

**BOARD OF PUBLIC CHARITIES**  
**Act of Apr. 24, 1869, P.L. 90, No. 66**  
AN ACT

CL. 67

To create a Board of Public Charities.

Section 1. Commissioners; appointment by Governor

The Governor, with the advice and consent of the Senate, shall, as soon as practicable after the passage of this act, appoint five commissioners, who, together with the general agent and secretary hereinafter mentioned, shall constitute a board of public charities; one of the persons so appointed shall hold office for one year, one for two years, one for three years, one for four years, and one for five years, unless sooner removed; appointments to fill vacancies caused by death, resignation or removal before the expiration of terms, may be made for the residue of such terms, by the governor, subject to the consent of the senate, and all appointments to fill vacancies caused by expiration of terms shall be made in the same manner, and shall be for the period of five years each. 1869, April 24, P.L. 90, Sec. 1.

Section 2. Oath of commissioners

The commissioners, before entering upon their duties, shall respectively take and subscribe the oath required of other state officers, which shall be filed in the office of the Secretary of the Commonwealth, who is hereby authorized and directed to administer said oath; they shall have power to elect a president out of their own number, to appoint a general agent and secretary, and to adopt such regulations for the transaction of the business of the board and the management of its affairs as they may deem expedient. 1869, April 24, P.L. 90, Sec. 2.

Section 3. Meetings

The said board shall be provided with a suitable room in the State Capitol, in which it shall hold its meetings, and it shall meet therein at least once in every three months; the time for such regular meetings to be fixed at the time of its organization; the commissioners shall receive no compensation for their services but their actual traveling and other necessary expenses, which shall be paid by the State Treasurer upon the certificate of the Auditor General. 1869, April 24, P.L. 90, Sec. 3.

Section 4. Officer; term; duties; salary

The general agent and secretary of the board of public charities shall hold his office for three years, unless sooner removed; he shall be a member of the board ex-officio; and it shall be his duty to cause a correct record of its proceedings to be kept, oversee and conduct its out-door business, visit all charitable, penal, reformatory, and correctional institutions in the state at least once in each year, except as hereinafter provided, and as much oftener as the board may direct; he shall prepare a series of interrogatories, with the necessary accompanying blanks, to the several institutions of charity, reform, and correction in the state, and to those having charge

of the poor in the several counties thereof, or any subdivision of the same, with a view to illustrate in his annual report the causes and best treatment of pauperism and crime, and shall have free access to all reports and returns now required by law to be made; and he may also propose, for the approval of the board, such general investigations as he may think best. He shall be paid annually the sum of five thousand dollars (\$5,000), and his additional traveling expenses. 1869, April 24, P.L. 90, Sec. 4; 1913, May 1, P.L. 149, Sec. 1.

#### Section 5. Power

The said commissioners shall have full power, either by themselves or the general agents, at all times to look into and examine the condition of all charitable, reformatory, or correctional institutions within the State, financially and otherwise; to inquire and examine into their methods of instruction, the government and management of their inmates, the official conduct of trustees, directors, and other officers and employees of the same; the condition of the buildings, grounds, and other property connected therewith, and into all other matters pertaining to their usefulness and good management; and for these purposes they shall have free access to the grounds, buildings, and all books and papers relating to said institutions; and all persons now or hereafter connected with the same are hereby directed and required to give such information, and afford such facilities for inspection, as the said commissioners may require; and any neglect or refusal on the part of any officer or person connected with such institution to comply with any of the requirements of this act shall subject the offender to a penalty of one hundred dollars (\$100.00), to be sued for and collected by the general agent in the name of the board. The commissioners shall also have power to employ such experts, clerks, stenographers, and other employees of all kinds as the business of the board of public charities and that of the committee on lunacy may require.

Whenever, upon the examination of any jail, prison, penitentiary, or almshouse, any condition shall be found to exist therein which, in the opinion of said commissioners, is unlawful or detrimental to the proper maintenance, discipline, and hygienic condition of such institution, or to the proper care, maintenance, and custody of the inmates therein the said commissioners shall have power to make such recommendation to the warden, inspectors, trustees, sheriff, commissioners, overseers of the poor, or other officer or officers charged by law with the government of such institution, as said commissioners may deem necessary and proper to correct the said objectionable condition; and in case of the neglect, failure, or refusal of such officer or officers to comply with such recommendation, or in case of his or their failure to make such attempt to comply therewith as shall be satisfactory to the said commissioners, within ninety days from the date of service of said recommendation upon them, the said commissioners shall certify the facts in the case, together with their recommendation, to the district attorney of the proper county, whose duty it shall be thereupon to proceed, by indictment or otherwise, to remedy the said objectionable condition. 1869,

April 24, P.L. 90, Sec. 5., 1913, May 1, P.L. 149, Sec. 2.

Section 6. Visitation of institutions

The said commissioners, themselves or their general agent, are hereby authorized and required, at least once in each year, to visit all the charitable and correctional institutions of the State receiving State aid, and ascertain whether the moneys appropriated for their aid are or have been economically and judiciously expended; whether the objects of the several institutions are accomplished; whether the laws in relation to them are fully complied with; whether all parts of the State are equally benefited by them, and the various other matters referred to in the fifth section of this act; and in their annual report to the Legislature, to embody the result of their investigations, together with such other information and recommendations as they may deem proper. 1869, April 24, P.L. 90, Sec. 6.

Section 7. Prisons and almshouses to be visited by general agent

The said board shall also require their general agent, at least once in every two years, to visit and examine into the condition of each of the city and county jails or prisons and alms or poor-houses, and shall possess all the powers relative thereto, mentioned in the fifth section of this act, and shall report to the legislature the result of the examination, in connection with the annual report authorized by this act. 1869, April 24, P.L. 90, Sec. 7.

Section 8. Reports by persons having charge of poor; notice of application for State aid; penalty for violations

It shall be the duty of all persons having charge or oversight over the poor in any city or county of this State, or in any subdivision thereof, and all persons having charge or control of county jails or prisons or workhouses, and all other persons having charge or control over any other charitable, reformatory, or correctional institution, not now by law required to make an annual report of the condition of the same, to make report annually to the said commissioners at such time, upon such form, and in such manner, as they may prescribe, of such facts and statements concerning the same as they may require; and all charitable, reformatory, and correctional institutions now required by law to make annual reports shall hereafter make and transmit the same to the said commissioners, on or before the first day of September in each year; and all such institutions now receiving or that may hereafter desire to receive State aid shall annually give notice to said commissioners, on or before the first day in September in each year, of the amount of any application for State aid which they may propose to make, and of the several purposes to which such aid, if granted, is to be applied. Any neglect or refusal on the part of any person having charge or oversight over the poor, or on the part of any person having charge or control over any jail, prison, workhouse, or charitable, reformatory or correctional institution, to make the report required by this act, or otherwise required by law, shall subject the offender to a penalty of one hundred dollars (\$100.00), to be sued for and collected by the general agent in the name of the board.

The commissioners may prescribe to all institutions receiving State aid a method of keeping their books; and the commissioners shall make no recommendation for the allowance of State aid to any such institution which shall not adopt said system. 1869, April 24, P.L. 90, Sec. 8; 1913, May 1, P.L. 149, Sec. 3.

Section 9. Inquiry into ground of request for State aid

Whenever any such institution shall thus give notice of asking for State aid, the commissioners shall inquire carefully into the ground of such request, the purpose or purposes for which the aid is asked, the amount which will be required, and into any matters connected therewith; and in the annual report the result of such inquiries shall be given, together with the opinions and conclusions of the board thereon. 1869, April 24, P.L. 90, Sec. 9; 1913, May 1, P.L. 149, Sec. 4.

Section 10. Administration of oaths

The several members of said board are each hereby authorized to administer oaths, in examining any person or persons relative to any matters connected with the inquiries authorized by this act. 1869, April 24, P.L. 90, Sec. 10.

Section 11. No member to be personally interested in any contract

No member of said board shall be interested directly or indirectly in any contract for building, repairing or furnishing any institution, which by this act they or any one of them are authorized to visit or inspect; nor shall any trustee or other officer of any of the institutions embraced in this act, be eligible to the office of commissioner or general agent hereby created. 1869, April 24, P.L. 90, Sec. 11.

Section 12. Full report to be printed annually

The board of public charities shall annually prepare and print, for the use of the legislature, a full and complete report of all their doings during the year preceding, stating fully in detail all expenses incurred, all officers and agents employed, with a report of the general agent and secretary, embracing all the respective proceedings and expenses during the year, and showing the actual condition of all charitable and correctional institutions within the state, with such suggestions as the board may deem necessary and pertinent; and the said general agent and secretary is hereby authorized to prepare the necessary blanks, and forward the same, in good season, to all institutions from whom information or returns may be needed, and to require a prompt return of the same, with the blanks properly filled. 1869, April 24, P.L. 90, Sec. 12.