

shall be directed to the sheriff of that county in which it issues.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That an exemplification of the proceedings which may at any time hereafter be had by virtue of this act, together with the deed of conveyance made by the sheriff, shall within six months after the execution thereof, be delivered to the recorder of deeds in such adjoining county or counties, in which the application shall not have been made, and in which any part or parts of the said lands are or may be situated; which recorder shall enter the same on record of his proper county at the joint expense of all parties concerned therein.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That all lands, not seated or improved, but remaining in their natural state, shall be divided and valued, according to the second section of the act⁽¹⁾ aforesaid, and that the third section of the same act is hereby repealed.

Approved March 28, 1806. Recorded in L. B. No. 10, p. 351.
Note (*) Chapter 2090; 16 Statutes at Large, p. 340.

CHAPTER MMDCCI.

AN ACT FOR THE ESTABLISHMENT OF A COLLEGE AT THE TOWN OF WASHINGTON, IN THE COUNTY OF WASHINGTON, IN THE STATE OF PENNSYLVANIA.

Whereas the happiness and prosperity of every community, under the direction and government of Divine Providence, depends much on the right education of the youth, who must succeed the aged in the important offices of society; and the most exalted nations have acquired their preëminence by the virtuous principles and liberal knowledge instilled into the minds of the rising generation: And whereas by the petition and address of the trustees of the academy of Washington, in the county of Washington, it appears that they are placed in a condition to extend their plan of education, by having the learned languages, the arts, sciences, and literature, taught

upon a more enlarged system than generally obtains at seminaries in the country; that their funds are fully adequate to such undertaking; and that the institution of a college at the town of Washington, in the county of Washington, for the instruction of youth in the learned languages, and other branches of literature, is likely to promote the real welfare of this state, and especially the western part thereof; and as it is the evident duty and interest of all ranks of people to promote and encourage, as much as in them lies, every attempt to disseminate and promote the growth of useful knowledge: Therefore,

Section I. (Section I, P. L.) 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 there be erected, and hereby is erected and established, in the town of Washington, in the county of Washington in this state, a college for the education of youth, in the learned and foreign languages, the useful arts, sciences and literature; the style name and title thereof to be, "The Washington College."

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the trustees of the said academy shall be, and they are hereby declared and appointed to be the first trustees of said college.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the said college shall be under the management, direction and government of said trustees and successors; which said trustees and their successors, to be elected in the manner hereinafter mentioned, shall forever hereafter be, and they are hereby erected, established and declared to be one body politic and corporate, with perpetual succession, in deed and in law, to all intents and purposes whatsoever, by the name, style and title of "The Trustees of Washington College, in the town of Washington, in the county of Washington," by which name and title, they the said trustees and their successors, shall be competent and capable, at law and in equity, to take to themselves and their

successors, for the use of said college, any estate in any messuages, lands, tenements, hereditaments, goods, chattels, monies, or other effects, by the gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest of any person or persons whatsoever; and the same messuages, lands, tenements, hereditaments and estate, real and personal, to grant, bargain, sell, convey, assure, demise and to farm let, and place out on interest, or otherwise to alter, improve or dispose of, for the use of the said college, in such manner as to them or at least seven of them, shall seem most beneficial to the institution; and to receive the rents, issues, profits, income and interest of the same, and to apply the same to the proper use and support of the said college; and by the same name to sue, commence, prosecute, and defend, implead and be impleaded in any courts of law or equity, and in all manner of suits or actions whatsoever; and generally, by and in the same name, to do and transact all and every the business touching or concerning premises, or which shall be incidentally necessary thereto, as fully and effectually as any natural person or body politic or corporate within this commonwealth have power to manage their own concerns; and to hold, enjoy and exercise all such powers, authorities and jurisdictions as are customary in other colleges in the United States of America.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said trustees shall cause to be made for their use, one common seal, with such devices and inscriptions thereon as they shall think proper, under and by which all deeds, diplomas, certificates and acts of the said corporation shall pass and be authenticated, and the same seal, at their pleasure, from time to time, change and alter.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That there shall be a meeting of the said trustees, at least once in every year, at the town of Washington, at such time as the said trustees, or a majority of them, shall appoint, of which notice shall be given, either by public advertisements in one of the public newspapers published in said town, at least four weeks before such meeting;

or by notice in writing, signed by the secretary or other officer, whom the said trustees for that purpose may appoint, and to be left at the dwelling house of each trustee, at least ten days before the time of such intended meeting; and if at such meeting, seven of the said trustees shall not be present, those present shall have power to adjourn the meeting to any other day, as fully and effectually, to all intents and purposes, as if the whole number of trustees, for the time being, were present; but if seven or more of the said trustees shall meet at the said appointed times, or at any other time of adjournment, then such number so met shall be a board or quorum, and a majority of them shall be capable of doing and transacting all the business and concerns of the said college, not otherwise provided for by this act; and particularly of making and enacting ordinances for the government of said college, of filling vacancies in the board of trustees, occasioned by the death, resignation, or otherwise, of electing and appointing the principal and professors of the said college, of agreeing with them for their salaries and stipends, and removing them for misconduct or breach of the laws of the institution, of appointing committees of their own body, to carry into execution all and every the resolutions of the board, of appointing a treasurer, secretary, stewards, managers and other necessary and customary officers, for the taking care of the estate and managing the concerns of the corporation; and a majority of the board or quorum of the said trustees at any annual or adjourned meeting after notice given as aforesaid, shall determine all matters and things, although the same be not herein particularly mentioned, which shall occasionally arise and be incidentally necessary to be determined and transacted by the said trustees: Provided always, that no ordinances shall be of force, which shall be repugnant to the laws of the United States or of this state.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the head or chief master of the said college, shall be called and styled, the Principal of the College; and the masters thereof shall be called and styled

Professors; but neither principal nor professors, while they remain such, shall ever be capable of holding the office of trustee; the principal and professors or a majority of them, shall be called and styled, "The Faculty of the College;" which faculty shall have the power of enforcing the rules and regulations adopted by the trustees, for the government of the pupils, by rewarding or censuring them, and finally by suspending such of them, as after repeated admonitions shall continue disobedient and refractory, until the determination of a quorum of the trustees can be had; and of granting and confirming by and with the approbation and consent of a board of the trustees, signified by their mandamus, such degrees in the liberal arts and sciences, to such pupils of the college, or others who by their proficiency in learning or other meritorious distinction they shall think entitled to them, as are usually granted and conferred in other colleges in the United States of America; and to grant to such graduates, diplomas or certificates under their common seal, and signed by the faculty, to authenticate and perpetuate the memory of such graduation: all persons of every religious denomination among Christians, shall be capable of being elected trustees, nor shall any person either as principal, professor or pupil, be refused admittance for his conscientious persuasion in the matter of religion: Provided, he shall demean himself in a sober orderly manner, and conform to the rules and regulations of the college; and whenever a vacancy shall happen, by the want of qualification, resignation or decease of any clergyman hereby appointed a trustee, such vacancy shall be filled by the choice of another clergyman of any Christian denomination, and so toties quoties such vacancy shall happen, whereby the number of clergymen hereby appointed trustees shall never be lessened.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That no misnomer of the said corporation, shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: Provided, the intent of the parties shall sufficiently appear upon the face

of the gift, grant, will or other writing, whereby any estate or interest was intended to pass to or from the said corporation; nor shall any disuser or nonuser of the rights, liberties, privileges, jurisdictions and authorities, hereby granted to the said corporation, or any of them create or cause a forfeiture thereof.

Section VIII. (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That from and after the passing of this act, all the property belonging to the academy of Washington aforesaid, of whatsoever nature the same may be, whether real, personal or mixed, which hath been given, conveyed, devised or bequeathed to the trustees for the benefit and use of that institution, shall be vested, and hereby is vested, in the trustees of the college aforesaid, and their successors in office, subject always, nevertheless, to the uses, trusts, ends and purposes, for which the same property was originally given, conveyed, devised or bequeathed.

Section IX. (Section IX, P. L.) And be it further enacted by the authority aforesaid, That no sale or alienation of the real estate of the said corporation, which shall have been made by the said trustees or their successors bona fide for a valuable consideration, in case the possession thereof pass immediately to the purchaser or purchasers thereof, and continue in him, her or their heirs and assigns, shall not [sic] be invalidated for want of proving, that seven of the trustees of said corporation consented to such sale or alienation; unless the same be controverted within the space of seven years from and after the sale and delivery of such estate to the purchaser or purchasers thereof.

Section X. (Section X, P. J.) And be it further enacted by the authority aforesaid, That the trustees hereinbefore appointed and their successors, the principal and professors, and every of them, now appointed or hereafter to be appointed, in the manner and form hereinbefore directed and required, before they enter upon the duties of their offices, shall before some one judge of the court of common pleas, or before some

justice of the peace of the county of Washington, take and subscribe the oath or affirmation as directed by the eighth article of the constitution of the commonwealth, and the act of congress of the United States, passed the first day of June, one thousand seven hundred and eighty-nine; and the trustees are hereby enjoined and required to provide and keep a book, wherein their secretary shall well and truly record the laws and proceedings of said trustees.

Approved March 28, 1806. Recorded in L. B. No. 10, p. 352.

CHAPTER MMDCCII.

AN ACT AUTHORIZING THE GOVERNOR TO INCORPORATE A COMPANY FOR THE PURPOSE OF MAKING AN ARTIFICIAL ROAD FROM THE VILLAGE OF MAYTOWN, IN THE COUNTY OF LANCASTER, TO NICHOLAS'S TAVERN OR CROSS ROADS, INTERSECTING THE LANCASTER AND MIDDLETOWN TURNPIKE.

Section I. (Section I, P. L.) 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 John Haldeman, Jacob Breneman, Frederick Gilbaugh, James Hegan, Alexander Boggs, Henry Share, and Brice Clark, of the county of Lancaster, be, and they hereby are appointed commissioners, to do and perform the several duties hereinafter mentioned; that is to say, they shall on or before the first day of October next, procure two books, and in each of them enter as follows: "We, whose names are hereunto subscribed, do promise to pay the president and managers of the Maytown and Cross Roads turnpike road company, the sum of fifty dollars, for every share by us subscribed for, and in such manner and proportions, and at such times and places, as shall be determined on by the said president and managers, in pursuance of an act, entitled, "An act authorizing the governor to incorporate a company for the purpose of making an artificial road from the village of Maytown, in the county of Lancaster, to Nicholas's