

named in the act⁽¹⁾ to which this is a supplement, be and they are hereby authorized and empowered to carry the said act into execution, subject to the qualifications and restrictions contained therein: And in case of the death or resignation of any or either of the said commissioners, the survivors or any four of those who continue to act, are hereby authorized and empowered to do and perform all and every matter and thing mentioned and required in the said act.

Approved January 8, 1805. Recorded in L. B. No. 10, p. 48.
Note (1). Chapter 2422. Supra, this volume, p. 548.

CHAPTER MMDXXX.

AN ACT TO ERECT DONEGAL TOWNSHIP, IN THE COUNTY OF LANCASTER, INTO A SEPARATE ELECTION DISTRICT.

Section I. (Section I, P. L.) 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 from and after the passing of this act, the township of Donegal, in the county of Lancaster, shall be a separate election district, to be called the tenth district, and the electors thereof shall hold their general elections at the house of Frederick Gelbaugh, in the village of Maytown, and township of Donegal; any law to the contrary notwithstanding.

Approved January 8, 1805. Recorded in L. B. No. 10, p. 49.

CHAPTER MMDXXXI.

AN ACT ESTABLISHING AN ACADEMY IN THE TOWN OF BELLEFONTE, IN CENTRE COUNTY.

Whereas by the ninth section of the act, entitled, "An act erecting parts of the counties of Mifflin, Northumberland, Huntingdon and Lycoming, into a separate county,⁽¹⁾" it is provided, that a portion of the proceeds of certain lots and

lands in and adjoining the town of Bellefonte, shall be vested in some productive fund, for the support of an academy or public school in the said county of Centre: And as it appears to be the wish and desire of the grantors of the lots and lands aforesaid, as well as of a number of the inhabitants of Centre county, that an academy may be established in the town of Bellefonte, and that the funds aforementioned may be transferred to trustees, who may be appointed to superintend said institution: And as the establishment of seminaries of learning, when properly conducted, is of the highest importance to the interests of society: Therefore,

Section I. (Section I, P. L.) 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 established, and hereby is established, in the town of Bellefonte, in the county of Centre, an academy or public school, for the education of youth in the useful arts, sciences, and literature, by the name, style and title of "Bellefonte Academy."

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the first trustees of Bellefonte Academy shall consist of the following persons, viz. Henry R. Wilson, Minister of the Gospel; James Denlop, Roland Curtin and William Petrikin, Robert M'Clanahan and John Hall, of the town of Bellefonte; William Steward, Minister of the Gospel; Andrew Gregg and James Pottar, of Pottars township; James Duncan, John Hall and Jacob Hosterman, of Haines township; John Krider of Miles township; Thomas Ferguson, of Ferguson township; Jacob Taylor, of Half-Moon township; David Whitehill, of Patton township; Richard Miles and Robert Boggs, Joseph Miles and John Dunlop, of Spring township; William M'Ewen and Thomas M'Calmon, of Centre township; John Fearon and Matthew Allison and James Boyd, of Bald Eagle township; which said trustees, and their successors to be elected, as hereinafter mentioned, shall be and they are hereby declared to be, one body corporate and politic, by the name, style and title of the "Trustees of Bellefonte academy;" and, by the same name, shall have perpetual succession,

and 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 in equity to take and hold to them and their successors, for the use of said academy, lands, tenements, hereditaments, goods and chattels of what kind, nature or quality soever, real, personal or mixed, by the gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest of any person or persons whomsoever capable of making the same; and the same, from time to time, to grant, bargain, sell, demise, alien or dispose of for the use of said academy, and to erect such buildings as may be necessary; and generally to do all and singular the matters and things which shall be lawful for them to do for the well being of the said academy, and the due management and ordering the affairs thereof.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the said trustees, and their successors, shall have full power and authority to use one common seal, and the same to break, alter and renew at their pleasure.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said trustees shall hold their first meeting at the house of Benjamin Patton, in the town of Bellefonte, on the first Monday of May next after the passing of this act; any seven of whom shall constitute a quorum to transact any of the business of the said academy, particularly of making and enacting ordinances and by-laws for the government of the said academy; of electing trustees in the room of those who may be removed by death, resignation or otherwise; of electing and appointing masters and tutors for said academy; of agreeing with them for their salaries, and of removing them; of appointing a secretary, managers and other necessary officers, for taking care of the funds, and managing the concerns of the corporation; and determining and transacting all matters and things necessary to be determined and transacted by said trustees: Provided always, that no ordinance or by-law shall have any force which shall be contrary to the constitution or laws of this state or of the United States.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That all the by-laws, ordinances and proceedings of the said corporation, shall be fairly and regularly entered in a book to be kept for that purpose; and no misnomer of the said corporation shall defeat or annul any gift, grant, devise or bequest to the said corporation: Provided, the intent of the parties shall sufficiently appear on the face of the gift, grant, will or other writing, whereby any estate or interest was intended to pass to the said corporation; nor shall any disuser or nonuser of the rights, liberties, privileges, jurisdictions and authorities hereby granted to the said corporation, create or in any wise cause a forfeiture thereof.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That no sale or alienation of the real estate of the said corporation, which shall have been made by the trustees, or their successors, bona fide, for a valuable consideration, in case the possession thereof pass immediately to the purchaser or purchasers thereof, and continue in him, her or them, his, her or their heirs or assigns, shall be invalidated for want of proving that seven of the trustees of said corporation consented to such sale or alienation, unless the same be controverted within the space of seven years, from and after the sale and delivery of such real estate to the purchaser or purchasers thereof.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That all the lots, lands and other property granted and conveyed to the trustees of Centre county, for the use and support of an academy or public school in said county, agreeably to the ninth section of the act, entitled, "An act for erecting parts of the counties of Mifflin, Northumberland, Lycoming and Huntingdon into a separate county," passed the thirteenth day of February, one thousand eight hundred, shall be and remain for the use, benefit and support of Bellefonte academy; and it shall and may be lawful for the trustees of said academy, to demand and receive the annual proceeds or income of the grant afore-

said, and to apply the same in paying or discharging the salary or salaries of a tutor or tutors in said academy.⁽²⁾

Approved January 8, 1805. Recorded in L. B. No. 10, p. 49.

Note ⁽¹⁾. Chapter 2103; 16 Statutes at Large, p. 403.

CHAPTER MMDXXXII.

AN ACT TO ENABLE ISAAC JOHNSON AND ELIZABETH SPROGEL, GUARDIANS OF ELIZABETH SPROGEL THE YOUNGER, AND ANN SPROGEL, MINORS, TO SELL AND CONVEY CERTAIN REAL ESTATE.

Whereas it has been represented to the Legislature, that the personal estate of Elizabeth Sprogel, of the county of Philadelphia, widow, and of Elizabeth and Ann Sprogel her children, minors, is insufficient for the maintenance and education of the said Elizabeth and Ann, unless some part of the real estate is sold for that purpose: And whereas it appears, that a certain three-acre lot, situate in Poplar Lane, in the township of the Northern Liberties, in the county foresaid, (devised to the said Elizabeth Sprogel, the elder, for life; remainder to John Sprogel, Ludwick Sprogel, and the said Elizabeth and Ann Sprogel, in fee) is at present unproductive, and is moreover subject to yearly rent charge: And whereas the residue of their real estate is likely to be diminished in value, for want of repairs, which the circumstances of the said Elizabeth Sprogel, the elder, do not permit her to make; and the said John Sprogel and Ludwick Sprogel, (each of them being of full age) having, by affidavit and certificate from under their hands respectively, expressed and declared their consent, wish and desire that all their claim, right, title and interest, which they and each of them respectively have in and to the said three-acre lot, might, in common with the estate, right, title and interest of them the said Elizabeth and Ann, in and to the said three-acre lot, be disposed of and sold, and that the proceeds thereof be appropriated for the purposes aforesaid, in manner hereafter expressed: Therefore,

Section I. (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Penn-