ADDITIONAL

CHARTER

OF THE

COLLEGE, &c.

OF

PHILADELPHIA, IN PENNSYLVANIA.

THOMAS PENN, and Richard Penn, true and absolute proprietaries of the province of Pennsylvania, and counties of New Castle, Kent, and Sussex, on Delaware; to all persons to whom these presents shall come, greeting:

Whereas it was heretofore represented to us, by Thomas Lawrence, William Allen, John Inglis, Tench Francis, William Masters, Lloyd Zachary, Samuel M'Cail, junior, Joseph Turner, Benjamin Franklin, Thomas Leech, William Shippen, Robert Strettell, Philip Syng, Charles Willing, Phineas Bond, Richard Peters, Abraham Taylor, Thomas Bond, Joshua Maddox, William Plumsted, Thomas White, William Coleman, Isaac Norris, and Thomas Cadwalader, of our city of Philadelphia, gentlemen; That they had, at their own expense, and by the donations of many well disposed persons, set up and maintained an academy within our said city, as well for instructing youth for reward, as poor children on charity, and praying us to incorporate them, and their successors for the more effectual carrying on and establishing the same:

And whereas we, being desirous to encourage such pious, useful, and charitable designs, hoping that the said academy, through the blessing of Almighty God, would prove a nursery of wisdom and virtue, and be the means of raising up men, of dispositions and qualifications beneficial to the publick, in the various occupations of life, and for other causes and considerations us thereto specially moving, did, for us, our heirs and successors, by our charter, under the great seal of our said province, grant, ordain, declare, constitute, and appoint, That the said Thomas Lawrence, William Allen, John Inglis, Tench Francis, William Masters, Lloyd Zachary, Samuel M'Cail, junior, Joseph Turner, Benjamin Franklin, Thomas Leech, William Shippen, Robert Strettell, Philip Syng, Charles Willing, Phineas Bond, Richard Peters, Abraham Taylor, Thomas Bond, Joshua Maddox, William Plumsted, Thomas White, William Coleman, Isaac Norris, and
Thomas Cadwalader, and their successors, duly elected and nominated in their place and stead, should be one corporation and body politic, to have continuance for ever, by the name of The Trustees of the Academy and Charitable School in the Province of Pennsylvania, capable to purchase and hold lands, to receive donations, to sue and be sued, to have and to use a common seal, to make rules and statutes, and to do every thing needful for the good government and perfect establishment of the said academy, or of any other kind of seminary of learning, which they should think fit to erect, maintain, and support, in any place within the said province of Pennsylvania, for the instruction of youth in any kind of literature, arts, and sciences, as by our said charter, enrolled in our recorder's office for the said province, at the city of Philadelphia aforesaid, may more fully and at large appear.

Now know ye, That we do, for us, our heirs and successors, by these presents, approve of, ratify and fully confirm, to the said trustees and their successors, all and singular the premises, together with all and singular the matters, clauses, sentences, and articles, contained in our said letters patent and charter, excepting only one article, by these our present letters and charter altered and changed.

Wherefore, by the advice and consent of the said trustees, know ye, That we do will and ordain, that the present trustees of the said academy, to wit: James Hamilton, William Allen, John Inglis, Tench Francis, William Masters, Lloyd Zachary, Samuel M'Call, junior, Joseph Turner, Benjamin Franklin, Thomas Leech, William Shippen, Robert Strettell, Philip Syng, Phineas Bond, Richard Peters, Abraham Taylor, Thomas Bond, Joshua Maddox, William Plumsted, Thomas White, William Coleman, Thomas Cadwalader, Alexander Stedman, and John Mifflin, and such other persons as shall from time to time be nominated or chosen in their place and stead, according to the order and direction of our said recited letters and charter, shall be one community, corporation, and body politic, to have continuance for ever, by the name of The Trustees of the College, Academy, and Charitable School of Philadelphia, in the Province of Pennsylvania; and that, by the same name, they shall have perpetual succession.

And we do hereby, for us, our heirs and successors, grant, ordain, and declare, That

* As all the material articles in the original charter are herein recited, excepting that which relates to the election of new trustees, it was thought necessary to insert the following clause from the said charter by way of note, as it is here referred to.

"And further in order to continue and perpetuate this community or corporation, we do grant, ordain, and declare, that when any one or more of the present or future trustees of this academy and school, shall remove his or their habitation or habitations, and shall dwell at the distance of five miles from the seat of the said academy at that time, or shall go and reside out of the province of Pennsylvania, although at a place nearer to the said academy than five miles, or shall happen to die or be otherwise disabled from performing the office and duty of a trustee or trustees, the other trustees shall, as soon after as they conveniently can, proceed to elect and choose one or more fit person or persons, then residing within five miles of the said academy, and within the said province, to fill the place or places of such absenting, deceased, or disabled person or persons."
the said trustees and their successors, by that name, shall be able and capable in law, to purchase, have, receive, take, hold, and enjoy, to them and their successors in fee and perpetuity, or for any other lesser estate or estates, any manors, lands, tenements, rents, annuities, pensions, or other hereditaments, within the said province of Pennsylvania, or three lower counties of New Castle, Kent, and Sussex, upon Delaware, by the gift, grant, bargain, sale, alienation, enfeoffment, release, confirmation, or devise of any person or persons, bodies politic or corporate, capable to make the same; and such manors, lands, tenements, rents, annuities, pensions, or other hereditaments, or any lesser estates, rights, or interests of, or in the same, at their pleasure to grant, alien, sell, and transfer in such manner and form, as they shall think meet and convenient; and further, that they may take and receive any sum or sums of money, and any kind, manner, or portion of goods and chattels, that shall be given, sold, or bequeathed to them, by any person or persons, bodies politic or corporate, capable to make a gift, sale, or bequest thereof, and therewith to erect, set up and maintain any other kind of seminary of learning, in any place within the said province of Pennsylvania, where they shall judge the same most necessary and convenient, for the instruction, improvement, and education of youth, in any kind of literature, arts, and sciences, which they shall think proper to be taught.

And we do hereby grant and ordain, That the said trustees and their successors, by the name in this charter mentioned, shall be able in law to sue and be sued, plead and be impleaded in any court or courts, before any judge, judges, or justices, within our said province of Pennsylvania, the three lower counties of New Castle, Kent, and Sussex, on Delaware, and elsewhere; in all and all manner of suits, complaints, pleas, causes, matters, and demands, of whatsoever kind, nature, or form they be; and all and every other matter and thing therein to do, in as full and effectual a manner, as any other person or persons, bodies politic or corporate, within that part of Great Britain called England, or within the said province of Pennsylvania, or three lower counties aforesaid, in the like cases may or can do.

And we do hereby give and grant, unto the said trustees and their successors, full power and authority to make, have, and use one common publick seal, and likewise one privy seal, with such devices and inscription, as they shall think proper; and the same, or either of them, to change, break, alter, and renew, at their pleasure.

And whereas the said trustees have, by their petition to Robert Hunter Morris, Esq.; our lieutenant governor and commander in chief, in and over our said province of Pennsylvania, and counties of New Castle, Kent, and Sussex, on Delaware, represented, That since our granting our said recited charter, the academy therein mentioned, by the blessing of Almighty God, is greatly improved, being now well provided with masters, not only in the learned languages, but also in the liberal arts and sciences, and that one class of hopeful students has now attained to that station in learning and science, by which, in all well constituted seminaries, youth are entitled to their first degree, and which the said students are earnestly desirous to be admitted to; and that it is hoped, from the capacities and diligence of this class, they will hereafter merit admission to the higher
degrees in the arts and sciences; from whence the said trustees reasonably expect a succession of youth in this college and academy, equally meritorious and deserving of such publick honours, which are at the same time the strongest incentives to, and the justest rewards of, diligence and merit; and therefore prayed an addition to our recited charter, to empower them and their successors, to admit deserving students to the usual degrees, and to confer such dignity on the masters in the said seminary, as shall seem meet and necessary for its good government and establishment upon this enlargement of the design, for the benefit both of the present and future times. And we being willing to grant this reasonable request of the said trustees, and to give all proper encouragement to an institution so happily begun, and hitherto so successfully carried on, for the benefit of our said province, as well as the neighbouring provinces and colonies in America;

Now know ye also, That we do hereby, for us, our heirs and successors, give and grant full power and authority to the said trustees, and their successors, from time to time, and at all times for ever hereafter, in such manner, and under such limitations, as they shall think best and most convenient, to constitute and appoint a Provost and Vice-Provost of the said college and academy, who shall be severally named and styled Provost and Vice-Provost of the same. And also to nominate and appoint Professors for instructing the students of the same seminary, in all the liberal arts and sciences, the ancient languages, and the English tongue, who shall be severally styled Professor of such art, science, language or tongue, according to each particular nomination and appointment; which Provost, Vice-Provost and Professors, so constituted and appointed, shall be known and distinguished, as one body and faculty, by the name of the Provost, Vice-Provost and Professors of the College and Academy of Philadelphia, in the province of Pennsylvania; and by that name shall be capable of exercising such powers and authorities, as the said trustees and their successors shall think necessary to delegate to them, for the discipline and government of the said college, academy and charitable school;

Provided always, That the said Trustees, the Provost, and Vice-Provost, and each Professor, before they shall exercise their several and respective powers or authorities, offices and duties, do and shall take and subscribe the three first written oaths, appointed to be taken and subscribed, in and by one act of parliament, passed in the first year of the reign of our late sovereign Lord George the first, intituled, An Act for the further Security of his Majesty’s Person and Government; and the Succession of the Crown in the Heirs of the late Princess Sophia, being protestants, and for extinguishing the Hopes of the pretended Prince of Wales, and his open and secret Abettors; and shall also make and subscribe the declaration, appointed to be made and subscribed, by one other act of parliament, passed in the twenty-fifth year of the reign of Charles the second, intituled, An Act for preventing Dangers which may happen from popish recusants: excepting only the people called Quakers, who, upon taking, making, and subscribing the affirmations and declarations, appointed to be taken, made, and subscribed by the acts of general assembly of the province of Pennsylvania, to qualify them for the exercise of civil offices, shall be admitted to the exercise of all and every the powers, authorities, offices, and duties above mentioned, any thing in this provision to the contrary notwithstanding; all which oaths and affirmations we do hereby authorize and empower the lieutenant governor
of our said province, or the mayor or recorder of the city of Philadelphia aforesaid, or any
two justices of the peace, for the time being, to administer.—

Which said trustees, and their successors, being qualified as hereby directed, we
do, by these presents, for us, our heirs, and successors, establish in their several and
respective offices; to have, hold, and enjoy, all and singular the privileges, liberties,
advantages, powers, and immunities, herein or hereby given and granted, or meant,
mentioned, or intended, to be herein or hereby given and granted, unto them and their
successors for ever.

And we do hereby, at the desire and request of the said trustees, constitute and
appoint the Reverend William Smith, M. A. to be the first and present provost of the
said college and academy, and the Reverend Francis Alison, M. A. to be the first and
present vice-provost of the same, who shall also retain the name and style of Rector of
the Academy; which offices the said persons shall have and hold only during the pleasure
of the said trustees.

And we do further, for us, our heirs, and successors, authorize the said trustees
and their successors, to meet on such day or days, as they shall by their laws and sta-
tutes appoint, to examine the candidates for admission to degrees in the said college and
academy, and also to transact, determine, and settle all the business and affairs of the
same. And we do will and ordain, that at all those meetings, such a number of mem-
bers so met and convened, as shall by the laws and statutes be authorized to transact any
particular affairs or business, and the majority of them, shall have full power to transact,
determine, and settle such affairs and business, in as ample and effectual a manner as if
all the said trustees were present; excepting always the nominating, constituting, and
discharging the provost, vice-provost, and professors, or any of them; in all and every
of which acts, there shall be thirteen at least of the members of the said corporation
present and consenting.

And we do further, for us, our heirs, and successors, authorize and empower the
said trustees, and their successors, met from time to time as aforesaid, to make laws and
statutes to regulate, ascertain, and settle the precedence, powers, and duties of the said
provost, vice-provost, (or rector) and professors, in the execution of the laws made, or
to be made, for the education of the youth, and wholesome government of the said college,
academy, and charitable school; and also by these laws and statutes, in such man-
ner and form as they shall think convenient, to empower the provost, vice-provost, and
professors, for the time being, to make and execute ordinances, for preserving good
order, obedience, and government, as well among the students and scholars, as the several
 tutors, officers, and ministers, belonging to the said college, academy, and charitable
school; and further, by the said laws and statutes, to enact all other matters and things,
in and concerning the premises, which may by the said trustees and their successors, be
thought conducive to the well being, advancement, and perpetuating the said college,
academy, and corporation; provided always, That the said laws be not repugnant to the
laws and statutes then in force in the kingdom of Great Britain; nor to the laws and statutes then in force in our said province of Pennsylvania.

And we do further, for us, our heirs, and successors, give and grant to the trustees of the said college and academy, That, for animating and encouraging the students thereof to a laudable diligence, industry, and progress in useful literature and science, they, and their successors, met together on such day or days as they shall appoint for that purpose, shall have full power and authority, by the provost, and in his absence by the vice-provost, and in the absence of both the provost and vice-provost, by the senior pro-
fessor, or any other fit person by them authorized and appointed, to admit any the students within the said college and academy, or any other person or persons meriting the same, to any degree or degrees, in any of the faculties, arts, and sciences, to which persons are usually admitted, in any or either of the universities or colleges in the kingdom of Great Britain. And we do ordain, That the provost, vice-provost, or other person appointed as aforesaid, shall make, and with his name, sign diplomas or certificates of the admission to such degree or degrees, which shall be sealed with the publick seal of the said corporation, and delivered to the graduates as honourable and perpetual testimonials thereof; provided always, and it is hereby declared to be our true meaning and express will, That no student or students, within the said college and academy, shall ever, or at any time or times hereafter, be admitted to any such degree or degrees, until such student or students have been first recommended and presented as worthy of the same, by a written mandate, given under the hands of at least thirteen of the trustees of the said college and academy, and sealed with the privy seal belonging to the said corporation, after a publick examination of such student or students in their presence, and in the presence of any other persons choosing to attend the same, to be had in the hall of the said college and academy, at least one whole month before the admission to such degree or degrees; and provided further, That no person or persons excepting the students belonging to the said seminary, shall ever, or at any time or times, be admitted to any such degree or degrees, unless with the express mandate of at least two thirds of the whole number of trustees, first to be obtained under their hands and the privy seal aforesaid, to the provost, vice-provost, and professors of the said college and academy directed.

And lastly, we do, for us, and our successors, grant, declare, and ordain, That these our letters patent and charter, and every clause, sentence, and article herein contained, shall be in all things firm, valid, sufficient, and effectual in the law, unto the said trustees, community, and corporation, and their successors, according to the purport and tenor hereof, without any further grant or toleration from us, our heirs, and successors, to be procured or obtained; provided always, That the clear yearly value of the messuages, houses, manors, lands, tenements, rents, annuities, or other hereditaments, and real estate of the said corporation, do not exceed the sum of five thousand pounds sterling. In testimony whereof, we have caused these our letters to be made patent, and the great seal of our said province to be hereunto affixed. Witness Robert Hunter Morris, Esq.; our lieutenant governor and commander in chief, in and over our said province of Pennsylvania, and counties of New Castle, Kent, and Sussex, on Delaware; this fourteenth day
ROBERT HUNTER MORRIS.

CHARTER to Thomas Lawrence and others, to be trustees of the academy and charitable school in the province of Pennsylvania.

THOMAS PENN and Richard Penn, true and absolute proprietaries and governors in chief of the province of Pennsylvania and counties of New Castle, Kent, and Sussex, on Delaware; To all persons to whom these presents shall come, greeting: Whereas the well being of a society depends on the education of their youth, as well as, in great measure, the eternal welfare of every individual, by impressing on their tender minds principles of morality and religion, instructing them in the several duties they owe to the society in which they live, and one towards another, giving them the knowledge of languages, and other parts of useful learning necessary thereto, in order to render them serviceable in the several publick stations to which they may be called. And whereas, it hath been represented to us by Thomas Lawrence, William Allen, John Inglis, Tench Francis, William Masters, Lloyd Zachary, Samuel M'Call, junior, Joseph Turner, Benjamin Franklin, Thomas Lee, William Shippen, Robert Strettell, Philip Syng, Charles Willing, Phineas Bond, Richard Peters, Abraham Taylor, Thomas Bond, Joshua Maddox, William Plumstead, Thomas White, William Coleman, Isaac Norris, and Thomas Cadwalader, of our city of Philadelphia, gentlemen, that for the erecting, establishing, and maintaining an academy within our said city as well to instruct youth for reward, as poor children whose indigent and helpless circumstances demand the charity of the opulent part of mankind; several benevolent and charitable persons have generously paid, and by subscriptions promised hereafter to pay into their hands as trustees, for the use of the said academy divers sums of money; which sums already paid, they, the said trustees, have expended in the purchase of lands well situated, and a building commodious for the uses aforesaid, within our said city in maintaining an academy there as well for the instruction of poor children on charity, as others whose circumstances have enabled them to pay for their learning, for some time past, and in furnishing the said academy with books, maps, mathematical instruments, and other necessaries of general use therein, according to the intentions of the donors. And whereas, the said trustees to facilitate the progress of so good a work, and to perfect and perpetuate the same, have humbly besought us to incorporate them and their successors.

Now know ye, That we favouring such pious, useful, generous, and charitable designs, hoping through the favour of Almighty God, this academy may prove a nursery of virtue and wisdom, and that it will produce men of dispositions and capacities beneficial to mankind in the various occupations of life; but more particularly suited to the infant
state of North America in general, and for other causes and considerations as heretofore specially moving, have granted, ordained, declared, constituted, and appointed, and by these presents we do, for us, our heirs, and successors grant, ordain, declare, constitute, and appoint, That the said Thomas Lawrence, William Allen, John Inglis, Tench Francis, William Masters, Lloyd Zachary, Samuel McCall, junior, Joseph Turner, Benjamin Franklin, Thomas Leece, William Shippen, Robert Strettell, Philip Syng, Charles Willing, Phineas Bond, Richard Peters, Abraham Taylor, Thomas Bond, Joshua Maddox, William Plumsted, Thomas White, William Coleman, Isaac Norris, and Thomas Cadwalader and such others, as shall be from time to time chosen, nominated, or elected in their place and stead, shall be one community, corporation, and body politic, to have continuance for ever, by the name of The Trustees of the Academy and Charitable School in the province of Pennsylvania, and that by the same name, they shall have perpetual succession, and that they and their successors by that name, shall be able and capable in law to purchase, have, take, receive, and enjoy to them and their successors in fee and in perpetuity, or for any other or lesser estate or estates, any manors, lands, tenements, rents, annuities, pensions, or other hereditaments within the said province of Pennsylvania or three lower counties of New Castle, Kent, and Sussex, by the gift, grant, bargain, sale, alienation, enfeoffment, release, confirmation, or device of any person or persons, bodies politic or corporate, capable to make the same. And further, that they may take and receive any sum or sums of money, or any kind, manner, or portion of goods or chattels that shall to them be given, granted, or bequeathed by any person or persons, bodies politic or corporate, capable to make the same. And we do hereby grant and ordain, That the said trustees and their successors by the name aforesaid, shall be able in law to sue and be sued, plead and be impleaded in any court or courts, before any judge, judges, or justices within the said province of Pennsylvania, the three lower counties of New Castle, Kent, and Sussex, and elsewhere; in all and all manner of suits, complaints, pleas, causes, matters, and demands of whatsoever kind, nature, or form they be; and all and every other matters and things therein to do in as full, ample, and effectual a manner, as any other person or persons, bodies politic or corporate within that part of the kingdom of Great Britain called England, or within the said province of Pennsylvania, or three lower counties in the like cases may or can do. And we do hereby give and grant unto the said trustees and their successors, full power and authority to make, have, and use a common seal with such stamp and inscription as they shall think proper; and the same to change, break, alter, and renew, at their pleasure. And further, in order to continue and perpetuate this community and corporation, We do grant, ordain, and declare, That when any one or more of the present or future trustees of this academy and school, shall remove his or their habitation or habitations, and shall dwell at the distance of five miles from the seat of the said academy at that time, or shall go and reside out of the province of Pennsylvania, although at a place nearer to the said academy than five miles, or shall happen to
die or be otherwise disabled from performing the office and duty of a trustee or trustees, the other trustees shall, as soon after as they conveniently can, proceed to elect and choose one or more fit person or persons, then residing within five miles of the said academy, and within the said province, to fill the place or places of such absenting, deceased, or disabled person or persons. And we do also, for us, our heirs, and successors, give and grant to the said trustees and corporation, and their successors, full power and authority in all time and times coming, to make, ordain, and enact all such rules, ordinances, laws, and statutes, and from time to time to alter and amend the same as they shall judge most convenient, reasonable, and needful for the good government of the said community, the management of the affairs thereof, and the effectual promotion of the good ends hereby intended; provided always, That the said rules, ordinances, laws, and statutes, be not repugnant to the laws and statutes then in force in the kingdom of Great Britain, or to the laws then in force in our said province of Pennsylvania. And lastly, We do, for us and our successors, grant, declare, and ordain, That these our letters patent and charter, and every clause, sentence, and article herein contained shall be in all things firm, valid, sufficient, and effectual in the law unto the said trustees, community, and corporation and their successors, according to the purport and tenor hereof, without any further grant or toleration from us, our heirs, or successors, to be procured or obtained. In witness whereof, we have caused these our letters, to be made patent; witness, James Hamilton, esq., lieutenant governor and commander in chief, in and over the said province of Pennsylvania, at the city of Philadelphia, the thirteenth day of July, in the twenty-seventh year of the reign of our sovereign lord George the second, who now is king of Great Britain, France, and Ireland, &c., and in the year of our Lord, one thousand seven hundred and fifty-three.

JAMES HAMILTON, (L. S.)

Recorded 16th July, 1753.

I, WILLIAM PARR, esq., master of the rolls, in and for the province of Pennsylvania do hereby certify the foregoing charter to be an exemplification or true copy of a record remaining in my office, in Como. Book A. vol. 2d, page 150, &c.

In faith and testimony of which, I have hereunto set my hand, and caused the seal of said office to be hereunto affixed this 2d day of August, A. D. 1769.

WILLIAM PARR, master of the rolls.
CHAPTER CXXXVI.

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 to the constitution and government of this commonwealth, and to erect the same into a university.

Preamble.

Section 1. WHEREAS the education of youth has ever been found to be of the most essential consequence, as well to the good government of states, and the peace and welfare of society, as to the profit and ornament of individuals, insomuch that from the experience of all ages, it appears that seminaries of learning, when properly conducted, have been publick blessings to mankind, and that on the contrary, when in the hands of dangerous and disaffected men, they have troubled the peace of society, shaken the government, and often caused tumult, sedition, and bloodshed.

Section 2. And whereas the college, academy, and charitable school of the city of Philadelphia, were at first founded on a plan of free and unlimited catholicism; but it appears that the trustees thereof, by a vote or by-law of their board, bearing date the fourteenth day of June, in the year of our Lord one thousand seven hundred and sixty-four, have departed from the plan of the original founders, and narrowed the foundation of the said institution.

Section 3. 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 charter of the said seminary, granted by the late proprietaries of Pennsylvania, bearing date the thirtieth day of July, in the year of our Lord one thousand seven hundred and fifty-three, whereby certain persons were incorporated by the name, style, and title of The Trustees of the Academy and Charitable School in the province of Pennsylvania, and the additional charter, granted by the same proprietaries, bearing date on the fourteenth day of May, in the year of our Lord one thousand seven hundred and fifty-five, by which the trustees of the same academy and charitable school were again incorporated, by the name, style, and title of The Trustees of the College, Academy, and Charitable School of the city of Philadelphia, in the province of Pennsylvania, together with all and singular the rights, powers, privileges, emoluments, and advantages, and also all the estates, claims, and demands to the same corporation belonging discharged from the afore recited vote or by-law of the said trustees, confining and narrowing the true and original plan of the said institution, which vote or by-law, and all others, contrary to the true design and spirit of the said charter, are hereby declared to be void, be and they are in and by this act, ratified and confirmed to, and for the use and benefit of the same seminary for ever.
Section 4. And to the end that the trustees herein after named and appointed may be the better enabled to effectuate the pious and praiseworthy designs of the founders, benefactors, and contributors of the said college, academy, and charitable school of Philadelphia,

Section 5. Be it further enacted by the authority aforesaid, That it shall and may be lawful for the supreme executive council of this state to reserve such and so many of the confiscated estates, yet unsold and unappropriated, as to them shall appear necessary, in order to create a certain fund for the maintenance of the provost, vice-provost, masters and assistants, and to uphold and preserve the charitable school of the said university.

Section 6. Provided always, That the yearly income of such estates, so reserved and appropriated, to the use of the said university, do not exceed the sum of fifteen hundred pounds, computing wheat at the rate of ten shillings per bushel.

Section 7. And provided also, That such reservation be from time to time laid before the general assembly of this state, for their approbation and confirmation.

Section 8. Provided always, and be it enacted by the authority aforesaid, That the ratifying and confirming the said charter, or any thing herein contained, shall not extend or be construed to extend to the confirmation or establishing any of the said trustees, in the said charter named, or deriving by any election, or pretended election, or appointment by, from, or under them, or any of them, nor to any provost, vice-provost, professor, or other minister or officer of the said seminary, other than such as are hereby, or may hereafter be appointed, (the said board and the faculty being hereby dissolved and vacated) nor shall the same extend to such parts of the charter, as in and by this act are or may be abrogated, annulled, altered or supplied.

Section 9. And be it further enacted by the authority aforesaid, That from and after the passing of this act, the superintendence and trust, together with all and singular the powers, authorities and estates, real, personal and mixed, of the said college, academy, and charitable school, shall pass to, devolve upon, and be vested in the president of the supreme executive council of this commonwealth, the vice-president of the same council, the speaker of the general assembly, the chief justice of the supreme court of judicature, the judge of admiralty, and the attorney-general for the time being, in virtue of their several offices, and the senior minister in standing of the episcopal churches and congregations, and the senior minister in standing of the presbyterian churches, and the senior minister in standing of the baptist churches, and the senior minister in standing of the Lutheran churches, and the senior minister in standing in the German Calvinist churches, and the senior minister in standing in the Roman churches, whose churches or houses of public worship are or shall be in the city of Philadelphia, or within two miles of the old court house in High street, in the said city, together with the honourable Benjaman Franklin, doctor of laws, minister plenipotentiary from the United States of America to his most christian majesty; the honourable William Shippen, Frederick Muhlenberg and James Searle, esquires, delegates in the congress of the
College erected into a university.

Proviso.

Former oath superseded.

New one appointed.

said United States for Pennsylvania; the honourable William Augustus Atlee, esquire, and the honourable John Evans, esquire, justices of the supreme court of judicature; Timothy Matlack, esquire, secretary of the supreme executive council of this state; David Rittenhouse, esquire, treasurer of this state; Jonathan Bayard Smith, esquire; Samuel Morris, senior, esquire; George Bryan, esquire; Thomas Bond, doctor of physick; and James Hutchinson, doctor of physick; which said civil officers, ministers of the gospel and others herein mentioned and appointed, for and during their continuance in the said office and stations respectively, their abode in this state, and lawful capacity to act, and their successors for ever hereafter, shall be, remain, and continue the trustees aforesaid, by the name, style, and title of The Trustees of the University of the State of Pennsylvania, and shall from henceforth have, hold, use, exercise, and enjoy all the powers, authorities, and advantages of the estates, rights, claims, and demands of the trustees appointed by, or in pursuance of the charters of the said corporation, or either of them, instead of the said trustees appointed by, or deriving under the said charter, or pretending so to do, in trust, nevertheless, for the proper use of the said university for ever.

SECTION 10. Provided always, That if any trustee of the said university shall take any charge or office under the said trustees, other than that of treasurer, his place shall thereby be vacated, and in the case of a minister of the gospel taking such charge or office, or neglecting to qualify according to the directions of this act, within one month after personal notice given of his coming to such trust, the next minister in seniority, of the same denomination, shall succeed him, such seniority to be accounted from the time of settlement of such person as minister of a congregation in or near the said city.

SECTION 11. Provided also, That in case the choice of a new trustee, in the room and stead of any of the persons last named, or their successors, shall be disallowed by the house of assembly within six months, the trustees shall be obliged to make choice of some other person.

SECTION 12. And be it further enacted by the authority aforesaid, That instead of the oath or affirmation and declaration which were enjoined and required to be taken and made, by the second or additional charter, herein before referred to, of the said corporation, by the trustees, provost, vice-provost, and professors of the said college, academy, and charitable school, which oath or affirmation and declaration, being totally inconsistent with the independence and constitution of this commonwealth, are hereby abrogated and repealed, the said trustees herein before appointed, and their successors, and the provost, vice-provost, and professors, and every of them, hereafter to be appointed in such manner and form as herein is directed and required, before he or they enter upon the duties of their trust or office, shall before two justices of the peace of the city of Philadelphia, or of some county of this state, take and subscribe the oath or affirmation prescribed by the fortieth section of the constitution of this commonwealth, to be taken by the officers of this state, and also the oath or affirmation of allegiance, directed to be taken by the same officers, in and by the seventh and eighth sections of an act of assembly, made and passed the fifth day of December, in the year of our Lord one thousand
Section 13. And be it further enacted by the authority aforesaid, That all and every the clause and clauses in the said charters, wherein and whereby the trustees of the said college, academy, and charitable schools are directed and enjoined to make their rules, ordinances and statutes, not repugnant to the laws in force in the kingdom of Great Britain, nor to the laws in force in the province of Pennsylvania, be, and they are hereby annulled, repealed, and made void; and the trustees herein and hereby appointed, are required and enjoined to review the rules, ordinances, and statutes heretofore made by the former trustees of the said seminary, which, so far as they are repugnant to the constitution and laws of this state, are hereby repealed, and to frame the same, if necessary, and all rules, ordinances, and statutes hereafter to be made, consistent with the constitution and laws of this commonwealth.

Section 14. And be it further enacted by the authority aforesaid, That the business of the said corporation shall and may be transacted, performed, and determined by the major vote of a meeting of seven at least of the trustees appointed by this act, and their successors, duly notified and called, other than the choice of new trustees, the nominating and constituting, or the dismissing of the future provost, vice-provost or professors, or any of them; or the alienation or leasing of real estates, for more than seven years, or any extraordinary and new expenditure of the income, or other personal estate of the said corporation, or the altering any salary, or the granting degrees to the scholars of the said university, or to other persons, or to the making any ordinance, statute, or by-law; which several enumerated acts and doings may be transacted and performed by a majority of at least eleven of the said trustees, duly notified and convened as aforesaid, and not otherwise.

Section 15. And be it further enacted by the authority aforesaid, That the clause in the first charter of the said corporation, whereby the trustees thereof were limited to be inhabitants of Pennsylvania, residing within five miles of the academy and school aforesaid, although license was given in the said charter, to set up the same at any place within the said province, which the said trustees should judge to be most convenient, so far as the same clause limits the appointment of trustees to persons residing within five miles of the said academy and school, be, and the same is hereby annulled, repealed, and made void.

Section 16. And be it further enacted by the authority aforesaid, That the trustees herein before appointed, and their successors, shall and may ask, demand, sue for, recover, and receive all evidences, mortgages, specialties, deeds, and instruments, and all papers, books of account and record, and the library, philosophical apparatus, and seals of the said corporation; and all debts, dues, and demands to the same owing, belonging, accruing, or appertaining. And in case any person or persons having the custody of the said library, apparatus, mortgages, specialties, deeds, or instruments, or other papers, books of records
Penalty on former trustees, &c. neglecting or refusing to deliver up books, records, &c.

Style of the trustees.

Power to make a common seal, rules, &c. and to amend and alter them.

Trustees shall submit their books, accounts, &c. to the inspection of the assembly. Time of first meeting.

Section 17. And be it further enacted by the authority aforesaid, That the civil officers, ministers of the gospel, and other persons by this act constituted and appointed trustees of the said university, and their successors duly chosen, nominated and appointed, be one community, body politic and corporate, to have perpetual succession and continuance for ever, by the name, style, and title as aforesaid, and that by the said name they shall be capable and able in law to sue and be sued, have and make a common seal, and the same at their pleasure to break and alter, to make rules and statutes, and to do every thing necessary and needful for the good government and perfect establishment of the said university; and the provost, vice-provost and professors hereafter to be appointed and constituted by the trustees aforesaid, shall be named, styled, and intitled, The Provost, Vice-Provost, and Professors of the same University; and the name, style, and title of the body or faculty, composed of the said provost, vice-provost, and professors, shall be, The Provost, Vice-Provost, and Professors of the University of the state of Pennsylvania.

Section 18. And be it further enacted by the authority aforesaid, That the said trustees shall at all times, when required, submit the books, accounts, and economy of the said corporation, to the free examination of visitors to be appointed from time to time by the representatives of the freemen of this commonwealth in general assembly met.

Section 19. And be it further enacted by the authority aforesaid, That the trustees appointed by this act, or a majority of them, shall meet in the hall of the university aforesaid of the said corporation, or having possession of the real estate of the said corporation, or any part thereof, shall refuse to deliver up the same when demanded, it shall and may be lawful for the trustees of the said college to summon any person so refusing before any two justices of the peace of the city or the county where the said real estate lies, or the detainer of any of the records, or other articles aforesaid, resides, who are hereby authorized and empowered to inquire into the said complaint, in a summary way, and give judgment therein as to them shall seem meet according to the merits and justice of the case; and if such judgment be given against the detainer of any of the said deeds, specialties, mortgages or other articles before enumerated, and if such detainer shall still refuse to deliver the same, it shall and may be lawful for the said justices, and they are hereby required to commit such refuser to prison, there to remain without bail or mainprise, until the said judgment be complied with. And in the case of real estate, the said justices shall carry such judgment into execution, by issuing a writ of possession to the sheriff of the county, in the same manner as they are authorized to do by an act of assembly, intitled, "An Act for the sale of goods distrained for rent, and to secure such goods to the person distraining the same, for the better security of rents, and for other purposes therein mentioned," in case of tenants holding over their terms: Provided always, That if either of the said parties shall demand a jury to be summoned, to try the said matter in dispute, the said justices shall cause a jury forthwith to come before them thereupon, in the same manner as juries are had in the case of tenants holding over their terms as aforesaid; and the said justices shall give judgment pursuant to the verdict of such jury, and proceed to the execution thereof, as is herein and hereby directed.
said, in the forenoon on the first Wednesday in December next, and after being duly qualified as this act prescribes, proceed to the execution of their trust.

JOHN BAYARD, speaker.

Enacted into a law, at Philadelphia, on Saturday, the 27th day of November, A. D. 1779.

THOMAS PAINE, clerk of the general assembly.

CHAP. CCXLII.

Extract of an Act to confirm to the trustees of the university of the state of Pennsylvania, divers estates therein enumerated, for the support of the said seminary; and for enabling the board of trustees of the said university to choose a new trustee in the stead of any of their number (not being a trustee in right of office or station) who shall be absent from the meetings of the said corporation during the space of six months.

SECTION 1. WHEREAS by an act of general assembly of this commonwealth, intitled, "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 to the constitution and government of this commonwealth, and to erect the same into a university," which was enacted on the twenty-seventh day of November, in the year of our Lord one thousand seven hundred and seventy-nine, it was for the better enabling the trustees therein named, and thereby appointed, and their successors, to effectuate the pious and praiseworthy designs of the founders, benefactors, and contributors of the said seminary of learning, That it should be lawful for the supreme executive council of this state, to reserve such and so many of the confiscated estates which were then unsold and unappropriated, as to them should seem necessary, in order to create a certain fund for the maintenance of the provost, vice-provost, masters, and assistants of the same university, and to uphold and preserve the charitable school thereof: Provided, That the yearly income of such estates, so reserved and appropriated to the use of the said university, should not exceed the yearly sum of fifteen hundred pounds, computing wheat at the rate of ten shillings per bushel. And provided also, That such reservations be from time to time laid before the general assembly of this state, for their approbation and confirmation.

SECTION 2. And whereas, since the passing of the same act, the confiscated real estates, herein after mentioned and described, have been severally reserved and appropriated by the supreme executive council, in pursuance thereof, for the purposes aforesaid, and the same estates have been delivered to the said trustees accordingly.
The estates, interests, etc. herein before recited, vested in, and confirmed unto the trustees of the university of the state of Pennsylvania, saving the rights of all persons, other than the forfeiting, etc.

**Section 4.** Be it therefore enacted and declared by the representatives of the free men of the commonwealth of Pennsylvania in general assembly met, and by the authority of the same, That the several confiscated estates, lands, tenements, and hereditaments and rent charges herein before enumerated and described, with their and every of their rights, members, and appurtenances, are hereby fully and absolutely vested in and confirmed unto the trustees of the university of the state of Pennsylvania, their successors and assigns for ever, and for no other use, intent, or purpose whatsoever; saving and always reserving to all and every person and persons, bodies politic and corporate, his, her, and their heirs and successors (other than the persons attainted or forfeiting the same, and all persons and every person having or claiming any thing in the premises, under or to the use of any such forfeiting person, his, her, or their heirs, executors or administrators) all such estates, rights, titles, and interest of, in, to, and out of the premises, or any of them, as they or any of them had before the passing of this act, or could or might have had or enjoyed in case this act had not been made.

**Section 5.** And whereas, the real estates herein before described, which have been reserved, set apart, and appropriated by the supreme executive council for the purposes aforesaid, at the several valuations thereof, respectively made, by the supreme executive council, and the said real estates purchased as aforesaid, at the prices at which they were severally sold, do not, when considered and taken together, amount to more than the yearly value of one thousand three hundred and eighty-one pounds five shillings and seven-pence half-penny, computing wheat at the rate of ten shillings per bushel, and it is proper that the same estates and interests herein before enumerated and described, and every of them, should be confirmed to the said trustees, their successors and assigns, for the uses in the act afore recited, set forth, and declared.

**Section 6.** Be it therefore enacted by the authority aforesaid, That if any of the trustees of the university of the state of Pennsylvania (not being a trustee in right of office or station) shall willingly be absent from the meetings of the board of the said trustees, for and during the space of six months, the seat of such absenting trustees shall be deemed to be vacant, and the residue of the said trustees, or such of them as shall be regularly met, not being fewer than eleven, shall and may proceed to elect a successor.
to such absenting trustee, as they would in case he had formally resigned his seat at the board of the said trustees of the said university.

SECTION 7. And whereas, the trustees of the university of Pennsylvania have established a professorship in the same seminary for teaching the learned languages through the medium of the German tongue, with one or more assistant teachers as may be requisite.

SECTION 8. Be it therefore enacted by the authority aforesaid, That the same professorship and the assistant or assistants aforesaid, shall be continued in the said university to teach the learned languages through the medium of the German tongue, as a part of the system of education carried on therein.

Signed by order of the house,

JOHN BAYARD, speaker.

Enacted into a law, at Philadelphia, on Thursday the twenty-second day of September, in the year of our Lord, one thousand seven hundred and eighty-five.

SAMUEL BRYAN, clerk of the general assembly.

CHAP. XII.

An Act to repeal part of an act, intitled, “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 to the constitution and government of this commonwealth, and to erect the same into a University.”

SECTION 1. WHEREAS by the constitution of this commonwealth, it is declared and provided, “That all religious societies or bodies of men, heretofore united or incorporated for the advancement of religion or learning, or for other pious and charitable purposes, shall be encouraged and protected, in the enjoyment of the privileges, immunities, and estates, which they were accustomed to enjoy, or could of right have enjoyed, under the laws and former constitution of this state.”

And whereas, by two charters of incorporation, granted by the late proprietaries of Pennsylvania, there existed within this commonwealth, on the twenty-seventh day of November, in the year of our Lord one thousand seven hundred and seventy-nine, an
cien corporation and body politick, by the name, style, and title of “The Trustees of the College, Academy, and Charitable School of Philadelphia, in the province of Pennsylvania,” which corporation, at the time of passing the act, herein after mentioned, was seized, possessed of, and intitled unto many rights and franchises, and divers estates, real, personal, and mixed, and by the constitution and laws of this state, was intitled to the publick protection and encouragement, in the enjoyment and free use and exercise thereof, in conformity to the original design, will, and intention of the founders, donors, and benefactors of the said seminary of learning, in the same manner as it could of right have held, occupied, and enjoyed the same, under the former laws and constitution of this state.

And whereas, by the said herein after mentioned act, which was passed on the said twenty-seventh day of November, in the year of our Lord one thousand seven hundred and seventy-nine, the said trustees and corporation, and also the provost, vice-provost, professors, and all other masters, teachers, ministers, and officers of the said college, academy, and charitable school, were without trial by jury, legal process, or proof of misuser or forfeiture, deprived of their said charters, franchises, and estates, and the said board of trustees and faculty were declared to be “dissolved and vacated, and the superintendence and trust, together with all and singular the powers, authorities, and estates, real, personal, and mixed, of the said college, academy, and charitable school, were by the said act, declared to pass to, devolve upon, and be vested in a new corporation or body politick thereby created and established, by the name, style, and title of ‘The Trustees of the University of the state of Pennsylvania,’ to have, hold, use, exercise, and enjoy all the powers, authorities, and advantages of the estates, rights, claims, and demands of the trustees herefore appointed by or in pursuance of the charters of the said (ancient) corporation or either of them;” all which is repugnant to justice, a violation of the constitution of this commonwealth, and dangerous in its precedent to all incorporated bodies, and to the rights and franchises thereof.

Section 2. 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 so much and all such parts of an act of general assembly of this commonwealth, passed on the said twenty-seventh day of November, in the year of our Lord one thousand seven hundred and seventy-nine, intitled, “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 to the constitution and government of this commonwealth, and to erect the same into a university,” as touch, or in any wise concern, or relate to the said ancient corporation, which was styled and known by the said name and title of “The Trustees of the College, Academy, and Charitable School of Philadelphia, in the province of Pennsylvania,” or the said charters thereof, or either of them, or as touch or in any wise concern or relate to the former rights, franchises, immunities, or estates, real, personal, or mixed thereof, or as tend to disqualify or disable the said trustees to act as a body politick, under the charters aforesaid, or to disqualify, deprive, or disable the body and faculty of the college and academy, known and distinguished in the charter, dated the fourteenth day of May,
one thousand seven hundred and fifty-five, by the name, style, and title of “The Provost, Vice-Provost, and Professors of the College and Academy of Philadelphia, in the province of Pennsylvania,” or any of them, from carrying on the design and purposes of the said college, academy, and charitable school, or to disfranchise or deprive them, or any of them, of any privileges, immunities, or estates, whatsoever, or of any part or parcel thereof, or as vests the same or purports and intends to vest the same, or any part or parts thereof, in “The Trustees of the University of the state of Pennsylvania,” shall be, and the same and every such part and parts thereof, is and hereby are repealed and made null and void, to all intents and purposes whatsoever.

Section 3. And be it further enacted by the authority aforesaid, That the trustees of the college, academy, and charitable school aforesaid, who were deprived and disabled, or intended so to be by, and in pursuance of the said act, and the survivors of them and their successors, by the name, style, and title of “The Trustees of the College, Academy, and Charitable School of Philadelphia, in the commonwealth of Pennsylvania,” and the provost, vice-provost, and professors, who as a faculty, were deprived and disabled, or intended so to be, by, and in pursuance of the said act, and the survivors of them and their successors, by the name and style of “The Provost, Vice-Provost, and Professors of the College and Academy of Philadelphia, in the commonwealth of Pennsylvania,” shall be reinstated and restored, and they and each of them are hereby reinstated and restored to all and singular the rights, franchises, emoluments, offices, trusts, and estates, real, personal, and mixed, which they and each of them held and enjoyed, or ought or could of right have had, held, and enjoyed, or were intitled unto, according to the said charters and the laws and constitution of this state, on the said twenty-seventh day of November, in the year of our Lord one thousand seven hundred and seventy-nine; and they and each of them and their successors, shall, and may ask, demand, sue for, recover, and receive the same and each and every part and parcel thereof, and shall hold and enjoy, use, and exercise the same, and every part and parcel thereof, in the same manner and as fully and freely as if the said act had never been passed. Excepting always, so much of the rents, issues, and profits of the said real estate and estates, as were received by the said trustees of the university before the second day of March instant, which shall be considered, and they are hereby considered, as having been duly laid out by and expended, in the education of youth, and therefore no account shall be rendered thereof; and excepting also, such sum or sums of money as have been paid in discharge of the just debts, contracts, and engagements of them, “The Trustees of the said College, Academy, and Charitable School,” entered into and subsisting on or before the said twenty-seventh day of November, in the year of our Lord one thousand seven hundred and seventy-nine; and excepting also, such bonds, mortgages, and other specialties, of the former estate of the said last mentioned trustees, as have been transferred, cancelled, or discharged by them, the trustees of the university, for the value of which only (without any account of the interest, actually received) they shall be accountable to the trustees of the said college, academy, and charitable school; and excepting lastly, certain lots of ground in the town of Norris, and county of Montgomery, which were given for the publick use and service of the said county, and certain other lots which have been contracted for, sold, and con-
Trustees of the college authorized to take means for regaining possession, &c. convened by the said trustees of the University, for the purpose of building and improving in the said town; for the value of which lots only as they were contracted for, sold, and payment received by the said trustees, they shall be liable and accountable to the trustees of the said college, academy, and charitable school, and the said lots and every of them shall be, and hereby are confirmed, to the several purchasers thereof, on the payment of the purchase money and arrears thereof, yet due to the trustees of the said college, academy, and charitable school, in the same manner as such purchase money and arrears thereof yet due, ought to have been paid to the trustees of the said university, according to the several contracts for the sale and conveyance of the said lots duly and bona fide made by them before the third day of February last.

Section 4. And be it further enacted by the authority aforesaid, That the trustees of the said college, academy, and charitable school and their successors, by the name, style, and title of The Trustees of the College, Academy, and Charitable School of Philadelphia, in the commonwealth of Pennsylvania, and the provost, vice-provost, and professors of the said college and academy and their successors, by the name and style of The Provost, Vice-Provost, and Professors of the College and Academy of Philadelphia, in the commonwealth of Pennsylvania, shall respectively be intitled to, and shall have and pursue the like speedy, summary, and effectual means and remedies, for regaining and reinstating themselves in, and for having and possessing themselves of all and singular the rights, franchises, offices, trusts, and immunities, and estates, real, personal, and mixed, to which they or either or any of them are in, and by this act restored, or which is hereby vested in them or either or any of them, together with all books, papers, and writings, touching or concerning the same or any part thereof, as were given, or mentioned and intended to be given, in and by the said in part recited act, and also in and by any other act or acts of general assembly of this commonwealth, to the trustees of the university therein mentioned, or which they could thereby have or pursue for acquiring or possessing themselves of all or any part or parts of the estate or estates, real, personal, or mixed, rights, franchises, offices, trusts, or immunities, in and by the said in part recited act, transferred to or vested in them the said trustees of the university aforesaid, or of any books, papers, or writings, relating thereto; and all and every person and persons are hereby enjoined and required to govern and demean themselves accordingly, under the like pains and penalties as are in and by the said acts mentioned.

Signed by order of the house,

RICHARD PETERS, speaker.

Enacted into a law, at Philadelphia, on Friday the sixth day of March, in the year of our Lord one thousand seven hundred and eighty-nine.

PETER ZACHARY LLOYD, clerk of the general assembly.
An Act to unite the university of the state of Pennsylvania, and the college, academy, and charitable school of Philadelphia, in the commonwealth of Pennsylvania.

WHEREAS the trustees of the university of the state of Pennsylvania, and the trustees of the college, academy, and charitable school of Philadelphia, in the commonwealth of Pennsylvania, by their several petitions have set forth, that they have agreed to certain terms of union of the said two institutions, which are as follow:

First. That the name of the institution be "The University of Pennsylvania," and that it be stationed in the city of Philadelphia.

Second. That each of the two boards shall elect, from among themselves, twelve persons, who, with the governor for the time being, shall constitute the board of trustees of the university of Pennsylvania; and that the governor shall be president.

Third. That the professors which shall be deemed necessary to constitute the faculty in the arts and medicine, respectively, shall be taken from each institution equally; and in case of an odd number, such one to be taken from either by the choice of the trustees; and that the provost and vice-provost, or the principal officer or officers of the faculty, by whatever name or names they may be called, shall be chosen from among the professors so appointed.

Fourth. That charity schools shall be supported, one for boys, and the other for girls.

Fifth. That for the future every vacancy in the board, except that of governor, shall be filled up by election by ballot, by a majority of the members present, at any meeting of the new board, the members present to be at least thirteen; that due and timely notice of such election be at all times given, and that no person shall be elected to fill up such vacancy at the same meeting in which he shall be nominated.

Sixth. That the funds and property of the institutions shall be united, and vested in the new trustees.

Seventh. That the professors and officers composing the faculty shall be elected by a majority of the members present at any meeting of the new board, the number present to be at least thirteen; that due and timely notice of such election shall at all times be given, and that no person or persons shall at any time be elected such professor or officer at the same meeting in which he shall be nominated.
Eighth. That no professor or officer of the faculty shall be removed by a less number than two thirds of the members present at any meeting of the new board, the members present to be at least thirteen; and that due and timely notice of such intended removal shall at all times be given, and that no person or persons shall at any time be removed at the same meeting in which such removal shall be proposed.

Ninth. That the board of trustees shall annually lay before such persons, as the legislature shall in the incorporating act direct, a statement of the funds of the institution.

And the said trustees by their several petitions have prayed, that a law may be passed to enable them to carry the said terms of union into effect, and to incorporate them in one body, according to the purpose and intention expressed in the said terms of union.

Section 1. Be it therefore 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, in pursuance of the second article of the said terms of union, the trustees of the university shall elect twelve persons from among themselves to be trustees of the said university after the union, and shall certify the names of the said twelve persons, so elected, to the governor of this commonwealth, on or before the first day of December next; and that the trustees of the said college, academy, and charitable school, shall elect twelve persons from among themselves, to be trustees of the said university after the union, and shall certify the names of the said twelve persons, so elected, to the governor of this commonwealth, on or before the first day of December next.

Section 2. And be it further enacted by the authority aforesaid, That from and after such certificates of the elections being so made to the governor, as aforesaid, the said twenty-four persons so elected and certified, together with the governor for the time being, who shall always be president, and their successors, duly elected and appointed, as herein and by the said terms of union is directed, be, and they are hereby made and constituted a corporation and body politic, in law and in fact, to have continuance for ever by the aforesaid name, style, and title of The Trustees of the University of Pennsylvania, and that the said university shall at all times be stationed in the city of Philadelphia.

Section 3. And be it further enacted by the authority aforesaid, That the said trustees, and their successors, shall be able and capable in law to sue and be sued, by the name, style, and title aforesaid; and to have and to make one publick and common seal, and also one private seal to use in their affairs, and the same, or either of them, to break and alter at their pleasure; and to make rules and statutes not repugnant to the laws and constitution of this state, or of the United States of America, and to do every thing needful and necessary to the establishment of the said university, and for their own good government, and the good government and education of the youth belonging to the same, and to constitute a faculty, or learned body, to consist of such head or heads, and such a number of professors in the arts and sciences, and in law, medicine, and divinity, as they shall judge necessary and proper, consistent with the aforesaid articles of union.
SECTION 4. And be it further enacted by the authority aforesaid, That all and every the estates, real, personal, and mixed, moneys, effects, debts, claims, and demands, either in law or equity, which at present are vested in, or belong to each of the two boards of trustees of the said university, and of the said college, academy, and charitable school, who are hereby united and incorporated together, shall be, and they hereby are, transferred to and vested in the said trustees herein directed to be appointed and incorporated, and their successors, with full power to take, receive, hold, use, recover, and enjoy the same, according to the purpose, true intent, and meaning of this act, and that in like manner, all claims, rights, and demands, of any person or persons, bodies politic and corporate, against either of the said two boards, shall be, and remain valid and effectual against the trustees herein directed to be appointed and incorporated, and their successors, with power to demand, receive, and recover the same, as if they had been originally contracted by, or due, or recoverable from, the said trustees herein directed to be appointed and incorporated.

SECTION 5. And be it further enacted by the authority aforesaid, That, pursuant to the ninth article of the terms of union, the trustees shall annually lay a statement of the funds of the institution before the legislature of the commonwealth.

WILLIAM BINGHAM, speaker of the house of representatives.

RICHARD PETERS, speaker of the senate.

Approved, September the 30th, 1791.

THOMAS MIFFLIN, governor of the commonwealth of Pennsylvania.

appeared Jesse Y. Burk, of Philadelphia, who being duly sworn according to law deposes and says, that he is the Secretary of the Trustees of The University of Pennsylvania, a body corporate of law in the State of Pennsylvania, and that the foregoing printed matter is a true copy of the Act of Assembly of the State of Pennsylvania approved September 30th, 1791, incorporating the said The Trustees of the University of Pennsylvania, and that the seal hereto affixed is the corporate seal of the said The Trustees of the University of Pennsylvania.
...