

No. 68.

An Act

To authorize the Auditor General to institute suit for the collection of any balance which may be found due from Lawrence L. Minor, late Clerk of the Senate, and for other purposes.

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 the Auditor General be, and he is hereby authorized and required to collect from Lawrence L. Minor, late Clerk of the Senate, any balance or sum of money which is due from him, received on warrants drawn by the Speaker of the Senate, and not accounted for by the said Lawrence L. Minor, as clerk, as aforesaid; and the Auditor General is hereby vested with full power and authority to bring suit in the name of the commonwealth against the said Lawrence L. Minor, and to have and use all lawful ways and means for the recovery of whatever sum may be due as aforesaid.

Suit to be instituted by the Auditor General.

SECTION 2. That the Clerks of the Senate and House of Representatives of this commonwealth, elected after the passage of this act, shall, before entering upon the duties of their respective offices, each enter into a bond to the commonwealth of Pennsylvania, with two or more good sureties in each, to be approved by the Speaker of the respective houses, in the sum of five thousand dollars, for the faithful execution of the several trusts reposed in them as clerk, and for the faithful disbursement of all monies which may come to their hands, which bonds shall be filed in the office of the Auditor General.

Clerks of the Senate and H. of Rep. to enter into a bond with sureties in \$5000 to the Comm'wth.

SECTION 3. That the State Treasurer be, and he is hereby authorized and directed to pay to Peter Slothour, or his order, eighteen dollars, with interest from the eighth day of August, one thousand eight hundred and nine, it being money overpaid into the land office by said Peter Slothour, on the said eighth day of August, eighteen hundred and nine, through a mistake of the officers of that department.

State Treas'r to pay Peter Slothour \$18 with inter'st

SECTION 4. That the Governor of this Commonwealth be, and he is hereby authorized to commission an interpreter of the German and French languages, for the several courts of the city of Pittsburg and the county of Allegheny, whose translation of the testimony of witnesses is to be given under the sanction of an oath or affirmation, and to be subject

Gov. to appoint interpreter for courts of the city of Pittsburg & Allegh'y Co.

to the same rules of evidence as in ordinary cases ; for the services of said commissioners, the party by whom the said commissioner is called shall be required to pay him the sum of two dollars per diem for each and every day he is in attendance upon the court, the amount of fees thus paid to be taxed with the costs of the case, and to be paid as other costs, and that the several sworn interpreters of foreign languages, appointed in the city and county of Philadelphia, shall be entitled to receive the same fees, to be taxed in the same manner as above provided.

SECTION 5. That from and after the passing of this act, all and every suit or action now pending, or that may hereafter be brought by or against any canal or railroad company, in any of the courts of this commonwealth, and which now are or hereafter shall be removed into a court of any other adjacent county, by virtue of the act of the fourteenth April, eighteen hundred and thirty-four, relative to suits brought by and against canal & railroad companies, the costs and expenses thereof shall be borne and paid by the county in which such suit or action was brought, and that in all cases where the venire of any suit now depending has been or may be changed, and where the venire of any suit hereafter to be instituted may be changed, and where suits are directed to be brought in any particular county, the costs of summoning the jury and the pay of the jurors shall be borne by the county in which the cause of action originated.

SECTION 6. It shall and may be lawful for the county commissioners of the county into which any suit or action now is or hereafter may be removed, by virtue of the above recited act, to ask, demand, sue for, recover and receive of the commissioners of the county from which the same may or shall be removed, all the costs and expenses incurred by the county to which the same may have been removed, as aforesaid.

SECTION 7. That the Secretary of the Commonwealth be, and he is hereby authorized and required to continue the printing of the Minutes of the Council of the Proprietary Government, down to the period of the Revolution, on the plan by him proposed, in his report to the legislature of the thirtieth of January last, and to include the other public records and documents therein mentioned, to be added as appendixes to each volume, to the number of fifteen hundred copies.

SECTION 8. That the Secretary be, and he is hereby authorized to purchase of the printer, for the use of the state, the five hundred copies of the first volume which he has printed over and above the one thousand copies directed by

Rel'e to the costs & suits brought by or against Canal and Railroad Co's

How the costs shall be recovered.

Minutes of the Council of the Proprietary Government—printing to be continued and how.

Secretary to purchase certain copies.

the act entitled A supplement to the act entitled an act to authorize the printing and distribution of the pamphlet laws in the German language, and for other purposes, passed Anno Domini one thousand eight hundred and thirty-seven.

SECTION 9. That one thousand out of the fifteen hundred 1000 copies of the work directed to be printed and purchased, be to be disposed of by a subscription to be opened at the several county treasuries of the commonwealth, at the price of one dollar and sixty cents per volume, the proceeds whereof shall be applied to the continuation of the work and to the binding of the volumes.

SECTION 10. That one thousand one hundred and forty-six dollars and twenty-five cents, be, and the same is hereby appropriated for purchasing the additional five hundred copies, and carrying on the work, in addition to the appropriation of last year, until the proceeds of the subscription shall come into the treasury. \$1,146 25

SECTION 11. That the Secretary be, and he is hereby authorized to employ a clerk to aid him in the prosecution of the work, at a salary of eight hundred dollars per annum, to be charged on the treasury, and to be paid to him from the time that he has begun to be so employed. Clerk to be employed,

SECTION 12. That two hundred copies of said Minutes, when printed and bound, shall be placed in the hands of the Governor to be by him distributed among learned societies and public libraries, in other states of this Union, at his discretion; that five copies shall be presented to the American Philosophical Society, five to the Historical Society, five to the Philadelphia Library, two to the Philadelphia Athæneum, one copy to each of the several colleges and public libraries in the state, one to each of the members and clerks of the present and last legislatures, and that five copies shall be deposited in the State Library, and one copy in each of the record offices of the commonwealth. 200 copies to be placed in the hands of the Gov'r for distribution.

SECTION 13. That the third section of the supplement to the act entitled, An act to authorize the printing and distribution of the pamphlet laws in the German language, passed January twenty-third, A. D., one thousand eight hundred and thirty-seven, and for other purposes, be, and the same is hereby repealed. Repeal.

SECTION 14. That the Surveyor General is hereby authorized and required, as soon as convenient after the passage of this act, to make out and deliver to the deputy surveyor of Butler county, certified copies of drafts of so much of the first and second donation districts of land of Cunningham's, Jones', Nicholson's and Alexander's districts of depreciation lands as are situate within the county of Butler county. Surveyor Gen'l to deliver certain drafts of lands to the deputy surveyor of Butler county.

Butler, which drafts, when so certified, shall be kept in the office of the deputy surveyor of said county, as other official papers are kept, and in the same manner delivered over to his successor in office, and shall be received in evidence as other surveys are received, under the certificate of the Surveyor General and his seal of office: *Provided*, That the expenses of making of the said drafts shall be paid by the county of Butler.

Proviso. SECTION 15. That the time for which indigent pupils of this commonwealth may be taught in the Pennsylvania Institution for the Instruction of the Blind, at the expense of the commonwealth, is hereby extended to eight years from the time of entering said institution.

Blind—time for their instruction extended. SECTION 16. That William Guy, Robert Potter, and Andrew Miller, be, and they are hereby appointed commissioners to view, lay out, locate and mark a State road from the house of Joseph Crafford in Washington county, to Linkstown in Allegheny county.

State road from Jos. Crafford's to Linkstown. SECTION 17. That it shall be the duty of the above named commissioners, or a majority of them, after taking an oath or affirmation before a justice of the peace, to perform the duties enjoined upon them by this act with impartiality and fidelity, to carefully view the ground over which the road by them to be laid out may pass, and to lay out and locate the same as near to a straight line, between the aforesaid points, as the nature of the ground and other important circumstances will permit, and so that the vertical departure from a horizontal line shall at no point exceed five degrees, except only at the crossing of ravines and streams, where, by moderate filling and bridging, the declination of the road may be preserved within that limit.

Commiss'rs to be sworn or affirmed. SECTION 18. That it shall be the duty of the commissioners, plainly and distinctly, to mark upon the ground the route agreed upon for the road by them laid out or reviewed as aforesaid, in such manner as to enable the supervisors readily to find the same, and for the purpose of fulfilling the duties in this act enjoined, the commissioners are hereby authorized, if necessary, to employ two chain bearers and one axe man, at a per diem allowance not exceeding one dollar.

How road to be laid out. SECTION 19. That it shall be the duty of the commissioners to make out a fair and accurate draft of the said location, noting thereon the courses and distances from point to point as they occur, the crossing of county and township lines, roads and waters, with such other matters as may serve for the explanation, one copy whereof shall be deposited in the office of the Secretary of the Commonwealth, on or

Route to be marked.

Draft of road.

before the tenth day of September next, and one copy in the office of the clerk of the court of Quarter Sessions of the respective counties through which the said road may pass, on the day aforesaid, or as much sooner as practicable, which shall be a record thereof, and from thenceforth the said road shall be, to all intents and purposes, a public highway, and shall be opened and repaired in all respects as roads are opened and repaired which are laid out by order of the courts of Quarter Sessions of the peace of the several counties of this commonwealth.

SECTION 20. That the compensation of the commissioners shall be one dollar and fifty cents for each and every day necessarily employed by virtue of this act, and the accounts of the said commissioners, for their own pay and the pay of the hands as aforesaid, shall be adjusted and allowed by the commissioners of the respective counties through which the said road may pass, and paid by the treasurer thereof, on warrants drawn in the usual way, and in proportion to the length of the road in such county respectively.

Compensat'n
of the com-
missioners
and others.
Acc'ts to be
adjusted and
paid.

SECTION 21. That the said commissioners shall meet at the place of beginning, on the road before mentioned to be laid out, on the first Monday of June next, or sooner as may best suit their convenience, and complete the location of the road as soon as practicable, and if a vacancy or vacancies shall happen by the resignation of any one of them, or by any other cause, the court of Quarter Sessions of the county wherein such vacancy or vacancies shall happen is hereby authorized to fill the vacancy or vacancies by a suitable appointment.

Time and
place of the
meeting of
commiss'rs.

SECTION 22. That it may be the duty of the said commissioners to take from each and every person or persons owning lands along the road by them to be laid out, acquittances or releases from any claim of damages, upon the condition that such road shall pass through the land of such person or persons, and to file the same in the commissioners office of the proper county.

Releases.

SECTION 23. That the Governor of this commonwealth be and is here by authorized, to have prepared standards of weight, measure and capacity, specified in the act of assembly, passed April fifteen, eighteen hundred and thirty-four, and that he be authorized to carry into effect the provisions of said act as soon as practicable.

The Gov. to
have prepar-
ed standards
of weight,
measure,
&c.

SECTION 24. There shall be and is hereby established, in the borough of Gettysburg, in the county of Adams, a Female seminary or public school for the education of female youth in the English and other languages, and in the useful arts, sciences and literature, by the name, style and title of

Gettysburg
Female
Academy es-
tablished and
incorporated

- the Gettysburg Female Academy ; the said academy to be under the management, direction and government of a board of trustees, not exceeding nine in number, five of whom shall be a quorum for the transaction of business ; the trustees are the following named persons : John B. McPherson, James A. Thompson, R. G. Harper, Ja's C. Watson, Samuel S. Schmucker, Thaddeus Stevens, David Horner, John Macfarlane, Wm. McClellan, which said trustees and their successors, to be elected as hereinafter mentioned, from among the holders of stock in said seminary, shall be and they are hereby erected, established and declared to be a body politic and corporate, with perpetual succession, and with all the incidents of a corporation, in deed and in law, to all intents and purposes whatsoever, by the name, style and title of "The Trustees of the Gettysburg Female Academy," by which name and title the said trustees and their successors, shall be able and capable, at law and in equity, to take to themselves and their successors, for the use of said seminary, any estate in any messuages, lands, tenements, hereditaments, goods, chattels, monies or other effects, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest, of any person or persons whatsoever:
- Quorum.**
- Trustees.**
- Name style and title.**
- Proviso.**
- Provided*, The same does not exceed in the whole the yearly value of three thousand dollars, and the same messuages, lands, tenements, hereditaments and estates, real and personal, to grant, bargain, sell, convey, assure, demise, and to farm, let, and place out on interest or otherwise dispose of, or invest for the use of the stockholders in said seminary, in such manner as to them or at least a quorum of them shall seem most beneficial to the institution, and to receive the rents, issues, profits, income and interest of the same, and to apply the same to the proper use of said seminary and by the same name to sue, prosecute and defend, implead and be impleaded in any courts of law or equity, and in all manner of suits and actions whatsoever, and generally by and in the same name, to do and transact all and every the business touching or concerning the premises, or which shall be incidentally necessary thereto, as fully and effectually as any natural person, or body politic or corporate have power to manage their own concerns.
- Seal.**
- SECTION 25. The said trustees shall cause to be made, for their use, one common seal, with such devices and inscriptions thereon as they shall think proper, and by and with which all deeds, certificates and acts of the said corporation shall pass and be authenticated, and the same seal, at their pleasure, may break and alter and devise a new one.

SECTION 26. There shall be a meeting of said trustees Annual held once in every year at least, at Gettysburg, at such meetings of time as the said trustees or a quorum of them shall appoint, the trustees. of which meeting due and timely notice shall be given, and if less than a quorum attend at such meeting, those present shall have the power to adjourn to another day, said trustees shall have the power of making and enacting ordinances for Powers. the government of the said seminary, of electing trustees from among the holders of stock in the seminary as aforesaid, in the place and stead of those who shall resign or die, of electing and appointing the teachers of the said seminary, of agreeing with them for their salaries and stipends, and of removing them for misconduct, breaches of the ordinances of the institution, or other cause which shall be deemed sufficient, of appointing committees of their own body to carry into execution all and every the resolutions of the board, of appointing a president, secretary, treasurer and other officers whom they may find necessary for managing the corporation, of providing for the punishment of all violations of the rules, regulations or ordinances of the seminary, or other misconduct committed by the pupils or other persons thereat, and generally at any annual, adjourned or extra meeting, shall determine all matters and things (although the same are not herein particularly mentioned) which shall occasionally arise and be incidentally necessary to be determined by said trustees : *Provided*, That no ordinances or regulation shall be of Proviso. any force which is repugnant to the constitution and laws of the United States or of this commonwealth.

SECTION 27. That the teachers of said seminary, or a majority of them, shall have the power of enforcing the rules Teacher's and regulations adopted by the trustees, for the government of powers. the pupils, and to grant and confirm, by the order and direction of a quorum of the board of trustees, such degrees in the arts, sciences or other branches thereof to such pupils of the seminary and others, who, by their proficiency in learning or other distinction they think shall be entitled to them, as have been usually granted in other similar seminaries, or which the said trustees or a quorum thereof shall think right and proper, and to grant to such graduates, certificates under their common seal.

SECTION 28. Persons of every religious denomination Persons of shall be capable of being elected trustees, nor shall any per- every son, either as principal, teacher, tutor or pupil, be refused religious de- admittance into said seminary, or denied any of the privi- nomination leges, immunities or advantages thereof for or on account eligible. of his sentiments in matters of religion.

Misnomer not to defeat bequest. **SECTION 29.** No misnomer of the said corporation shall defeat or annul any gift, grant, devise or bequest to or from said corporation: *Provided*, That the intent of the parties shall sufficiently appear upon the face of the gift, grant, will or other writing, whereby any estate or interest was intended to pass to or from said corporation.

Right to revoke. **SECTION 30.** The legislature reserves the right to revoke alter or annul the charter hereby granted at any time they may think proper.

LEWIS DEWART,
Speaker of the House of Representatives.
CHARLES B. PENROSE,

Speaker of the Senate.

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

JOS. RITNER.

—•••—
No. 69.

An Act

To incorporate the Washington Female Seminary, in the borough of Washington, in the county of Washington, and for other purposes.

Washington Female School erected into a Seminary. **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 the Female School in the borough of Washington, in the county of Washington, be and hereby is erected into a Seminary for the education of female youth in the arts, sciences and useful literature.

Management. Quorum. **SECTION 2.** The said seminary shall be under the management, direction and government of a number of trustees not exceeding nine, five of whom shall be a quorum, or a board for the transaction of business.

Trustees incorporated. **SECTION 3.** The trustees of said seminary shall consist of the following named persons, to wit: David McConaughey, F. Julius Lemoine, John Wishart, John Grayson, Joseph Lawrence, John L. Gow, Jacob Slagle, Robert R. Reed and John Marshall, which said trustees and their successors, to be elected as hereinafter mentioned, from among the holders of stock in said seminary, shall be, and they are hereby erected, established and declared to be a body politic and corporate with perpetual succession, and with all the