

gess of the borough or the mayor of the said city, as the case may be, or in default of either of the two former, the aldermen or a majority of them shall forthwith take all necessary measures to cure and supply such defects and omissions, giving at least twenty days' notice thereof, in the public newspapers of the said city, or if there shall be no newspaper published therein, by written or printed handbills posted up at the most conspicuous place within the boundaries of the said corporation.

SECTION 23. That no inhabitant of the said city of Allegheny, otherwise competent to give testimony, shall be excluded from being a witness in any court of this commonwealth, by reason of his residence in the said city, and being subject to taxation therein, or by reason of any interest which he has, or may have in the common or public ground in said city, or by reason of any interest which the said city now has, or may hereafter have in any ground granted for public purpose, which is or may become the subject of suit, and in which any such inhabitant may be called to give testimony. Who may be witnesses.

SECTION 24. The legislature reserves the right to alter, amend or revoke, any part of, or the whole of this charter at any time, when it may be deemed expedient. Repeal.

WM. HOPKINS,

*Speaker of the House of Representatives.*

W. T. ROGERS,

*Speaker of the Senate.*

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

DAVID R. PORTER.

[No. 137.]

## A N A C T

To incorporate the German Convention for promoting education.

WHEREAS a number of delegates chosen by citizens of the United States, being native Germans or descendants of Germans, have at sundry times met in convention, in this state, for the purpose of devising means to promote the cause of education, particularly among the German population: *And* Preamble.

whereas, they have already by contributions procured sufficient funds to purchase two lots of ground, with suitable buildings for a seminary, in the town of Phillipsburg, in Beaver county, in the state of Pennsylvania, on the banks of the Ohio, directly opposite Beaver river: *And whereas*, the principal object of the patrons of the said establishment, is to cause to be instructed and duly qualified, a number of persons to teach the English and German languages, upon the most improved system, so as to supply schools with competent and able teachers: Therefore,

Delegates incorporated.

Name.

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 delegates, (qualified as hereinafter provided) who shall from time to time be elected members of the German convention, for the purpose of promoting the common interest of the Germans in the United States, particularly with regard to education, and their successors, from time to time qualified and chosen as aforesaid, be and they are hereby made and constituted a corporation and body politic, in law and in fact, to have continuance so long as this act of incorporation shall remain unrepealed, (the power to do which is reserved to the discretion of the legislature) by the name, style, and title of "The German Convention for promoting Education."

Liberties and franchises.

SECTION 2. That the said corporation and their successors, by the name, style and title aforesaid, shall be able and capable in law, as well to take, receive and hold, all and all manner of lands, tenements, rents, annuities, liberties, franchises and other hereditaments, which at any time or times heretofore have been granted, bargained, sold, enfeoffed, released, devised or otherwise, conveyed to the said convention, or to any person or persons for them or for their use, or in trust for them; and the said corporation and their successors, are hereby declared to be seized and possessed of such estate or estates therein, as in and by the respective grants, bargains, sales, enfeoffments, releases, devises or conveyances thereof, is or are declared limited and expressed; as also, that the said corporation and their successors, at all times hereafter during the continuance of this charter, shall be capable and able to purchase, have, receive, take, hold and enjoy in fee simple, or other less estate or estates, any lands, tenements, rents, annuities, liberties, franchises or other hereditaments, by the gift, grant, bargain, sale, alienation, enfeoffment, release, confirmation or devise, of any person or persons bodies politic and corporate, capable to make a gift or bequest; and further, that the said corporation and their successors, may take and receive any sum or sums of money, and any manner and portion of goods and chattels that shall be given and bequeathed to them, by any person or per-

sons, bodies corporate and politic, capable to make a gift or bequest thereof, such money, goods and chattels, to be laid out by them in purchase or purchases of lands, tenements, messuages, houses, rents, annuities or other hereditaments, to them and their successors or the moneys lent on interest, or otherwise disposed of according to the articles and by-laws of the said society, and the intention of the donors : *Provided*, That the clear yearly value or income of the mes- Proviso.  
suages, houses, lands, tenements, rents, annuities or other Income limit-  
hereditaments, and real estate of the said corporation, and ed.  
interest of money lent, shall not exceed the sum of five thousand dollars per annum, to be taken and esteemed exclusive of the moneys arising from any annual or other stated subscriptions or payments.

SECTION 3. That the delegates to the said convention shall consist of citizens of the United States of America, who are Germans by birth or descent, and who shall be elected after public notice, by the citizens (Germans by birth or descent,) in the respective cities or counties in the United States, on the first Monday of June, in the year one thousand eight hundred and forty-one, and on the first Monday of June, in every second year thereafter, and on the election of the new delegates the term of those preceding shall expire : *Provided*, That the former delegates shall be re-eligible from time to time, but no city or county shall at any election choose more than three delegates, and not any unless it contains at least twenty-five citizens qualified to elect as aforesaid, who shall assemble for the purpose of holding said election ; and should the number of delegates at any time exceed the number or two hundred, the number elected from each city or county shall be reduced to two or one, so as to bring them within said number, which may be done by classification and lot among the delegates themselves, or in the election of them by the electors. Who may be delegates and how elected.  
Biennial election.  
Proviso.  
City or county delegates limited.

SECTION 4. The said convention shall meet statedly once in every two years, beginning on the second Monday of August, one thousand eight hundred and forty-one, at Phillipsburg, in Beaver county, in this state, or such other place in this state as may be designated. The officers shall consist of a president, of one or more vice-presidents, a secretary and treasurer, the last of whom shall give security satisfactory to the convention for the faithful performance of his duties, all of whom are to be chosen by ballot: the convention may sit at other times by its own adjournment, or upon a special call to be made as may be designated by its rules: the officers are only to be chosen at each biennial session of the convention, which may also appoint such committees and agents as may be found convenient and proper, for furthering the object of its institution. Stated meetings where held.  
Officers.

SECTION 5. That the rents, income and profits, arising from the said real and personal estate of the said corporation, shall

Rents, &c.  
how appro-  
priated.

Basis of in-  
struction.

Who may be  
taught gratis.

By-laws.

Proviso.

Seal.

General pow-  
ers.

by the said convention only, or its express authority or appropriation, from time to time, be applied to the instruction of such or so many persons as they may judge its means will afford, or authorize in a seminary or seminaries or schools, to be provided out of the funds of the said corporation, or erected for that purpose, the basis of which instruction or education is to be the christian religion, as held or taught by professed christians, but without regard to any sectarian principles or views which are to be excluded, and all the branches of a sound republican common education shall be taught there; and such rules and regulations shall be adopted for the seminaries and schools, as will be calculated to ensure a theoretical and practical knowledge of both the English and German languages: the instruction of those who are to be educated for teachers shall be gratis, and it shall be of that kind adapted to make them proficient in teaching to their pupils both the German and English languages, upon the views expressed in this section, in order that there may be an increase of well qualified teachers as aforesaid, who are particularly needed among the German population of the United States.

SECTION 6. That the said corporation and its successors, or a majority of such as shall be convened, at any of the stated or adjourned meetings of the said convention, (not less than thirty members however being present at such adjourned meetings,) shall be, and are hereby authorized and empowered to make rules, by-laws, regulations and ordinances, and to do every thing needful for the good government and support of the affairs of the said corporation: *Provided always*, That the said by-laws, rules, regulations and ordinances, or any of them, be not repugnant to the constitution or laws of this commonwealth, or this act of incorporation, and that all their proceedings be fairly entered in a book to be kept for that purpose, which book, and all the papers and documents of the said convention, and its officers relating to its transactions, shall at all times be liable to the inspection of the speakers of the assembly, and the chief justice of the state for the time being.

SECTION 7. That the said corporation and their successors, shall have full power and authority to make, have and use one common seal, with such device and inscription as they shall think proper, and the same to break, alter, and renew at pleasure.

SECTION 8. That the said corporation and their successors, by the name, style, and title aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded in any court or courts, before any judge or judges, and justice or justices, in all and all manner of suits, complaints, pleas, causes, matters and demands of whatever kind, nature and form they may be, and all and every matter or thing therein

to do in as full and effectual a manner as any other person or persons, bodies politic and corporate, within this commonwealth may or can do.

SECTION 9. 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 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 day of June, eighteen hundred and thirty-six. Not to receive annual appropriation.

SECTION 10. The legislature reserves the right to revoke, alter or amend 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 thirteenth day of April, one thousand eight hundred and forty.

DAVID R. PORTER.

[No. 138.]

## A FURTHER SUPPLEMENT

To the act incorporating the Sunbury canal 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 the Sunbury canal company be hereby authorized to connect their canal with the Susquehanna river, at any point between the points mentioned in the act to which this is a supplement, and the southern side of Pokeberry street in the borough of Sunbury, and to feed their canal with water therefrom for the purposes of said company: *Provided,* That the consent of the corporate authorities of the said borough be first had and obtained thereto: *And provided further,* That full compensation shall first be made to the owner or owners of the lands and improvements through which the Power to connect with river Susque'a.  
Owners of land first compensated.