

[No. 35.]

## A N · A C T

To incorporate the Gibson Academy at Summitville, in the township of Gibson, Susquehanna 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 Gibson, and county of Susquehanna, 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 Gibson Academy, under the care, direction, and government of the trustees, viz: Joseph Washburn, Charles Tingley, Urban Burrowes, Milton Tingley, William Parmeter, and N. E. Kennedy: 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 Gibson 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 hold to them and their successors, for the use of the said academy, lands, tenements, hereditaments, goods, and chattles of what kind or quality soever, 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, 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 Monday in April, in the year one thousand eight hundred and forty-one, and on the same Monday thereafter annually, in the same 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 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: The votes shall be given by ballot, and at the first election each ticket shall be labelled on the outside "Trustees of Gibson 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 repayment of the 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 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, 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 his books, accounts, and vouchers as aforesaid, shall

Who may vote.

Classification of trustees.

By-laws.

Treasurer to give bond.

Duties of treasurer.

Accounts to be exhibited.

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 for the use of the prosecutor.

SECTION 4. Persons of every religious denomination shall be capable of being elected trustees, nor shall any person, as principal, teacher, or pupil, be refused admittance into said seminary or denied any of the privileges, immunities, or advantages thereof, for or on account of his sentiments in matters of religion.

SECTION 5. 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.

SECTION 6. 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, eighteen hundred and thirty six.

SECTION 7. The legislature reserves the right to revoke, alter, or annul the charter hereby granted at any time they may think proper.

WM. HOPKINS,

*Speaker of the House of Representatives.*

W. T. ROGERS,

*Speaker of the Senate.*

APPROVED—The seventh day of March, eighteen hundred and forty.

DAVID R. PORTER.