

declared good proof thereof, duly certified, by any officer under seal, according to the existing laws of this commonwealth, for the purpose of being recorded therein, such certificate shall be deemed prima facie evidence of such execution and acknowledgment, or proof, without requiring proof of the said seal, as fully, to all intents and purposes, and with the same effect only, as if the same had been so acknowledged or proved before any judge, justice of the peace, or alderman within this commonwealth.

WM. HOPKINS,

Speaker of the House of Representatives.

W. T. ROGERS,

Speaker of the Senate.

APPROVED—The third day of April, eighteen hundred and forty.

DAVID R. PORTER.

[No. 108.]

A N A C T

To incorporate the St. Paul's Roman Catholic Orphan Asylum of the city of Pittsburg.

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 all and every person or persons, who shall at the time of the passing of this act, be members of the association, called the St. Paul's Roman Catholic Orphan Asylum of the city of Pittsburg, shall be, and they are hereby declared and created to be one body politic and corporate, in deed and in law, by the name, style, and title of St. Paul's Roman Catholic Orphan Asylum, and by the same name shall have perpetual succession, and shall be able to sue and be sued,

Asylum created.

Name.

implead and be impleaded in all courts of record or elsewhere, and to purchase, receive, hold and enjoy to them and their successors, lands, tenements, rents, annuities, franchises and hereditaments, goods and chattels, of what nature, kind or quality soever, real, personal or mixed, or choses in action, and the same from time to time to sell, grant, alien or dispose of, and also to make and have a common seal, and the same to break, alter and renew at pleasure, and also to ordain, establish, and put in execution such by-laws, ordinances and regulations, as shall appear necessary and convenient for the government of the said corporation, not being contrary to this charter, or the constitution and laws of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well being of the said corporation, and the due management and ordering of the affairs thereof: *Provided*, That the yearly rents and profits of the real estate held by the said corporation, at any one time, shall not exceed in value the sum of ten thousand dollars.

SECTION 2. The business of the society, and the control and management of all its affairs, shall be entrusted to the board of managers, which shall consist of a president and twelve managers, to be elected by ballot from among the members of the association, on the twenty-ninth day of June, in each and every year.

SECTION 3. In case of any failure to elect at the time herebefore appointed, the corporation shall not for that cause be dissolved, but an election shall be held as soon afterwards as may be, such notice being given as shall be required by the rules of the society, and until such election, the officers and managers in place for the time being shall continue to act, and remain in office until others are duly elected in their place.

SECTION 4. The said managers shall annually, at their first meeting after their election, choose by ballot from among themselves a vice president, a treasurer and secretary.

SECTION 5. Five members of the board shall constitute a quorum, with full power to transact any business of the society, conformably with this instrument, the regulations of the society, and the laws of this commonwealth, and in the absence of the president or vice president, a president pro tempore may be chosen to preside at the meetings of the board, or of the society.

SECTION 6. The said board of managers shall be able and capable in law, according to the terms and conditions of this instrument and they are hereby empowered to receive any orphan child or children, and such other children as may be deprived of one parent, to be bound when deemed advisable to

Bind out apprentices.

such person or persons, and in such manner as they may direct, conformably with the laws of this commonwealth; no female child, however, to be bound in any case to serve beyond the age of eighteen years.

Treasurers duties.

SECTION 7. The treasurer shall receive and keep in trust all moneys, deeds, securities, and all other evidences of debts belonging to the society. He shall pay all orders signed by an authorized person or committee, which orders shall be his vouchers for his expenditures: he shall, before he enters upon the duties of his office, give bond with approved security for the faithful discharge of his trust: he shall, when required by the board, give a full statement of his accounts, and make an exhibit of the books, vouchers, and so forth, belonging to the society, and when he may resign or be removed from office, he shall on demand deliver to his successor, all moneys, books, papers, and other effects in his hands entrusted to his care, and belonging to the said society.

Bond:

Exhibit accounts.

Powers.

SECTION 8. The power and authority necessary to carry out the objects and privileges granted in the first section of this act, shall be vested in the board of managers, and their successors, whose acts shall at all times be binding on the said society.

Powers, functions, and duties of officers.

SECTION 9. The powers, functions, and duties of the officers hereinbefore named, and of all those who may hereafter be appointed, the mode of supplying vacancies in office, the times of meeting of said society, the number which shall constitute a quorum of the society or committees respectively, the terms of admission to membership and mode of admission, the causes which shall justify the suspension or disfranchisement of a corporator, the number and duties of the other officers or agents necessary in carrying out the designs of the society, and all other concerns of the said corporation, shall be regulated by the by-laws, ordinances, and fundamental rules of the same, hereafter to be made, which the said corporation is hereby authorized and empowered to make: *Provided*, That the said by-laws, ordinances and fundamental rules, shall not be inconsistent with the constitution of the United States and of this state.

Proviso.

Estate free from tax.

SECTION 10. All estate, real or personal, now or hereafter to be held by said asylum, shall be exempted from assessment for, and payment of all county, corporation and poor taxes, so long as such property shall remain in the possession of said society, and occupied for the purposes of said institution.

Managers.

SECTION 11. Until the first election of managers under this act, and until others are elected in their stead, the board shall consist of John O'Reilly, president, and Michael Tiernan, John Andoe, Luke Taffe, Michael M'Collough, Hugh Toner, John T. Connolly, Joseph O'Brien, Bernard Perry, John Far-

ran, Jacob Berkly, John M'Devit, and Michael M'Closkey, managers, who are hereby authorized to carry into effect all the powers and privileges granted to said corporation.

WM. HOPKINS,
Speaker of the House of Representatives.

W. T. ROGERS,
Speaker of the Senate.

APPROVED—The third day of April, one thousand eight hundred and forty.

DAVID R. PORTER.

[No. 109.]

AN ACT

Authorizing the commissioners of Berks county to borrow money, 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 commissioners of Berks county and their successors in office be, and they are hereby authorized to borrow money from time to time, as often as they may deem necessary, for county purposes, at a rate of interest not exceeding six per cent per annum, and to pledge the faith of the said county for the reimbursement of any loan or loans that may be negotiated under the authority of this act;— *Provided however,* That the debt of the said county shall at no time exceed the sum of fifty thousand dollars.

SECTION 2. That from and after the passage of this act the commissioners of the county of Berks shall respectively receive out of the county treasury, in addition to the daily pay allowed them by law, the sum of \$. . . for each mile circular necessarily travelled in the execution of the duties of their office.

SECTION 3. That it shall be the duty of the Burgess and Town Council of the borough of Kutztown, in the county of