

No. 525.

A N A C T

To incorporate the Ashmun Institute.

SECTION 1. *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 shall be and hereby is established at or near a place called *Institute estab-* Hinsonville, in the county of Chester, an institution of learning *lished.* for the scientific, classical and theological education of colored youth of the male sex, by the name, style and title of the "Ashmun institute," under the care and direction of a board of trustees, not exceeding nine in number, who, with their successors in office, shall be and hereby are declared to be one body politic and corporate, in deed and in law, to be known by the name, style and title of the "Ashmun Institute," and by the same *Style.* shall have perpetual succession, and shall be able to sue and be sued, to plead and be impleaded in all courts of law and equity, and shall be capable in law and equity to take, hold and purchase for the use and benefit of said institute, lands, goods, chattels and monies of any kind whatever, by gift, grant, conveyance, devise or bequest from any person or persons whomsoever capable of making the same, and the same from time to time to *Privileges.* sell, convey, mortgage or dispose of for the use and benefit of said institute, and they shall have power to have a common seal; to erect such buildings as may be necessary for the purposes of said institute, and to provide libraries, apparatus and all other needful means of imparting a full and thorough course of instruction in any or all the departments of science, literature, the liberal arts, classics and theology, and to do all and singular the matters and things for the purposes of this act, which any corporation or body politic may or can do for the well being of said institute, and for the due management and ordering of the affairs thereof, which may not be contrary to the constitution and laws of this State or of the United States: *And provided,* That the clear yearly value and income of said *Proviso.* estates shall not exceed in value the sum of six thousand dollars.

SECTION 2. That for the present the trustees of the said institute shall be John M. Dickey, Alfred Hamilton, Robert P. DuBois, James Latta, John B. Spotswood, James M. Crowell, Samuel J. Dickey, John M. Kelton and William Wilson, who, or any five of them, on and after the passage of this act, shall have power to organize the said board of trustees, and after such organization, three members of the said board shall constitute a quorum to do business at any meeting called in due form according to the by-laws established by the said board. *Trustees.]*

SECTION 3. That the board of trustees aforesaid, at the meeting in which they are organized, shall arrange themselves in three classes of three each by lot, of which classes the first shall serve one year, the second shall serve two years, and the third shall serve three years; when vacancies occur, and ever afterwards, they shall be filled by persons elected by the Presbytery of New Castle, who shall choose three trustees annually to *Trustees to be arranged into three classes.*

Proviso. serve for three years, as well as fill all vacancies made by death, resignation or otherwise: *Provided however*, That if the said Presbytery shall at any time fail to elect successors to those whose term of office has expired, the same shall continue to act as members of the board until others shall have been chosen in their place.

Buildings. SECTION 4. That the board of trustees, under the general instructions from the Presbytery of Newcastle, shall have power to purchase, put up or procure suitable buildings and improvements only as they may have the necessary means, in no case ever involving the said Presbytery in pecuniary obligations, they shall have power to appoint and remove the necessary professors and teachers, and name their salaries, to establish rules and regulations for the government of the institution, to appoint such officers and agents for their own body as may be deemed expedient, and to adopt and establish their own by-laws and regulations:

Proviso. *Provided*, That none of the said by-laws and regulations shall extend to an alienation of the lands and tenements or other capital stock of the institute, or to a dissolution thereof, except by the consent of the said Presbytery; they shall have power to procure the endowment of the institute, not exceeding the sum of one hundred thousand dollars, and when required by the aforesaid Presbytery, they shall report to it the state of the institute, the state of the funds, and of all the interests committed to their trust.

Degrees. SECTION 5. That the trustees shall have power to confer such literary degrees and academic honors as are usually granted by colleges upon such pupils as shall have completed in a satisfactory manner the prescribed course of study.

Appropriation of monies. SECTION 6. That the trustees shall faithfully appropriate all monies and other effects that may come into their hands for the sole benefit of the said institution, nor shall any bequest or donation made to and accepted by the said board for specific educational objects ever be diverted from the purposes designated by the donor.

Colored pupils. SECTION 7. That the institute shall be open to the admission of colored pupils of the male sex of all religious denominations, who exhibit a fair moral character, and are willing to yield a ready obedience to the general regulations prescribed for the conduct of the pupils and the government of the institution..

Misnomer. SECTION 8. That no misnomer of said corporation shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: *Provided*, That the intent of the parties shall sufficiently appear up the face of the gift, will or writing whereby any estate or interest was intended to be passed to or from said corporation.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The twenty-ninth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.