

- thorized representative, shall have free and full access to the grounds, premises and buildings, and to the records of any home or hospital licensed under this act, and full opportunity to interrogate or interview any patient or inmate thereof; and all persons connected with any such home or hospital as officers or charged with the management thereof are hereby directed to give to the Department of Welfare, or its duly authorized representatives, such means, facilities, and opportunity for such visitation, examination, and interrogation as is hereby provided and required or as the department, by its duly ordained rules or regulations, may require.
- Duties of persons in charge.**
- Violation of rules, etc.**
- Notice to licensee.**
- Revocation of license.**
- Maintaining or operating home or hospital without a license.**
- Misdemeanor.**
- Penalty.**
- Section 6. Whenever the Department of Welfare shall, upon inspection, investigation, or sworn complaint, learn of any violation of rules or regulations adopted by the department, or any failure to establish, provide, or maintain standards and facilities required by the department, it shall give written notice thereof to the offending licensee. The department may revoke the license of said licensee, if such violations do not cease or such standards and facilities are not established or brought in conformity with those prescribed by the department, three months after such written notice.
- Section 7. Any person, or any or all officers or partners of any partnership, association, or corporation, maintaining or operating for profit, within this Commonwealth, a private nursing home or private hospital without a license required by this act, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars (\$1,000.00), or to undergo imprisonment not exceeding one year, or both.

APPROVED—The 12th day of June, A. D. 1931.

GIFFORD PINCHOT

No. 166

AN ACT

Providing for the joint construction by any two or more counties of industrial farms and workhouses; providing for the acquisition of sites and the erection and equipment of buildings; providing for their government and control, and for the commitment, admission, employment, and discharge of inmates, the appointment of an advisory board, and defining its duties; authorizing counties to incur indebtedness and issue bonds for the purpose of paying their share of the cost of erection; imposing the cost of maintenance of inmates on the counties; and repealing inconsistent legislation.

Industrial farms and workhouses.

Section 1. Be it enacted, &c., That the county com-

missioners of any two or more counties, except cities and counties of the first class, may join in establishing a joint industrial farm and workhouse for the confinement of persons sentenced by the courts of such counties, after conviction, of any misdemeanor or felony (except murder, voluntary manslaughter, rape, and arson), or those committed in default of payment of any fine or penalty, or for nonpayment of costs, or for default in complying with any order of court entered in any prosecution for desertion or nonsupport, or for the violation of any municipal ordinance.

Counties.

Commissioners authorized to join in establishing.

Section 2. Whenever the commissioners of any two or more counties, except cities and counties of the first class, shall decide and agree to construct such joint industrial farm and workhouse, they shall acquire a suitable site for the same. Such site may be selected from suitable lands already held by any county of the district for county purposes, or from lands donated for such purposes, or any quantity of land within the respective districts. In the selection of a site, there shall be taken into consideration the objects and purposes of the institution, and all or as many as practicable of the following enumerated advantages and resources. The land selected and purchased shall be a varied topography, with natural resources and advantages for many forms of husbandry, fruit-growing, and stock-raising, for brick-making, and for the preparation of all other road and paving material, and shall have good railroad, drainage, sewage, and water facilities. Title to such land shall be approved by the county solicitor of the county in which the land is located, or such other title guarantee corporation or attorney-at-law as may be designated by the commissioners of the counties, and shall be taken in the name of the county or counties comprising the district. The site, before purchase, shall be approved by the Department of Welfare.

Site for farm and workhouse.

Requirements as to site.

Title.

Approval.

Section 3. After the selection and acquisition of such sites, the county commissioners of such counties, except cities and counties of the first class, may erect and construct suitable and necessary buildings thereon, repair any buildings already erected, and equip the same ready for use and occupancy. All buildings constructed in pursuance of this act shall be plain and inexpensive in character, and the plans therefor shall be approved by the Department of Welfare. The labor in constructing such buildings and improvements and facilities shall be supplied by the persons committed to penal institutions in such counties, or transferred thereto from any county penal and reformatory institution, so far as found practicable.

Erection and equipment of buildings.

Approval of plans.

Labor.

Section 4. Such industrial farm and workhouse buildings shall be constructed by contract or contracts let by

Construction by contract.

- the county commissioners of such counties, except cities and counties of the first class, to the lowest responsible and best bidder, after due advertisement in at least one newspaper, published in each of the counties joining in the erection of such industrial farm and workhouse, once a week for four consecutive weeks; and, when so constructed, the industrial farm and workhouse buildings shall be equipped by the county commissioners of such counties at the cost of the counties in the same manner as other county buildings are equipped.
- Advertisement for bids.**
- Advisory board.** Section 5. After such joint industrial farm and workhouse has been erected and equipped and is ready for occupancy, president judges of the courts of common pleas of the counties joining in the construction of **such industrial farm and workhouse shall appoint an advisory board**, to consist of three persons from each of such counties. The president judges of each of such counties shall appoint one member of said board to serve for one year, one to serve for two years, and one to serve for three years, or until their successors are appointed and qualified. All appointments at the expiration of any term shall be for a term of three years.
- President judge of each county to appoint three members.**
- Term.**
- Monthly meetings.** Section 6. The board shall meet monthly and at such other times as it may be deemed necessary. The board shall visit and inspect and keep in close touch with the management and operation of said industrial farm and workhouse, and shall, from time to time, make such recommendations and suggestions to the county commissioners for changes or improvements in said management and operations as may be deemed advisable. It shall also make an annual report to the county commissioners concerning the management and operation of said industrial farm and workhouse.
- Powers and duties.**
- Annual report.**
- Meeting place and supplies.** The county commissioners shall, at the expense of the counties, provide a meeting place for said board, and furnish all supplies and materials necessary to carry on its work.
- Members to serve without pay.** The members of the board shall not receive any compensation for their services, but shall be allowed all actual and necessary expenses incurred in the discharge of their duties, which shall be paid by the counties as part of the cost of maintenance of such industrial farm and workhouse.
- Expenses.**
- Superintendent and matron.** Section 7. The county commissioners of such counties may, after consultation with the advisory board, employ a superintendent or matron, or both, and such other employes as may be necessary to conduct and manage properly such industrial farm and workhouse, and shall fix their compensation. The duties of such officers shall be prescribed by the rules and regulations of such industrial farm and workhouse. They shall hold their

offices, respectively, during the pleasure of, and their compensation shall be fixed by, the appointing power.

Section 8. The county commissioners of such counties shall, before any prisoner may be admitted to this institution, after consulting with the advisory board, make general rules and regulations for the management of the industrial farm and workhouse, which rules and regulations shall be effective after they are approved by the Department of Welfare.

Rules and regulations.

Approval.

Section 9. When, in any district formed by such counties, the arrangements are complete for the reception of inmates, transfer shall be made from the county prisons and jails, respectively, to the industrial farm and workhouse of the district, of all persons who have been sentenced to any of said county prisons and jails for any misdemeanor or felony (except murder, voluntary manslaughter, rape, and arson), or who have been committed to any of such county prisons and jails in default of payment of any fine or penalty, or for nonpayment of costs, or for default in complying with any order of court entered in any prosecution for desertion or nonsupport, or any other person legally confined in any of said county jails or prisons, except those that are confined awaiting trial or held as material witnesses.

Transfer of prisoners from county jails.

Thereafter, when any person is convicted in any of said courts in any county, of any offense, misdemeanor or felony (except murder, voluntary manslaughter, rape, and arson), the punishment of which is, or may hereafter be, imprisonment in any county jail or prison for a period of ten days or more, said court shall sentence such person to the industrial farm and workhouse of the district in which said court may have jurisdiction. Courts of record and courts not of record of the counties comprising any such district shall hereafter commit to the industrial farm and workhouse of the district all persons who might be lawfully committed to the county jail or prison on charges of vagrancy, drunkenness or disorderly conduct, or for default or nonpayment of any costs, fine, or penalty, or for default in complying with any order of court entered in any prosecution for desertion or nonsupport, or for violations of municipal ordinances, where, in any such case, the commitment will be for a period of ten days or more.

Sentence to of persons convicted.

The existing county prisons and jails may be retained to confine persons awaiting trial, or held as material witnesses, or sentenced for a period less than ten days, and such number of other convicted persons as may be required to perform the necessary institutional maintenance work.

Retention of county prisons.

All inmates shall be clothed and treated as provided for in this act, and in the rules and regulations of the industrial farm and workhouse.

Treatment of inmates.

Inmates to be kept at labor.

Section 10. Every person committed to an industrial farm and workhouse under the provisions of this act, unless disqualified by sickness or otherwise, shall be kept at some useful employment, such as may be suited to his or her age and capacity, and such as may be most profitable to the institution and tend to promote the best interest of the inmate. If any person refuses to perform the work assigned to him or her, or is guilty of other acts of insubordination, the superintendent shall punish such person in such manner as the rules and regulations hereinbefore provided for may prescribe. The superintendent shall keep a record of, and report to the advisory board, all such offenses and punishments.

Compensation of inmates.

All inmates shall receive compensation for their work, those employed on institutional maintenance and non-productive labor receiving not more than twenty cents (20c) per day or less than ten cents (10c) per day. Those employed on productive work shall receive not more than fifty cents (50c) per day or less than twenty cents (20c) per day. The earnings of each prisoner shall be credited to his or her account, and disbursements made on approval of the superintendent of the institution, and the written order of the inmate, except when an inmate is committed for nonsupport the court which sentenced the prisoner shall order payment of said earnings. At time of release or discharge, the prisoner shall receive all moneys remaining in his or her account and give receipt for the same.

Cost of transporting prisoners.

Section 11. The cost of transporting prisoners committed to the industrial farms and workhouses shall be paid by the counties, respectively, from which the prisoners are committed. The sheriff of the county, for prisoners committed by the court, and constables for prisoners committed by magistrates, shall receive for such prisoners committed to the industrial farm and workhouse no mileage or traveling expenses on writs, except the actual cost of transporting said prisoners so committed to the industrial farm and workhouse, together with any other fees for their services now allowed by law.

Railroad ticket furnished.

When any prisoner is discharged from an industrial farm and workhouse, the superintendent thereof shall procure for him a railroad ticket to any point to which said prisoner may desire to go, not farther from said industrial farm and workhouse than the point from which he or she was sentenced.

Purpose of employment.

Section 12. It shall be the purpose of the industrial farm and workhouse to employ the prisoners committed or transferred thereto in work on or about the buildings and farm, and in growing produce, raising stock, et cetera, for supplies for its own use, or for the

use of the several city and county or county institutions in the district, or for any political division thereof, or for any public or charitable institution owned or managed and directed by the counties constituting said district, or any political division thereof. Such prisoners may also be employed in the preparation of road material, and in making brick, tile, and concrete, or other road building material, and in the manufacture of other products and materials as may be found practicable for the use of any of the counties constituting said district, and for the proper and healthful employment of such prisoners.

Section 13. All road material, brick, tile, concrete, and other goods and materials prepared or made at any industrial farm and workhouse, not needed for the purposes of such institution, shall be offered for sale, at a price to be fixed by the commissioners of the district. In offering such material for sale, preference shall be given to the counties forming the district of such institution and to the cities, boroughs and townships therein. All moneys so received shall be applied towards paying the overhead expenses of the institution.

Sale of products.

Section 14. A detailed statement of the receipts and expenditures by any county constituting a part of said district for any industrial farm and workhouse erected under the provisions of this act shall be published by the county commissioners of each county, or by the controller in said county. Where such report is published by the controller, it shall be included in the annual statement of the fiscal affairs of such county.

Statement of receipts and expenditures.

Section 15. The original cost of the site and buildings of the industrial farm and workhouse, and the equipment thereof and all additions thereto, and all fixed overhead charges in conducting the institution, shall be paid by the counties constituting the districts in the ratio of their population according to the last preceding United States census.

Payment of original cost and fixed overhead.

The cost of the care and maintenance of the inmates in said districts shall be certified monthly to the counties from which inmates have been committed. Such cost shall be paid by the counties in proportion to the number of inmates committed from each county. All payments shall be on warrants of the county commissioners, countersigned by the county controller in counties where such officer exists.

Cost of care and maintenance of inmates.

Section 16. The county commissioners of each county joining in establishing an industrial farm and workhouse, as provided for in this act, may incur or increase the indebtedness of the county, in the manner now provided by law, to an amount sufficient to pay its proportionate part of the cost of acquiring a site and of

Indebtedness and taxes.

erecting, constructing, and equipping the said industrial farm and workhouse, by issuing coupon bonds at a rate of interest not exceeding six per centum, and payable within thirty years from the date of issue. The county commissioners of such county shall levy an annual tax in an amount necessary to pay interest and sinking fund charges upon such bonds.

Property exempt
from taxation.

Section 17. All the property, real and personal, authorized to be held by virtue of this act, shall be exempt from taxation.

Act of May 6,
1929 (P. L. 1545),
repealed.

Section 18. The act approved the sixth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five hundred forty-five), entitled "An act providing for the establishment on certain conditions of certain industrial farms and workhouses; dividing the State into districts for such purpose; providing for the acquisition of sites and the erection and equipment of buildings and work for such institutions; providing for their government and control, and for the commitment, admission, employment, and discharge of inmates; imposing the cost of the institutions, and the maintenance of inmates, on the counties; and conferring certain powers and duties on certain city and county officers; and repealing existing laws in relation to the above subjects," is hereby repealed.

Repeal.

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED—The 12th day of June, A. D. 1931.

GIFFORD PINCHOT