

No. 60.

An Act

To establish an Academy at Brookville, in the county of Jefferson, and for other purposes.

Brookville
Academy es-
tablished &
incorporated.

SECTION 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 there shall be and hereby is established in the town of Brookville, in the county of Jefferson, an Academy or public school for the education of youth, in the English and other languages, and in the useful arts, sciences and literature, by the name, style and title of the Brookville Academy, under the care and direction of six trustees, who and their successors in office, shall be and are hereby declared to be one body politic and corporate, in deed and in law, by the name and style of the Trustees of the Brookville 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 law and elsewhere, and shall be capable in law and equity to take and hold, to them and their successors, for the use of said academy, lands, goods, chattels and monies of every kind whatsoever, by gift, grant, conveyance, devise or bequest, from any person or persons whomsoever capable of making the same, and the same from time to time to sell, convey or dispose of for the use of said academy, and to erect such buildings as may be necessary, and to have and use one common seal, and the same to alter or renew at pleasure, 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 of the affairs thereof.

Election of
trustees.

SECTION 2. The first election of trustees shall take place on the first Friday in August, in the year one thousand eight hundred and thirty-eight, and on the same Friday thereafter, annually, in the court house in said town of Brookville, and the said election shall commence at the hour of one o'clock, P.M., and continue until five o'clock P.M., and shall be conducted by two managers, who shall be appointed by a majority of the citizens qualified to vote, who may be present at the time of commencing said election; no person shall be allowed to be a trustee or to vote unless he be a citizen of said county, and shall have subscribed and paid to the funds of said academy the sum of three dollars; the votes shall be

given by ballot and each ticket shall be labelled on the outside 'Trustees of Brookville Academy,' and at the first election shall contain the names of six persons, and the six having the greatest number of votes, and being qualified according to the provisions of this act, shall be the trustees for the ensuing year, and until their successors are elected; the managers shall certify the result of the election to each person so elected; as soon as convenient after the election, the said trustees shall, by lot, divide themselves into three classes of two each; the term of office of the first class shall expire in one year after their election, that of the second in two years, and that of the third in three years, and after the first election but two trustees shall be elected annually; the board of trustees shall have power to fill vacancies, to appoint their president, who shall be one of the elected trustees, and they shall have power to enact such by-laws as may be necessary, not being inconsistent with the constitution and laws of the United States or the constitution and laws of this commonwealth; and four of the said trustees shall constitute a quorum, and a quorum may, in the absence of the president, appoint a president pro tempore; the president shall be appointed yearly; the said board of trustees shall appoint a secretary and treasurer yearly, but they shall have power to remove either whenever a majority of the board shall think it proper; the treasurer shall, before he commences the duties of his office, give a bond to said corporation, with one or more good sureties, to be approved of by a majority of the managers, for a penal sum double the estimated amount for the time being of the funds of the corporation, conditioned for the performance of the duties enjoined and the repayment of monies received by him.

Trustees to, be divided into three classes.

Powers.

Quorum.

President, secretary & treasurer.

SECTION 3. The treasurer shall receive and hold all monies belonging to the institution, and pay the same only to the order of the board, signed by the president and secretary, or by a majority of trustees, and he shall keep fair accounts thereof, to be open at all seasonable hours for the inspection of all persons who may have contributed to the funds of said institution, and the said trustees and treasurer shall annually, in the month of January, exhibit all their books, vouchers and accounts of every kind before the auditors of the county of Jefferson, to be settled and adjusted in the same manner as the accounts of county commissioners are or shall be by law directed to be settled, and any balance found due the institution shall be entered of record, and become a lien, and be collected in the same manner and under the same regulations as balances found due from county treasurers, saving to the accountant and the corporation the same right to appeal; every trustee or treasurer who shall neglect or

Treasurer's duties.

Penalty for neglect. refuse to exhibit his books, accounts and vouchers, as aforesaid, shall forfeit the sum of forty dollars, to be recovered as debts of a similar amount are now by law recoverable, in any action (brought by a person qualified to vote for trustees) in the name of said corporation, one half to be recovered for the use of the academy, and the other half for the use of the prosecutor.

Property vested in the corporation. SECTION 4. Any and all property or money which may have heretofore been granted, or in any wise directed by the owner thereof to be appropriated to the use of the institution hereby established, is hereby vested in said corporation.

Names of trustees appointed. SECTION 5. C. A. Alexander, Thomas Hastings, John J. Y. Thompson, Levi G. Clover, John Pearce, Richard Arthurs, are hereby appointed trustees of said corporation until their successors be elected, with the same powers as are hereinbefore vested in the board of trustees hereafter to be elected.

\$2000 appropriated.

SECTION 6. The Treasurer of this Commonwealth be and he is hereby authorized and required to pay to the treasurer of the Brookville Academy, in the county of Jefferson, the sum of two thousand dollars, out of any money in the treasury of this commonwealth, to be applied towards erecting a suitable building or buildings, and for purchasing the necessary library, mathematical, geographical and philosophical apparatus, for the use of said academy, at the discretion of the trustees thereof, and the said trustees shall have power to loan any part thereof, not immediately required for the purpose aforesaid, at interest not exceeding six per cent. per annum, payable semi annually, or oftener, for any term not exceeding four years, secured by bonds with undoubted security, with mortgage upon real estate of at least double the value of the sum loaned; such bonds and mortgage and surety to be first approved by the court of Common Pleas of said county: *Provided*, That before said money shall be paid to the treasurer of said academy, the Treasurer of this Commonwealth shall have received a certificate from the judges of said county, certifying that the treasurer of said academy has given the security required by this act, as well for the sum hereby granted as for other funds of the said institution, and also certifying that property or funds, to the value of at least one thousand dollars, have been contributed to the use of said institution for one or more of the purposes aforesaid.

Proviso.

Coudersport Academy, Potter co.

SECTION 7. The Treasurer of this Commonwealth be, and he is hereby authorized and required to pay to the treasurer of the Coudersport Academy, of Coudersport, in the county of Potter, the sum of two thousand dollars, out of any money in the treasury of this commonwealth, to be applied

towards erecting a suitable building or buildings, and for \$2,000 appropriated purchasing the necessary library, mathematical, geographical and philosophical apparatus, for the use of said academy, at the discretion of the trustees thereof, and the said trustees shall have power to loan any part thereof, not immediately required for the purpose aforesaid, at interest not exceeding six per cent. per annum, payable semi-annually, or oftener, for any term not exceeding four years, secured by bond with undoubted security, with mortgage upon real estate of at least double the value of the sum loaned, such bond and mortgage and surety to be first approved by the court of Common Pleas of said county: *Provided*, That before said money shall be paid to the treasurer of said academy, the Treasurer of this Commonwealth shall have received a certificate from the judges of said county, certifying that the treasurer of said academy has given the security required by the act establishing said academy, as well for the sum hereby granted as for other funds of the said institution, and also certifying that property or funds to the value of at least one thousand dollars have been contributed to the use of said institution, for one or more of the purposes aforesaid.

Proviso.

SECTION 8. That there shall be and hereby is established in Tuscarora Valley, at or near the Stone church, in the county of Juniata, an academy or public school for the education of youth in the English language, and in the arts, sciences and literature, by the name, style and title of "The Tuscarora Academy," under the care and direction of nine trustees, who, and their successors in office, shall be and are hereby declared to be one body politic and corporate, in deed and in law, by the name and style of "The Tuscarora 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 law and elsewhere, and shall be capable in law and equity to take and hold, to them and their successors, for the use of said academy, lands, goods, chattels, and monies of every kind whatsoever, by gift, grant, conveyance, devise or bequest, from any person or persons whomsoever, capable of making the same, and the same from time to time to sell, convey 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 of the affairs thereof.

SECTION 9. And the first election of trustees shall take place on the first Monday in May, in the year one thousand

Eight hundred and thirty-nine, and on the same Monday thereafter, annually, at the church in said Tuscarora Valley, and the said elections shall commence at the hour of one o'clock, P. M., and continue until five o'clock P. M., and shall be conducted by two managers, who shall be appointed by a majority of the citizens qualified to vote who may be present at the time of commencing said election; no person shall be allowed to be a trustee or to vote unless he be a citizen of said county, and shall have subscribed and paid to the funds of said academy the sum of one dollar; the votes shall be given by ballot, and at the first election; each ticket shall be labelled on the outside "Trustees of the Tuscarora Academy," and shall contain the names of nine persons, and the nine persons having the greatest number of votes and being qualified according to the provisions of this act, shall be the trustees for the ensuing year, and until their successors are elected; the managers shall certify the result of the election to each person so elected; as soon as convenient after the election the said trustees, shall, by lot, divide themselves into three classes of three each; the term of office of the first class shall expire in one year after their election, that of the second in two years, and that of the third in three years, and after the first election but three trustees shall be elected annually; the board of trustees shall have power to fill vacancies, to appoint their president, who shall be one of the elected trustees, and they shall have power to enact such by-laws as may be necessary, not being inconsistent, with the constitution and laws of the United States or the constitution and laws of this commonwealth; and six of the said trustees shall constitute a quorum, and a quorum may, in the absence of the president, appoint a president pro tempore; the president shall be appointed yearly; the said board of trustees shall appoint a secretary and treasurer yearly, but they shall have power to remove either whenever a majority of the board shall think it proper; the treasurer shall, before he commences the duties of his office, give a bond to said corporation, with one or more good sureties to be approved of by a majority of the managers, for a penal sum double the estimated amount for the time being of the funds of the corporation, conditioned for the performance of the duties enjoined and the repayment of monies received by him.

Trustees to be divided into three classes.

Powers.

Quorum.

President, Secretary and Treasurer.

Treasurer's duties.

SECTION 10. The treasurer shall receive and hold all monies belonging to the institution, and pay the same only to the order of the board, signed by the president and secretary or by a majority of trustees, and he shall keep fair

accounts thereof, to be open at all reasonable hours for the inspection of all persons who may have contributed to the funds of said institution, and the said trustees and treasurer shall annually, in the month of January, exhibit all their books, vouchers and accounts of every kind, before the auditors of the county of Juniata, to be settled and adjusted in the same manner as the accounts of county commissioners are or shall be by law directed to be settled; and any balance found due the institution shall be entered of record and become a lien, and be collected in the same manner and under the same regulations as balances found due from county treasurers, saving to the accountant and the corporation the same right to appeal; every trustee or treasurer who shall neglect or refuse to exhibit his books, accounts and vouchers as aforesaid, shall forfeit the sum of forty dollars, to be recovered as debts of a similar amount are now by law recoverable, in any action (brought by a person qualified to vote for trustees) in the name of said corporation, one half to be recovered for the use of the academy and the other half for the use of the prosecutor.

Penalty for neglect.

SECTION 11. That Dr. Thomas Whiteside, John Patterson, jr., Robert Patterson, McKnight Williamson, John Beal, William H. Patterson, William Curran, Joseph Kelly, and James Galbraith, are hereby appointed trustees of said corporation until their successors shall be elected.

Names of trustees appointed.

SECTION 12. The Treasurer of this Commonwealth be, and he is hereby authorized and required to pay to the treasurer of the Tuscorara Academy, in the county of Juniata, the sum of two thousand dollars, out of any money in the treasury of this commonwealth, to be applied towards erecting a suitable building or buildings, and for purchasing the necessary library, mathematical, geographical and philosophical apparatus, for the use of said academy, at the discretion of the trustees thereof; and the said trustees shall have power to loan any part thereof, not immediately required for the purpose aforesaid, at interest not exceeding six per cent. per annum, payable semi-annually, or oftener, for any term not exceeding one year, secured by bonds with undoubted security, with mortgage upon real estate of at least double the value of the sum loaned, such bonds and mortgage and surety to be first approved by the court of Common Pleas of said County: *Provided*, That before said money shall be paid to the treasurer of said academy, the Treasurer of this Commonwealth shall have received a certificate from the judges of said county, certifying that the treasurer of said academy has given the security required by the act establishing the said academy, as well for the sum hereby granted

\$2000 appropriated.

Proviso.

as for other funds of the said institution, and also certifying that property or funds, to the value of at least two thousand five hundred dollars have been contributed to the use of said institution for one or more of the purposes aforesaid; and in consequence of the aforesaid grant, there shall be admitted into the said academy any number of poor children, not exceeding four that may at any time be offered to be taught, gratis, but none of said children so to be admitted shall continue to be taught gratis in said academy, should others apply, longer than two years, unless the trustee, or a majority of them, should determine otherwise.

SECTION 13. That there shall be and hereby is established in the borough of Kutztown, in the county of Berks, and commonwealth aforesaid, an institute or public school, for the education of youth in the English and other languages, in the useful arts and sciences and literature, by the name of the "Franklin Academy," under the care, direction and government of the trustees, to wit: Daniel B. Kutz, Daniel Bieber, Col. John Wanner, David Kutz, Doctor Christian L. Schlemm, David Deischer, and Henry Heffner, which said trustees and their successors, to be elected as hereinafter directed, shall be and are hereby declared to be one body corporate and politic, by the name and style of "The Trustees of the Franklin Academy of the borough of Kutztown," 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 the said academy, lands, tenements, hereditaments, goods and chattels of what kind, nature or quality whatsoever, 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, dispose of, for the use of said academy, 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*, That the yearly value or income of the said real or personal estate, shall not, at any time, exceed the sum of two thousand dollars.

Proviso.

First meeting of trustees.

SECTION 14. That the said trustees shall hold their first meeting in the academy, in the borough of Kutztown, on the first Monday in June next after the passing of this act; any two of them shall constitute a quorum to transact any of the business of the said academy, particularly in making and

enacting ordinances and by-laws for the government thereof, of electing trustees in the room of those who may be removed by death, resignation or otherwise, of electing and appointing masters and tutors for said academy, of agreeing with them for their salaries, and at their pleasure removing the same, of appointing a secretary, managers and other officers for taking care of the funds and managing the concerns of the academy and corporation, and determining all matters and things necessary to be determined and transacted by the said trustees: *Provided always*, That no ordinances or by-laws shall have any force which shall be contrary to the constitution or laws of this commonwealth or of the United States. Proviso.

SECTION 15. All by-laws, ordinances and proceedings of the corporation shall be fairly and regularly entered into a book 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 same: *Provided*, The interest of the parties shall sufficiently appear on the face of the gift, grant will or other writing, whereby any estate or other interest was intended to pass to the said corporation, nor shall any non-user of the rights, liberties, privileges, jurisdiction and authority hereby granted to the said corporation, create or in any wise cause a forfeiture thereof. Proceedings of the corporation to be entered in a book &c. Proviso.

SECTION 16. That there shall be and hereby is established in the town of Sunbury in the county of Northumberland, an academy or public school for the education of youth in the English and other languages, and in the useful arts, sciences and literature, by the name style and title of the Sunbury Academy, under the care and direction of six trustees, who, and their successors in office, shall be and are hereby declared to be one body politic and corporate, in deed and in law, by the name and style of the Trustees of the Sunbury 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 law and elsewhere, and shall be capable in law and equity to take and hold, to them and their successors, for the use of said academy, lands, goods, chattels and monies of every kind whatsoever, by gift, grant, conveyance devise or bequest, from any person or persons whomsoever capable of making the same, and the same from time to time to sell, convey or dispose of for the use of said academy, and to erect, purchase or rent such buildings as may be necessary, and to make, have and use a common seal, and the same to break or alter at pleasure, and generally do all and singular the matters and things which shall be lawful for Sunbury Academy in Northum'd. Co. established & incorporated.

them to do for the well being of the said academy, and the due management and ordering of the affairs thereof.

Election of trustees. SECTION 17. And the first election of trustees shall take place on the first Friday in August, in the year one thousand eight hundred and thirty-eight, and on the same Friday thereafter, annually, in the court house in said town of Sunbury; and the said election shall commence at the hour of one o'clock P. M., and continue until five o'clock P. M., and shall be conducted by two managers, who shall be appointed by a majority of the citizens qualified to vote who may be present at the time of commencing said election; no person shall be allowed to be a trustee or to vote unless he be a citizen of said county, and shall have subscribed and paid to the funds of said academy the sum of five dollars; the vote shall be given by ballot, and each ticket shall be labelled on the outside "Trustees of Sunbury Academy," and at the first election shall contain the names of six persons, and the six having the greatest number of votes, and being qualified according to the provisions of this act, shall be the trustees for the ensuing year and until their successors are elected; the managers shall certify the result of the election to each person so elected; as soon as convenient after the election, the said trustees shall, by lot, divide themselves into three classes of two each; the term of office of the first class shall expire in one year after their election, that of the second in two years, and that of the third in three years, and after the first election but two trustees shall be elected annually; the board of trustees shall have power to fill vacancies, to appoint their president yearly, who shall be one of the elected trustees, and they shall have power to enact such by-laws as may be necessary, not being inconsistent with the constitution and laws of the United States or the constitution and laws of this commonwealth; and four of the said trustees shall constitute a quorum, and a quorum may, in the absence of the president, appoint a president pro tempore; the said board of trustees shall appoint a secretary and treasurer yearly, but they shall have power to remove either whenever a majority of the board shall think it proper; the treasurer shall, before he commences the duties of his office, give a bond to said corporation, with one or more good sureties, to be approved of by a majority of the managers, for a penal sum double the estimated amount for the time being of the funds of the corporation, conditioned for the performance of his duties enjoined, and the repayment of monies received by him.

Trustees to be divided into three classes.

Powers.

**Quorum.
President
Secretary &
Treasurer.**

Treasurer's duties.

SECTION 18. The treasurer shall receive and hold all monies belonging to the institution, and pay the same only to

the order of the board, signed by the president and secretary or by a majority of the trustees, and he shall keep fair accounts thereof, to be open at all seasonable hours for the inspection of all persons who may have contributed to the funds of said institution; and the said trustees and treasurer shall annually, in the month of January, exhibit all their books, vouchers and accounts of every kind before the auditors of the county of Northumberland, to be settled and adjusted in the same manner as the accounts of county commissioners are or shall be by law directed to be settled, and any balance found due the institution shall be entered of record and become a lien, and be collected in the same manner and under the same regulations as balances found due from county treasurers; saving to the accountant and the corporation the same right to appeal; every trustee or treasurer, who shall neglect or refuse to exhibit his books, accounts and vouchers, as aforesaid, shall forfeit the sum of forty dollars, to be recovered as debts of a similar amount are now by law recoverable, in any action (brought by a person qualified to vote for trustees) in the name of said corporation, one half to be recovered for the use of the academy and the other half for the use of the prosecutor.

Penalty for neglect.

SECTION 19. That there shall be and hereby is established in the borough of Honesdale, in the county of Wayne, an academy or public school for the education of youth in the English and other languages, and in the useful arts, sciences and literature, by the name, style and title of the Honesdale Academy, under the care and direction of six trustees, who, and their successors in office, shall be and are hereby declared to be one body politic and corporate, in deed and in law, by the name and style of the Trustees of the Honesdale 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 law and elsewhere, and shall be capable in law and equity to take and hold, to them and their successors, for the use of said academy, lands, goods, chattels and monies of every kind whatsoever, by gift, grant, conveyance, devise or bequest from any person or persons whomsoever capable of making the same; and the same from time to time to sell, convey or dispose of for the use of said academy, and to erect such bui'dings 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 of the affairs thereof.

Honesdale Academy established and incorporated

Election of trustees.

SECTION 20. And the first election of trustees shall take place on the first Friday in September, in the year one thousand eight hundred and thirty-eight, and on the same Friday thereafter, annually, at the public house now occupied by J. W. Patrick, in the said borough of Honesdale, and said election shall commence at the hour of one o'clock, P. M., and continue until five o'clock P. M., and shall be conducted by two managers, who shall be appointed by a majority of the citizens qualified to vote who may be present at the time of commencing said election; no person shall be allowed to be a trustee, or to vote, unless he be a citizen of said county, and shall have subscribed and paid to the funds of said academy the sum of three dollars; the votes shall be given by ballot, and at the first election each ticket shall be labelled on the outside "Trustees of Honesdale Academy," and shall contain the names of six persons, and the six having the greatest number of votes and being qualified according to the provisions of this act, shall be the trustees, for the ensuing year and until their successors are elected: *Provided*, That if any such election shall fail to take place, that the said corporation shall not thereby be dissolved, and in case any vacancy shall occur in the board from death, resignation, or refusal to act, the said vacancy shall or may be supplied by the trustees, or a majority thereof, until the next annual election; the managers shall certify the result of the election to each person so elected, and as soon as convenient after the election, the said trustees shall, by lot, divide themselves into three classes of two each; the term of office of the first class shall expire in one year after their election, that of the second in two years, and that of the third in three years, and after the first election but two trustees shall be elected annually; the board of trustees shall have power to fill vacancies, to appoint their president, who shall be one of the elected trustees, and they shall have power to enact such by-laws as may be necessary, not being inconsistent with the constitution and laws of the United States, or the constitution and laws of this commonwealth; and four of the said trustees shall constitute a quorum; and a quorum may, in the absence of the president, appoint a president pro tempore; the president shall be appointed yearly; the said board of trustees shall appoint a secretary and treasurer yearly, but they shall have power to remove either whenever a majority of the board shall think it proper; the treasurer shall, before he commences the duties of his office, give a bond to said corporation, with one or more good sureties, to be approved of by a majority of the managers, for a penal sum double the estimated

Proviso.

Trustees to be divided into three classes.

Powers.

Quorum.

President, Secretary & Treasurer.

amount for the time being of the funds of the corporation, conditioned for the performance of the duties enjoined and the repayment of monies received by him.

SECTION 21. The treasurer shall receive and hold all monies belonging to the institution, and pay the same only to the order of the board, signed by the president and secretary, or by a majority of trustees, and he shall keep fair accounts thereof, to be open at all seasonable hours for the inspection of all persons who may have contributed to the funds of said institution, and the said trustees and treasurer shall annually, in the month of January, exhibit all their books, vouchers and accounts of every kind before the auditors of the county of Wayne, to be settled and adjusted in the same manner as the accounts of county commissioners are or shall be by law directed to be settled, and any balance found due the institution shall be entered of record and become a lien, and be collected in the same manner and under the same regulations as balances found due from county treasurers, saving to the accountant and the corporation the same right to appeal; every trustee or treasurer who shall neglect or refuse to exhibit his books, accounts and vouchers, as aforesaid, shall forfeit the sum of forty dollars, to be recovered as debts of a similar amount are now by law recoverable, in any action (brought by a person qualified to vote for trustees) in the name of said corporation, one half to be recovered for the use of the academy and the other half for the use of the prosecutor.

SECTION 22. Any and all property or money which may have heretofore been granted or in any wise directed by the owner thereof, to be appropriated to the use of the institution hereby established, is hereby vested in said corporation.

SECTION 23. Joseph B. Walton, John Neal, Alexander H. Farnham, John Forrey, John D. Delizenne and Stephen W. Genung, are hereby appointed trustees of said corporation until their successors be elected, with the same powers as are hereinbefore vested in the board of trustees hereafter to be elected.

SECTION 24. That the association formed at Pottstown, in the county of Montgomery, under the articles hereinafter set forth, by the name and style of the Pottstown Academy, shall be and hereby is erected into a body corporate, by the same name and style, and under the same articles, and by said name and style shall have perpetual succession, and be capable in law and equity to sue and be sued, and to take and hold all property, real and personal, which may be granted and in any wise transferred to said academy for the purposes of education, and the same to alien and dispose of

or to hold and use for the purpose aforesaid, and may have a common seal, and the same alter, break or renew at pleasure, and the following articles of association shall regulate said corporation, the legislature reserving the right to alter or modify the same at pleasure :

- Name.** First.—The institution shall be called the Pottstown Academy.
- Annual election.** Second.—It shall be governed by seven trustees, who shall be elected from among the stockholders annually, on the last Monday in March, four of whom shall constitute a quorum to transact business.
- Quorum.** Third.—Three of the stockholders shall be appointed trustees, to whom the title of the lands and buildings shall be made, with authority to sell or convey, at the desire of the holder of two-thirds of the stock.
- Title of the lands.** Fourth.—The officers of the institution shall consist (in addition to the trustees above named) of a treasurer and secretary, who may be chosen from among the trustees.
- Treas'r and Secretary.** Fifth.—It shall be the duty of the treasurer to collect and disburse all monies belonging to the institution, keep a regular account of receipts and payments and receive donations, but pay no monies except to the order of the president of the board of trustees.
- Duty of treasurer.** Sixth.—It shall be the duty of the secretary to keep minutes of the proceedings of the board of trustees, notify the stockholders of special and stated meetings, and keep the books and accounts of the institution.
- Duty of secretary.** Seventh.—Each stockholder shall be entitled to one vote for every share he may hold, either in person or by proxy.
- Ratio of votes.** Eighth.—In elections of trustees, those candidates who shall receive the greatest number of votes shall be considered duly chosen.
- Rel'e to elections.** Ninth.—The stock shall be transferable only on the books of the institution.
- Of transfer.** Tenth.—On application from a majority of the stockholders the academy shall be opened to preachers of all religious denominations, who may come, well recommended, by obtaining permission from any one of the trustees: *Provided*, That no meeting shall be held to interfere with the time allowed to teaching the school.
- Academy to be opened to preachers.** Eleventh.—The secretary shall issue certificates to the stockholders for as many shares as they may possess, (on payment of all arrearages,) signed by himself and the president of the board of trustees.
- Proviso.** Twelfth.—It shall be the duty of the trustees to engage the teacher, lease the room, attend examinations, and do all things necessary for the welfare of the institution.
- Certificates.**
- Duty of trustees.**

Thirteenth.—It shall require the consent of a majority Teacher of the trustees to discharge a teacher.

Fourteenth.—The trustees may sell a sufficient quantity Rel'e to finish of stock, at the original cost per share to finish the buildings izing the and pay the debts of the institution, and may also effect an buildings&c. insurance of the premises against fire, either temporary or pay'g debts. perpetual, out of the funds of the institution.

Fifteenth.—A majority of the trustees may loan or let Buildings the buildings for the accommodation of the Sunday schools, may be let. or for other purposes.

Sixteenth.—The trustees may enact their own by-laws. By-laws.

Seventeenth.—In all business relative to the affairs of the Majority & academy, it shall require a majority of the trustees to act, quorum. with the exception of the proviso's before made, and a majority of the quorum present shall be considered a majority of the trustees.

Eighteenth.—It shall require the consent of the holders of Altering two-thirds of the stock to alter or amend this constitution. constitution.

SECTION 25. This act shall not take effect till the board Accept'e of trustees of the said association shall signify to the Gov. acts signifi'd error, in writing, their acceptance thereof. to the Gov.

SECTION 26. That John Keating, John Diamond, and their Philadelphia associates, be, and they are hereby erected and created into Theological a body politic and corporate for instruction in theology, Seminary of science and literature, by the name, style and title of the St. Charles Philadelphia Theological Seminary of Saint Charles Borromeo Borromeo, with perpetual succession, and with all the incidents to a incorporated corporation, in deed and in law; and in all matters not herein-after specially provided for, they shall have all the powers, privileges and immunities, and be subject to the restrictions contained in an act entitled "An act for the establishment of Laurel Hill College, in Penn township, county of Philadelphia," approved on the thirteenth day of April, eighteen hundred and thirty-five; and the said corporation shall be under the management, government and direction of a board of trustees, not exceeding nine in number, of which the Roman Catholic Bishop, actually governing the diocess of Philadelphia, the president of the seminary, the professors of theology and the sacred scriptures, shall be ex-officio members, and the remaining five trustees shall be laymen; the said bishop shall be the president of the board, and the president of the seminary shall be ex-officio the vice president of the board; five members shall constitute a quorum competent to perform all the duties authorized and required to be performed by the said board; John Keating, John Dia- Relative to mond, Joseph Bugan, Michael Magrath, and Mark Anthony trustees and Frenage, shall be the first lay trustees; any vacancies among other officers

the lay members, by death, resignation or otherwise shall be filled by the board; the said bishop shall appoint the president and professors of the seminary; all other officers of the seminary shall be appointed by the president thereof, except the treasurer and secretary, who shall be annually elected by the board of trustees.

Bloomfield
Academy in
Perry co. in-
corporated.

SECTION 27. That there shall be and hereby is established in the town of Bloomfield; in the county of Perry, an academy or public school for the education of youth, in the English and other languages, and in the useful arts, sciences and literature, by the name, style and title of the Bloomfield Academy, under the care and direction of six trustees, who, and their successors in office, shall be and are hereby declared to be one body politic and corporate, in deed and in law, by the name and style of the Trustees of the Bloomfield 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 law and elsewhere, and shall be capable in law and equity to take and hold to them and their successors, for the use of said academy, lands, goods, chattels and monies of every kind whatsoever, by gift, grant, conveyance, devise or bequest from any person or persons whomsoever, capable of making the same, and the same from time to time to sell, convey 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 of the affairs thereof.

Election of
trustees.

SECTION 28. And the first election of trustees shall take place on the first Friday in August, in the year one thousand eight hundred and thirty-eight, and on the same Friday thereafter, annually, in the court house in said town of Bloomfield; and the said election shall commence at the hour of one o'clock, P. M., and continue until five o'clock, P. M., and shall be conducted by two managers, who shall be appointed by a majority of the citizens qualified to vote who may be present at the time of commencing said election; no person shall be allowed to be a trustee, or to vote, unless he be a citizen of said county, and shall have subscribed and paid to the funds of said academy the sum of three dollars; the votes shall be given by ballot, and at the first election each ticket shall be labelled on the outside "Trustees of Bloomfield Academy," and shall contain the names of six persons, and the six having the greatest number of votes, and being qualified according to the provisions of this act, shall be the trustees for the ensuing year and until their

successors are elected; the managers shall certify the result of the election to each person so elected; as soon as convenient after the election the said trustees shall, by lot, divide themselves into three classes of two each; the term of office of the first class shall expire in one year after their election, that of the second in two years, and that of the third in three years, and after the first election but two trustees shall be elected annually; the board of trustees shall have power to fill vacancies, to appoint their president, who shall be one of the elected trustees, and they shall have power to enact such by-laws as may be necessary, not being inconsistent with the constitution and laws of the United States or the constitution and laws of this commonwealth; and four of the said trustees shall constitute a quorum, and a quorum may, in the absence of the president, appoint a president pro tempore; the president shall be appointed yearly; the said board of trustees shall appoint a secretary and treasurer yearly, but they shall have power to remove either whenever a majority of the board shall think it proper; the treasurer shall, before he commences the duties of his office, give a bond to said corporation, with one or more good sureties, to be approved of by a majority of the managers, for a penal sum double the estimated amount for the time being of the funds of the corporation, conditioned for the performance of the duties enjoined and the re-payment of monies received by him.

SECTION 29. The treasurer shall receive and hold all monies belonging to the institution, and pay the same only to the order of the board, signed by the president and secretary, or by a majority of trustees, and he shall keep fair accounts thereof, to be open at all seasonable hours for the inspection of all persons who may have contributed to the funds of said institution, and the said trustees and treasurer shall, annually, in the month of January, exhibit all their books, vouchers and accounts of every kind before the auditors of the county of Perry, to be settled and adjusted in the same manner as the accounts of county commissioners are or shall be by law directed to be settled; and any balance found due the institution shall be entered of record and become a lien, and be collected in the same manner and under the same regulations as balances found due from county treasurers, saving to the accountant and the corporation the same right to appeal; every trustee or treasurer who shall neglect or refuse to exhibit his books, accounts and vouchers, as aforesaid, shall forfeit the sum of forty dollars, to be recovered as debts of a similar amount are now by law recoverable, in any

Trustees to
be divided
into three
classes.

Powers.

Quorum.

President,
Secretary &
Treasurer.

Treasurer's
duty.

Penalty for
neglect.

action (brought by a person qualified to vote for trustees) in the name of said corporation, one half to be recovered for the use of the academy and the other half for the use of the prosecutor.

Property
vested in the
corporation.

SECTION 30. Any and all property or money which may have heretofore been granted, or in any wise directed by the owner thereof to be appropriated to the use of the institution hereby established, is hereby vested in said corporation.

Names of
trustees ap-
pointed.

SECTION 31. Benjamin McIntire, John Boden, George Stroop, Jeremiah Madden, John McKeehan, John R. McClintock, John D. Creagh, Robert Elliot, are hereby appointed trustees of said corporation until their successors be elected, with the same powers as are hereinbefore vested in the board of trustees hereafter to be elected.

\$2000 ap-
propriated.

SECTION 32. The Treasurer of this Commonwealth be, and he is hereby authorized and required, to pay to the treasurer of the Bloomfield Academy, in the county of Perry, the sum of two thousand dollars out of any money in the treasury of this commonwealth, to be applied towards erecting a suitable building or buildings, and for purchasing the necessary library, mathematical, geographical and philosophical apparatus, for the use of said academy, at the discretion of the trustees thereof; and the said trustees shall have power to loan any part thereof, not immediately required for the purpose aforesaid, at interest not exceeding six per cent. per annum, payable semi-annually, or oftener, for any term not exceeding one year, secured by bonds with undoubted security; with mortgage upon real estate of at least double the value of the sum loaned; such bonds and mortgage and surety to be first approved by the court of Common Pleas of said county: *Provided*, That before said money shall be paid to the treasurer of said academy, the Treasurer of this Commonwealth shall have received a certificate from the judges of said county, certifying that the treasurer of said academy has given the security required by the act, as well for the sum hereby granted as for other funds of the said institution, and also certifying that property or funds to the value of at least one thousand dollars have been contributed to the use of said institution, for one or more of the purposes aforesaid.

Proviso.

Greene A-
cademy in
Greene Co.
Trustees of
empowered
to apply int'

SECTION 33. The Trustees of Greene Academy, in Greene county, be, and they are hereby empowered to apply the whole amount of the interest hereafter accruing on the funds of the same, towards the payment of a teacher or teachers or the purchase of books and philosophical apparatus, in such manner as they may deem best for the interest of said academy.

SECTION 34. That the commissioners of the county of Coudersport Potter, be, and they are hereby authorized and required, as Academy in soon as may conveniently be done after the passage of this Potter co. act, by some good and sufficient instruments in writing, to assign, transfer and convey unto the "Trustees of the Cou- Transfer of dersport Academy," in the said county, and to their succes- Lands by the sors and assigns, all the lands, tenements and hereditaments commission- which were heretofore conveyed to the said commissioners, ers of the and are now held by them for the use of any academy or county. public school in the said county, and also to pay over to the said trustees any balance of funds now remaining in their hands, and which are held by them for the use of any academy or public school in the said county, except such funds as may have been received by them from the State Treasurer, under any law relating to the Common Schools of this commonwealth, and the aforesaid "the Trustees of the Coudersport Academy," and their successors and assigns, shall hold the said lands, tenements and hereditaments to and for the use of the said academy, and for no other use whatsoever, and without any power to sell or convey the same, and in such manner that the said lands, tenements & hereditaments shall be at all times, forever exempt from all liability to be seized or taken in execution for the payment of any debts heretofore contracted, or which may hereafter be contracted by the said trustees or their successors in office: *Provido.* *Provided,* That if, at any time hereafter, the said corporation shall be dissolved, from any cause whatever, then and in such case the said lands, tenements and hereditaments shall revert to the commissioners of the county of Potter, for the uses and purposes for which they were originally held.

LEWIS DEWART,

Speaker of the House of Representatives.

CHARLES B. PENROSE,

Speaker of the Senate.

APPROVED—The thirteenth day of April, one thousand eight hundred and thirty-eight.

JOS. RITNER.