

SUPPLEMENTING ACT, SCHOOLS, TITLE TO REAL ESTATE

Act of Mar. 24, 1905, P.L. 54, No. 38

Cl. 24

A FURTHER SUPPLEMENT

To an act of Assembly, approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-two, entitled "A further supplement to an act, entitled 'An act for the regulation and continuance of a system of education by common schools,' approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four," authorizing the board of school directors in any school district to sell and convey any real estate, buildings and property, the title to which shall have been acquired from the trustees of any academy or seminary in the Commonwealth, under and by virtue of said acts of Assembly, whenever such real estate, buildings and property shall have become useless to such school district, by reason of dilapidation and decay, or otherwise; and providing for the disposition of moneys or funds received from such sale and conveyance; and ratifying and confirming any sales of such property heretofore made on account of and for similar reasons, provided no litigation or question of title, now pending and undetermined, shall be affected hereby.

Section 1. Be it enacted, &c., That in all cases where the trustees of any academy or seminary in this Commonwealth, which received money or land therefrom for educational purposes, have conveyed the real estate, buildings and property, and funds of or belonging thereto, to the board of directors and their successors in office of the common schools of the district in which the main building thereof was situated, in pursuance to the authority contained in section sixteen of the act of April eleventh, one thousand eight hundred and sixty-two; and said school directors or their predecessors in office of any such district shall have acquired title, by conveyance as aforesaid, to any such real estate, so held by trustees or others for the general use of a neighborhood, under and by virtue of said last above recited act, and in pursuance to the provisions of section eighteen, placitum second, of the act approved the eighth day of May, one thousand eight hundred and fifty-four; and any of such real estate, buildings and property, by reason of the falling into dilapidation and decay thereof, or the purchase of or acquiring title to other real estate, buildings or property by said district, better adapted to the purposes of education; and the said original real estate, buildings and property have become useless to the said district by reasons as aforesaid, or from any cause whatsoever, for the purposes of common school education; and the same or any thereof shall no longer be necessary for the purposes of the establishment and support of the schools, and for the use according to the intendment and purposes of the grant and conveyance thereof by said trustees or others to such district, under and by virtue of said act, that, in such cases, it shall be lawful for the said school directors,

their survivor or survivors, or successors, to sell any such real estate, buildings and property, as aforesaid, at public sale, for the best price which shall or may be obtained for the same; a majority of said school directors first having, by resolution duly passed and adopted at a regular meeting of said school board, sanctioned such sale; and the same to grant, convey and assure to the purchaser or purchasers, the heirs and assigns thereof, by deed or deeds and conveyances, duly executed, according to the provisions of the law relating to the sales of real estate and property of any school district; and the title, thereby vested in such purchaser or purchasers thereof, shall be held and enjoyed absolutely, freed and discharged of and from any trust or condition as to the use thereof, or charge or claim of any nature or kind whatsoever thereon, forever.

Section 2. That in all cases where such sale and conveyance shall be made of said real estate, buildings and property, under the provisions of section one hereof, the purchase money or consideration arising from such sale shall be paid over to the treasurer of the said school district, for the use of said district; and the same shall and may only be used, expended and employed by the board of school directors for the erection of new school buildings, the purchase of school furniture, the necessary equipment of any new school building, erected in place of the buildings or property so sold, or for the making of additions or alterations to any school building erected, or the improvement and beautifying of the school grounds appurtenant to any school building in said district.

Section 3. That in case any real estate, buildings and property, conveyed to any school district by the trustees of any academy or seminary by virtue of the acts of Assembly hereinbefore recited, and providing for such sale, shall or may have been heretofore sold or disposed of by the board of directors of such school district, so having acquired title thereto, such sale or sales and disposition of said real estate, buildings and property, so heretofore made, and the purchaser or purchasers thereof, their heirs or assigns, being now in the possession and enjoyment thereof, shall be and the same is and are hereby ratified and confirmed; and the title, so vested in any purchaser or purchasers thereof, shall be and remain firm and stable in such purchasers, their heirs and assigns, freed and discharged of and from any trust, condition as to the use thereof, or charge or claim of any nature or kind whatsoever thereon, forever: Provided, That the provisions of this act shall not affect or apply to any suit, action, or other proceeding in law or equity, now brought, or pending and undetermined, which shall or does relate thereto, or may or could be affected hereby.