

be recoverable by the mayor, alderman, and citizens of Philadelphia; and the select and common councils of the city of Philadelphia, shall be, and are hereby authorized to make such agreements, as they may deem expedient with the West Philadelphia canal company, for the management, care, and preservation of the said canal, and the bridges over the same; and also for keeping the public highways, leading to the permanent bridge, over the river Schuylkill, at High street, at all times, as unobstructed, by the use of the said canal, as possible.

WM. HOPKINS,
Speaker of the House of Representatives.
EBEN R. KINGSBURY,
Speaker of the Senate.

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

DAVID R. PORTER.

[No. 170.]

A N A C T

To incorporate the Muncy Female Seminary.

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 for the education of female youth, in the arts, sciences, and useful literature, the Muncy Female Seminary, in the borough of Muncy, and county of Lycoming, under the care and direction of seven trustees, namely: Dr. James Rankin, John Montgomery, Cowden S. Wallis, Joshua Bowman, John J. Crouse, J. P. Schuyton, and Jacob Pott, who, and their successors in office, are hereby declared to be one body corporate and politic, in deed and in law, by the name, style, and title of "The trustees of the Muncy Female Seminary," 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 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 female seminary, lands, goods, and moneys of every kind whatsoever, by gift, grant, conveyance, devise, or

Seminary established.

Trustees.

Name.

Powers and privileges.

bequest, from any person or persons, whomsoever, capable of making the same; and the same, from time to time, to sell, convey, or dispose of for the use of said seminary; and to erect such buildings as may be necessary; and generally to do all and singular such matters and things as may be lawful for them to do, for the well being of the said female seminary, and the due management and ordering the affairs thereof.

SECTION 2. And the first election of trustees shall take place on the first Monday of June next, and on the first Monday of June annually thereafter, at the said seminary, in the borough of Muncy, and the said election shall commence at the hour of one o'clock in the afternoon, and continue until five o'clock in the afternoon, and shall be conducted by two managers, who shall be appointed by a majority of citizens qualified to vote, who may be present at the time of commencing said election. No person shall be entitled to vote at said election, or to be a trustee, unless he shall hold stock in said female seminary, (on which has been paid all the instalments duly called for by the trustees,) amounting to ten dollars; and every additional amount of ten dollars thus held, as stock of said seminary, shall entitle the holder thereof to an additional vote, whether in person or by proxy; the votes shall be given by ballot; and at the first election each ticket shall be labelled on the outside "Trustees of the Muncy Female Seminary," and shall contain the names of six persons; and the 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: *Provided, That* if any such election shall fail to take place, that the said corporation shall not thereby be dissolved; and in case any vacancy shall occur in the board, from death, resignation, or refusal to act, the said vacancy shall or may be supplied by the trustees, or a majority thereof, until the next annual election; the managers shall certify the result of the election to each person so elected; and 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; employ teachers; 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; the president shall be appointed yearly; the said board of trustees shall appoint a

First and annual election, how, when and where held.

Who may vote and be trustees.

Proxies.

Proviso.

Vacancy.

Classification.

President. Teachers, &c.

By-laws.

Quorum.

Secretary, &c. 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 securities, 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 moneys received by him.

Treasurer
bond.

Treasurers
duties.

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 trustees; and he shall keep fair accounts thereof, to be open at all seasonable hours, to the inspection of all persons holding stock in said institution; and the treasurer shall, within one week previous to the annual election of each year, exhibit all his accounts and vouchers to the board of trustees; and the balance found on settlement of accounts against such treasurer, shall, if so directed by the board of trustees, be entered on record in the prothonotary's office of Lycoming county, as a lien against the property of said treasurer and his security; and shall be collected in the same manner, and under the same regulations, as balances found due from county treasurers, saving to the accountant the same right to appeal. Every treasurer who shall refuse to exhibit his books, accounts, and vouchers, as aforesaid, shall forfeit the sum of fifty 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 seminary, and the other half for the use of the prosecutor.

Penalty for
neglecting to
exhibit ac-
counts.

Capital stock.
Instalments.

SECTION 4. The capital stock of said female seminary shall consist of five hundred shares, of ten dollars each, which shall be transferable only on the books of the institution. The shares shall be paid in such instalments as the trustees may call for; and on failure to pay within thirty days after such instalment shall thus be called for by public notice, the instalment or instalments remaining due, may be collected in the name of said institution, before any justice of the peace, or in any court of common pleas in this commonwealth.

WM. HOPKINS,
Speaker of the House of Representatives.
EBEN'R. KINGSBURY, Jr.
Speaker of the Senate.

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

DAVID R. PORTER.