

No. 404.

A SUPPLEMENT

To the act for the regulation and continuance of a system of education by common schools, passed April seventh, Anno Domini, one thousand eight hundred and forty-nine; to alter the charter of the first Presbyterian church of the borough of Reading; to change the place of holding elections in certain districts; relative to certain school districts; and to the borough of Duquesne, in Allegheny 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 so much of the first section of the act, entitled "An Act for the regulation of a system of education by common schools," passed April seventh, Anno Domini, one thousand eight hundred and forty-nine, which provides that every township, borough or ward shall constitute and be a school district, be and the same is hereby repealed, so far as the same relates to separate school districts formed prior to said act, out of parts of townships, in the county of Schuylkill; and that the school district heretofore known by the name of East Brunswick school district, shall hereafter be known and called by the name of the M'Keansburg school district, M'Keansburg school district, Schuylkill county, erected.

SECTION 2. That the corporation heretofore known as the First Presbyterian church of the borough of Reading is hereby created and continued a corporation, under the name and style of "The First Presbyterian church of the city of Reading;" and under such change of name shall have and possess all the property, and rights of property, and be subject to all the liabilities, which belong to the said corporation as heretofore named; and shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere; and shall be able and capable in law and in equity to take, hold and receive, to them and their successors, for the use of the said church, lands, tenements, goods and chattels of whatsoever kind, nature or quality, real, personal or mixed, which are now or shall hereafter become the property of the said church, or be given or conveyed, or sought to be given, granted or conveyed, either to the said church or to and for the use of the said church, by gift, grant, bargain, sales, conveyance and devise, bequest or otherwise, from any person or persons capable in law of making the same, and to grant, bargain, sell, mortgage, improve or dispose of the same for the use of the said society: *Provided,* That the clear yearly value or income of the said real estate so held at any one time by the said church, shall not exceed three thousand dollars, and shall not be applied to any other purposes than those of religion, education and charity. Style.
Privileges.

SECTION 3. The secular business of the said corporation shall be conducted by thirteen trustees, to be elected annually, on the first Wednesday of May of each year, and to hold their respective offices for the term of one year, and until their successors are elected; said trustees shall be elected by the regular pew-holders of the said church, of whom not more than two shall vote for any one pew; and in case any trustee shall die or resign, or be otherwise lawfully removed during his said term of office, the remaining trustees shall proceed to fill said vacancy Trustees, annual election of.
Vacancies.

until the next annual election: *Provided*, That it shall be lawful for the said trustees, in their by-laws, from time to time to provide for a different number of trustees, not more than thirteen nor less than five: *And provided further*, That public notice of the time of election of trustees shall be given from the pulpit of said church, on the Sabbath next preceding an election: *And provided further*, That until the election in May next, as herein prescribed, the existing board of trustees, to wit: William Eckert, John S. Pierson, William N. Coleman, J. Bowman Bell, Alexander H. Peacock, Ephraim Booth and Newton D. Strong shall continue to fill the office of trustees, and shall possess all the powers which may be lawfully possessed and exercised by the trustees of the said corporation.

By-laws.

Proviso.

Proviso.

SECTION 4. The said trustees and their successors shall have full power to enact such by-laws and ordinances as they may from time to time think proper, for the regulation and transaction of the business of the said corporation; and shall have power, also, to change the time of holding the election for the choice of trustees, if such change should be deemed advisable: *Provided*, That the said by-laws and ordinances shall not be inconsistent with the constitution and laws of the United States and of this state, *or*: *And provided further*, That the said trustees shall not sell, alien or otherwise dispose of the real estate belonging at any time to the said corporation, or encumber the same (except in the way of mortgage to secure or aid in liquidating the present indebtedness of the said corporation) without the consent of a majority of the pew-holders who shall have been convened pursuant to public notice given in such manner as the by-laws shall prescribe.

Repeal.

SECTION 5. Such parts of the former charter of the said corporation as are supplied by, or inconsistent with the provisions of this act, are hereby repealed.

School directors of South-west township, Warren county, authorized to erect a school house.

SECTION 6. That the school directors of the township of South-west, in the county of Warren, be and they are hereby authorized to erect a suitable school house in sub-district number one, in said township, and to levy a tax for the payment thereof upon the taxable inhabitants and property of said sub-district number one.

Providence township, Luzerne county, place of holding elections in. Jefferson township.

SECTION 7. That the qualified electors of Providence township, Luzerne county, shall hereafter at all times hold their general and special elections for said township, at the house now kept by Merrifield and Sloan, in the village of Hyde Parke; and that the qualified electors of the township of Jefferson, in the same county, shall hereafter hold their general and special elections for said last mentioned township, at the house now occupied by John Coon, in the same township.

Relative to the location of school houses in Braddock's Field school district.

SECTION 8. That it shall be the privilege of any ten taxables in the Braddock's Field school district, feeling themselves aggrieved in the matter of locating school houses in said district, or where the school directors refuse to divide the said district for the convenience of its citizens, to apply to the judges of the court of common pleas for redress, who shall appoint three commissioners to view said district, and report the result of their examinations to the said court, with a recommendation of division or no division, and if the former, the place or places at which the school houses shall be erected which shall be subject to the approval or disapproval of said court, the decision of which tribunal shall be final; said commissioners to be selected from citizens of a neighboring township, and the expense of said view to be audited by the county commissioners, and paid out of the Braddock's Field school district fund, at the rate of one dollar for each day's service.

Certain act not to prejudice the

SECTION 9. That the act, entitled "A supplement to an act incorporating the borough of Duquesne," approved the sixth of April, one

thousand eight hundred and fifty, shall not be construed to prejudice the rights, &c., of rights and immunities of Zebulon Kinsey, and others, vested in him or Zebulon Kinsey and others. them by deed or otherwise.

SECTION 10. That the township of Upper Paxton, including the borough of Millersburg, in said township, in the county of Dauphin, shall hereafter form but one election district, and the qualified electors of said township and borough shall hold their borough, township and general elections as heretofore, at the frame school house on the bank of the Wiconisco creek. Township of Upper Paxton, including the borough of Millersburg, to form but one election district.

SECTION 11. That part of Herrick school district known as sub-district number two, in the county of Susquehanna, shall hereafter constitute a separate and independent school district, to be known as the Lyons school district, subject to all laws and regulations relative to a general system of education by common schools in this commonwealth. Lyons school district, Susquehanna county, erected.

SECTION 12. That the qualified voters of Berne township, Berks county, shall hereafter hold their township elections at the house of Christian Leinbach, in said township. Berne township, Berks county, place of holding elections in.

SECTION 13. The school directors of every school district shall annually, on or before the first Monday of May, and by the votes of not less than four members of the board, levy such an amount of tax in their district as shall, together with such additional sums as the district may be entitled to receive out of the state appropriation, and from other sources, be sufficient and necessary to keep the schools of the district in operation not less than three, nor more than ten months in the year; and the twenty-second section of the act approved seventh April, one thousand eight hundred and forty-nine, entitled "An Act for the regulation and continuance of a system of education by common schools," be and the same is hereby repealed. Schools in this commonwealth to be kept open not less than three nor more than ten months.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

APPROVED—The sixth day of May, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 405.

AN ACT

To repeal the twentieth section of an act in reference to the Bank of Lewistown; to authorize Rebecca Large to sell an convey certain real estate; relative to the district of Kensington; and to the public schools of the incorporated districts in the county of Philadelphia.

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*