may be after their election and organization as aforesaid, shall make an estimate of the probable expense of purchasing the lands and buildings, 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 necessary for the purpose aforesaid, and shall procure, on loan, on the 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 not more than one-fourth of the whole amount 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.

Increase of taxes.

Proviso.

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 shall have been completed, 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 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, age 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 name 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, interest and moneys payable and receivable by the said corporation; and also, an account of all sales, purchases, donation, devises and bequests, as shall have been made by or to them.

Estimate of expense to be furnished the county commissioners.

Annual account.

SECTION 6. As soon as the said building shall have been erected or purchased, and all necessary accommodations provided therein, notice shall be sent, signed by any two of the said directors, to the overseers of the several townships of the said county of Mercer, 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 times 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

Notice to be given to the overseers of the several townships to bring the poor, &c.

charge and expense of such temporary relief and of such removal, shall be paid by the said directors at a reasonable allowance.

Employment.

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 Mercer, 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 Mercer, 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 Mercer.

Expense of maintenance.

Quorum.

Regulations.

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 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*, 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 Mercer, and shall have received the approbation of the same.

Administer oaths, &c.

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 said settlements, the said directors may withhold all further relief from such poor person or persons, until he or 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 powers hereinbefore granted, are authorized and empowered to administer oaths and affirmations in all cases whatever relating to their official duties.

Monthly meeting of directors.

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.

Vacancies, how filled.

SECTION 11. In case of any vacancy by death or resignation or otherwise, of any of 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 second 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.

Pay of directors.

SECTION 12. The said directors shall each of them receive for their services, the sum of one dollar per day for each and every day actually employed, to defray the expense of their necessary attendance in the duties of their office.

Claims.

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 Mercer, shall be paid over to the treasurer of the poor house, to be applied to the maintenance and support of the poor; and as soon as the poor of the county of Mercer shall have been removed to the house of employment of 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.

SECTION 14. 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 the said county of Mercer; 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 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 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. Certain powers conferred on the supervisors of highways.

SECTION 15. 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 Mercer. Repeal.

SECTION 16. 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 at the court house in Mercer. Duties of the sheriff.

SECTION 17. It is hereby enjoined and made the duty of the sheriff of the county of Mercer, to cause this act to be published in all the papers of Mercer county, for three successive weeks immediately after its passage. Further duties.

J. S. M'CALMONT,
Speaker of the House of Representatives.

V. BEST,
Speaker of the Senate.

APPROVED—The twenty-second day of March, one thousand eight hundred and fifty.

WM. F. JOHNSTON.