

Appropriation of the proceeds.

Residue to be paid over.

Security to be given in the orphans' court.

chaser or purchasers thereof in fee simple, and to appropriate the proceeds thereof to the maintenance and education of the said minors according to their respective proportions therein, and to pay over the whole residue thereof to the said minors on their respectively arriving at the age of twenty-one years, in such manner, and in such proportions as is directed by the intestate laws of this commonwealth, and according to their several interests therein: *Provided nevertheless*, That before the said Rebecca Miles shall proceed to sell or convey any part of the said estate, she shall enter into a recognizance with sufficient sureties in the orphans' court of the city and county of Philadelphia, well and faithfully to execute the trusts by this act given to and vested in her, and truly and faithfully to account for the proceeds of the said estate, and to appropriate and pay over the residue thereof unexpended in reasonable maintenance and education of said minors, in such manner as is directed by the intestate laws aforesaid.

JOHN WEBER, *Speaker of the House of Representatives.*
P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirtieth day of March, one thousand eight hundred and eleven.

SIMON SNYDER.

CHAPTER CIV.

An ACT establishing an academy in the town of Mercer, in Mercer county, and to grant a sum of money thereto.

SECT. I. *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 hereby is established in the town of Mercer, in Mercer county, an academy or public school for the education of youth in the English and other languages, in the useful arts and sciences, and literature, by the name, style and title of the "Mercer academy," under the care, direction and government, of eight trustees; viz. the reverend John Walker, the reverend Samuel Tate, Hugh Bigham, Joseph Smith, James Braden, Samuel B. Forster, Ebenezer Maguffen, and Nathan Patterson, which said trustees and their successors, to be elected as herein mentioned, shall be, and hereby are declared to be one body politic and corporate in deed and in law, by the name, style and title of, "The trustees of the Mercer 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 else-

An academy to be established in Mercer county.

Style of.

Trustees named:

Who, and their successors to be a body politic.

Style of the corporation.

Powers and privileges of.

where, and shall be competent and capable in law and in equity to take and to hold to them and their successors, for the use of said academy, lands, tenements, hereditaments, goods and chattels of whatever kind, nature or quality, real, personal or mixed, by gift, grant, bargain, sale, conveyance, assurance, will, devise, or bequest, from any person or persons whatever capable of making the same, and from time to time to grant, bargain, sell, demise, alien or dispose of the same 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; *Provided always*, That the yearly income of the estates or money shall not exceed four thousand dollars.

Annual income not to exceed 4,000 dollars.

SECT. II. *And be it further enacted by the authority aforesaid*, That the number of trustees shall be eight as aforesaid, and they shall be so changed as that none of them shall continue in office more than four years at any one time without being re-elected by the people of said county, and for that purpose it shall be the duty of the said trustees at their first meeting, when not less than five of them shall be present, which number shall be a quorum to do business, and they are hereby authorized and required to cast lots for ascertaining the members to be changed each year until the whole number shall be changed; and in order annually to supply the vacancy as the same may take place, the citizens of the county of Mercer, on the second Tuesday of October, one thousand eight hundred and twelve, and annually thereafter at the same places and in the same manner and under the same laws, rules and regulations as members of the state legislature shall be chosen, shall elect two trustees to supply the place of the trustees going out of office; *Provided always*, That in case the places of any of the trustees shall become vacant by death, resignation or otherwise, the remaining trustees shall appoint a person or persons to fill such vacancy or vacancies until the next general election when the class in which vacancy or vacancies may happen are to be chosen.

No trustee to be in office more than four years, &c.

How the trustees are to be changed, And vacancies supplied.

Proviso.

SECT. III. *And be it further enacted by the authority aforesaid*, That the first meeting of the said trustees shall be at the town of Mercer on the third Tuesday of May next, and they shall meet at such other times as a majority of the trustees shall determine.

When and where the first meeting to be held.

SECT. IV. *And be it further enacted by the authority aforesaid*, That the trustees shall appoint a treasurer annually, who shall receive and hold all monies belonging to the institution, and pay the same on orders signed by the board, and shall keep fair accounts thereof, to be open at all times to the inspection of the trustees; and before he enters upon the duties of his office shall give bond in any sum at their discretion, with two or more suf-

Treasurer to be appointed.

Duties of.

To give bond, &c. Condition of.

ficient sureties, conditioned for the performance of the duties enjoined and the repayment of monies received by him.

2,000 dollars granted to said academy.

How to be paid.

And appropriated;

Poor children to be taught gratis.

Proviso.

The trustees to exhibit their accounts to the auditors of Mercer county.

SECT. v. *And be it further enacted by the authority aforesaid,* That the sum of two thousand dollars be, and the same is hereby granted by the state for the use of said academy, to be paid to the treasurer of said institution by the commissioners of Mercer county, out of a loan of money granted to them from the state for the use of the county by an act of the general assembly, passed the tenth day of March, one thousand eight hundred and ten, on the orders of the aforesaid trustees, or any five of them, and the receipt of the said trustees shall be received by the state treasurer in part payment of said loan, at any time after the passing of this act, and the money so appropriated shall under the direction of the trustees herein before mentioned, be applied one half thereof in the erection of a building or buildings suitable for the accommodation of the institution, and the purchasing of books, mathematical instruments, and the necessary philosophical apparatus, and the remaining half shall be placed in some productive fund or funds, and the income thereof shall be forever applied in aid of other revenues to compensate a teacher or teachers in said academy; and there shall be admitted into said academy, in consequence of the aforesaid appropriation, any number of poor children that may at any time be offered in order to be taught gratis; *Provided,* That the number so admitted and taught shall at no time be greater than five, and that none of the said children so admitted shall continue in said academy to be taught gratis, should others apply, longer than two years.

SECT. vi. *And be it further enacted by the authority aforesaid,* That the said trustees under the penalty of forty dollars each, to be recovered for the use of said incorporation as debts to that amount are by law recoverable, shall annually exhibit all their books, accounts and vouchers of every kind, to the auditors of said county of Mercer, to be settled, adjusted and published in the same manner as the accounts of the county commissioners are by law directed to be settled, adjusted and published.

JOHN WEBER, *Speaker of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirtieth day of March, one thousand eight hundred and eleven.

SIMON SNYDER.