

Section I. (Section II. P. L.) Be it therefore 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 said recited declaration of trust which was made and executed before the late revolution, whereby the United States of America became free, sovereign and independent, so far as the same subordinates or pretends to subordinate the church and congregation aforesaid to the hereinbefore described associate synod of Edinburgh, and so far as the same declares the rights of the members of the same church and congregation unto the house of worship or other estate of the corporation of the trustees of the Scots Presbyterian Church of the city of Philadelphia to depend on the same synod and so far as it subjects them either directly or indirectly to any foreign jurisdiction whatever, but no further, is null, void and utterly frustrate, and the same encumbrance on the aforesaid congregation is hereby to all intents and purposes discharged, set aside and annulled.

Passed September 6, 1786. Recorded L. B. No. 3, p. 120, etc.

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## CHAPTER MCCXXXVI.

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A SUPPLEMENT TO AN ACT, ENTITLED "AN ACT TO ESTABLISH AND INCORPORATE A PUBLIC SCHOOL AT GERMANTOWN IN THE COUNTY OF PHILADELPHIA."<sup>1</sup>

(Section I. P. L.) Whereas in and by said act a public-school was established and incorporated by the name, style and title of "The trustees of the public school at Germantown in the county of Philadelphia," and the constitution of the said school was in and by the said act fixed and defined, and it was thereby provided and declared that the said constitution of the said school thereby established should never be altered or alterable by any by-law or ordinance of the said trustees or in any other manner than by an act of the legislature of this state:

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<sup>1</sup> Passed Sept. 15, 1784. Chap. 1109.

And whereas at a meeting of the said trustees a committee of their number was appointed to compose the said constitution with the rules and regulations of the former school of Germantown, called "The Union School," and to report whether the constitution of the said incorporated school might not be amended by adopting some of the said rules and regulations of the former school, which committee unanimously reported divers additions, alterations and amendments, to the said constitution which were agreed to by the said trustees, who have by petition applied to this house for their aid in altering and amending the said constitution and it is reasonable that the same shall be granted.

[Section I.] (Section II. P. L.) Be it therefore 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 following additions, alterations and amendments of the said constitution of the said incorporated school shall from and after the passing of this act take place, have effect and become part of the said constitution, that is to say:

First. Instead of the mode of "electing trustees in the place of those who shall resign their offices or die," mentioned in the third article of the said constitution in the seventh section of the said act, contained the following shall forever hereafter be the mode of electing trustees of the said school, viz: All and every the persons who heretofore have contributed or hereafter shall contribute to the amount of forty shillings gold or silver money of Pennsylvania towards the first erection of the said Union School house or the support of the same or towards the support of the said incorporated school shall be entitled to vote for the election of trustees of the said school and no other persons whatever.

Second. The said trustees shall be changed or changeable by rotation in the manner following, to wit; The first seven original trustees in the said act named or so many of them as shall then be trustees or those appointed in their or any of their places, shall cease to be trustees of the said school, on the first Monday in May next, the second seven of the said original trustees or

so many of them as shall then be trustees or those appointed in their places shall cease to be trustees on the first Monday in May in the year one thousand seven hundred and eighty-eight, and the last seven of the original trustees or so many of them as shall then be trustees or those appointed in their places shall cease to be trustees on the first Monday in May, in the year one thousand seven hundred and eighty-nine, and so from year to year forever thereafter the senior seven of the said trustees or such other trustees as shall be appointed in their places, shall be changed or changeable in rotation in the manner following.

Third. The first Monday in May in every year forever hereafter, the election shall be held at the school house in Germantown, whereof notice shall be given by advertisement in one English and one German newspaper of the city or county of Philadelphia, the two preceding weeks by the secretary of the said corporation, at which election all the said contributors entitled to vote in manner aforesaid shall by a majority of votes of the electors present by ballot in the usual form of holding elections within this state elect seven trustees to supply the place of the senior trustees whose offices shall have expired in manner aforesaid or by death or resignation: Provided always, that if by neglect or other accident such annual election shall not be held at the time appointed, it shall and may be lawful for the remaining trustees or a quorum of them to appoint others to succeed them or appoint the same or any of them which trustees so appointed or re-appointed shall continue in office so long and in the same manner as if they had been elected by the contributors.

Fourth. Any of the senior trustees whose office shall cease in manner aforesaid or those who may have been appointed by a quorum of trustees to supply the places of those who shall die or resign or who shall be appointed in default of an annual election as aforesaid, may be re-elected at the annual election aforesaid or re-appointed by the quorum of trustees as often as their offices cease and shall go through their new tour of duty in the same manner as if such re-election or re-appointment were their or his first election or appointment.

Fifth. If any trustee now being or hereafter to be elected or

appointed shall die or resign his office it shall be lawful for a board of trustees to appoint some other fit person to succeed him, which appointment shall continue until the office of the trustee into whose place he succeeded would by the rule aforesaid have ceased.

Sixth. The trustees for the time being shall meet at least once in every year, and as much oftener as the case of the school shall require, of which meetings notice shall be given in the newspapers as aforesaid by the president or secretary or any three members of the corporation or by a written note, signed by the president or secretary of the board and sent to the usual place of abode of each trustee for the time being at least one week before the time of meeting and in addition to the officers mentioned in the said act shall choose from among themselves one president, one treasurer and one secretary whom they may remove at pleasure and appoint others.

Seventh. At every meeting of the trustees whereof due notice shall have been given as aforesaid, five trustees met shall constitute a board or quorum, which shall have the power to transact all the business of the corporation except the appointment of new trustees to supply vacancies arising from death, resignation or neglect of the contributors to hold annual election, but no new trustee shall be appointed unless in the printed or written notices of the intended meeting it shall be mentioned that the appointment of one or more trustees is part of the business of the meeting and unless seven trustees shall meet.

Eighth. The two most commodious rooms of the school house shall be forever appropriated to the use of the keeping English and German school, and the masters, tutors and scholars of each of the said schools shall enjoy in all respects equal privileges with the other.

Section II. (Section III. P. L.) And be it further enacted by the authority aforesaid, That so much of the said recited act of assembly and so much of the constitution therein contained as is herein or hereby altered or amended is hereby repealed and made void and that all and every the residue of the said recited act of assembly and the constitution therein contained, together with the several articles herein contained, do and shall contain

the constitution of the said school and the same shall so continue and be always most favorably taken and construed for the said school.

Passed September 6, 1786. Recorded L. B. No. 3, p. 139, etc.

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## CHAPTER MCCXXXVII.

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AN ACT TO RELIEVE THE OWNERS OF UNIMPROVED LANDS FROM THE INCONVENIENCES THEY ARE SUBJECTD TO BY THE PRESENT MODE OF ENFORCING THE PAYMENT OF TAXES ASSESSED THEREON.

(Section I. P. L.) Whereas it has been represented to us by certain persons inhabitants of the city of Philadelphia, who are non-resident properties of lands in the remote parts of this commonwealth that they are frequently exposed to great and irreparable injuries by the mode in which the taxes on their unsettled lands are collected, that those lands lying at remote distances and situations with which communications are extremely difficult and uncertain, and sometimes absolutely impracticable, and the names and residences of the collectors often unknown to the owners of such lands as well as the time when taxes become payable, and to what amount in consequence of which they are exposed to the loss of their lands by sale at a very small proportion of their value under pretence that the proprietors of the same have refused or neglected to discharge such taxes when they become due:

And whereas it is just and reasonable that full and fair opportunity should be afforded to conform to the duty before any measures be taken in nature of imposing a penalty for the supposed delinquency:

Therefore:

[Section I.] (Section II. 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 at the next and every other assessment (after the passing this act) to be made or laid upon the