

CHAPTER MCCXIII.

1786.

An ACT for the present relief and future endowment of Dickinson college, in the borough of Carlisle, and county of Cumberland, in this state, and for reserving part of the unappropriated lands belonging to this state, as a fund for the endowment of public schools, agreeably to the forty-fourth section of the constitution of this commonwealth.

SECT. I. WHEREAS, by the forty-fourth section of the constitution of this state, it is provided, "That a school or schools shall be established in each county by the legislature, for the convenient instruction of youth, with such salaries to the masters, paid by the public, as may enable them to instruct youth at low prices; and all useful learning shall be duly encouraged and promoted in one or more Universities;" which wise regulations, in the present embarrassed state of public credit, cannot be carried into immediate execution, but every encouragement in the reasonable power of the state is due and ought to be given to those, who, upon their private credit, or by general subscription, shall promote the institution of seminaries of useful learning: And whereas a number of citizens of this state, impressed with the utility of establishing a seminary of learning, for the benefit of the inhabitants in the western counties, opened a subscription for that purpose, which was liberally encouraged by divers well disposed subscribers, upon whose application to the legislature, a law was passed on the ninth day of September, one thousand seven hundred and eighty-three, whereby a public seminary of learning was founded, established and incorporated, in the borough of Carlisle, by the name, style and title of Dickinson College, which, under the care and good management of the trustees, is rapidly growing, and promises to be of great advantage, by largely diffusing the liberal arts: And whereas it appears by the representations of the said trustees, that the number of pupils, now incumbent on their studies in the different branches of literature in the said school, is so great, that the infant funds of the institution are not sufficient to provide them with accommodations, wherefore they have prayed the temporary aid of this and a former House of Assembly, and also that provision may be made for a more permanent endowment for the future support thereof; and this House, sensible of the high importance of training up a succession of youth in useful and liberal knowledge, to qualify them for filling the places of their elders and predecessors, who in the usual course of nature must gradually be called from the active duties of this life, have thought it expedient to comply with their prayer by a moderate donation, consistent with that œconomy which is at present so necessary to be preserved in the application of the public property:

SECT. II. *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 sum of five hundred pounds be, and the same is hereby, given and granted to the trustees of Dickinson College, for the use of the said college. And in order that the said institution may not*

Grant of 500
pounds to
Dickinson
College.

1786.
How pay-
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suffer by delay in receiving the sum so granted: *It is hereby enacted by the authority aforesaid,* That the President or Vice-President of the Supreme Executive Council shall, and they are hereby authorized and required, forthwith, upon application of the trustees aforesaid, to draw an order on the treasurer of this state, in favour of the said trustees, for the said sum of five hundred pounds, which payment shall be allowed in the settlement of his accounts.

SECT. III. And whereas the unappropriated lands within this state, belonging to the public, afford an ample fund for the endowment of colleges and schools at a future day, without any present advance or public inconvenience, and at the least possible expense to the community, and at the same time certainly effective in the event; and the said college at Carlisle has just title, under the said provision in the constitution, not only from its early institution, under private patronage, but from its rapid growth, to be now provided for.

Grant of
10,000 acres
of land to
the college.

SECT. IV. *It is therefore hereby enacted by the authority aforesaid,* That ten thousand acres of land, together with six per centum allowance for roads, to be located, set out and surveyed, within the unappropriated lands belonging to this state, be, and they are hereby granted to the trustees of Dickinson College, to have and to hold the same to them, their successors and assigns, for ever.

The lands
how to be
surveyed,
and patent-
ed.

SECT. V. And in order to facilitate the locating, setting out and surveying the said lands for the said trustees, and securing them to the use of the said college: *It is hereby enacted by the authority aforesaid,* That upon the applications of the said trustees, or of any person duly authorized by them, to the Secretary of the Land-Office of this state, he shall grant and issue, and is hereby authorized and required to grant and issue, such and so many warrants, to be directed to the Surveyor-General of the state, requiring him to survey, or cause to be surveyed for the trustees of Dickinson College, such and so many tracts of land, with such number of acres in each warrant, as shall be applied for at each and every time of application, in such places, not already appropriated by acts of Assembly of the state to particular uses, nor before located or surveyed by or for private persons, as shall, in the whole, amount to the said quantity of ten thousand acres, and the usual allowance, and no more; and that the Surveyor-General shall receive and enter all such warrants in his office, and issue copies thereof, directed to his deputies in the different counties and districts within the state, and the said deputies shall execute the same, and make returns thereof, and thereupon such proceedings shall be had, and patents or grants of confirmation for the same shall be granted and issued to the trustees of Dickinson College, in the same manner and form, and having the like force and effect, as the like proceedings and patents have been and are conducted and granted, in case of private persons making application for and taking up lands, under the laws of the state, in such case made and provided.

SECT. VI. And whereas the same reasons which induce this House to provide for the future support of the said college equally hold and apply for providing a fund, whereout hereafter to endow the public schools, agreeably to the constitution of this state:

SECT. VII. *It is therefore hereby enacted by the authority aforesaid,* 1786. That sixty thousand acres of land, part of the unappropriated lands belonging to this state, be, and they are hereby reserved and appropriated for the sole and express purpose of endowing public schools in the different counties of this state, agreeably to the said forty-fourth section of the constitution.

General appropriation of 60,000 acres of land, for the endowment of public schools.

SECT. VIII. And in order that the quantity of lands, hereby reserved and appropriated as aforesaid, may be located, set out and surveyed, for the uses aforesaid; *It is hereby enacted by the authority aforesaid,* That the Supreme Executive Council of this commonwealth shall, and they are hereby enjoined and required, forthwith after the passing of this act, to order and direct the Secretary of the Land-Office, and the said Secretary, upon such their orders and directions, is hereby required and enjoined to issue such and so many warrants, to be directed to the Surveyor-General of the state, requiring him to survey, or cause to be surveyed, for the use of public schools, established or to be established within this state, such and so many tracts of land, with such number of acres in each warrant, as shall be directed by the Supreme Executive Council, in such places, not already appropriated by acts of Assembly to particular uses, nor before located or surveyed by or for private persons, or bodies politic, as shall in the whole amount to sixty thousand acres, and the usual allowance for roads, and no more, and that the Surveyor-General shall receive and enter in his office all such warrants, and issue copies thereof, directed to his deputies in the different counties and districts within the state, and the said deputies shall execute the same, and make returns thereof, and thereupon such proceedings shall be had, and the business thereof shall be conducted in the same manner and form, as in cases of warrants issued, and surveys returned, for and in the names of private persons making applications for and taking up lands, under the laws of the state, in such cases made and provided, excepting only that the warrants to be granted in pursuance hereof shall not be confined to any given number of acres.

How the same shall be surveyed and returned.

SECT. IX. *And it is hereby further enacted by the authority aforesaid,* That all and every the tracts and tract of land hereby directed to be surveyed, as well for the use of the Trustees of Dickinson College aforesaid, as for the use of public schools, shall be so done at the charge of the state, and the Supreme Executive Council are accordingly authorized to draw orders on the State Treasurer, to pay and defray all charges arising thereupon.

The expense of both surveys to be defrayed by the state.

SECT. X. *And it is hereby further enacted by the authority aforesaid,* That the said sixty thousand acres of land, with the usual allowance of six *per centum* for roads, hereby reserved out of the unappropriated lands of the state, and so as aforesaid directed to be surveyed, set out, located and appropriated, shall be and remain a fund for the endowment of public schools within the several counties of this state, agreeably to the said forty-fourth section of the constitution of this commonwealth, and shall not otherwise be disposed of, nor shall the same, or any part thereof, be granted or appropriated to any particular school, but by the acts of the legislature

The 60,000 acres to be reserved as a fund exclusively, for the endowment of public schools under grants of the legislature.

1786: of this state, from time to time, to be made in pursuance of the said provision of the constitution. (q)

Passed 7th April, 1786—Recorded in Law Book No. III. page 103.

(q) See the act for the establishment and incorporation of Dickinson College, *ante* page 71 (chap. 1018.)

A lot of ground in the borough of Carlisle, granted to it, (chap. 1357, 3d of October, 1788.)

The sum of £.1500, granted to it, for its immediate relief, 30th of September, 1791, (chap. 1567)

The sum of five thousand dollars granted for its relief, and ten students to be annually admitted, to be taught *gratis*, but the number at no time to be greater than ten, and none to continue longer than two years. See act of 11th of April, 1795, (chap. 1817.)

A loan of six thousand dollars to the college, out of the arrearages of state

taxes, due from Cumberland county, to be secured by mortgage of the lands granted by the act in the text. See act of 24th of March, 1803, (chap. 2348.)

The buildings having been consumed by fire, and a new building having been erected, four thousand dollars, in addition, were loaned to the college, free of interest for five years after passing the act, and satisfaction to be entered on the former mortgage, and a new mortgage to be taken on 5000 acres of their land, to secure the repayment. See act of 24th of February, 1806. (chap. 2639.)

For the appropriation of the lands reserved for public schools. See the general index, titles, *Colleges, Academies.*

CHAPTER MCCXIV.

An ACT for directing the sale of such of the city lots as remain the property of the state, and for disposing of the house and lots in High-street, in the city of Philadelphia, late the estate of Joseph Galloway, and forfeited to this commonwealth.

SECT. I. WHEREAS many of the lots which were sold pursuant, to an act of Assembly, passed the tenth day of April, one thousand seven hundred and eighty-one, entitled "An Act for the better support of the public credit, by an immediate sale of the lands therein mentioned, and fully securing the purchasers thereof in their titles, and also for preserving the common lands appurtenant to the city of Philadelphia, and other towns in this state, from unwarrantable encroachments," have reverted to the state, on account of the non-compliance of the purchasers with the terms of sale: And whereas there was a considerable number of the said lots remaining, which were not sold as aforesaid: And whereas the house and lots on Market-street, late the property of Joseph Galloway, forfeited to this commonwealth, and appropriated, by act of Assembly of the eighteenth day of March, one thousand seven hundred and seventy-nine, to the use of the President of the Supreme Executive Council, for the time being, or to such other uses as the General Assembly should direct and appoint, now lie waste and unoccupied, and on account thereof the house aforesaid is fast going to ruin and decay: And whereas there are numerous debts due by this state, which must be discharged: And whereas it is incumbent on the legislature to provide for the means of doing it, in such manner as shall be consistent with justice, and least distressing to the people; And whereas the property herein before mentioned will, if sold, provide for extinguishing a considerable portion of those debts, and thereby

[See an act passed 5th of April, 1797. (Chap. 1943.)
[This act is now without any further use, than as evidence of titles which may be held under it.]