

SECT. 11. *And be it further enacted by the authority aforesaid,* That the expense of purchasing such book or books for such indexes, and the expense of making such indexes, shall be paid for out of the funds of the county of Allegheny, on warrants to be drawn on the county treasurer by the commissioners of the said county; and it shall hereafter be the duty of the said clerk to keep up at his own proper cost and charges the indexes provided for in the foregoing section of this act, and deliver the same over to his successor in office, in the same manner he is required to deliver over the other records of his office.

County to bear expense.

Clerk to keep up index at his own expense.

Clerk liable to a fine for neglect.

SECT. 12. *And be it further enacted by the authority aforesaid,* That in case the clerk of the Mayor's Court aforesaid, shall neglect or refuse to make, prepare, and keep in his public office either of the indexes by this act directed to be made, prepared and kept, and shall be thereof convicted at the suit of the Commonwealth in the court of Quarter Sessions of Allegheny county, the said court shall impose upon said clerk a fine of not less than ten, nor more than fifty dollars, for the use of said county, the payment of which fine shall be enforced, as the payment of other fines imposed by said courts are now enforced.

SAM'L. ANDERSON,

Speaker of the House of Representatives.

THO'S. RINGLAND,

Speaker of the Senate.

APPROVED— April, eighth A. D. one thousand eight hundred and thirty-three.

GEO. WOLF.

No. 114.

AN ACT

To incorporate the Theological Seminary at Canonsburg, in the county of Washington, belonging to the Synod of the Associate Presbyterian Church.

SECT. 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 Thomas Beveridge, Findley W. M'Naughten, Robert Steel, Robert Bruce, Joseph Scroggs, William Bell, James Ramsay, Thomas Allison, David French, Samuel Murdock, Alexander Murray, and David Scott, and their

Trustees incorporated.

successors, to be duly appointed as hereafter directed, and to be twelve in number, citizens of Pennsylvania, be, and they are hereby made, declared, and constituted a corporation and body politic in law and in fact, to have continuance for twenty years, by the name, style, and title of "the Trustees of the Theological Seminary at Canonsburg, belonging to the Synod of the Associate Presbyterian church, of North America."

Duration of charter 20 years.

Corporate style.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the Synod of the Associate Presbyterian church of North America may, at their discretion, as often as they hold their sessions, remove all or either of the aforesaid trustees, or such other trustees of said Theological Seminary, as may hereafter be appointed; and said Synod shall have power to fill by appointment, any vacancy or vacancies in the board of trustees which may be caused by death, resignation, refusal to serve, removal, or otherwise: *Provided,* That nothing herein contained shall be construed to prevent the re-election of any person to that office.

Synod authorized to create and fill vacancies in board.

Proviso.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the said trustees and their successors shall have full power and authority to make, have, and use one common seal, with such device and inscription as they shall deem proper, the same to break, alter and renew at their pleasure; and by the name, style, and title aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded in every court or courts, before any judge or judges, justice or justices, in all manner of suits, complaints, pleas, causes, matters and demands whatsoever; and all and every matter and thing to do therein in as full and effectual a manner as any other person or persons, or bodies corporate and politic.

Privileges & liabilities of trustees.

SECT. 4. *And be it further enacted by the authority aforesaid,* That the said trustees and their successors shall have power and authority to make rules, by-laws and ordinances, and to do every thing needful for the support and good government and affairs of the said Theological Seminary, and managing the funds and revenues thereof: *Provided,* That the said laws, rules and ordinances, or any of them, be not repugnant to the laws and constitution of the United States, or to the constitution and laws of this commonwealth, or to this act.

Of the by-laws and ordinances.

Proviso.

SECT. 5. *And be it further enacted by the authority aforesaid,* That the corporation hereby established shall be able and capable in law to take, receive, and hold all and all manner of lands, tenements, rents, annuities, franchises, and hereditaments, and any sum and sums of money, and any manner and portion of goods and chattels, which have at any time heretofore been granted, bargained, sold, released, enfeoffed, devised, or otherwise given, granted, or bequeathed to the Synod of the Associate Presbyterian church of North

Corporation authorized to receive and hold property for Theological Seminary.

America, or to the ministers and elders of said Synod, or to the said Theological Seminary or any person or persons in trust for said church, synod, ministers, and elders, or the Theological Seminary; and the said trustees and their successors are hereby declared to be seized and possessed of such estate therein, and for the same uses and intents as in and by the respective grant, devise, or other instrument, is set forth and limited; and moreover, the said trustees and their successors, at all times hereafter, shall be capable to purchase, take, hold and enjoy, for the use of the said Theological Seminary, any real estate in fee simple, or less estate, by gift, grant, alienation, devise, or other act or instrument of and from any person or persons capable to make the same: *Provided*, That the clear yearly value or income of the messuages, houses, lands and tenements, rents, annuities, or other hereditaments and real estate of said Theological Seminary, and the interest of money, (but) shall not exceed the sum of five hundred pounds.

Misnomers
guarded
against.
Proviso.

SECT. 6. *And be it further enacted by the authority aforesaid*, That no misnomer of the said trustees or their successors, shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: *Provided*, The intent of the parties shall sufficiently appear upon the face of the gift, grant or other writing whereby any estate or interest was intended to pass to or from said Theological Seminary.

Of the appli-
cation of the
income.

SECT. 7. *And be it further enacted by the authority aforesaid*, That the rents, profits and interest of the real and personal estate, and the annual income of the said Theological Seminary, shall be applied by the said trustees and their successors, from time to time, for the maintenance of the professors and students in the said Theological Seminary, to procuring a library, and for purchasing and improving such lots of land, and building, finishing, repairing and maintaining such houses as shall be necessary for the aforesaid purposes, and such other pious and charitable uses as shall be thought proper by a majority of the trustees aforesaid.

Authority to
sell real and
personal
property.

SECT. 8. *And be it further enacted by the authority aforesaid*, That as often as it may become necessary to re-build, enlarge, or otherwise alter the house or houses of the said Theological Seminary, or to erect any new buildings, or to make any new purchases for the use of the said Theological Seminary, the said trustees and their successors, may make sale of such part of the real or personal estate of the said Theological Seminary, as a majority of the trustees and a majority of the ministers and elders of the Synod of the Associate Presbyterian church of North America present at any session of said Synod, shall by their vote direct; the money arising from such sale, to be laid out and applied agreeably to the vote of a majority met, as aforesaid: *Provided always* nevertheless, That no sale or alienation of the real estate of

Application
of proceeds.

Proviso.

said Theological Seminary, be made by said trustees or their successors, *bona fide* and for a valuable consideration, in case of purchasers. the possession pass immediately to the purchaser thereof, and continue in him or her, his or her heirs or assigns, shall be impeached or called in question for want of the consent of the majority of the regular members of said Synod, given as before required, unless the same be done within seven years from and after the sale and delivery of the possession to the said purchaser.

SECT. 9. *And be it further enacted by the authority aforesaid,* That the said trustees and their successors, shall not grant or otherwise dispose of the real or personal estate of the said Theological Seminary, or charge or incur the same, except in the manner and for the purposes herein before stated; and in all cases where special instructions for the management of said Theological Seminary, and for the disposal of the funds and property thereof shall be given by the said Synod, in writing under the hand of their clerk, it shall be the duty of said trustees to carry such instructions into effect.

Trustees forbidden to dispose of property for other purposes.

Instructions of Synod.

SECT. 10. *And be it further enacted by the authority aforesaid,* That the said board of trustees shall, and may as often as they see proper, and according to rules by them to be prescribed, choose out of their number a president and vice-president, and shall also have authority to appoint a treasurer and such other officers and servants as shall by said trustees be deemed necessary, to which officers the said corporation may assign such compensation for their services, and such duties to be performed by them, to continue in office for such time, and to be succeeded by others, in such way and manner as the said board of trustees shall direct.

Of the president, vice president, treasurer, &c.

SECT. 11. *And be it further enacted by the authority aforesaid,* That five members of the board of trustees including the president, or in his absence the vice president, shall be a quorum sufficient to transact the business of said board, and to make by-laws, rules and regulations: *Provided,* That previous to any meeting of the board of trustees for such purposes, not appointed by adjournment, ten days notice shall be previously given thereof in at least one of the newspapers printed in either of the cities of Philadelphia or Pittsburg, or in the borough of Washington.

Five to form a quorum.

Proviso. Notice of meetings.

SECT. 12. *And be it further enacted by the authority aforesaid,* That all questions before the board of trustees shall be decided by a plurality of votes, whereof each member present shall have one, except the president, or vice president when acting as president, who shall have only the casting voice or vote in case of an equality in the votes of the other members.

Decisions of questions before board.

SECT. 13. *And be it further enacted by the authority aforesaid,* That the said trustees shall keep regular and fair

Record of proceedings. entries of their proceedings, and a just account of their receipts and disbursements, in a book or books to be provided for that purpose, and their treasurer shall once in every year exhibit to the Synod of the Associate Presbyterian church of North America, an exact state of the accounts of the corporation.

Annual exhibition thereof to Synod.

Reservation of right to repeal.

SECT. 14. *And be it further enacted by the authority aforesaid,* That if at any time said privileges. or any of them hereby granted, shall be deemed hurtful and prejudicial to the interests of the citizens of this Commonwealth, then the Legislature shall and may alter, amend or annul all or any of them, as they may think expedient and proper.

SAM'L. ANDERSON,

Speaker of the House of Representatives.

THO'S. RINGLAND,

Speaker of the Senate.

APPROVED—The eighth day of April, A. D. one thousand eight hundred and thirty-three.

GEO. WOLF.

No. 115.

AN ACT

Relative to supervisors in Loyalsock township, Lycoming county, and collectors in certain townships, in Fayette county, and for other purposes.

Special collection of tax authorized to pay T. P. Simmons.

SECT. 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 be the duty of the supervisors elected for the year Anno Domini, one thousand eight hundred and thirty, for the township of Loyalsock, in Lycoming county, to assess and collect and they are hereby authorized and required to assess and collect and pay over to Thomas P. Simmons, such sum or sums of money, as may appear due him on the books of said township, as settled by the auditors thereof.

Compensation of certain collectors in Fayette county.

SECT. 2. *And be it further enacted by the authority aforesaid,* That from and after the passage of this act, the collectors of the townships of Saltlick Wharton and Henry Clay, in Fayette county, shall retain at a final settlement of their duplicates, eight per cent on all moneys by them collected