

No. 179.

AN ACT

To incorporate an Academy in the town of Berwick, Columbia county.

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 Berwick, and county of Columbia, and commonwealth of Pennsylvania, an academy or public school, for the education of youth in the English and other languages, and in the useful arts and sciences and literature, by the name of the "Berwick Academy," under the care, direction and government of the trustees, viz: Marmaduke Pearce, John Bowman, Thomas McNair, A. B. Wilson, George Mack and A. B. Shuman, 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 Berwick academy," and by the same name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded in all courts of record and elsewhere, and shall be competent and capable in law and equity, to take and to hold to them and their successors, for the use of the said academy, lands tenements, hereditaments, goods and chattles, of what nature, kind and quality whatsoever, real, personal, or mixed, by gift, grant, bargain, sale, conveynce, 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 and 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 said academy, and the due management and ordering the affairs thereof.

SECTION 2. The first election of trustees shall take place on the first Tuesday in April, in the year one thousand eight hundred and forty, and on the same Tuesday thereafter, annually, in the said academy; and the said election shall commence at the hour of one o'clock in the afternoon, and continue till five o'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

Who may vote	commencing said election. No person shall be allowed to be a trustee, or to vote, unless he be a citizen of the state, and shall have subscribed and paid to the funds of said academy, the sum of ten dollars.
Manner of voting	The votes shall be given by ballot, and at the first election, each ticket shall be labelled on the outside "Trustees of Berwick academy," and it 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 to each person 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 trustees, 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 the moneys received by him.
Certificate of election and time of service	
To elect two trustees annually Of officers and by-laws	
Officers	
Power to remove	
Bonds	
Treasurer, and his duties	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 the 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 and vouchers, and accounts of every kind, before a committee of the contributors to the institution (if such committee shall be appointed for that purpose) for their inspection and examination, and any balance found due the institution shall be collected as similar sums are collected by the laws of this commonwealth. Every trustee or treasurer who shall refuse to exhibit
To exhibit accounts annually to committee	

bit his books, accounts and vouchers, as aforesaid, shall forfeit the sum of forty dollars, to be recovered as debts of a refusal 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 4. The legislature reserves the right to repeal, alter or amend the privileges hereby granted, in such manner that no injustice be done to the corporators. Right to repeal by legislature

SECTION 5. 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 of June, one thousand eight hundred and thirty-six. Not to receive annual appropriation

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.

NO. 180.

AN ACT.

To incorporate the president and managers of the Whites Haven and Clifton turnpike road company.

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 Henry W. Drinker, Joseph Wragg, Henry Colt, Samuel Shouse, Lewis S. Coryell, Joseph D. Murray, Matthew C. Jenkins, John C. Parry, Eli R. Price, Charles L. Terwilliger, of the county of Luzerne, be, and they are hereby appointed commissioners to do and perform the several things hereinafter mentioned, that is to say—they shall on or before the first day of May next procure two books, and in each of them enter as follows: Commissioners
To procure books