

1798. Justices of the said General Court of Quarter Sessions, such Constable shall forfeit and pay the sum of one hundred dollars, one half for the use of the state, and the other for the use of the person who shall inform of the buying aforesaid, to be recovered in any Court of Record within this state; and shall, moreover, be incapable of holding the said office at any time thereafter.

Part of a former act repealed.

SECT. IV. *And be it further enacted by the authority aforesaid,* That so much of the act, entitled "A Supplement to the act, entitled "An Act to extend the powers of the Justices of the Peace of this state," passed the thirteenth day of February, in the year of our Lord one thousand seven hundred and ninety-six,* as relates to the election and appointment of an High Constable for the township of the Northern-Liberties, be, and the same is hereby, repealed.

(* Chap. 1862.)

Passed 27th February, 1798.—Recorded in Law Book No. VI. page 217.

CHAPTER MDCCCLVIII.

A SUPPLEMENT to the act, entitled "*An Act for incorporating the Society formed for the relief of distressed and decayed pilots, their widows and children.*"

[Original Act, vol. 2, p. 513.]

SECT. 1. [THE rights of the Corporation preserved. 2. The times for holding future meetings, prescribed, 3. Part of the former act repealed.]

Passed 27th February, 1798—Private act.—Recorded in Law Book No. VI. page 213.

CHAPTER MDCCCLX.

An ACT to provide for the erection of houses for the employment and support of the poor, in the counties of Chester and Lancaster.

Poor-houses to be erected in Chester and Lancaster.

SECT. I. *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 houses for the employment and support of the poor shall be erected in the counties of Chester and Lancaster, in the manner, and under the conditions hereinafter prescribed and enacted.

Directors, how to be elected.

SECT. II. *And be it further enacted by the authority aforesaid,* That the citizens of the said counties of Chester and Lancaster, respectively, shall, at the general election next ensuing the passing of this act, in the manner prescribed for the election of Members of the House of Representatives of this commonwealth, elect six reputable citizens of each of the said counties respectively, to be directors of the poor, and of the house of employment for the county of Chester, and for the county of Lancaster; and the Judges of election for the said counties respectively shall, immediately on receiving the returns from the several election districts, and casting up the number of votes therein, or within three days thereafter,

Certificate of the election.

certify, under their hands and seals, the names of the directors so chosen to the clerk of the Court of Quarter Sessions of the said respective counties, 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 courthouse, in their respective counties, on the first Monday in November next ensuing their election, and divide themselves by lot into three classes, the places of the first to be vacated at the expiration of the first year; of the second at the expiration of the second year, and 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 prescribed, may serve for three years, and one third be chosen annually.

1798.

Meeting of the Directors, and rotation of service.

SECT. III. *And be it further enacted by the authority aforesaid,* That the said directors respectively shall, for ever hereafter, in name and in fact, be one body politic and corporate in law, to all intents and purposes whatsoever relating to the poor of the said counties of Chester and Lancaster, 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 Chester, and of the Directors of the poor and of the house of employment of the county of Lancaster;" and by that name shall and may respectively receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of five 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 respective counties in fee simple, or otherwise, and erect suitable buildings thereon, for the reception, use and accommodation of the poor of their respective townships; to provide all things necessary for the reception, lodging, maintenance and employment of the 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 that at the expiration thereof, he will well and truly pay and deliver over to his successor all monies, bonds, notes, books, accounts, and other papers, to the said corporations respectively belonging, which shall then be remaining in his hands, custody and possession; to employ, and at pleasure remove a steward or stewards, matron or matrons, physician or physicians, surgeon or surgeons, and all other necessary attendants for the said poor respectively; to bind out as apprentices or to service, so that such service may expire, if males, at or before the age of twenty-one years, if females, at or before the age of eighteen, with the approbation of two Justices of the Peace, such poor children as shall come under their notice, or as may now be bound apprentices by the Overseers of the Poor; and to 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 respectively shall be empowered to use one common seal in all business relating to the said corporation, and the same at their pleasure to alter or renew.

The Directors incorporated.

Style of the corporation.

Its immunities, powers and duties.

Treasurer of the corporation, his qualification and duty.

Seal of the corporation.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the said Directors respectively, as soon as may be after their

Estimates to be made of the expenses

1798.

of erecting the buildings, &c.

Tax to be raised for defraying the same.

election and organization as aforesaid, shall make an estimate of the probable expense of purchasing the lands, erecting the necessary buildings, and furnishing the same, and maintaining the poor within the said counties respectively for one year; whereupon the county commissioners of the said respective counties shall, and they are hereby authorized and required to increase the county tax by one and fourth part of the sum necessary for the purposes aforesaid, shall procure on loan, on the credit of the taxes herein directed to be levied, the remaining three fourths thereof, to be repaid 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 purposes 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 favour by the county commissioners, as the same may be found necessary.

Time and manner for rendering the accounts of the Directors.

Return of persons in the poor-house.

SECT. V. *And be it further enacted by the authority aforesaid*, That the said Directors respectively shall, at least once in every year, render an account of all the monies 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 also, at least once in every year, lay before the Court of Quarter Sessions and Grand Jury of the said counties respectively a list of the number, ages and sexes of the persons maintained and employed in the said house of employment respectively, or supported or assisted by them elsewhere, and of the children by them bound out to apprenticeships or to service, as aforesaid, with the names of the 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 counties respectively, all their books, accounts, affairs and economy, together with the rents, interests and monies, payable and receivable by the said corporations respectively; and also an account of all sales, purchases, donations, devises and bequests, as shall have been made by or to them, or either of them.

Inspection of the books.

Trustees appointed to fix the places for erecting the poor-houses;

SECT. VI. *And be it further enacted by the authority aforesaid*, That Joshua Ashbridge, Edward Darlington, Moses Marshall, Esquire, Robert Miller, John Davis, John Rinchart, James M'Gibbons, Esquire, Samuel Carter, and James Johnston, of the said county of Chester, and Edward Hand, Thomas Boude, George Mosser, James Morrison, John Funk, Peter Ellmaker, Frederick Segar, George Eleck, and Zachariah Moore, of the said county of Lancaster, be, and they are hereby authorized, empowered and directed to receive and hear such applications, as shall be directed to them, respecting the place which may be deemed most proper for erecting the buildings for the employment and support of the poor as aforesaid, within their respective counties, and shall, on or before the first day of December next, determine upon and fix the place within the said counties of Chester and Lancaster respectively, in which the said buildings shall be erected, and shall certify their

who shall report to the Quarter Sessions.

proceedings, under their hands and seals, to the Clerk of the Quarter Sessions of the said counties respectively, to be filed in his office. 1798.

SECT. VII. *And be it further enacted by the authority aforesaid,* That as soon as the said respective buildings shall be erected, and all necessary accommodations provided therein, notices shall be sent, signed by any two of the said Directors of the said respective counties, to the Overseers of the several townships of the said counties of Chester and Lancaster respectively, requiring them forthwith to bring the poor of their respective townships to the said houses of employment respectively, which order the said Overseers are hereby enjoined and required to comply with, otherwise to forfeit the cost of all future maintenance, except in cases, when by sickness, or 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 shall be in a situation to be removed, then to 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.

When and how the poor shall be removed to the buildings erected under this act.

Exception do to the sick, and how they shall be provided for.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the said Directors respectively 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 the said county of Chester, or in the said county of Lancaster, 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 Chester or Lancaster, or to the Overseers of the proper township in any other county of this commonwealth, and to the said Directors of the poor and of the house of employment of the said county of Chester or Lancaster; and the said Directors respectively 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; and if the pauper be married, and the person to whom he or she is married is not supported at the county expense, it shall be the duty of the said Directors to place the said pauper with the person to whom he or she is married, if required; provided the expense of such maintenance doth not exceed that of the house of employment.

The Directors required to provide for and employ the poor of the respective counties; and the manner of doing so prescribed.

SECT. IX. *And be it further enacted by the authority aforesaid,* That the said Directors, or any four of them, who shall be a quorum in all cases to do business within their respective counties, 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 houses of employment aforesaid, and of the revenues thereunto respectively belonging, and of all such persons as shall come under their care

Power of the Directors to make rules and regulations.

1798. or cognizance, provided the same be not repugnant to this law, or any other 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 President and Associate Judges of the Court of Common Pleas for the time being, for the district within which the said county of Chester or Lancaster shall be, and shall have received the approbation of said court.

Times and places of meeting of the Directors.

SECT. X. *And be it further enacted by the authority aforesaid,* That a committee consisting of at least two of the said Directors, shall, and they are hereby enjoined and required to meet at the said houses of employment, in their respective counties, 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, which may happen by the neglect or misconduct of their servants, or others in their employment, or otherwise.

Compensation of the Directors.

SECT. XI. *And be it further enacted by the authority aforesaid,* That the said directors shall each of them receive for their services twenty dollars *per annum*, to defray the expense of their necessary attendance on the duties of their offices.

How vacancies shall be supplied in the direction.

SECT. XII. *And be it further enacted by the authority aforesaid,* That in case of any vacancy or vacancies, by death, resignation removal, neglect, refusal, or otherwise, of any of the said Directors, a majority of the remaining Directors shall fill such vacancy or vacancies, by appointment of one or more citizens of their said counties respectively, as the case may require, to serve until the next general election, when another Director or Directors shall be elected, to serve for the period or periods which such Director or Directors were to have served, if no such vacancy or vacancies had happened.

How monies in the hands of the Overseers of the Poor shall be applied.

SECT. XIII. *And be it further enacted by the authority aforesaid,* That all the monies which shall be remaining in the hands of the overseers of the poor of the several townships of Chester and Lancaster counties respectively, at the time when the first county poor tax shall be assessed, levied and collected, shall be paid over by the said Overseers to the supervisors of the highways of their respective townships, to be by them applied towards the repairing of the roads therein.

When the office of Overseer of the Poor in Chester and Lancaster shall be abolished.

SECT. XIV. *And be it further enacted by the authority aforesaid,* That as soon as the poor of the counties of Chester and Lancaster shall be removed to the respective houses of employment of the said counties, the office of Overseer of the poor within the said counties shall from thenceforth be abolished.

Compensation of the Clerks of the Courts of Quarter Sessions.

SECT. XV. *And be it further enacted by the authority aforesaid,* That for the services enjoined on the Clerks of the Courts of Quarter Sessions and of Common Pleas of the counties of Chester and Lancaster by this act, he shall be entitled to exhibit his accounts to the county commissioners of the said counties respectively, who shall examine and allow the same, and draw on the county Treasurer for the amount thereof, as is usual in the case of other accounts.

SECT. XVI. *And be it further enacted by the authority aforesaid, 1798.* That so much of the laws of this commonwealth, relating to the poor of the counties of Chester and Lancaster, as is by this act altered or supplied, and no more, be, and the same is hereby repealed. (d)

Repeal of parts of former laws, hereby supplied.

Passed 27th February, 1798.—Recorded in Law Book No. VI. page 218.

(d) By a supplement to this act, the directors of each of the counties respectively were empowered to sell certain parts of the lands they had purchased, and apply the proceeds to maintain the poor, and erect proper buildings; and the commissioners were directed to compensate the persons appointed by the act in the text, for the services rendered by them, 9th Feb'y, 1799, (chap. 2006)

By an act passed 30th January, 1804, (chap. 2405,) the directors respectively, or a majority of them, are authorized to bind out poor children, apprentices.

By an act passed 31st March, 1807, (chap. 2785,) the directors of these counties respectively shall furnish to the county commissioners, annually, an estimate of the sum wanted for the use of the poor, which is to be assessed and collected in addition to the county tax, which shall be paid by the county treasurer to the directors, on warrants of the county commissioners.

If on the death of any pauper, in either of the said houses of employment, &c. it should appear that such pauper died possessed of property, the

same shall be recovered by, and vested in the directors, to be by them applied to the support of such institutions respectively; provided that it shall be their duty to give public notice thereof, and pay over the same, first deducting the expenses, incurred on account of such pauper, to the heirs or legal representatives, if the same shall be claimed within three years after the death of such person.

By act of 22d December, 1810, the directors of the poor of the county of Chester, shall annually publish in the county news-papers a detailed statement of the receipts and expenditures on account of the institution. The number of directors shall be reduced to three, two to be a quorum. The salary to be forty dollars a year, with an additional compensation for attending suits, &c. The office of Treasurer is abolished, and the duties of clerk, shall be performed by the steward of the house, whose salary, including the matron's, shall not exceed four hundred dollars a year, and all monies appropriated for the establishment, shall be paid by the county Treasurer, only on orders drawn on him by the directors thereof.

CHAPTER MDCCCCLXII.

An ACT to enable the Governor of this commonwealth to incorporate a company, for the purpose of improving the navigation of the river Lehigh.

SECT. 1. [COMMISSIONERS, appointed to receive subscriptions. Notice to be given. Subscriptions, when and how to be made, and to what amount. When the books shall be closed, and proceedings thereupon. How shares shall be apportioned, in case more are subscribed for than the law prescribes. Advance to be paid by the subscribers. Expense of the business, how to be defrayed; and the subscriptions paid over. 2. Proceedings to obtain a patent of incorporation. The style of the corporation to be "The President and Managers of the Lehigh Navigation Company;" and to have the usual corporate powers. 3. Power to clear the navigation of the Lehigh. 4. Proceedings to organize the corporation, and choose corporation officers. Limitation of the votes of the subscribers. 5. Time and place of meeting; and power of the corporation to make by-laws prescribed. 6. Certifi-