

shall have been read from the pulpit upon the two Sabbaths, immediately preceding the meeting.

WM. HOPKINS,
Speaker of the House of Representatives.
E. KINGSBURY, Jr.
Speaker of the Senate.

APPROVED—The 21st day of May, A. D. one thousand eight hundred and forty.

DAVID R. PORTER.

[No. 194.]

AN ACT

To establish an Academy in the borough of Hamburg, in the county of Berks.

Academy established.	SECTION 1. <i>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,</i> That there shall be, and hereby is established in the borough of Hamburg, in the county of Berks, an academy or public school, for the education of youth in the English, and other languages, and in the useful arts, sciences, and literature,
Name.	by the name, style, and title of the "Hamburg Academy," under the care and direction of six trustees, who, and their successors in office shall be, and they are hereby declared to be one body politic and corporate, in deed and in law,
Liberties and franchises.	by the name and style of the "Trustees of the Hamburg Academy," 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 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 such buildings as may be necessary; and to make, have, and use a *common seal*, and the same to break or alter at pleasure; 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 due management and ordering of the affairs thereof. Seal.

SECTION 2. And the first election of trustees shall take place on the first Friday in August, in the year one thousand eight hundred and forty, and on the same Friday thereafter, annually, at the house of John Bailey, in the borough of Hamburg, Berks county; and the said election shall commence at the hour of one o'clock, P. M., and continue until five o'clock, P. M., 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; and every election thereafter shall be held at the academy, hereby incorporated. No person shall be allowed to be a trustee, or to vote, unless he be a citizen of said county, and shall have subscribed and paid to the funds of said academy, the sum of five dollars. The vote shall be given by ballot; and each ticket shall be labelled on the outside, "Trustees of Hamburg Academy;" and at the first election 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 their successors are elected. The managers shall certify the result of the election to each person so elected. 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, to serve for a period of three years. The board of trustees shall have power to fill vacancies; to appoint their president yearly, who shall be one of the elected trustees; and they shall have the 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, and a quorum may, in the absence of the president, appoint a president pro tempore. The said board of trustees shall appoint a secretary and treasurer yearly, but they shall have power to move either whenever a majority of the board shall think proper. 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 managers, for a penal sum double the estimated amount, for the

Annual election.

Vacancies.
President.
By-laws.

Quorum.

Secretary and treasurer.

Bond.

time being, of the funds of the corporation, conditioned for the performance of his duties enjoined, and the repayment of moneys received by him.

Duties of treasurer.

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 or secretary, or by a majority of the 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 the said trustees and treasurer shall, annually, in the month of January, exhibit all their books, vouchers, and accounts of every kind, before the said board of trustees to be settled and adjusted; and any balance found due the institution shall be entered of record in the court of common pleas of said county, and become a lien, to be collected in the same manner, and under the same regulations as other judgments are collected, saving to the accountant and the corporation the right to appeal to the next court of common pleas after said report. Every trustee or treasurer who shall neglect or refuse to exhibit his books, accounts, and vouchers, as aforesaid, shall forfeit the sum of forty 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 academy, and the other half for the use of the prosecutor.

Exhibit their accounts.

Appeal.

Penalty.

SECTION 4. Persons of every religious denomination shall be capable of being elected trustees, nor shall any person either as principal, teacher, tutor, or pupil, be refused admittance into the seminary, or be denied any of the privileges, immunities, or advantages thereof, for, or on account of his or her sentiments in matters of religion.

Who may be trustees teachers & pupils.

SECTION 5. No misnomer of said corporation shall defeat or annul any gift, grant, devise, or bequest, to or from 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.

Misnomer.

SECTION 6. That the said corporation shall not be entitled to receive the annual appropriation made to academies by the fourth section of an act passed the twelfth day of April, A. D. 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 of June, A. D. eighteen hundred and thirty-six."

Not to receive annual appropriation.

SECTION 7. The legislature reserves the right to revoke,

alter, or annul the charter hereby granted, at any time they may think proper. Repealing
clause.

WM. HOPKINS,
Speaker of the House of Representatives.
EB. KINGSBURY, Jr.
Speaker of the Senate.

APPROVED—The twenty-first day of May, A. D., one thousand eight hundred and forty.

DAVID R. PORTER.

[No. 195.]

AN ACT

To annul the marriage contract of John Zuercher, and Magdalena Zuercher, his wife.

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 marriage contract entered into by and between John Zuercher, and Magdalena Zuercher, his wife, be and the same is hereby annulled and made void, and the parties released and discharged from the said contract, and from all the legal duties and obligations arising therefrom, as fully, effectually and absolutely as if they had never been joined in marriage. Divorce of
John Zuercher.

WM. HOPKINS,
Speaker of the House of Representatives.
E. KINGSBURY, Jr.
Speaker of the Senate.

APPROVED—The twenty-first day of May, eighteen hundred and forty.

DAVID R. PORTER.