

No. 109.

AN ACT

Incorporating the Girard academy, and for extending the limits of Girard borough.

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 in the borough of Girard, in the county of Erie, an academy for the education of youth in the learned languages, useful arts and sciences, and general literature, by the name, style and title of "The Girard academy."

Corporate.

SECTION 2. That the said institution shall be under the management, direction and government of a number of trustees, not exceeding nine; and until others shall be elected as hereinafter provided, the trustees of the said academy shall consist of the following persons, to wit: James Miles, Elijah Drury, and Henry Teller, of the township of Girard; and Henry M'Connell, William S. Maynard, John Gulliferd, Miron Hutchinson, Leffert Hart and George H. Cutler, of the borough of Girard; which said nine trustees and their successors, to be elected as hereinafter provided, shall forever be and they are hereby created, established and declared to be one body politic and corporate, with perpetual succession, in deed and in law, by the name, style and title of the "Girard academy;" and by the same name shall be able to sue and be sued, plead and be impleaded in all courts of record, and elsewhere, and shall be competent and capable in law and equity, to take and to hold, to them and to their successors, for the use of said academy, any estate in lands, tenements or hereditaments, goods, chattles, stock, moneys or other effects, of what kind, nature or quality soever, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest, from any person or persons whomsoever, capable of making the same, free of taxation: *Provided,* The same do not exceed the yearly value of three thousand dollars; and the same from time to time to grant, bargain, sell, demise, alien, lease, place out at interest or otherwise dispose of, for the use and benefit of said academy, and to receive the rents, profits, income and interest thereof, and to apply the same to the proper use of the said academy; and to erect such buildings as may be necessary, and generally to do all and singular acts, deeds, matters and things which shall be lawful for them to do, for the well-being of the said academy, and the due management thereof.

Government.

Trustees.

Style.

Privileges.

Seal.

SECTION 3. The said trustees shall cause to be made for their use, one common seal, with such devices and inscriptions thereon, as they shall think proper, and by and with which all deeds, certificates and acts of said corporation shall pass and be authenticated; and the same seal at their pleasure, may break, alter and device anew.

Annual election of trustees.

SECTION 4. The first election of trustees shall take place on the first Monday in January, one thousand eight hundred and fifty-one, at the school house in said borough, and on the same day annually thereafter, at such place as may be appointed by the board of trustees. The election shall commence at the hour of one o'clock in the afternoon, and shall continue until five o'clock, and shall be conducted by two managers to be chosen by a majority of the stockholders present at the time

of commencing said election ; and the stockholders shall be allowed to vote in person or by proxy, and in the ratio of one vote for each share of stock held by him, her or them, or standing in his, her or their names, in the books of the corporation. The votes shall be given by ballot, and each ticket shall be labelled on the outside "trustees of the Girard academy," and shall contain the names of nine persons, stockholders in said corporation ; and those having the highest number of votes shall be the trustees of said academy for the ensuing year, and shall continue in office until their successors are elected. If two or more persons should have an equal number of votes, the managers shall forthwith decide by lot, which of said persons are elected.

SECTION 5. The board of trustees, five of whom shall constitute a quorum, shall annually, at their first meeting after the election, appoint Trustees. a president and secretary of their own number, and elect a treasurer, Quorum. who shall be a stockholder ; and in case of the death, resignation or Officers. refusal to serve of any trustee or other officer, the trustees in office shall have power to appoint others in their stead until the next election ; and they shall also have power to enact such ordinances and by-laws as may be necessary for the well being and government of said corporation : *Provided*, That no by-law or ordinance shall have any force *Provided*. and effect which shall be repugnant to the constitution and laws of the United States, or of this state ; nor shall any person, either as principal, master, tutor or pupil, be refused admission into said academy on account of his or her belief or persuasion in matters of religion : *Provided*, He demean himself in a sober, orderly manner, and conform to the rules and regulations of the academy.

SECTION 6. The capital stock of said corporation shall be five thousand dollars, divided into shares of twenty-five dollars each ; certificate Capital stock. of which shall be issued to such person or persons who have heretofore subscribed, or may hereafter subscribe, and pay money for the purpose of building an academy in said borough, or to the heirs and legal representatives of such person or persons for every share which he, she or they may have, or shall subscribe for and hold in said corporation, which shall be transferable on the books of the corporation, Transferable. either in person or by attorney, subject to the payment of any balance due thereon ; and the capital stock of said corporation may be increased to ten thousand dollars, by a vote of the majority of the stockholders, at any annual election.

SECTION 7. The treasurer shall receive and hold all moneys belonging to the corporation, and pay out the same to the order of the board, signed by the president and secretary, or a majority of the trustees ; and he shall keep fair accounts thereof, which shall be audited and settled by the trustees, in the same manner as the accounts of the treasurer of common school districts are now by law audited and settled, and subject in like manner to appeal ; and before entering upon the duties of his office, shall give a bond with one or more sufficient sureties, to be approved by the board of trustees, in a sum equal to double the estimated amount of money to be received by him, conditioned for the faithful discharge of the duties of his office, and the payment of all moneys remaining in his hands at the end of the year to his successor in office ; and the secretary and treasurer may receive such compensation as may be thought reasonable by the board of trustees ; but no other officer shall receive any fee or reward whatever for his services ; and it shall be the duty of the trustees to report annually, at the expiration of their term of office, the condition of the finances and other affairs of said corporation ; which report, together with the books of the corporation, shall be open at all proper times to the examination and in-

Treasurer to receive moneys, &c.

Give bond.

spection of all persons interested, who are at such times stockholders in said corporation.

Misnomer.

SECTION 8. No misnomer of said corporation shall defeat or annul any gift, grant, devise or bequest to the said corporation: *Provided*, That the intent of the parties shall sufficiently appear in said gift, grant, will, or other writing, whereby any estate or interest in any thing, real or personal, was intended to pass to said corporation.

Limits of Girard
borough, ex-
tended.

SECTION 9. The limits of the borough of Girard, are hereby extended from the eastern boundary thereof, along the south line of the Ridge road eight rods; thence south by a line parallel to the east line of the borough twenty rods; thence west by a line parallel to the Ridge road eight rods, to the line of said borough.

J. S. M'CALMONT,
Speaker of the House of Representatives.

V. BEST,
Speaker of the Senate.

APPROVED—The fourth day of March, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 110.

AN ACT

To supply lost policies of insurance.

Lost policies.

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 whenever any policy of insurance upon any property, real or personal, granted by any body corporate or politic, shall have been lost or destroyed, such body corporate or politic shall on proof of the loss or destruction of the same, in the manner hereinafter provided, furnish to the person or persons whose policy has been so lost or destroyed, a copy of the same, together with the transfers, which have been approved and recorded on the books of such body corporate, if any, which may have been made by the original, or any subsequent grantee of such policy to the person or persons having the same, at the time of the loss or destruction thereof; the copy so made to be as effectual for the security and indemnification of the person or persons holding the same, as the original, and subject like it to transfer to any person purchasing the property insured.

Proceeding in
case of lost poli-
cies.

SECTION 2. That on the application of any person or persons to the court of common pleas of the county in which the property has been insured, setting forth the loss or destruction of the policy of insurance, on oath or affirmation, together with a description of the property, the amount for which it was insured, the person or persons to whom