

No. 400.

AN ACT

To annul the marriage contract between Sarah J. Mason and John C. Mason.

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 marriage contract entered into in the city of Philadelphia on the twenty-ninth day of January, Anno Domini, one thousand eight hundred and forty-nine, before the reverend William Sudders, between Sarah J. Lore and John C. Mason, alias Bradley, alias Lanning, be and the same is hereby declared null and void, and the parties discharged from all liabilities and obligations growing out of the same, as fully and absolutely as if they had never been joined in marriage.*

J. S. M'CALMONT.

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

APPROVED—The third day of May, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 401.

AN ACT

To provide for the erection of a house for the employment and support of the poor in the county of Huntingdon; and to regulate the settlement of paupers in the county of Chester; to authorize the Ohio and Pennsylvania railroad company to borrow money; relative to the collection of taxes in the city of Pittsburg; and to the estate of John Hoff, deceased.

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 Thomas Fisher, Kenzie L. Green, Benjamin Leas, James Gillam, John M'Culloch, John Porter, Isaac Taylor, A. P. Wilson, John Watson, Caleb Greenland, S. Miles Green, 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*

Commissioners.

Duties.

deem necessary for the accommodation of the poor of Huntingdon 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 Huntingdon, 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 Huntingdon; 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 election; and the said directors shall meet at the court house in said county on the first Monday in 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; of 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 thereafter.

Purchase real estate.

Election of directors of the poor.

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 said office, take an oath or affirmation, 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 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.

Directors to take oath, &c.

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 whatever, relative to the poor of the county of Huntingdon; 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 of the county of Huntingdon; 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 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 security, 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, physician or physicians, surgeon or surgeons, and all other attendants

Incorporate.

Style.

Privileges.

Proviso.

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, 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 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.

Directors to estimate probable expense of buildings, &c.

County commissioners may increase tax.

Procure loan.

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 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 if such loan cannot be made, the whole amount of the sum necessary for the purpose aforesaid, or 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.

Directors to make yearly estimate of expense to commissioners.

Accounts.

Court of quarter sessions to be furnished with a list of the number, age and sex of persons maintained and employed.

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, 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 elected to audit and settle the county accounts, subject to the same penalties and 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 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 thereto 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, donations, devises and bequests as shall have been made by or to them: *Provided*, That no director shall sell or dispose of any article or articles to the said poor house during the time he shall serve as director thereof.

Notice to be given to overseers of the poor

SECTION 6. As soon as the said buildings 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, 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 present 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 charge and expense of such temporary relief, and of such removal, shall be paid by the said directors, at a reasonable allowance.

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 Huntingdon, 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 Huntingdon, 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 so to do, 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 Huntingdon.

Who shall be provided for and employed.

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 Huntingdon, and shall have received the approbation of the same.

Quorum.

Ordinances, rules and regulations, &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 legal settlement; and in case such poor persons shall refuse to take the oath or affirmation, or shall refuse to answer such questions as shall be asked by the said directors, touching and relating to the 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 power hereinbefore granted, are authorized and empowered to administer oaths and affirmations in all cases whatever relating to their official duties.

Directors may administer oaths.

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

Meetings.

be redressed all grievances that may happen by the neglect or misconduct of any person or persons in their employment or otherwise.

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

Vacancy, how filled.

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.

Existing claims and demands to have full force and effect.

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 Huntingdon, shall be paid over to the supervisors of the highways of their respective townships, to be by them applied towards repairing the roads therein.

Office of overseer of the poor, when abolished.

SECTION 14. As soon as the poor of the county of Huntingdon 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.

Certain powers conferred on directors.

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 several townships within this commonwealth to recover certain fines, penalties and forfeitures, and for other purposes, are hereby conferred and imposed upon the directors of the poor in the said county of Huntingdon; and that the justices of the peace and sheriff within the said county are hereby required and enjoined to pay to the directors, to be by them applied to the maintenance of the poor of the county, the aforesaid fines, forfeitures, 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 directors 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 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.

Expenses of commissioners to be paid by county commissioners.

SECTION 16. The commissioners of said county are hereby authorized and empowered to pay to the persons appointed commissioners by the first section of this act, the expenses incurred by them in the performance of their duty; and also, to pay the said 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 and supplied, be and the same are hereby repealed, so far as they affect the county of Huntingdon.

Sheriff to notify commissioners of the appointment.

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.

Election as to the expediency of

SECTION 19. For the purpose of ascertaining the sense of the citizens of Huntingdon county, as to the expediency of erecting a poor house in

said county, it shall be the duty of each of the inspectors of the several townships and boroughs at the next general election to receive tickets, either written or printed, from qualified voters thereof, labelled upon 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 of 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 for a poor house, then the foregoing act to take effect: but if a majority of said votes are against a poor house, the foregoing act to be null and void.

SECTION 20. That any person hereafter coming to inhabit in the county of Chester, shall acquire a settlement or residence on the same terms, and in the same manner, as a citizen of the said county would have acquired a settlement or residence in the district from which said person may have come, any former law to the contrary notwithstanding.

SECTION 21. That the Ohio and Pennsylvania railroad company, chartered by the joint acts of the legislature of Ohio and Pennsylvania, be and it is hereby authorized to borrow money for the construction of its railroad, at any rate of interest not exceeding that which may be authorized in the state of Ohio.

SECTION 22. That the laws now in force for the collection of taxes on unseated lots or lands within the several counties of the commonwealth, be and the same are hereby extended and made applicable to the collection of city taxes on unseated lots or lands within the city of Pittsburg; and upon the sale of any such lots or lands within the limits of said city, it shall be the duty of the commissioners of Allegheny county to pay to the treasurer of said city the amount of city taxes which may be due thereon.

SECTION 23. That Frances Henrietta Hoff, executrix, and Philip Hoff, William Duncan, Alexander Towan and Morgan John Rhees, executors of the last will and testament of John Hoff, late of the city of Philadelphia, deceased, or the survivors or survivor of them, be and they are hereby authorized and empowered to sell at public or private sale, and on such terms as to them shall be deemed most advantageous, all and singular the real estate of the said John Hoff, deceased, or of which he died seized or possessed, or any part thereof, situate in the state of Pennsylvania; and upon sales being so made, the said executrix and executors, or the survivors or survivor of them, are hereby authorized to execute and deliver to the purchaser or purchasers of said real estate, deeds conveying all the estate and interest of the said John Hoff, deceased, in and to the same, without any obligation on the part of the purchasers to see to the application of the purchase money, or be in any way responsible for such application: *Provided however,* That before the execution of such deed, the executors shall give security, to be approved of by the orphans' court of the city and county of Philadelphia, for the faithful application of the proceeds of sale; or in default of same, that the proceeds of sale be paid into said court, to be distributed according to law.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

APPROVED—The sixth day of May, one thousand eight hundred and fifty.

WM. F. JOHNSTON