

in deed and in law, to all intents and purposes connected with the said institution, by the name or style of the Battle Creek Academy, by which name and title they, the said trustees and their successors, shall be competent and capable, in law and in equity, to take and to hold to themselves and their successors, for the use of the said academy, any estate in any messuages, lands and tenements, annuities, goods, chattels, monies or effects by the gift, grant, bargain, sale, conveyance, devise or bequest of any person or persons whatsoever; *provided*, the same do not exceed in the whole, the clear yearly value of one thousand dollars, and the same messuages, lands and tenements and other estate real or personal, to farm-let, and put out on interest for the use of the said academy, in such manner as to them, or a majority of them, shall seem most beneficial to the institution, and to receive the rents, issues, profits, income and interests of the same, and to apply the emoluments thereof to the proper use and advancement of the said academy.

Corporate powers

SEC. 2. *And be it enacted*, That at all times forever hereafter, when any vacancy or vacancies shall happen in the said community of trustees, by the death, resignation or refusal of any one or more of the members thereof, or by the wilful neglect of any one or more of them, to attend the meeting of the board of trustees for the space of one year, the remaining trustees, or a majority of them, shall with all convenient speed proceed to elect by ballot, other sensible and discreet person or persons of the said county, to be the trustee or trustees to supply such vacancy or vacancies, and in like manner shall all future vacancies be supplied by said trustees and their successors, or a majority of them, so as to perpetuate the number of seven persons as trustees of said academy forever.

Vacancies

SEC. 3. *And be it enacted*, That the said trustees and their successors, by the name and style aforesaid, shall be capable in law to sue and be sued, plead and be impleaded, in any court or courts, and before any judge, justice or justices within this State and elsewhere, in all manner of suits, complaints, pleas, causes, matters and demands of whatsoever kind, nature, or form they

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