

ceased, be, and they are hereby enabled and authorized to convey unto Michael M'Garry, his heirs and assigns forever, in fee simple, the house and lot of ground, numbered thirty-three, in the general plan of Millerstown aforesaid, together with the appurtenances; as soon as he the said M'Garry shall pay or secure to be paid, the consideration stipulated therefor; and the title so made and completed, shall be as good and available in law to all intents and purposes, as if it had been made in the lifetime of said John Jordan.

Approved March 28, 1806. Recorded in L. B. No. 10, p. 380.

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#### CHAPTER MMDCCXIII.

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AN ACT TO PROVIDE FOR THE ERECTION OF A HOUSE FOR THE EMPLOYMENT AND SUPPORT OF THE POOR, IN THE COUNTY OF DAUPHIN.

Section I. (Section I, P. L.) 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 a house for the employment and support of the poor shall be erected in the county of Dauphin, in the manner and under the conditions hereinafter prescribed and enacted.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That Christian Kunckle, Isaac Ferree, junior, Thomas Stubbs, George Lower, Valentine Shouffler, Martin Meily, Abraham Doebler, Rudolph Kintzel, and Henry Mayer, of the said county of Dauphin, be, and they are hereby authorized, empowered and directed to receive and hear such application 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, in the said county of Dauphin; and shall on or before the first day of November next, determine upon and fix the place within the said county of Dauphin, on which the said buildings shall be erected; and they or a majority of them shall

certify their proceedings under their hands and seals to the clerk of quarter sessions, of the said county of Dauphin, to be filed in his office.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the electors of the said county of Dauphin 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 three reputable citizens of the said county, to be directors of the poor and of the house of employment, for the county of Dauphin, for the ensuing year: and the judges of election of the 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 directors so chosen 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 persons of their being elected; whose duty it shall be to meet at the court house in the 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, 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 above mode prescribed, may serve for three years, and one third be chosen annually.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That each director elected in manner aforesaid, or appointed as is directed by the thirteenth section of this act, shall within ten days after he is notified of such election or appointment, and before he enters on the duties of the said office, take an oath or affirmation, which any justice of the peace of the said county is hereby authorized to administer, that he will discharge the office of director of the poor of 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 the said county; which fine shall be recovered by the directors, for the time being as debts of equal amount are or may be by law recoverable.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That the said directors shall forever 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 county of Dauphin; 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 Dauphin," 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 whomsoever; to purchase, take and hold any lands and tenements within their county, 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, book-accounts, and other papers, to the said corporation 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, so that such apprenticeship may expire, if males, at or before the age of twenty-one years, 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; and to exercise and enjoy all such powers now vested in the overseers of the poor, as are not herein granted or supplied; and the said directors 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.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That 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, erecting the necessary buildings and furnishing the same; whereupon the 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 purposes 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 installments 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 favor by the county commissioners as the same may be found necessary.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That it shall be the duty of the said directors, or a majority of them, immediately after their first election, and so annually forever thereafter, to make an estimate of the sum necessary for the support of the poor of the said county, for the year ensuing the making such estimate; and shall forward the same to the county commissioners, who shall provide by tax or otherwise, the sum required by such estimate, and pay the same over to the treasurer of the said corporation.

Section VIII. (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the said directors shall, at least once in every year, render an account of all 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 county, a list of the numbers, ages and sexes of the persons maintained and employed in the said house of employment, or supported or assisted by them elsewhere; and of the children by them bound out to apprenticeships 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 county, all their books and accounts, together with the rents, interests and monies 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.

Section IX. (Section IX, P. L.) And be it further enacted by the authority aforesaid, That as soon as said buildings shall be erected, and all necessary accommodations provided therein, notices shall be sent, signed by any two of the said directors, to the overseers of the poor of the several townships of the said county of Dauphin, requiring them forthwith to bring the poor of their respective townships to the said house of employment; which order the said 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 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 overseers, directing them to maintain such poor until such time as he, or she shall be in a situation to be removed; and then to convey the said pauper and deliver him or her to the steward or keeper of the said house of employ-

ment, 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 X. (Section X, P. L.) And be it further enacted by the authority aforesaid, That 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 the said county of Dauphin; 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 Dauphin; 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 Dauphin; 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.

Section XI. (Section XI, P. L.) And be it further enacted by the authority aforesaid, That 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 all 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 care 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 court of common pleas, for the time being of the said county of Dauphin, and shall have received the approbation of the said court.

Section XII. (Section XII, P. L.) And be it further enacted by the authority aforesaid, That a quorum of the 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 which may happen by the neglect or misconduct of any person or persons in their employment.

Section XIII. (Section XIII, P. L.) And be it further enacted by the authority aforesaid, That the said directors shall each of them receive for their services forty dollars per annum, to defray the expenses of their necessary attendance on the duties of their offices.

Section XIV. (Section XIV, P. L.) And be it further enacted by the authority aforesaid, That in case of any vacancy by death, resignation, or otherwise, of any of the said directors, the remaining directors shall fill such vacancy by appointment of a citizen of their said county, under the same penalty as is provided by the fourth 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.

Section XV. (Section XV, P. L.) 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 Dauphin county, at the time when the first county 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.

Section XVI. (Section XVI, P. L.) And be it further enacted by the authority aforesaid, That as soon as the poor of the county of Dauphin shall be removed to the house of employment of the said county, the office of overseer of the poor within the said county shall from thenceforth be abolished.

Section XVII. (Section XVII, P. L.) And be it further enacted by the authority aforesaid, That as soon as the aforesaid buildings shall be completed, so much of the laws of this commonwealth relating to the poor of the county of Dauphin, as is by this act altered or supplied, be, and the same is hereby repealed.

Section XVIII. (Section XVIII, P. L.) And be it further enacted by the authority aforesaid, That the powers conferred and duties imposed on the overseers of the poor, in and by "An act to empower the overseers and guardians of the poor of the several townships within this commonwealth, to recover certain fines, penalties and forfeitures, and for other purposes,"<sup>(1)</sup> are hereby conferred and imposed on the supervisors of the highways in the said county of Dauphin; 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, penalties and forfeitures within the time, and in the manner prescribed by the said act<sup>(1)</sup> 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 that 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 of the said county, shall be subject to all the fines, penalties and forfeitures, to which the justices of the peace and sheriffs in other counties are by the said act subject and liable.

Section XIX. (Section XIX, P. L.) And be it further enacted by the authority aforesaid, That the commissioners of the said county are hereby authorized and empowered to pay to the persons who are appointed by this act to fix the place where the buildings for the accommodation of the poor in said county shall be erected, such sums of money as will be sufficient to reimburse them for their expenses; and also to pay to each of the said directors such sum of money as (together with the annual sum allowed them by this act), may be in the opinion of the commissioners a reasonable compensation for their services during the time they are employed in erecting the buildings aforesaid.<sup>(2)</sup>

Approved March 28, 1806. Recorded in L. B. No. 10, p. 381.

Note (1) Chapter 2398. 17 Statutes at Large, p. 498.

Note (2) For supplements to the act in the text see Chapter 2773; Infra this volume, p. 379; and Chapter 2921; Infra this volume, p. 762; and (Act Jan. 5, 1811); 19 Statutes at Large.