

day of March, Anno Domini, one thousand eight hundred and forty-two, for the completion of their railroad, with one line of rails between the Delaware river and Pottsville. Time for completion extended.

WM. HOPKINS,

Speaker of the House of Representatives.

W. T. ROGERS,

Speaker of the Senate.

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

DAVID R. PORTER.

[No. 77.]

A N A C T

To incorporate the Frankfort Academy, in the county of Beaver.

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 Frankfort, in the county of Beaver, an academy 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 Frankfort academy, under the care and direction of three trustees, who, and their successors in office, shall be and hereby are declared to be one body politic and corporate, in deed and in law, by the name and style of the trustees of Frankfort academy, and by the same 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 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 dis-

Academy established.

Trustees.

Name and style.

Liberties and franchises.

pose of, for the use of said academy, and to erect such buildings as may be necessary, and do every thing lawful for them to do for the well being of the said academy, and the due management and ordering of the affairs thereof.

Trustees annual election. How, when, and by whom held.

SECTION 2. And the first election of trustees shall take place on the first Monday in January, one thousand eight hundred and forty-one, and on the same day thereafter annually, in the academy in said town of Frankfort, and the said election shall commence at the hour of one o'clock, post meridian, and continue until four o'clock, post meridian, and shall be conducted by the president and secretary of the board of trustees; no person shall be allowed to vote, or to be a trustee, 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 votes shall be given by ballot, each ticket shall contain the names of three persons, and the three persons having the greatest number of votes, and being qualified according to the provisions of this act, shall be trustees for the ensuing year, and until their successors are elected. The managers of said election shall certify the result of the election to each person elected, as soon as convenient after the election. The trustees shall divide themselves into three classes of one 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 one trustee shall be elected annually. The board of trustees shall have power to fill all vacancies, to appoint their president who shall be one of the elected trustees, and they shall have power to enact such by-laws as are necessary, not being inconsistent with either the laws of the United States or of this commonwealth, and two of the said trustees shall constitute a quorum. The president shall be appointed yearly: the said board of trustees shall appoint a secretary and treasurer yearly. 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 board, 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 moneys received by him.

Classified.

Vacancies.

President, secretary and treasurer.

Bond.

Duties of treasurer.

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, 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; 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 recoverable by law, 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. Any and all property or money which may have ^{Previous} been heretofore granted, or in any wise directed by the owner ^{grants vested} thereof to be appropriated to the use of the institution hereby ^{in corporation} established, is hereby vested in said corporation.

SECTION 5. John Ewing, Thomas Nicholson, James Sloan, ^{Trustees ap-} James Morrison, are hereby appointed trustees of said corpo- ^{pointed.} ration until their successors be elected, with the same powers as are herein before vested in the board of trustees hereafter to be elected.

SECTION 6. No misnomer of said corporation shall defeat or annul any gift, grant, devise or bequest, to or from the said ^{Misnomer.} corporation: *Provided*, The intent of the parties sufficiently ^{Proviso.} appear from the face of the gift, grant, will or other writing, whereby any estate or interest was intended to pass to or from the said corporation.

SECTION 7. Nothing in this act, or any other law of this commonwealth, shall entitle the said academy to receive the ^{Not to receive} appropriation granted to female seminaries and academies, by ^{appropriation.} the fourth section of the act of the twelfth day of April, eighteen 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.

WM. HOPKINS,

Speaker of the House of Representatives.

W. T. ROGERS,

Speaker of the Senate.

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

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