

[No. 121.]

AN ACT

To incorporate the Bernville Academy of Berks 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 the Academy hereby incorporated shall be known by the name, style and title of "The Bernville Academy," and shall be under the management, direction and government of the present stockholders, to wit: Michael K. Boyer, John Haag; Jacob Kaufman, William Runkle, John Potteiger, M. Herpel, G. Ménnig, George Byerle, A. A. McDonough, Jonathan Miller, David Renno, Frederick Byerle, Henry Wittman, Daniel Spangler, John Yeager, John Geiss and such others as may hereafter take stock and their successors.

Incorporated.
Name and
style.

Trustees.

SECTION 2. The said stockholders and their successors shall for ever hereafter be, and they are hereby erected, established and declared to be, one body politic and corporate, with perpetual succession, and with all the incidents of a corporation, in deed and in law to all intents and purposes whatsoever, by the name, style and title of "The stockholders of the Bernville Academy," by which name and title the said stockholders and their successors shall be able and capable at law and in equity to take to themselves and their successors for the use of the said academy any estate, in any messuages, lands, tenements, hereditaments, goods, chattles, moneys or other effects, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest of any person or persons whatsoever. And the said corporation by its name, style and title, shall have power to sue and be sued, implead and be impleaded, in any of the courts of law or equity within this commonwealth.

Privileges &
franchises.

SECTION 3. The said stockholders may cause to be made for their use one common seal, with such devices and inscriptions thereon as they shall see proper, and the same to alter at their pleasure, and by and with which all deeds, certificates and acts of the corporation shall pass and be authenticated.

Seal.

SECTION 4. The officers of the said corporation shall consist of a president, secretary, treasurer, and three superintendents, who shall be elected on the first Saturday in May next,

Officers and
annual elec-
tion.

and on the same day annually, thereafter, at the academy in the town of Bernville, by the stockholders of said institution, and each stockholder shall be entitled to one vote for each share of capital stock which he or she shall or may hold at the time of the election, and he or she may vote either by proxy or in person.

Vote.

Of capital stock and increase.

Certificate of stock.

Transferable.

Quarterly meeting of stockholders.

Notice thereof

Examination of pupils.

Of by-laws.

Proviso.

Notice of annual election.

In case of no election.

Of absence or refusal of officers to serve.

SECTION 5. The capital stock of the said company shall consist of fifty shares, of twenty dollars each, with the privilege of raising them to fifty dollars each, if deemed necessary by the said stockholders, payable by instalments of five dollars on each, at such times as may be agreed upon by a majority of the stockholders; and the president and treasurer shall make out certificates of stock, signed by them and sealed with their corporate seal, and deliver one such certificate to each stockholder for every share by him held, on his or her paying to the treasurer on each share one half of its amount, which certificate shall be transferable in person or by attorney on the books of the said company, only subject to the sum due or to become due on the shares so transferred.

SECTION 6. There shall be a meeting of the stockholders at the academy at the termination of each quarter of the school; due notice of which shall be given by the secretary, at least three days previous thereto, and a majority of them shall constitute a quorum to do business, whose duty it shall be to examine the pupils in the different branches of their studies, to settle all matters in dispute between the teacher and the scholars, or their parents or guardians, and the said stockholders shall have liberty to adjourn from time to time as they may deem proper for the purpose of transacting the business relative to the school.

SECTION 7. The said stockholders, or a majority of them, at each meeting may enact such by-laws, rules and regulations for the government of the school as they shall deem proper; *Provided*, That the said by-laws, rules or regulations be not contrary to the constitution and laws of the United States or of this commonwealth.

SECTION 8. Notice of the annual election for officers shall be given by the secretary, either in writing to each stockholder, or by advertisement in three of the most public places in the town, at least ten days previous to the time of holding such election. And if it shall at any time happen that no election shall be held on the day and in the manner hereinbefore described, the chartered privileges of this corporation shall not for that cause be forfeited, but the officers last elected and in office shall remain in office until others shall be duly elected.

And in case of absence or refusal of either of said officers to act, it shall be the duty of the secretary to notify the stockholders thereof, who may order another election, to be held within one month after such notice, which shall be conducted in all respects as hereinbefore provided for.

SECTION 9. No misnomer of said corporation shall defeat or annul any gift, grant, devise or bequest to or from the 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 10. That the said corporation shall not be entitled to receive the annual appropriation made to academies, under the fourth section of an act, passed the twelfth 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.

WM. HOPKINS,

Speaker of the House of Representatives.

W. T. ROGERS,

Speaker of the Senate.

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

DAVID R. PORTER.

[No. 122.]

A N A C T

To incorporate the Wysox Academy.

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 is hereby established in the township of Wysox, in the county of Bradford, an academy in my 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 "Wysox Academy;" the said academy to be under the direction, management and government of a board of trustees, not exceeding eight in number, five of whom shall be a quorum for the transaction of business.