

**SECT. II.** *And be it further enacted by the authority aforesaid, 1791.* That the said Inspector, or some or one of his deputies, shall examine and inspect all the flour which shall be manufactured for exportation in any of the counties aforesaid, before the same shall be exported therefrom, or conveyed out of the state, and in so doing, he and they, and every of them, within their respective districts, shall perform the like duties, shall have and exercise the like powers and authorities, shall conform to the like rules and regulations, except as to the stamp on the plugs, which shall be marked with the letters **W. P.** and shall be subject to the like fines and penalties, as are prescribed with regard to the Inspector of the port of Philadelphia, and his deputies, in and by an act, entitled "An Act to prevent the exportation of bread and flour not merchantable, and for repealing, at a certain time, all the laws heretofore made for that purpose."\*

Duties of the inspector and his deputies.

\* Vol. I, pa. 523.

**SECT. III.** *And be it further enacted by the authority aforesaid,* That if any person or persons shall export or convey any flour out of the state, from the said counties, or any of them, by means of the Ohio river, or of any waters communicating therewith, before the same shall be duly examined and inspected as aforesaid, he or they shall forfeit and pay, for every cask or barrel of flour so exported or conveyed, the sum of five shillings, to be recovered in the same manner that debts under ten pounds may by law be recovered; one half thereof to the use of the person or persons who shall give information upon the subject to the said Inspector, or any of his deputies, and the other half to the use of the said Inspector.

Penalty on exporting flour before inspection.

**SECT. IV.** *And be it further enacted by the authority aforesaid,* That the said Inspector, or the deputies by him appointed, within their respective districts, shall be allowed and receive the sum of three pence for each cask or barrel of flour, which he or they shall actually examine and inspect, at any harbour, mill, or landing place, within the said counties: and all millers, or other persons engaged in the exportation of flour as aforesaid, are hereby required and enjoined to conform to the like regulations, and are declared to be subject to the like fines, forfeitures and penalties, as are prescribed in and by the said recited act, in the case of exporters of flour from the said port of Philadelphia, excepting only the rules as are prescribed, and the penalties which are to be incurred, in virtue of the ninth, tenth and thirteenth sections of an act, entitled "An Act to prevent the exportation of bread and flour not merchantable, and for repealing, at a certain time, all the laws heretofore made for that purpose."

Compensation of the inspector, &c.

To what penalties exporters are liable.

Passed 30th September, 1791.—Recorded in Law Book No. IV. page 258.

## CHAPTER MDLXXXVII.

*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 charita-

1791. ble 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.

SECT. I. *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.

1791.

Twelve trustees of the new board to be chosen, &c. and returned to the Governor.

SECT. II. *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.

Corporation how constituted and styled.

To be stationed in Philadelphia.

SECT. III. *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 public 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.

General powers of the corporation.

SECT. IV. *And be it further enacted by the authority aforesaid,* That all and every the estates, real, personal and mixed, monies, effects, debts, claims and demands, either in law or equity, which at present are vested in or belonging 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

The estates of the former institutions vested in new trustees.

1791. 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.

An annual statement of the funds to be laid before the Legislature.

SECT. V. *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.

Passed 30th September, 1791.—Recorded in Law Book No. IV. page 263.

### CHAPTER MDLXXXVIII.

*An ACT for vesting a yearly rent-charge of five pounds, issuing out of a messuage and lot of ground situate on the north side of High-street, in the city of Philadelphia, in a trustee, to collect the arrearages of rent due, and to grow due, and to apply the monies arising therefrom to the uses therein mentioned.*

Passed 30th September, 1791.—Private Act.—Recorded in Law Book No. IV. page 266. (b)

(b) The monies collected to be applied to the use of the heirs of Joseph Richardson.

### CHAPTER MDLXXXIX.

*An ACT to empower the Governor to lay out a town and out lots at the mouth of Beaver-creek, for the uses therein mentioned.*

WHEREAS, by the act of Assembly passed in the year one thousand seven hundred and eighty-three, for the purpose of redeeming the certificates of the depreciation given to the officers and soldiers of the Pennsylvania line, and for other purposes therein mentioned, a certain tract of land was reserved to the use of the state, as in the said act is expressed, containing three thousand acres, situate on the Ohio, and on both sides of the mouth of Beaver-creek, including Fort McIntosh: And whereas it appears that the sale of one third part of said tract will be an encouragement, convenience, and security, to those who become the first settlers:

SECT. I. *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 the Governor is hereby empowered to direct the Surveyor-General to lay out, or cause to be laid out, and surveyed, two hundred acres of land, in town lots, on or near the ground where the old French town stood, [in such manner as commissioners appointed by the Governor shall direct;] and also one thousand acres adjoining on the upper side thereof, to be laid out and surveyed, as nearly square as may be, in out lots not less than five acres, nor more than

The Governor to direct a town to be laid out on Beaver creek; [See chap. 1644, post.]

and reserve lots for public use.