

incorporating the same, an Assistant Minister cannot be elected to serve in the said church unless he shall have attained to a certain age and have been advanced to the order of priests,

Therefore,

SECT. 7. *Be it further enacted by the authority aforesaid,* That so much of the said act, and of the agreements, concessions and constitutions of the said church as prevents the election of an Assistant Minister in the said church for the causes aforesaid, and so much of the act to which this is a supplement as is hereby altered and supplied, be and the same is hereby repealed.

Repeal of part of former act.

WILLIAM DAVIDSON, *Speaker of the House of Representatives.*

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the twenty-fifth day of February, one thousand eight hundred and eighteen.

WILLIAM FINDLAY.

CHAPTER LXVI.

AN ACT

To provide for the education of children at public expense within the city and county of Philadelphia.

WHEREAS the general provisions of the existing law towards “the establishment of schools throughout the state, in such manner that the poor may be taught gratis,” and the special provisions made relative to the city and county of Philadelphia, have not proved to be a public benefit within the said city and county, commensurate with the expense incurred by occasion of the same.

For remedy whereof,

SECT. 1. *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 the city and county of Philadelphia shall be and hereby are erected into a district for the purposes of this act, to be denominated “The first school district of the state of Pennsylvania,” and shall be divided into the following sections, and so many other sections as may be established hereafter, in the manner hereinafter provided. First, The city

First school district erected.

of Philadelphia shall be a section, and shall be denominated First section. "The First Section." Second, The Northern Liberties and Kensington shall be a section, and shall be denominated "The Second Section." Third, Southwark, Moyamensing and Pas-syunk shall be a section, and shall be denominated "The Third Section." Fourth, Penn township shall be a section, and shall be denominated "The Fourth Section."

SECT. 2. *And be it further enacted by the authority aforesaid,* That the common and select councils, the commissioners of the incorporated part of the Northern Liberties, the commissioners of the district of Southwark, the commissioners of the township of Moyamensing, and the commissioners of the district of Spring Garden shall meet, as soon as conveniently may be after the passing of this act, in their respective districts, and thereafter on some day between the first and twentieth days of January in every year, and shall appoint the requisite number of qualified taxable inhabitants, residing within their respective sections hereby established, to be directors of the public schools within every of their respective sections, that is to say, The select and common councils of the city of Philadelphia shall, in joint meeting, elect by ballot twenty-four directors; the commissioners of the incorporated part of the Northern Liberties shall elect twelve directors; the commissioners of the district of Southwark shall elect six directors; the commissioners of the township of Moyamensing shall elect six directors, and the commissioners of the district of Spring Garden shall elect six directors; and for every section hereafter established, the number of directors designated in the manner hereinafter provided, and shall transmit a list of the names of the directors so appointed by them to the county commissioners, who shall cause the same to be published in all the daily newspapers printed and published in the said city and county, and shall give personal, written or printed notice to every citizen so appointed, for the expenses of which services the said county commissioners shall be allowed in the settlement of their accounts.

How the directors shall be appointed.

Their numbers.

List of their names to be furnished and published.

Notice to be given to the person appointed.

Expenses how defrayed

SECT. 3. *And be it further enacted by the authority aforesaid,* That the said directors for every section shall, immediately after their appointment as aforesaid, meet together and elect one suitable person from among themselves, for every six directors, to be members of a select body, to be called "The controllers of the public schools for the city and county of Philadelphia."

Controllers, how elected.

SECT. 4. *And be it further enacted by the authority aforesaid,* That the directors appointed and controllers elected as aforesaid, shall continue in office until the expiration of one calender month after a new appointment and election shall have taken place, and in case of the death, removal or resignation of any director or controller, from inability to serve, the directors for the time being of the section in which such vacancy occur, shall have power to elect any qualified taxable

Duration of office.

Vacancies, how filled.

inhabitant or inhabitants of the section to supply the place of the person so dying, removing or resigning as aforesaid.

Powers and duties of the controllers.

SECT. 5. *And be it further enacted by the authority aforesaid,* That the said controllers of the public schools, shall determine upon the number of school-houses which shall be erected or established in every section under the provisions of this act, and shall limit the expense of erecting and establishing every such school-house. They shall have power to establish a model school, in order to qualify teachers for the sectional schools, or for schools in other parts of the state. They shall also have power to provide such suitable books as they shall deem necessary for the use of the pupils belonging to the different schools within the first district. They shall have the general superintendance over all the schools established under and by virtue of this act in the said district, and may make such rules and regulations for their own government, and for the general regulations of the district, as may be deemed necessary for carrying this act into complete effect : *Provided;* That such rules or regulations shall not be inconsistent with this act, or with the constitution or laws of this commonwealth, or of the United States. They shall also have power to appoint a clerk or secretary with a salary not exceeding two hundred dollars a year.

Provisb.

Clerk or secretary.

Accounts of monies disbursed, how examined and paid.

SECT. 6. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said controllers to examine all accounts of monies disbursed in erecting, establishing and maintaining the several schools established as aforesaid within the district, and the order of the said controllers upon the county treasurer, made at any regular or special meeting, and signed by the president and secretary of such meeting, for any sum or sums of money necessary for carrying this act into complete execution, shall be the said county treasurer's authority for paying any such sum or sums of money to the person or persons mentioned in such order ; and the said treasurer is hereby directed to pay all such orders accordingly.

Meetings of the controllers.

To keep minutes and books of accounts, &c.

To publish a statement annually.

SECT. 7. *And be it further enacted by the authority aforesaid,* That the said controllers shall meet at least quarterly, and may call special meetings whenever the same may be deemed expedient. They shall keep regular minutes of all their proceedings, and shall keep regular books of accounts, which shall be examined and settled annually by the auditors of the county, and shall publish a statement in the month of February in every year of the amount of expenditure, and of the number of children educated in the public schools.

Orders for payment of money when to be made.

SECT. 8. *And be it further enacted by the authority aforesaid,* That no order for the payment of money shall be made at any meeting of the said controllers, unless a majority of their whole number be present ; and if any such order shall be made at any meeting at which a majority of their whole number shall not be present, every member present at such

meeting, as well as the clerk or secretary of such meeting, shall forfeit and be liable to pay a sum equal to double the amount of the order or orders made at such meeting, to be recovered by action of debt, bill, plaint or information in any court of record established in the said county, by any person who shall first sue for the same, one half to be for the use of the person first suing for the same, and the remainder to the county commissioners for the use of the county. Penalty.

SECT. 9. *And be it further enacted by the authority aforesaid,* That the said directors, for every section respectively, shall have power to erect and establish so many schools in their respective sections, as may be determined upon by the said controllers, as provided in the fifth section of this act, and shall appoint teachers and provide all things necessary for maintaining and conducting the schools in their respective sections, and shall superintend and direct the said schools respectively. And the directors of every section respectively shall meet at least monthly, and shall keep regular minutes of their proceedings; and the said directors of every section respectively, shall divide themselves into as many committees as there may be schools, established as aforesaid, in the particular section, so that every committee may have the management of one school only. And the said committee shall also keep regular minutes of their proceedings, and shall report or exhibit their minutes to the directors of the section whenever required by the said directors so to do. And the directors of every section shall report the state of all the schools within the section, every six months to the controllers aforesaid. And all the directors of the public schools within the said district, shall perform their duties without any pecuniary compensation, and during their term of service shall be exempted from serving as jurors, arbitrators, overseers of the poor or managers of the alms-house, and except in time of war from militia duty. Powers and duties of the directors.
Their meetings.
Committees.
Their duty.
Exemptions of directors.

SECT. 10. *And be it further enacted by the authority aforesaid,* That the principles of Lancaster's system of education, in its most improved state, shall be adopted and pursued in all the public schools within the district, with the exceptions hereafter mentioned. Lancasterian system to be adopted.

SECT. 11. *And be it further enacted by the authority aforesaid,* That the court of quarter sessions for the said county, upon the petition of twenty respectable taxable citizens residing in that part of the first school district, in the said petition particularly mentioned and described, to establish a new school section within the said district, the boundaries and limits of which section shall be clearly and distinctly described and set forth in the said petition, shall appoint some day certain, not less than thirty days from the time of presenting the said petition, for the hearing of the said petitioners, and such persons residing within the first school district as may offer objections to the establishment of such new section. Mode of proceeding to establish a new school section:

Notice to be given.

Number of directors to be designated, and proceedings recorded and copy delivered.

Duty of assessors as to informing parents, &c. of their right to send children to school free of expense.

How such children may be admitted.

Duty of controllers or directors on omission of assessors.

Assessors to return a list.

Their compensation.

And the said court shall direct immediate public notice of the substance of such petition, and of the time appointed for hearing the same to be given, and also personal notice of the same to be given to the president or secretary of the controllers of the public schools for the said district; and if, upon the day appointed as aforesaid, or upon the hearing of the said petitioners, no sufficient objections shall appear, and the said court shall be of opinion that the state of the section petitioned for, is such as to require and to justify the establishment of one or more public school-houses within the same, the said court may order and direct that the place designated and described in the said petition shall be a new section, to be designated by its appropriate ordinal number. And the said court shall, at the same time, designate the number of directors to be appointed for such new section, and shall cause record of such petition and proceedings to be made, and a copy thereof certified by the clerk of the said court, under the seal of the said court, to be made out at the expense of the petitioners, and to be delivered to the president or clerk of the said controllers of the public schools, from which time the said new section shall be considered and held to be established, and to be subject to all the provisions of this act.

SECT. 12. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the assessors of every ward and township within the said district, in which any school section is or may be established by and under this act, upon being required so to do by the said controllers or directors of the public schools as the case may be, to require and receive once in every year, from parents and guardians, the names of all the indigent orphan children, or children of indigent parents, residing within the said school sections respectively, that is to say, The names of boys between the ages of six and fourteen years, and girls between the ages of five and thirteen years, and to inform the said parents and guardians of such children, that they may send the said children to the proper school within the section in which they reside respectively, free of expense, and the children thus returned shall, if approved by the controllers or directors, out of the incorporated districts aforesaid, be admitted into the schools under their direction; and in case the said assessors shall omit to make a return of any poor children within their wards or townships, the said controllers or directors being informed of the same, shall cause the names of the children so omitted to be placed on the said list, and be educated as the children returned on the list aforesaid. And the said assessors respectively shall return a true certified list of the names of all such children residing within the said sections respectively, to the said controllers or directors of the public schools, for which services the said assessors shall be allowed a reasonable compensation, to be fixed by the county commissioners. And every assessor who shall neglect to give

such notice, or to make such return in a reasonable time; shall forfeit and pay the sum of twenty dollars, to be sued for by any person, and recovered as debts of that amount or may be recoverable, and to be paid into the county treasury for county purposes. Penalty of assessors for neglect.

SECT. 13. *And be it further enacted by the authority aforesaid,* That as soon as the school or schools within any section of the said district, shall be established and ready for the reception of scholars, the directors of such section shall give public notice thereof, and also shall give immediate notice thereof in writing to the county commissioners, who shall give immediate notice to the teachers of all schools within the section to whose care any children may have been committed by the said commissioners, that after a certain day, not more than ninety days after such notice given by the said directors to the said commissioners, the further education of such children will not be paid for by the said county commissioners, and the said county commissioners shall not be allowed for any payment made to any school-master or teacher within such section, for educating any child after the period aforesaid. Proceeding to be had as soon as a school is established.

SECT. 14. Whereas the plan of education before mentioned may be inconvenient to the townships hereafter named; it therefore becomes proper to adopt one better calculated for their local situation :

Be it therefore enacted, That the townships of Oxford, Lower Dublin, Byberry and Moreland shall be a section, to be denominated "The Fifth Section;" that the court of quarter sessions for the said county, shall appoint twelve respectable taxable inhabitants of the said section, to be directors of the public schools within the same, four for Oxford, four for Lower Dublin, two for Byberry, and two for Moreland townships; and that the townships of Germantown, Bristol and Roxborough shall be a section, to be denominated "The Sixth Section;" that the court of quarter sessions for the said county, shall appoint eight respectable taxable inhabitants of the said section, to be directors of the public schools within the same, four for Germantown, two for Bristol, and two for Roxborough, and that the townships of Blockley and Kingsessing shall be a section, to be denominated "The Seventh Section;" that the court of quarter sessions for the said county, shall appoint five respectable taxable inhabitants of the said section, to be directors of the public schools within the same, three for Blockley and two for Kingsessing; that the said directors shall superintend the schooling of the poor children within the said district, and determine what children may fall within this description and to what schools the same may be sent; and in order to defray the expenses thereof, the said directors, or a majority of them, may draw from the county funds such sums as may be necessary for this purpose, in the same proportion as may be drawn by other sections or Fifth section: Directors how appointed. Their number. Sixth section: Directors how appointed and their number. Seventh section: Directors how appointed and their number. Powers of the directors. Expenses how defrayed.

Assessors to
make re-
turns, &c.

Proviso.

school districts for the like purpose; and the assessors within the said sections shall make their returns of poor children to the directors before named; and all and every regulation, matter and thing contained in this act, so far as the same may be applicable to the special provisions in this section, shall be considered as of full force and effect, as much so as if specially recited herein: *Provided*, That in case any of the said townships shall choose to avail themselves of the provisions of the eleventh section of this act, then and in such case the court of quarter sessions shall proceed as in the said section is directed.

Repeal of for-
mer laws.

SECT. 15. *And be it further enacted by the authority aforesaid*, That so much of every act of assembly relating to the education of the poor, as far as the same may affect the said district, as is altered and supplied by this act, shall be repealed, and shall cease to operate within the several sections in the said district, from the respective time and times when the schools established under this act in the respective sections shall be ready for the reception of scholars, and notice given of the same, as is provided in the thirteenth section of this act.

WILLIAM DAVIDSON, *Speaker*
of the *House of Representatives*.

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the third day of March, one thousand eight hundred and eighteen.

WILLIAM FINDLAY.

CHAPTER LXVII.

AN ACT

To annex parts of Columbia and Luzerne counties, to the county of Schuylkill.

Boundaries
defined.

SECT. 1. *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 all that part of Columbia and Luzerne counties lying within the following lines, viz. Beginning at a corner in the line dividing the county of Columbia from the county of Schuylkill; thence extending through the township of Catawissa, north ten degrees, east four miles and a half to a pine tree on the little mount; thence extending through the town-