

so construed as to grant to the said company any exclusive privilege to exercise the rights and powers herein conferred.

WILLIAM F. PACKER,
Speaker of the House of Representatives,
 WM. WILLIAMSON,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 182.

AN ACT

To incorporate the Western Pennsylvania hospital.

Preamble.

WHEREAS, A number of the citizens of this commonwealth, actuated by a sense of religious duty, and the benevolent disposition to extend aid, comfort and relief to indigent and afflicted humanity, have made large voluntary contributions in money and real estate, with the view to the foundation and endowment of a public hospital, to be appropriated for the reception and care of the insane and afflicted, as well as the sick, helpless and infirm; and the contributors having formed themselves into an association for the above object, have now, by the petition of their board of managers to the senate and house of representatives, prayed for the passage of an act of incorporation; therefore,

Contributors incorporated.

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 present managers, elected by the contributors, together with their president, vice presidents and other members and contributors to the above mentioned charitable association, be and they are hereby made and constituted a body politic and corporate, in law and fact, under the name, style and title of "The Western Pennsylvania hospital," and shall have and enjoy all the rights, powers and privileges incident by law to a corporation, for the purpose of establishing, maintaining and managing an hospital for the reception and care of the insane and afflicted, as well as the sick, infirm and helpless.

Style.

Government vested in a board of managers.

SECTION 2. That the control, government, management and domestic economy of the said institution, and of the business and concerns of the hospital, shall be vested in a board of twenty-one managers, (eleven of whom shall be a quorum for the transaction of business,) who shall be elected at the first annual election under this act, on the third Tuesday of April next, one-third of whom shall be for one year, one-third for two years, and one-third for three years; and at their first meeting thereafter, the said board shall elect from their own number a president,

a first vice president and a second vice president; and at all subsequent annual elections on the third Tuesday of April, seven managers shall be elected by the contributors, to serve for the three succeeding years; and no manager shall be ineligible to re-election; to which number shall be added those contributors who may acquire a right to become members of the board of managers, agreeably to the provisions contained in the next succeeding section; and if an election shall not be held in any year at the time hereinbefore appointed, the corporation shall not for that cause be dissolved, but an election shall be held as soon afterwards as may be, such notice being given as shall be required by the rules and by-laws of the institution; and until such election, the officers and managers in place, shall continue to act and conduct the business and affairs of the institution; and in cases of any vacancy in the board of managers, by death, resignation, removal from the state, or repeated omission to attend their meetings, the managers shall have the power to fill such vacancy by the nomination of another contributor, until the next annual election; no person but a contributor shall be elected a manager.

SECTION 3. That any contributor who has already, or who shall hereafter subscribe the sum of one thousand dollars as a single benefaction, or who has already subscribed a less sum, and shall increase the same to one thousand dollars, or who shall hereafter subscribe a less sum and subsequently increase the same to one thousand dollars, on payment of the same into the treasury, shall be entitled to become a manager for life, and shall have the right to nominate and send in one patient to the hospital: *Provided*, The person so nominated shall be of the condition, and fall within and comply with the rules that may be established for the government of the institution; and the same privileges and rights shall be conferred on any person who shall subscribe and secure the payment of one hundred dollars per annum, for life, or for the period of fifteen years.

Who may become a manager for life.

Proviso.

SECTION 4. That the said corporation shall have power and authority to adopt and use a common seal, and to alter the same at pleasure, and under aforesaid name, style and title of "The Western Pennsylvania hospital," may sue and be sued, plead and be impleaded, in all courts of record and elsewhere; may purchase, acquire, receive, take donations of, (by will or otherwise) hold and enjoy real, personal and mixed estate, of any kind whatsoever, and may sell, convey, lease and encumber the same for the use, objects and benefit of the said institution; they shall also, by their board of managers, have power to contract for and to erect all necessary buildings, and to make all the accommodations, arrangements and conveniences requisite for the reception and care of patients, to make and declare a code of by-laws for the government of the board of managers, of the patients, and of all the officers and persons appointed and employed in and about the hospital; and they shall have power to appoint and to prescribe the functions and duties, and to compensate and remove at pleasure, from their employment, all the officers and attendants deemed necessary for the proper order, discipline, arrangements and management of the hospital; the said managers shall have the general control, government and management of the business concerns and economy of the hospital, shall prescribe the kind and character of patients, and the terms and conditions upon which they shall be admitted into the hospital, or removed and discharged therefrom: *Provided*, That no person shall be admitted having any contagious or infectious disease; they shall have power also, by code of by-laws, to appoint and give public notice of the time and place for holding general meetings and elections, by contributors,

Powers and privileges.

Proviso.

to constitute committees, and appoint visitors of inspection and superintendence to the hospital, to control its finances, to order the payment, by instalments or otherwise, of the subscriptions made by the contributors; and to appoint and compensate, if they shall think proper, a secretary and treasurer, to prescribe their respective duties, and to oblige the latter to give bond, with one or more sureties, for the faithful discharge of his official duties: *Provided*, That the said by-laws and ordinances shall not be inconsistent with the constitution of the United States and of this state.

No compensation to be allowed. SECTION 5. That no member of the board of managers, shall receive any pay or compensation whatsoever, for attendance or discharge of his official duties as a manager; and all persons contributing twenty-five dollars, shall be members of this corporation, and entitled to vote for the members of the board of managers, or at any general meeting of the contributors, and shall be eligible to be elected to the management of its concerns.

Election shall be by ballot. SECTION 6. That at all the elections for managers the votes shall be by ballot, and each member of the corporation shall be entitled to one vote only; and the persons voted for, having the highest number of votes, shall be declared elected, and a written return of each election shall be certified and given to the board of managers and entered on their minutes.

Who may be admitted to charity. SECTION 7. That those persons whose condition and diseases render them the proper objects of the charity or care of the said hospital, may be received from any part of the commonwealth of Pennsylvania, without preference or partiality; but in cases of serious accidental wounds, provided they occur within the said commonwealth, the residence of the party shall be no objection to admission and surgical aid; and in deciding upon the admission of patients, there shall be no discrimination as to religious denominations; and clergymen shall always have access to patients of their own religious persuasion, subject to the general by-laws in reference to the admission of visitors.

Power to erect separate establishments. SECTION 8. *Whereas*, experience and the present general impressions seem to indicate, that it would be more expedient and conducive to humanity, and the benevolent objects in view, to keep separate and distinct, the insane patients from the other classes of the afflicted: *Be it therefore enacted*, That the board of managers of the Western Pennsylvania hospital, if they shall hereafter deem it more expedient and humane, shall have power to make the separation, and erect distinct establishments for the said two classes of patients: *Provided*, That the same shall be approved and sanctioned by the contributors to the institution, at a general meeting to be convened at Pittsburg, upon a reasonable and public notice, to be given by the board of managers.

Property exempt from taxation. SECTION 9. That the estate and property of the said hospital shall be exempt from taxation, so long as the same shall be used, conducted and employed as a public hospital or asylum, for the purposes hereinbefore mentioned; nor shall the ground of the said hospital be subject or liable to have any public road, street, lane or alley laid out or opened through it, as long as the same shall be used and employed for the purposes aforesaid.

Former act repealed. SECTION 10. That the act of assembly, entitled "An Act to incorporate the Western Pennsylvania hospital society and the Pittsburg board of trade," passed the third day of April, one thousand eight hundred and thirty-seven, be and the same is hereby repealed, so far as

relates to the said hospital society; and all other acts relative to a Western Pennsylvania hospital, be and they are hereby repealed.

WILLIAM F. PACKER,

Speaker of the House of Representatives.

WM. WILLIAMSON,

Speaker of the Senate.

APPROVED—The eighteenth day of March, one thousand eight hundred and forty-eight.

FRS. R. SHUNK.

No. 183.

AN ACT

To authorize Sarah A. Wilson, of Allegheny county, to dispose of certain moneys, and to authorize the trustees of the Middle Octoraro Presbyterian congregation, of Lancaster county, to sell certain real estate.

WHEREAS, A certain Robert A. Wilson, of the city of Pittsburg, did, by his deed dated the tenth day of September, Anno Domini one thousand eight hundred and forty, convey to a certain James Brown, of the city of Allegheny, the sum of five thousand dollars, of the moneys of Sarah A. Wilson, the wife of the said Robert, in trust inter alia, for the sole and separate use of the said Sarah, during the period of her coverture, but without any power of appointment, except by an instrument in the nature of a last will and testament during the said period: Preamble.

And whereas, It is the desire of all the parties, as it is alleged to have been their intention at the making of the said settlement, that the same should be so reformed as to enable the said Sarah A. Wilson to dispose of the said money during the period of her coverture, in such manner as she shall think fit and proper; therefore,

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 aforesaid,* That the trustee of the said Sarah A. Wilson, under the settlement aforesaid, be and he is hereby authorized and required to pay over and transfer the said moneys, so vested in him as aforesaid, to such person or persons, and for such use or uses as the said Sarah shall, notwithstanding her coverture, and during the continuance thereof by any instrument in writing under her hand and seal, executed in the presence of two or more witnesses, and by her separately acknowledged before some alderman or justice of the peace, to have been done of her own free will and accord, direct and appoint.

Trustee required to pay over moneys on the direction of Sarah A. Wilson.

SECTION 2. That the trustees of the Middle Octoraro Presbyterian congregation of Lancaster county, or their successors in office, be and they are hereby authorized to sell or mortgage a portion of their real estate, situate in Bart township, in said county, for the purpose of paying debts of the said congregation: *Provided,* That before this act shall

Trustees of Middle Octoraro Presbyterian congregation authorized to sell or mortgage real estate.

Proviso.