

Proviso.

Hannah, Archibald and Mary, minor children of Zedekiah W. Flower and Mary B. his wife in certain real estate lying and being in the township of Moyamensing, in the county of Philadelphia, and held in trust by them for the use of the said minors, and to convey and release in fee simple, all or any part of the right, title and interest of the said minors in the said real estate, and to execute the necessary conveyances for the transfer of or releasing the same to the purchasers which shall have the same legal force and effect, as if the said minors were of full age and had done the same: *Provided*, That before execution of the said deed, deeds or releases, the said trustees shall severally enter into bonds with such security as shall be approved by the Orphans' Court of Philadelphia county, and there filed on record, conditioned for the faithful execution of the trust hereby committed to them, and for the application of the proceeds of the said sale to the use and benefit of the said minors respectively.

JAMES THOMPSON,  
Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,  
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini, eighteen hundred and thirty-five.

GEO: WOLF.

No. 134.

## A Supplement

To an act entitled "An act to authorize the trustees of Athens township, in Bradford county, to convey certain lands," passed the twenty seventh day of March, Anno Domini, one thousand eight hundred and twenty-seven.

Township of  
Athens, in  
Bradford co.  
authorized to  
fill vacancies.

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 the taxable inhabitants of the present borough and township of Athens, in Bradford county, who are qualified to vote at the general election for members of assembly shall be authorized to elect a trustee for the inhabitants of said borough and township, to supply the vacancy occasioned by the decease of John Franklin, late one of the said trustees, and to supply any vacancy that may hereafter occur in the board of trustees, which election shall be notified and conducted as hereinafter directed.

SECTION 2. The meeting for electing the said trustee or trustees shall be held at the academy in the borough of Athens,

or in any other public place in the borough of Athens, which the said trustees may deem most convenient, on the second Monday of June, between the hours of one o'clock and six o'clock in the afternoon, and public notice shall be given of the said meeting by written advertisements, stating the time, place and object of said meeting, signed by the present surviving trustees, or in case of the decease of either of them, by the survivor, which advertisements shall be affixed in at least four or five of the most public places in said borough and township, not less than six days before the time of holding such election, and at such meeting the present surviving trustees shall preside, and determine the qualifications of electors, receive the votes which shall be given by ballot, and declare the person having the highest number of votes duly elected; and in case of the absence of the said trustees the electors may choose three of their number to preside at the said election and perform the duties aforesaid: the said trustees or other persons chosen to preside, shall before presiding at said election take an oath or affirmation, before some judge or justice of the peace, to conduct said election with impartiality and fidelity, and the said electors when so met shall be authorized to choose a clerk whose duty it shall be to make and keep a record of the proceedings of said meeting, and of the doings and proceedings of the said trustees; and also to elect three auditors to audit and settle the accounts of the said trustees, of the money received and expended by them in the execution of their trust, and to report the same at the next annual meeting, and the auditor having the highest number of votes shall serve for three years, the next highest two years, and the next one year, and if two or more have an equal number of votes it shall be determined by lot which of them shall serve one, two or three years, and the present trustees with trustee or trustees so to be elected, shall decide by lot which of them shall serve one year, two years and three years, so that the time of service of one of them shall expire in each year.

Election of trustees to be held on 2d Monday of June annually.

Duties of trustees.

SECTION 3. After the said election on the second Monday in June in each year, between the hours aforesaid, the inhabitants of the said borough and township, qualified to vote in manner aforesaid, shall hold a meeting at the place aforesaid, for the election of a trustee or trustees, auditor or auditors and clerk to supply vacancies, and to transact such other business as may be necessary in relation to their public lands, previous notice of such meeting shall be given by the trustees then in office, or by their clerk, in manner aforesaid, and at which elections the trustees then in office shall preside, or in case of their absence the places of the absentee or absentees shall be supplied by the election of some person or persons qualified to vote at such election; the said election shall be conducted in the manner prescribed in the second section of this act, and the persons having the highest number of votes shall be declared duly elected, and shall severally be authorized to serve three years and till the next election

How elections shall be conducted.

except when elected to supply a vacancy occasioned by the death, resignation or refusal to serve of some person formerly elected, and in such case to serve the residue of such term for which such person was elected: *Provided*, That if any vacancy shall occur after any annual election, by the refusal to serve, resignation or death of any person so elected, the remaining trustee or trustees may supply the deficiency in the number of trustees and may also appoint a clerk to supply a deficiency until the next election, and the remaining auditor or auditors may appoint to supply a deficiency in their number until the next election.

*Proviso.*

*Power to sell, &c.*

SECTION 4. After the deficiency in the said board of trustees shall have been supplied by election, the said trustees and their successors in office shall have full power and authority to lease or sell and convey by deed any land mentioned in the act to which this is a supplement, vested in the present or any former trustees of the said township, by patent from the commonwealth, (except the public square in the borough of Athens,) and to prosecute suits to recover any money or other thing due to them or their predecessors as such trustees, and to prosecute for any trespass or other injury done on or to said lands, such suit and suits shall not be discontinued or abate by reason of the death or resignation of any of the said trustees, or by reason of the expiration of their term of service, but the same may be prosecuted to a final termination, as if they were constituted a corporation.

*Proceeds to be appropriated to support of schools.*

SECTION 5. That all the money or other things arising from rents or sales heretofore made of said public lands now in the hands of said trustees, or which may accrue from any leases or sales hereafter made by them or their successors in office, shall after defraying expenses, be appropriated for the support of a school or schools in said township or borough, or for the benefit of the academy in the borough of Athens, as the majority of the inhabitants of said borough and township, qualified to vote as aforesaid, shall at any public annual meeting, order and direct; so much of the act to which this is a supplement as is hereby altered or amended shall be and is hereby repealed.

JAMES THOMPSON,  
Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,  
Speaker of the Senate.

APPROVED—The thirteenth day of April, one thousand eight hundred and thirty-five.

GEO: WOLF.