

public act and shall be judicially taken notice of as such by all judges, justices and other persons whomsoever without specially pleading the same.

Passed March 13, 1780. See the Acts of Assembly passed April 15, 1782, Chapter 979; March 28, 1785, Chapter 1147; March 17, 1786, Chapter 1213. Recorded L. B. No. 1, p. 363, &c.

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#### CHAPTER DCCCXCIV.

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#### AN ACT FOR INCORPORATING THE AMERICAN PHILOSOPHICAL SOCIETY HELD AT PHILADELPHIA FOR PROMOTING USEFUL KNOWLEDGE.

(Section I, P. L.) Whereas the cultivation of useful knowledge and the advancement of the liberal arts and sciences in any country have the most direct tendency towards the improvement of agriculture, the enlargement of trade, the ease and comfort of life, the ornament of society and the increase and happiness of mankind:

(Section II, P. L.) And whereas this country of North America, which the goodness of Providence hath given us to inherit, from the vastness of its extent, the variety of its climate, the fertility of its soil, the yet unexplored treasures of its bowels, the multitude of its rivers, lakes, bays, inlets and other conveniences of navigation, offers to these United States one of the richest subjects of cultivation ever presented to any people upon earth:

(Section III, P. L.) And whereas the experience of ages shows that improvements of a public nature are best carried on by societies of liberal and ingenious men, uniting their labors, without regard to nation, sect or party in one grand pursuit, alike interesting to all, whereby mutual prejudices are worn off, a humane and philosophical spirit is cherished, and youth are stimulated to a laudable diligence and emulation in the pursuit of wisdom:

(Section IV, P. L.) And whereas, upon these principles divers

public-spirited gentlemen of Pennsylvania and other American states did heretofore unite themselves, under certain regulations, into one voluntary society, by the name of "The American Philosophical Society, held at Philadelphia, for promoting useful knowledge," and by their successful labors and investigations, to the great credit of America, have extended their reputation so far that men of the first eminence in the republic of letters in the most civilized nations of Europe have done honor to their publications and desired to be enrolled among their members:

(Section V, P. L.) And whereas, the said society, after having been long interrupted in their laudable pursuits by the calamities of war and the distresses of our country, have found means to revive their design, in hopes of being able to prosecute the same with their former success, and of being further encouraged therein by the public, for which purpose they have prayed us, "the Representatives of the Freemen of the Commonwealth of Pennsylvania," that they may be created one body politic and corporate forever, with such powers, privileges and immunities as may be necessary for answering the valuable purposes which the said society had originally in view:

Wherefore, in order to encourage the said society in the prosecution and advancement of all useful branches of knowledge, for the benefit of their country and mankind:

[Section I.] (Section VI, P. L.) Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That the members of the said American Philosophical Society, heretofore voluntary associated for promoting useful knowledge, and such other persons as have been duly elected members and officers of the same, agreeably to the fundamental laws and regulations of the said society comprised in twelve sections prefixed to their first volume of transactions, published in Philadelphia by William and Thomas Bradford, in the year of our Lord one thousand seven hundred and seventy-one, and who shall in all respect conform themselves to the said laws and regulations, and such other laws, regulations and ordinances, as shall hereafter be duly made and enacted by

the said society according to the tenor hereof, be and forever hereafter shall be, one body corporate and politic in deed, by the name and style of "The American Philosophical Society, held at Philadelphia, for promoting useful knowledge," and by the same name they are hereby constituted and confirmed one body corporate and politic, to have perpetual succession, and by the same name they and their successors are hereby declared and made able and capable in law, to have, hold, receive and enjoy lands, tenements, rents, franchises, hereditaments, gifts and bequests of what nature soever, in fee simple or for term of life, lives, years or otherwise, and also to give, grant, let, sell, alien or assign the same lands, tenements, hereditaments, goods, chattels and premises, according to the nature of the respective gifts, grants and bequests made to them the said society, and of their estate therein. Provided, that the amount of the clear yearly value of such real estate do not exceed the value of ten thousand bushels of good merchantable wheat.

[Section II.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the said society be and shall be forever hereafter able and capable in law to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in all or any of the courts or other places, and before any judges, justices and other person or persons, in all manner of actions, suits, complaints, pleas, causes and matters, of what nature or kind soever, within this commonwealth; and that it shall and may be lawful to and for the said society, forever hereafter to have and use one common seal in their affairs, and the same at their will and pleasure to break, change, alter and renew.

[Section III.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That for the well governing the said society, and ordering their affairs, they shall have the following officers, That is to say, one patron, who shall be his excellency the president of the supreme executive council of this commonwealth for the time being, and likewise one president, three vice-presidents, four secretaries, three curators, one treasurer, together with a council of twelve members, and that on the first Friday of January next, between the hours of

two and five in the afternoon, as many of the members of the said society as shall have paid up their arrears due to the society, and shall declare their willingness to conform to the laws, regulations and ordinances of the society then duly in force, according to the tenor hereof, by subscribing the same, and who shall attend in the hall or place of meeting of said society within the time aforesaid, shall choose by ballot, agreeable to the fundamental laws and regulations hereinbefore referred to, one president, three vice-president, four secretaries, three curators and one treasurer, and at the same time and place the members met and qualified as aforesaid shall, in like manner choose four members for the council, to hold their offices for one year, four more members for the council, to hold their offices for two years, and four more members for the council, to hold their offices for three years. And on the first Friday in January, which shall be in the year of our Lord one thousand seven hundred and eighty-two, and so likewise on the first Friday of January yearly and every year thereafter, between the hours of two and five in the afternoon, the members of the said society met and qualified as aforesaid shall choose one president, three vice-presidents, four secretaries, three curators and one treasurer, to hold their respective offices for one year, and four councilmen, to hold their offices for three years: Provided, That no person residing within the United States shall be capable of being president, vice-president, secretary, curator, treasurer or member of the council or of electing to any of the said offices who is not capable of electing and being elected to civil offices within the state in which he resides.

(Section IX, P. L.) Provided also, That nothing herein contained shall be considered as intended to exclude any of the said officers or counsellors, whose times shall be expired, from being re-elected, according to the pleasure of the said society, and of the day, hours and place of all such elections due notice shall be given by the secretaries, or some one of them, in one or more of the public newspapers of this state, agreeable to the said fundamental laws and regulations before referred to.

[Section IV.] (Section X, P. L.) And be it further enacted by

the authority aforesaid, That the officers and council of the said society shall be capable of exercising such power for the well governing and ordering the affairs of the society, and of holding such occasional meetings for that purpose as shall be described, fixed and determined by the statutes, laws, regulations and ordinances of the said society hereafter to be made.

(Section XI, P. L.) Provided always, That no statute, law, regulation or ordinance shall ever be made or passed by the said society or be binding upon the members thereof, or any of them, unless the same hath been duly proposed and fairly drawn up in writing at one stated meeting of the society, and enacted or passed at a subsequent meeting at least the space of fourteen days after the former meeting, and upon due notice in some of the public newspapers that the enacting of statutes and laws, or the making and passing ordinances and regulations will be part of the business of such meeting; nor shall any statute, law, regulation or ordinance be then or at any time enacted or passed unless thirteen members of the said society, or such greater number of members as may be afterwards fixed by the rules of the society, be present, besides such quorum of the officers and council as the laws of the society, for the time being, may require, and unless the same be voted by two-thirds of the whole body then present; all which statutes, laws, ordinance and regulations so as aforesaid duly made, enacted and passed, shall be binding on every member of the said society, and be from time to time inviolably observed, according to the tenor and effect thereof: Provided, They be not repugnant or contrary to the laws of this commonwealth for the time being in force and effect.

(Section XII, P. L.) And whereas nations truly civilized (however unhappily at variance on other accounts) will never wage war with the arts and sciences and the common interests of humanity:

[Section V.] (Section XIII, P. L.) Be it further enacted by the authority aforesaid, That it shall and may be lawful for the said society, by their proper officers, at all times, whether in peace or war, to correspond with learned societies, as well as individual learned men, of any nation or country, upon

matters merely belonging to the business of the said society, such as the mutual communication of their discoveries and proceedings in philosophy and science, the procuring books, apparatus, natural curiosities and such other articles and intelligence as are usually exchanged between learned bodies, for furthering their common pursuits.

(Section XIV, P. L.) Provided always, That such correspondence of the said society be at all times open to the inspection of the supreme executive council of this commonwealth.

Passed March 15, 1780. See the notes to the Acts of Assembly passed March 29, 1779, Chapter 832; November 27, 1779, Chapter 871. Recorded L. B. No. 1, p. 363, &c.

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#### CHAPTER DCCCXCV.

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AN ACT TO CURE A DEFECT IN AN ACT OF ASSEMBLY ENTITLED "AN ACT TO CONFIRM THE ESTATES AND INTERESTS OF THE COLLEGE, ACADEMY, AND CHARITABLE SCHOOL OF THE CITY OF PHILADELPHIA AND TO ALTER AND AMEND THE CHARTERS THEREOF CONFORMABLY TO THE REVOLUTION, AND THE CONSTITUTION OF THIS COMMONWEALTH; AND TO ERECT THE SAME INTO AN UNIVERSITY;" AND ALSO AN ERROR IN THE DATE OF ANOTHER ACT OF ASSEMBLY ENTITLED "A SUPPLEMENT TO AN ACT ENTITLED AN ACT FOR THE ATTAINDER OF DIVERS TRAITORS IF THEY RENDER NOT THEMSELVES BY A CERTAIN DAY AND FOR VESTING THEIR ESTATES IN THIS COMMONWEALTH AND FOR MORE EFFECTUALLY DISCOVERING THE SAME, AND FOR ASCERTAINING [AND SATISFYING] THE LAWFUL DEBTS AND CLAIMS THEREUPON.

(Section I, P. L.) Whereas in an act of assembly passed on the twenty-seventh day of November last, entitled "An act to confirm the estates and interests of the college, academy and charitable school of the city of Philadelphia, and to amend and alter the charters thereof conformably to the revolution and the constitution of this commonwealth, and to erect the same into an university,"<sup>1</sup> the word college was, through mistake inserted in the sixteenth section thereof, instead of the word university, by reason whereof the authority intended to

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<sup>1</sup> Chapter 871.