

otherwise applied under their direction in such manner as they shall believe to be most advantageous for promoting the object of the said institution; and the remaining one thousand dollars shall be placed in some safe, productive fund or funds, and the income thereof shall be forever annually applied in aid of other revenues, to compensate a teacher or teachers in said academy; and there shall be admitted into said academy in consequence of the aforesaid grant, any number of poor children that may at any time be offered in order to be taught gratis; *Provided*, The number so admitted and taught shall at no time be greater than five, and that none of the said children so admitted shall continue in said academy to be taught gratis should others apply, longer than two years; *And be it further provided*, That before any part of the appropriation aforesaid shall be paid on the order or orders of the trustees as aforesaid, they or a majority of them shall duly certify that subscriptions to the amount of one thousand dollars have been obtained and secured to be paid for the use of said academy, and that the said trustees have proceeded to erect the buildings aforesaid.

Poor children to be taught gratis. Proviso as to number.

SECT. VIII. *And be it further enacted by the authority aforesaid*, That the said trustees under the penalty of forty dollars each, to be recovered as debts to that amount are by law recoverable, shall annually exhibit all their books, accounts and vouchers of every kind to the auditors of the said county of Lycoming, to be settled and adjusted in the same manner as the accounts of the county commissioners are by law directed to be settled and adjusted, and published every third year at the expense of the county aforesaid.

Trustees to exhibit annually, their books, accounts, &c.

Of settlement.

And publication.

JOHN WEBER, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate*.

APPROVED—the second day of April, one thousand eight hundred and eleven.

SIMON SNYDER.

CHAPTER CXXI.

An ACT to incorporate an academy or public school in the borough of Erie, and for other purposes therein mentioned.

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 there shall be, and hereby is established in the borough of Erie, in the county of Erie, an academy or public school for the education of youth in the English and other languages, in the use-

Academy established in Erie.

fularts, sciences and literature, by the name, style and title of " Erie academy," under the care, direction, and government of eight trustees, viz. Thomas Forster, John Kelson, Thomas Wilson, William Wallace, John Gray, Jacob Carmack, James Duncan, and William Lattimore, which said trustees and their successors to be elected as is herein after mentioned, shall be, and hereby are declared to be one body politic and corporate, in deed and in law, by the name, style and title of " The trustees of Erie academy;" and by the same name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded in all courts of record and elsewhere; and shall be competent and capable in law and equity to take and to hold, to them and their successors, for the use of said academy, lands, tenements, hereditaments, goods, and chattels of whatsoever kind, nature or quality, real, personal or mixed, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest, from any person or persons whomsoever capable of making the same; and the same from time to time to grant, bargain, sell, demise, alien or dispose of for the use of said academy; and to erect such buildings as may be necessary; and generally to do all and singular the matters and things which shall be lawful for them to do for the well being of the said academy, and the due management and ordering the affairs thereof; *Provided always*, That the yearly value or income of the estates or money shall not exceed four thousand dollars.

Limitation of income. *SECT. II. And be it further enacted by the authority aforesaid,* That the number of trustees shall be eight as aforesaid, and shall be so changed as that none of them shall continue in office for a longer term than four years without being re-elected by the citizens of said county, residing in the Triangle; and for that purpose it shall be the duty of the said trustees at their first meeting when not less than five of them shall be present, (which members shall be a board or quorum to do business,) and they are hereby authorized and required to cast lots for ascertaining the members to be changed each year until the whole number shall be changed; and in order annually to supply the vacancies that may take place the citizens of the north part of said county of Erie commonly called the Triangle shall on the second Tuesday of October next, and annually thereafter for ever, at the same places, in the same manner and under the same laws, rules, and regulations as members of the state legislature are chosen, elect two trustees to supply the place of the trustees going out of office; *Provided always*, That in case the places of any of the trustees shall become vacant by death, resignation or otherwise, the remaining trustees shall appoint person or persons to fill such vacancy or vacancies until the next general election,

Style of Trustees of.

And their successors declared a body politic.

Style of the corporation.

And priviledges,

Number of trustees.

Term of service. By whom to be selected.

Five members to be a quorum.

Lots to be cast for changing the members.

When elections to be held, and how.

How vacancies to be supplied.

when the class in which said vacancy or vacancies may hap-
pen are to be chosen.

SECT. III. *And be it further enacted by the authority aforesaid,* That the first meeting of the said trustees shall be at Erie on the third Tuesday of May next, and at such other times as a majority of the trustees shall determine. First meeting of the trustees.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the trustees shall appoint a treasurer annually, who shall receive and hold all monies belonging to the institution and pay the same on orders signed by the board; he shall keep fair accounts thereof, to be open at all times to the inspection of the trustees; and before he enters upon the duties of his office, shall give bond in any sum at their discretion, with two or more sufficient sureties conditioned for the faithful performance of the duties enjoined, and the re-payment of all monies received by him, which bond shall be deposited with the prothonotary of the county. Treasurer to be appointed.

Duties of.

Shall be bound with surety.

SECT. V. *And be it further enacted by the authority aforesaid,* That all by-laws, ordinances, and proceedings of the said corporation shall be fairly and regularly entered in a book or books to be kept for that purpose, and no misnomer of the said corporation shall defeat or annul any gift, grant, devise, or bequest, to the said academy. By-laws, &c. to be entered.

No misnomer to defeat any gift, &c.

SECT. VI. *And whereas* by an act of assembly passed the eleventh day of April, anno Domini one thousand seven hundred and ninety-nine, entitled, "An act to provide for selling the several reserved tracts of land adjoining the towns of Erie, Franklin, Warren and Waterford, and for other purposes therein mentioned," it was provided and enacted, that in each of the said reserved tracts the quantity of five hundred acres should be laid off for the use of such schools or academies as might thereafter be established by law in the said several towns; therefore, *Be it further enacted by the authority aforesaid,* That the tract of five hundred acres of land surveyed and laid off in the reserved tract adjoining the town of Erie in pursuance of the provision aforesaid, of the said act, be, and the same is hereby granted to and vested in the trustees of the said academy and their successors in fee simple, for the use of the said academy, which trustees shall have full power to farm, let, lease, or otherwise dispose of said land for any term not exceeding fifteen years from and after the passing of this act; and that the following in-lots in the town of Erie aforesaid; to wit, numbers two thousand five hundred and twenty-nine, two thousand five hundred and thirty, two thousand five hundred and thirty-one, two thousand five hundred and thirty-two, two thousand five hundred and thirty-three, two thousand five hundred and thirty-four, two thousand five hundred and thirty-five, two thousand five hundred and thirty-six, two thousand five hundred and thirty- 500 acres of land granted to the use of said academy;

And certain town-lots.

seven, two thousand five hundred and thirty-eight, two thousand five hundred and thirty-nine, two thousand five hundred and forty, two thousand five hundred and forty-one, two thousand five hundred and forty-three, be, and the same are hereby granted to and vested in the said trustees and their successors in fee simple for the purpose of erecting a building or buildings thereon for the use of the said academy.

Buildings to be erected thereon.

Penalty on trustees neglecting to exhibit their accounts, &c.

How to be settled and published.

Trustees to take the oaths, &c.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the said trustees under the penalty of forty dollars each, to be recovered for the use of the said corporation as debts to that amount are by law recoverable, shall annually exhibit all their books, accounts, and vouchers of every kind to the auditors of the said county of Erie, to be settled, adjusted, and published in the same manner as the accounts of the county commissioners are by law directed to be settled, adjusted and published.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the trustees herein before appointed, and their successors in office, shall before they enter on the duties of their trust before any judge or justice of the peace of this state, take and subscribe the oaths or affirmations prescribed by the constitution of this state to be taken by the officers of the state; and shall also take and subscribe an oath or affirmation for the faithful discharge of their respective trusts or office aforesaid.

JOHN WEBER, *Speaker of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the second day of April, one thousand eight hundred and eleven.

SIMON SNYDER.

CHAPTER CXXII.

A further SUPPLEMENT to an act, entitled, "An act to enable the governor to incorporate a company for making an artificial road from the city of Philadelphia, by Chad's ford on Brandywine, to the line of the state in a direction towards Baltimore,"

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 it shall and may be lawful for the president, managers, and company of the Philadelphia, Brandywine and New-London turnpike road, to make and complete the same over and upon the road leading from the permanent bridge over

Philadelphia, &c. turnpike to be carried over the woodlands road.