

[No. 188.]

## A N A C T

To incorporate an Academy in the township of Abington, Montgomery 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 there shall be, and hereby is established at Abington township, in the county of Montgomery, an academy 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 Abington academy, under the care and direction of six trustees, who, and their successors in office, shall be and are hereby declared to be one body politic and corporate, in deed and in law, by the name and style of the trustees of the Abington 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 dispose of for the use of said academy, and to erect or lease such buildings as may be necessary, and generally to do all and singular the matters and things which shall be lawful for them to do for the well being of the said academy, and the due management and ordering of the affairs thereof.

SECTION 2. The first election of trustees shall take place on the second Tuesday in January, in the year one thousand eight hundred and forty-one, and on the same Tuesday thereafter annually, in the said academy, in the said township of Abington; and 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 the citizens qualified to vote, who may be present at the time of commencing said election. No person shall be allowed to be a trustee or vote, unless he be a citizen of this state, and shall have subscribed and paid to the funds of said academy the sum of fifty dollars.

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The votes shall be given by ballot, and at the first election each ticket shall be labelled on the outside, "trustees of Abington academy," and shall contain the names of six persons, and the six having the greatest number of votes, and being qualified according to the provisions of this act, shall be the trustees for the ensuing year, and until successors are elected. The managers shall certify the result of the election to each person so elected, within ten days thereafter. If from any cause, trustees should not be elected on the day herein named for that purpose in any year, the trustees then in office shall continue in office until the next annual election. The board of trustees shall have power to fill vacancies until the next annual election, and shall annually appoint president, secretary and treasurer out of their own number, and shall also 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. *Four of the said trustees shall constitute a quorum, and a quorum may in the absence of the president, appoint a president pro tempore.* 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 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.

Vacancies.  
President &c.  
By-laws.

Quorum.

Treasurer  
bond.

Duties of trea-  
surer.

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 for the inspection of all persons who may have contributed to the funds of said institution, and shall annually, on the second Monday of January, exhibit his books, vouchers and accounts of every kind, to the persons interested in the institution for their inspection.

Trustees.

SECTION 4. Robert Steel, Joel K. Mann, Ardemus Stewart, John S. Leibert, Samuel E. Leech, Silas Yerkes, and William T. Rogers, are hereby appointed trustees of said corporation, until the first election of trustees under this act, with the same power and authority as is given to the trustees to be hereafter elected.

Repealing  
clause.

SECTION 5. The legislature reserves the right of annulling the privileges hereby granted, whenever they may think the same injurious to the community.

Not to receive  
annual appro-  
priations.

SECTION 6. That nothing in this act, or any other law of this commonwealth, shall entitle the institution hereby incorporated to receive the appropriation heretofore granted to female seminaries and academies, by 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 day of June, eighteen hundred and thirty-six.

WM. HOPKINS,

*Speaker of the House of Representatives.*

EBEN'R. KINGSBURY, Jr.

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, Anno Domini; one thousand eight hundred and forty.

DAVID R. PORTER.

[No. 189.]

## A N A C T

To authorize the Governor to incorporate the Pottsville and Tuscarora Railroad 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 William Wallace, Jacob Alter, Joseph Houghawout, of Philadelphia, Samuel Bell, John Miller, John Greene, commissioners of Berks county, Jacob Olewine, Charles Ellet, Andrew B. White, Aquilla Bolton, Gideon G. Palmer, George M. Totten, John G. Hews, of the county of Schuylkill, or any two of them, be and they are hereby appointed commissioners to do and perform the several things hereinafter mentioned: that is to say, that they shall, on or before the first day of December next, procure three books, one of which shall be opened at the public house of Joseph Houghawout, in Philadelphia, and one at the house of John Miller, in Reading, Berks county, and one at the public house of William G. Johnson, in Pottsville, Schuylkill county; in each of which they shall enter as follows: "We whose names are hereunto subscribed do promise to pay to the president and managers of the Pottsville and Tuscarora railroad company, the sum of fifty dollars for every share of stock set opposite our respective names, in such manner and proportions, and such times as shall be determined by the president and managers of the said company,

Commissioners.

To procure books.

Form of subscription.