

No. 132.

AN ACT

To incorporate the trustees of the Zelenople Academy and burying ground in the town of Zelenople, in Butler county, and to revive an Act for incorporating the Presbyterian congregation of Bensalem, in the county of Bucks.

WHEREAS, Philip L. Passavant and Zelig his wife, of the town of Zelenople, in the county of Butler, and State of Pennsylvania by their deed, dated November twenty-ninth, eighteen hundred and sixteen, did convey unto the inhabitants of the town of Zelenople, aforesaid, two separate lots or parcels of ground which are described by the said deed of conveyance, and recorded in the office of records, for the county of Butler, in book D, pages three hundred and forty, and three hundred and forty-one, the one lot, containing one acre and forty perches, for the use of a burying ground for the inhabitants of the town of Zelenople, and the other lot for the use of the inhabitants, to erect a school house thereon, which deed was executed in favor of Christian Buhl, esquire, Robert Vankirk and Ezra Groovner as trustees, and to their successors in office forever: Now, therefore, for the better securing of said inhabitants of Zelenople, in the possession of the said lots of ground and the building they have erected thereon,

Preamble.

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 town of Zelenople, in the county of Butler, an academy or public school, for the education of youth in the English and other languages, in the useful arts, sciences and literature, by the name, style and title of the Zelenople academy and burying ground, under the care, direction and government of three trustees, viz: John Leves, junior, John Fleming and Alexander Hays, (successors of Christian Buhl, Robert Vankirk and Ezra Groovner,) which said trustees and their successors, to be elected as hereinafter mentioned, shall be, and are hereby declared to be one body, politic and corporate, in deed and law, by the name, style and title of the "trustees of the Zelenople Academy and burying ground," 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 equity to hold the aforesaid lots of ground, granted to them by Philip L. Passavant and Zelig his wife; and also to take, and to hold to them and their successors for the use of the said academy and burying

Academy established & burying ground incorporated.

Style.

Capacities & privileges.

ground, lands, tenements, hereditaments, goods and chattels of whatsoever kind, nature or quality, real, personal or mixed, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest from 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 the 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 of the burying ground affairs: *Provided always*, That the yearly value or income of the estates or money shall not exceed four thousand dollars.

Proviso.

SECTION 2. The number of trustees shall be three, as aforesaid, and shall be so changed, as that none of them shall continue in office for a longer term than three years, without being re-elected by the citizens of said town of Zelienople; and for that purpose it shall be the duty of the said trustees, at their first meeting and they are hereby authorized and required, to cast lots for ascertaining the members to be changed each year, until the whole number shall have been changed or re-elected as aforesaid; and in order, annually, to supply the vacancy that may take place, the inhabitants of the town of Zelienople shall on the first Monday in March next, and annually thereafter, meet at the academy or school house in said town, and elect one trustee to supply the place of the trustee going out of office; and it shall be the duty of the inhabitants when assembled, to choose two of their number to conduct the said election: *Provided always*, That in case of death, or the resignation of any of the trustees the inhabitants, on due notice being given, shall meet and elect another person to act as trustee until the next annual election. And should the citizens neglect to meet on the day of the annual election as before directed, the corporation shall not be dissolved, but a majority of the trustees may appoint any subsequent time on which the election shall be held: *Provided* Two weeks notice shall be given to the inhabitants of the time of holding such elections.

Trustees to be classified.

Elections.

Proviso.

SECTION 3. The first meeting of the said trustees shall be on the first Monday in May next, and at such other times as a majority of the trustees shall determine.

Meetings of the trustees.

SECTION 4. 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, he shall keep fair accounts thereof, to be open at all times for the inspection of the trustees, and before he enters upon the duties of his office, shall give bond, in any sum, at the discretion of the trustees, with two or more sufficient sureties, conditioned for the faithful performance of the duties enjoined, and the repayment of all monies received by him.

Treasurer.

SECTION 5. All by-laws, ordinances and proceedings of the said corporation, shall be fairly and regularly entered in a book or books, 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 academy, or public school, and burying ground.

By-laws, &c.
to be recorded
&c.

SECTION 6. The said trustees, under the penalty of thirty dollars each, to be recovered for the use of the said corporation as debts due to that amount are by law recoverable, shall exhibit all their books, accounts and vouchers of every kind to three auditors, to be chosen by the inhabitants of Zelenople, aforesaid, whenever a majority of them may think proper to request it: *Provided always*, That such request shall not be made oftener than once in every year.

Acc'ts to be
submitted to
auditors.

Proviso.

SECTION 7. The trustees hereinbefore appointed, and their successors in office, shall, before they enter upon the duties of their trust, before any judge or justice of the peace of this state, take and subscribe the oaths or affirmations prescribed by the constitution of this State, to be taken by the officers of the State, and shall also take and subscribe an oath or affirmation for the faithful discharge of their respective trusts, or office aforesaid.

Oath of office.

SECTION 8. From and after the passage of this act, the act for incorporating the Presbyterian congregation of Bensalem, in Bucks county, passed the eleventh day of September, one thousand seven hundred and eighty-six, shall be and remain in full force forever.

Presby'n con-
gregation of
Bensalem, in

SECTION 9. That John Trout, David Walton, John Cheston, Jesse Roberts, Levi Vandegrift and Samuel Swift be the present board of trustees, subject to removal, agreeable to the provisions of the formentioned act: *Provided nevertheless*, That in case of neglect to elect on the day prescribed by said act, then and in that case an election may be held on the next suitable day, after due notice being given thereof.

WM. PATTERSON,
Speaker of the House of Representatives.

JACOB KERN,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini, eighteen hundred and thirty-four.

GEO: WOLF.