

bly of this province during the sitting of the assembly, and fourteen days before and five days after rising.

Passed January 12, 1705-6. Allowed to become a law by lapse of time in accordance with the proprietary charter, having been considered by the Queen in Council, October 24, 1709, and not acted upon. See the Acts of Assembly passed March 30, 1723-24, Chapter 266; March 20, 1724-25, Chapter 285. Repealed by the Act of Assembly passed February 14, 1729-30, Chapter 315. Partially revived by the Act of February 6, 1730-31, Chapter 321. Repealed by the Act of Assembly passed March 20, 1810, P. L. 188.

CHAPTER CLIV.

AN ACT FOR THE RELIEF OF THE POOR.

For the better relief of the poor of this province.

[Section I.] Be it enacted by John Evans, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary and Governor-in-Chief of the Province of Pennsylvania and Territories, by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That the justices of the peace of the respective counties of this province, or any three or more of them shall, on the five-and-twentieth day of March yearly (unless that shall happen on the First day of the week, and then on the day following) meet at some convenient place within their county, and there nominate and appoint one, two or more (as the case may require) of [the] substantial inhabitants of the respective townships; and where the townships are small and inhabitants few, two or more, as the justices shall think fit, may be joined together within their county to be overseers of the poor of the said townships for the year ensuing.

[Section II.] And be it further enacted by the authority aforesaid, That it shall and may be lawful for the overseer or overseers of the poor so nominated and appointed to make or lay a rate or assessment after the rate of one penny per pound, clear value, of the real and personal estates of all and every the free-

holders and inhabitants within their respective townships, to be employed for the relief of poor, indigent and impotent persons inhabiting within the said townships, in such manner as by this act is directed and appointed; and four shillings per head on all freemen not otherwise rated.

[Section III.] And be it further enacted by the authority aforesaid, That the said overseers, before they proceed to the collecting of the said rate, shall procure the same to be allowed by three or more justices of the peace of the county wherein the said tax is made. And if any person or persons so rated or assessed shall refuse to pay the sum or sums on them charged, that it shall and may be lawful to and for the said overseer or overseers (having first obtained a warrant under the hands and seals of two justices of the peace of the county where the said assessment is made who are hereby empowered to grant such warrant) to levy the same on the goods and chattels of the person or persons so refusing; and in case such person shall not, within three days next after such distress made, pay the sum or sums on him assessed, together with the charge of such distress, that the said overseer or overseers may proceed to the sale of the goods distrained, rendering to the owner the overplus (if any) that shall remain on such sale, reasonable charges first deducted: and in case such person or persons have no goods or chattels whereby they may be distrained, that then it shall be lawful for the said justices to commit the offenders to prison, there to remain without bail or mainprize until they have paid the same.

Provided always, That if any person or persons find themselves aggrieved with such rate or assessment, that then it shall be lawful for the justices of the peace, at their next general quarter-sessions, upon petition of the party, to take such order therein as to them shall be thought convenient, and the same to conclude and bind all parties; and the overseer or overseers shall forbear such distress till the same be determined in the quarter-sessions.

[Section IV.] And be it further enacted by the authority aforesaid, That the said overseers shall lay the said rate according to the best of their skill and judgment, wherein they shall be

guided by the county assessment on other occasions, having due regard to every man's estate without favor or affection to any.

[Section V.] And be it further enacted by the authority aforesaid, That the father and grandfather and the mother and grandmother and the children of every poor, old, blind, lame and impotent person, or other poor person not able to work, being of a sufficient ability, shall at their own charges relieve and maintain every such poor person as the justices of the peace at their general quarter-sessions shall order and direct, on pain of forfeiting forty shillings for every month they shall fail therein.

[Section VI.] And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said overseers of the poor by the approbation and consent of two or more justices of the peace, to set on work the children of all such whose parents shall not be by the said justices thought able to maintain them; and also to put such children out apprentices for such term as they may in their discretion shall see meet.

[Section VII.] And be it further enacted by the authority aforesaid, That no person or persons shall be admitted or entered in the poor's books, or receive relief from the overseers of the poor, before such person or persons have procured an order from two justices of the peace for the same; and in case the said overseers shall enter into their books, or relieve any such poor person or persons without such order, they shall forfeit all such money or goods so paid or distributed, unless the justices shall approve and allow the same upon making up their accounts.

[Section VIII.] And be it further enacted by the authority aforesaid, That the justices of the peace of the said respective counties shall, at least ten days before the said twenty-fifth day of March yearly, issue out their warrants, directed to the overseers of the poor of the respective townships within their county, commanding the said overseers to appear before them on the said day and produce their accounts of what money they have received and disbursed for the use of the poor, and also to return the names of one or two or more (as the place may require) of the sufficient inhabitants of their respective town-

ships, to succeed them in that office for the year ensuing: and in case the overseers shall neglect to bring in such their accounts, as also the names of such sufficient persons to succeed them in that office the year ensuing, such person or persons so neglecting shall serve in that office one year longer or otherwise forfeit any sum not exceeding fifty pounds, as the said justices shall think fit and direct. And in case the person or persons approved on and appointed by the said justices to be overseers of the poor of any township within the respective counties, shall refuse to take upon him or them the said office, and to do his and their duty therein, he or they shall forfeit the sum of five pounds each; which said forfeitures shall go and be to the use of the poor of the town or place where such neglect or refusal shall be made, and shall be levied by the constable, by warrant from any two justices of the peace of the said county under their hands and seals, on the goods and chattels of such person or persons so neglecting or refusing, and by the constable sold within three days next after such distress made; and if there happen any overplus upon sale thereof, the same shall be paid to the person or persons to whom the same shall belong, reasonable charges first deducted. And if such person or persons so neglecting or refusing as aforesaid, shall not have goods or chattels whereby he or they may be distrained as aforesaid, that then the said justices may commit the offender or offenders to prison there to remain without bail or mainprize till the said forfeitures shall be by them fully satisfied and paid.

[Section IX.] And be it further enacted by the authority aforesaid, That the mayor and aldermen of the city of Philadelphia shall have the same power and authority, by virtue of this act, within the limits and precincts of their jurisdiction, as well out of sessions as at their sessions, as is herein limited, prescribed and appointed to the justices of the peace of the county.

Passed January 12, 1705-6. Allowed to become a law by lapse of time in accordance with the proprietary charter, having been considered by the Queen in Council, October 24, 1709, and not acted upon. See Appendix II, Section III, and the Acts of Assembly passed May 31, 1718, Chapter 287; March 29, 1734-35, Chapter 336, and August 19, 1749, Chapter 379. Repealed by the Act of Assembly passed March 9, 1771, Chapter 635. For acts relating to the poor in Philadelphia county during the time this act was in force, see Chapters 534, 552, 567, 573, 579 and 596.