

No. 170.

## AN ACT

To incorporate the Columbia Academy in the county of Lancaster, 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 there shall be and hereby is established in the borough of Columbia, in the county of Lancaster, 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 Columbia academy, under the care and direction of eight 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 Columbia 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, moneys, 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, same to alter and renew at pleasure, and generally to do all and singular, the matters and things that shall be lawful for them to do for the well being of said academy, and the due management and ordering of the affairs thereof.

SECTION 2. The first election of trustees shall take place on the first Monday in January, in the year one thousand eight hundred and forty, and on the same Monday thereafter, annually, in the academy, in said borough of Columbia, and the said election shall commence at the hour of one o'clock in the afternoon, and continue until five clock in the afternoon, 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 fourteen dollars. The votes shall be given by ballot, and each ticket shall be labelled on the outside, "Trustees of Columbia Academy," and at the first election shall contain the names of eight persons, and the eight 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. And as soon as convenient after the election, the said trustees shall, by lot, divide themselves into four classes, of two each, the term of office of the first class shall expire in one year after their election, that of the second class in two years, that of the third class in three years, and that of the fourth class in four 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 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 moneys received by him.
- SECTION 3.** The treasurer shall receive and hold all moneys 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 treasurer shall annually in the month of January, exhibit all his books, vouchers and accounts of every kind, before the trustees of the institution.
- 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.
- SECTION 5.** Evan Green, James Cresson, Joseph Cottrell, Abraham Bruner, John L. Wright, Moses Whitson,
- Ballots how labelled.
- Classification of trustees
- Of vacancies
- Of president, secretary, and treasurer
- Treasurer to give bond
- Orders how drawn, &c.
- Accounts open to inspection
- Of property given to institution

William Wright and George Moore, are hereby appointed Trustees 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. pointed until election

SECTION 6. The legislature reserves the right to repeal, alter or amend the privileges hereby granted, in such manner that no injury be done to the corporators. Right to repeal, &c.

SECTION 7. That the said corporation shall not be entitled to receive the annual appropriation made to academies, by the fourth section of an act passed the twelfth day of April, one thousand eight hundred and thirty-eight, entitled "a supplement to an act to consolidate and amend the several acts relative to a general system of education by common schools," passed the thirteenth day of June, one thousand eight hundred and thirty-six. Not to receive annual appropriation

SECTION 8. That John P. Davis, of Crawford county, be and he is hereby appointed a commissioner to supply the vacancy occasioned by the resignation of James Thompson, one of the commissioners heretofore appointed for the purpose of locating a site for the seat of justice for the county of Clarion, agreeably to act of assembly, passed eleventh March, eighteen hundred and thirty-nine, and that as soon as the commissioners, aforesaid, shall have fixed on a scite for the seat of justice of said county, as aforesaid, it shall be the duty of the governor to appoint three citizens of said county of Clarion, who are hereby authorized and empowered to make a contract or contracts, for the erection of the suitable public buildings for said county, and to take such sufficient deed or deeds, for any lands granted by any person or persons to said county, which deed or deeds, shall be in the names of the said commissioners, so appointed by the governor, in trust, nevertheless, for the use and benefit of said county of Clarion, and the said commissioners shall be allowed out of the funds hereafter to be raised in said county of Clarion, one dollar and fifty cents for every day necessarily employed, as aforesaid. John P. Davis appointed commissioner to fix on site of seat of justice in Clarion county Governor to appoint three persons to contract for public buildings Their powers

WM. HOPKINS,

*Speaker of the House of Representatives.*

CHARLES B. PENROSE,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of June, eighteen hundred and thirty-nine.

DAVID R. PORTER.