

or owners of said property, or giving adequate security therefor; and that nothing in this act, or the act to which this is a supplement, shall be so construed as to give to the said company mining privileges, and so much of the original act as is hereby altered, is hereby repealed.

JAMES COOPER,

Speaker of the House of Representatives.

CH. GIBBONS,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.

No. 136.

AN ACT

Relative to the Girard college for orphans.

Proceedings to
bind poor orphan
children to city
authorities.

Admission.

When indenture
to expire.

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 guardians for the relief and employment of the poor of the city of Philadelphia, the district of Southwark, and the townships of the Northern Liberties and Penn, be and they are hereby authorized, with the consent of the surviving mother, guardian, next friend, or by their own authority, if there be no such mother, guardian or next friend of any poor white male orphan child within this commonwealth, between the age of six and ten years, for whose admission to the Girard college for orphans application shall have been made, to bind such orphan child, by indenture, to the mayor, aldermen and citizens of Philadelphia, as trustees under the will of Stephen Girard, deceased, as an orphan to be admitted into the said college, to be there maintained and educated according to the provisions, and in the manner and under all the regulations and restraints directed or contained in the said will, or as the said corporation of the mayor, aldermen and citizens of Philadelphia shall lawfully ordain, under the said will; which said indenture shall not express any term or time when the said binding shall expire; but such binding shall, nevertheless, expire at furthest, before the said orphan shall attain the age of eighteen years, or at the pleasure of the said trustees at any time after he shall have arrived at between the ages of fourteen and eighteen years, or at any other time before his attaining the said age of fourteen years, when the said orphan shall, by mal-conduct, cease to merit the benefits of the said college; and the said trustees shall duly declare the said fact, and such orphan child shall be bound to abide by and submit to such provisions, regulations and restraints, as fully as if he were of full age, and consented thereto at the time of such binding, and shall be entitled to the benefits of the said college, according to the will of the said testator; and the said parties shall be mutually entitled to relief for breach of duty by the other, in the same manner and by

the same tribunals as is now provided by law, in regard to apprentices and their master or mistress, respectively.

SECTION 2. That it shall be lawful for the said mayor, aldermen and citizens of Philadelphia, and for such persons as they shall, by ordinance, authorize, appoint and direct for this purpose, to bind, by indenture, any and every such orphan child who shall have remained in the said college until he shall arrive at between fourteen and eighteen years of age, and before his arrival at the age of eighteen years, to serve as an apprentice to any suitable person in this commonwealth, in either of the occupations of agriculture, navigation, arts, mechanical trades or manufactures, according to the will of the said testator; and such orphan child shall be bound to serve the time in his respective indenture contained, so as such time or term of years of such apprentice do expire at or before the age of twenty-one years, as fully, to all intents and purposes, as if he were of full age at the time of making such indenture; and the said indenture shall contain, and be deemed valid in containing such covenants and stipulations for the feeding, clothing and educating such orphan child as the said corporation, by ordinance, from time to time, shall direct. And in case the master of any such apprentice shall die before the expiration of such apprenticeship, it shall be lawful for the said corporation, or such persons as they shall authorize, appoint and direct, as aforesaid, again to bind such orphan child to such other person in this commonwealth as they shall approve, being of one of the occupations aforesaid, and so on, from time to time, as often as such master shall die before such apprentice shall attain the age of twenty-one years, all which indentures shall be of the same effect and validity, and shall in all respects be as subject to the acts of assembly which now are or at the time shall be in force in this state, in regard to apprentices and their masters and mistresses, as if the said indenture had been made in conformity to the said acts.

Authorities of Philadelphia authorized to bind out such poor children.

SECTION 3. The said corporation of the mayor, aldermen and citizens of Philadelphia, shall be the guardian of every such orphan child during the time that he shall remain in the said orphan college; and in case any such orphan child, at or before the time of such binding to the said corporation as an orphan, or during his remaining in such college, shall possess or become entitled to any effects or property, the said corporation shall be entitled, in like manner as other guardians, to demand and receive the same from any person having possession thereof, or owing the same, and to give acquittance therefor; and it shall be the duty of the said corporation, to take care of the same as guardians, and to make the same productive as far as reasonably can be, and to deliver and pay over the same, with the increase, to the said orphan, on his attaining the age of twenty-one years, or to his legal representatives, if he shall die before attaining that age.

Corporation to be the guardian of such children.

SECTION 4. That it shall be lawful for the said the mayor, aldermen and citizens of Philadelphia, to make application, at any time after such binding, to the judges of any court in the city and county of Philadelphia, having equity jurisdiction to cancel and annul the said indenture, or other instrument of binding, so that the same shall be no longer binding upon the said corporation, as trustees of the said orphan college; and upon such application being made, and notice thereof being given to the overseers or guardians of the poor of the district in this commonwealth in which such orphan had a settlement, at the time of his admission, or to the "guardians for the relief and employment of the poor of the city of Philadelphia, the district of Southwark, and the townships of Northern Liberties and Penn," if such orphan had no settlement in this state, at the time of his admission, and sufficient cause

Power of court to annul indenture.

being shown to the satisfaction of the said court, it shall be lawful for the said court to decree and order that the said indenture shall be cancelled and annulled, either absolutely or upon such terms as the court shall see fit; and the same shall thereupon be cancelled and annulled accordingly, and the said orphan child, and the corporation aforesaid, and all other persons be respectively discharged therefrom.

JAMES COOPER,

Speaker of the House of Representatives.

CH. GIBBONS,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.

No. 137.

AN ACT

Supplementary to an act, entitled "An Act in relation to the duties of county auditors in the county of Potter, and for other purposes," approved April seventeenth, eighteen hundred and forty-six.

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* it shall and may be lawful for John M'Ewen, Allen N. Work, John Ewing and Cornelius Lloyd, and they are hereby authorized and empowered to audit and settle all the unsettled business of Mahoning township, Indiana county, (except the accounts of old supervisors of the highways in said township,) and to demand, sue for and collect all debts due said township, of any description whatever, and to divide the money so collected among the different townships that have been erected out of said Mahoning township, and apportion the just claims of individuals against said township, in the same way among the said new erected townships, in proportion to the number of their taxable inhabitants.

Auditors appointed to settle business of Mahoning township, Indiana county.

JAMES COOPER,

Speaker of the House of Representatives.

CH. GIBBONS,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.