

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 entitled, 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.

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and to amend
and alter
them.

XVIII. *And be it further enacted,* 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 free-men of this commonwealth, in General Assembly met.

Trustees
shall submit
their books,
accounts,
&c. to the
inspection of
the Assembly.
[See chap.
1597.]
Time of
first meet-
ing.
[Obsolete.]

[XIX. *And be it further enacted,* That the Trustees appointed by this act, or a majority of them, shall meet in the hall of the University aforesaid, 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.]

Passed 27th November 1779.—Recorded in Law Book vol. I. page 319. (*n*)

(*n*) By chap. 884, post. the misnomer in the 16th sect. styling the institution "College" instead of "University" was corrected. By an act of the 22d September, 1785, (chap. 1184) the provision of the 5th section of the act in the text was effectuated, by an appropriation of certain confiscated estates to the benefit of the University. The same act declared that if a trustee (not being such *ex officio*) absented himself for six months, his seat should be vacated; and directed the continuance of a German professorship in the institution.

By an act of the 6th of March, 1789, (chap. 1382,) so much of the act in the text, as affected, in any way, the ancient corporation of "The Trustees of the College, Academy, and Charitable School of Philadelphia, in the province of Pennsylvania," was annulled; and the rights and property of that corporation were restored. But by an act of the 30th September, 1791, (chap. 1587,) the two institutions were again united, by agreement and request of their respective trustees, on the terms mentioned in the act. (*Note to former edition.*)

CHAPTER DCCCLXIII.

An ACT for vesting the estates of the late proprietaries of Pennsylvania in this commonwealth.

WHEREAS the charter from Charles the second, heretofore King of England, to William Penn, under which the late province, now state, of Pennsylvania, was first began to be settled, was granted and held for the great ends of enlarging the bounds of human society, and the cultivation and promotion of religion and learning; and the rights of property and powers of government, thereby vested in the said William Penn and his heirs, were stipulated to be used and enjoyed, as well for the benefit of the settlers, as for his own particular emolument, agreeable to the terms of the said charter, and of certain conditions and concessions entered into between them.

II. And whereas the claims heretofore made by the late Proprietaries to the whole of the soil contained within the bounds of the

1779. said charter, and in consequence thereof the reservation of quit-rents and purchase money upon all the grants of lands within the said limits, cannot longer consist with the safety, liberty and happiness of the good people of this commonwealth, who at the expense of much blood and treasure, have bravely rescued themselves, and their possessions from the tyranny of Great-Britain, and are now defending themselves from the inroads of the savages.

III. And whereas the safety and happiness of the people is the fundamental law of society, and it has been the practice and usage of states most celebrated for freedom and wisdom to control and abolish all claims of power and interest inconsistent with their safety and welfare; and it being the right and duty of the representatives of the people to assume the direction and management of such interest and property as belongs to the community, or was designed for their advantage.

IV. And whereas it has become necessary that speedy and effectual measures should be taken in the premises, on account of the great expenses of the war, and the rapid progress of the neighbouring states in locating and settling the lands heretofore uncultivated, by which multitudes of inhabitants are daily emigrating from this state:

Soil vested
in the com-
monwealth,

V. *Be it therefore enacted, and it is hereby enacted,* That all and every the estate, right, title, interest, property, claim and demand of the heirs and devisees, grantees, or other claiming as Proprietaries of Pennsylvania, whereof they or either of them stood seized, or to which they or any of them were entitled, or which to them were deemed to belong, on the fourth day of July, in the year of our Lord one thousand seven hundred and seventy-six, of, in or to the soil and land contained within the limits of the said late province, now state of Pennsylvania, or any part thereof, together with the royalties, franchises, lordships, and all other the hereditaments and premises comprised, mentioned and granted in the same charter, or letters patent of the said King Charles the second (except as herein after is excepted) shall be, and they are hereby vested in the commonwealth of Pennsylvania, for the use and benefit of the citizens thereof; freed and discharged, and absolutely acquitted, exempted and indemnified, of, from and against all estates, uses, trusts, entails, reversions, remainders, limitations, charges, incumbrances, titles, claims and demands whatsoever, from, by or under the said charter, or letters patent, or otherwise, as fully, clearly, and entirely, as if the said charter, or letters patent, and the estates, interests, hereditaments and premises, therein comprised, mentioned and granted, and all other the estate, right and title of the said Proprietaries, of, in and to the same premises, were herein transcribed and repealed.

and all other
heredita-
ments,

and at the
disposal of
the Legisla-
ture.

VI. *And be it further enacted,* That the said soil and lands, hereditaments and premises, and every part and parcel thereof (except as is herein excepted) from and after the date hereof, shall be subject to such disposal, alienation, conveyance, division and appropriation, as to this or any future legislature of this commonwealth, shall from time to time seem meet and expedient, in pursuance of such law or laws as shall for that purpose hereafter be made and provided.

VII. *Provided always, and be it enacted,* That all and every the rights, titles, estates, claims and demands, which were granted by or derived from the said Proprietaries, their officers or others by them duly commissioned, authorized and appointed, or otherwise, or to which any person or persons, other than the said Proprietaries, were or are entitled, either in law or equity, by virtue of any deed, patent, warrant or survey, of, in or to any part or portion of the lands comprised and contained within the limits of this state, or by virtue of any location filed in the Land-Office, at any time or times before the said fourth day of July, in the year of our Lord one thousand seven hundred and seventy-six, shall be, and they are hereby confirmed, ratified and established for ever, according to such estate or estates, rights or interests, and under such limitations and uses, as in and by the several and respective grants and conveyances thereof are directed and appointed. 1779.
Proviso.

VIII. *Provided also, and be it enacted,* That all and every the private estates, lands and hereditaments, of any of the said Proprietaries, whereof they are now possessed, or to which they are now entitled, in their private several right or capacity, by devise, purchase or descent; and likewise all the lands called and known by the name of the Proprietary Tenths or Manors, which were duly surveyed, and returned into the Land-Office, on or before the fourth day of July, in the year of our Lord one thousand seven hundred and seventy-six, together with the quit or other rents, and arrearages of rents, reserved out of the said proprietary tenths or manors, or any part or parts thereof, which have been sold, be confirmed, ratified and established for ever, according to such estate or estates therein, and under such limitations, uses, and trusts, as in and by the several and respective reservations, grants and conveyances thereof, are directed and appointed. Proviso.

IX. *And be it further enacted,* That all and every the quit rents which at any time or times heretofore have been reserved in and by any warrant, patent or other conveyance of lands or other hereditaments, from, by or under the said Proprietaries, their officers, or others by them commissioned and appointed, and all and every the dues and arrearages of quit rents and arrearages of purchase monies for lands not within the tenths or manors aforesaid, or which at any time or times heretofore have been deemed or taken to be due and in arrear, other than the quit or other rents reserved within the proprietary tenths or manors before mentioned, shall from henceforth cease and determine, and the same lands and other hereditaments shall be held free and discharged therefrom, and from the payment thereof for ever. Quit rents abolished, except, &c.

X. *Provided always, and be it further enacted,* That in order to preserve equality among the purchasers of land under the said late Proprietaries, the said arrears of purchase money, other than for lands within the said tenths and manors, shall be accounted to be due and payable to the commonwealth. Proviso.

XI. *And be it further enacted,* That all and every law or laws, act or acts of Assembly, heretofore made and enacted by the legislature of the province of Pennsylvania, or such parts and clauses thereof, by which any right, title or claim, power or authority, is or are Repeal of former powers to the Proprietaries, &c.

1779. given or granted, ratified or established, in the said Proprietaries, or any of them, their or any of their officers or servants, of, in or to any of the estates, lands or other hereditaments, herein and hereby vested and confirmed, or meant to be hereby vested and confirmed, in this commonwealth, for the use and benefit of the citizens thereof, or of, in or to the quit rents and purchase money, and arrearages thereof, or of, in or to any portion thereof herein and hereby released, discharged and abolished, or meant so to be, be, and are hereby, annulled, revoked and repealed.

XII. And whereas the freemen of this commonwealth, being desirous to manifest not only a regard to their own safety and happiness, but their liberality also, and remembrance of the enterprising spirit which distinguished the founder of Pennsylvania, and mindful of the expectations and dependence of his descendants on the propriety thereof, and also that sundry marriage settlements and testamentary dispositions have been made thereupon, which will be wholly defeated, and the parties exposed to great disappointment and loss, if no provision be made therein.

XIII. *Be it therefore enacted*, That the sum of one hundred and thirty thousand pounds, sterling money of Great-Britain, be paid out of the treasury of this state, to the devisees and legatees of Thomas Penn and Richard Penn, late Proprietaries of Pennsylvania respectively, and to the widow and relict of the said Thomas Penn, in such proportions as shall hereafter by the legislature be deemed equitable and just, upon a full investigation of their respective claims.

XIV. *Provided always*, That no part of the said sum of one hundred and thirty thousand pounds sterling shall be paid within less than one year after the termination of the present war with Great-Britain; and that no more than twenty thousand pounds sterling, nor less than fifteen thousand pounds sterling thereof, shall be paid or payable in any one year, until the whole sum be fully paid and discharged; and that the first annual payment thereof be made at the expiration of one year after the termination of the said war. (o)

XV. *And whereas*, divers persons, who have acted under the said late Proprietaries, or any of them, as Secretaries of the Land-Office, receiver of purchase money, rents or other income, Surveyor-General, Surveyors of land, or otherwise, or being the heirs or representatives of such persons, are possessed of divers books, surveys, returns of survey, certificates, orders or other documents, instruments, records or writings, or seals to the said Proprietary belonging or appertaining, or which have been usually lodged and kept in the several and respective offices of Secretary of the Land-Office, Receiver-General and Surveyor-General, may neglect or refuse to deliver up the same, undiminished, to the Supreme Executive Council of this state, as is proper and necessary upon the passing of this act:

XVI. *Be it therefore enacted*, That if any person or persons whatsoever, who now is, or are, or hereafter shall be, possessed of any of the said books, surveys, returns of survey, certificates, orders or

(o) The various acts providing for the payment of this legislative grant, which is now completely discharged, with interest, are chap. 1119, 1126, 1273, 1551, 1716; [which acts are of course obsolete.] (Note to former edition.)

Donation to the late Proprietaries.

When payment thereof is to commence.

Officers to deliver up books, papers, &c. on

other documents, instruments, records, writings, or seals, and shall, after demand thereof in writing made by the President or Vice-President of the Supreme Executive Council of this state, for one month after such demand, refuse or neglect to deliver up the same to the person or persons empowered by the said President or Vice-President to receive the same, such person or persons, so refusing, shall forfeit and pay to the use of the commonwealth any sum, not exceeding five hundred thousand pounds, upon being convicted by indictment in any Court of Oyer and Terminer; and moreover, if such person or persons, after such conviction, persist in such refusal, such person or persons shall be sentenced to imprisonment, until he or they deliver the books, surveys, or other herein before mentioned articles, by such person or persons withheld as aforesaid.

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demand on
penalty, &c.

Passed 27th November, 1779.—Recorded in Law Book vol. I. page 324.