

commonwealth, to be recovered as debts of five pounds and under are recoverable by law.

[Section VIII.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That this act shall be [and] continue in force until the first day of January, which will be in the year of our Lord one thousand seven hundred and eighty-five, and no longer.

Passed September 8, 1783. Recorded L. B. No. 2, p. 105, etc. See the Act of Assembly passed February 9, 1784, Chapter 1067.

CHAPTER MXXIX.

AN ACT FOR THE ESTABLISHMENT OF A COLLEGE AT THE BOROUGH OF CARLISLE, IN THE COUNTY OF CUMBERLAND, IN THE STATE OF PENNSYLVANIA.

(Section I, P. L.) Whereas the happiness and prosperity of every community (under the direction and government of Divine Providence) depends much on the right education of the youth who must succeed the aged in the important offices of society, and the most exalted nations have acquired their pre-eminence by the virtuous principles and liberal knowledge instilled in[to] the minds of the rising generation:

(Section II, P. L.) And whereas, after a long and bloody contest with a great and powerful kingdom, it has pleased Almighty God to restore to the United States of America the blessings of a general peace, whereby the good people of this state, relieved from the burdens of war, are placed in a condition to attend to useful arts, sciences and literature, and it is the evident duty and interest of all ranks of people to promote and encourage as much as in them lies every attempt to disseminate and promote the growth of useful knowledge:

(Section III, P. L.) And whereas by the petition of a large number of persons of established reputation for patriotism, integrity, ability and humanity presented to this house, it appears that the institution of a college at the borough of Carlisle in

the county of Cumberland for the instruction of youth in the learned languages and other branches of literature, is likely to promote the real welfare of this state and especially of the western parts thereof:

(Section IV, P. L.) And whereas this house is informed as well by the said petition as by other authentic documents that a large sum of money, sufficient to begin and carry on the design for some considerable time is already subscribed by the generous liberality of divers persons who are desirous to promote so useful an institution, and there is no doubt but that further donations will be voluntarily made so as to carry it into perfect execution: And this house cheerfully concurring in so laudable a work:

[Section I.] (Section V, P. L.) 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 there be erected and hereby is erected and established in the borough of Carlisle, in the county of Cumberland, in this state, a college for the education of youth in the learned and foreign languages, the useful arts, sciences and literature, the style, name and title of which said college, and the constitution thereof shall be and are hereby declared to be as is herein after mentioned and defined; that is to say,

I. In memory of the great and important services rendered to his country by his excellency John Dickinson, esquire, president of the supreme executive council, and in commemoration of his very liberal donation to the institution, the said college shall be forever hereafter called and known by the name of "Dickinson College."

II. That the said college shall be under the management, direction and government of a number of trustees not exceeding forty, or a quorum or board thereof, as hereinafter mentioned.

III. That the first trustees of the said college shall consist of the following persons, viz:

His excellency John Dickinson, esquire, president of the supreme executive council, Henry Hill, James Wilson and William Bingham, esquires, and Doctor Benjamin Rush of the city and county of Philadelphia.

The Reverend James Boyd, of the county of Bucks.

Doctor John McDowell, of the county of Chester.

The Reverend Messieurs Henry Muhlenberg, A. M., and William Handell and James Jacks, esquires, of the county of Lancaster.

The Reverend Messieurs John Black, Alexander Dobbins, John McKnight, the honorable James Ewing, esquire, vice-president of the supreme executive council and Robert McPherson, Henry Schlegle, Thomas Hartley and Michael Hahn, esquires of the county of York.

The Reverend Messieurs John King, Robert Cooper, James Lang, Samuel Waugh, William Linn and John Linn and John Armstrong, John Montgomery, Stephen Duncan, Thomas Smith and Robert Magaw, esquires, and Doctor Samuel McCloskey, of the county of Cumberland.

The Reverend Christopher Emanuel Shulze and Peter Spyker, esquire, of the county of Berks.

John Ardnt, esquire, of the county of Northampton. William Montgomery and William McClay, esquires of the county of Northumberland.

Bernard Dougherty and David Espy, esquires, of the county of Bedford.

The Reverend James Sutton and Alexander McClean, esquire, of the county of Northumberland.

And William McCleary, esquire, of the county of Washington.

Which said trustees and their successors to be elected in the manner hereafter mentioned, shall forever hereafter be and they are hereby erected established and declared to be one body politic and corporate with perpetual succession in deed and in law, to all intents and purposes whatsoever, by the name, style and title of "The Trustees of Dickinson College in the borough of Carlisle, in the county of Cumberland;" by which name and title, they, the said trustees and their successors, shall be competent and capable at law and in equity to take to themselves and their successors for the use of the said college any estate in any messuages, lands, tenements, hereditaments, goods, chattels, moneys or other effects, by the gift, grant, bar-

gain, sale, conveyance, assurance, will, devise or bequest of any person or persons whatsoever, provided the same do not exceed in the whole the yearly value of ten thousand pounds, valuing one-half johannes, weighing nine penny-weight, at three pounds; and the same messuages, lands, tenements, hereditaments, and estate, real and personal, to grant, bargain, sell, convey, assure, demise, and to farm let, and place out on interest or otherwise dispose of for the use of the said college in such manner as to them or at least seven of them shall seem most beneficial to the institution, and to receive the rents, issues, profits, incomes and interest of the same, and to apply the same to the proper use and support of the said college; and by the same name to sue, commence, prosecute, and defend, implead and be impleaded, in any courts of law or equity, and in all manners of suits or actions whatsoever, and generally by and in the same name to do and transact all and every the business touching or concerning the premises or which shall be incidentally necessary thereto, as fully and effectually as any natural person or body politic or corporate within this commonwealth have power to manage their own concerns, and to hold, enjoy and exercise all such powers, authorities and jurisdictions as are customary in other colleges in Europe or America.

IV. That the said trustees shall cause to be made for their use one common seal with such devices and inscriptions thereon as they shall think proper, under and by which all deeds, diplomas, certificates and acts of the said corporation shall pass and be authenticated, and the same seal at their pleasure to break and devise a new one.

V. That the said trustees of the said college or nine of them at least, shall meet at the city of Philadelphia on the third Monday in September [instant] for the purpose of concerting and agreeing to such business as in consequence of this act shall be proper to be laid before them at the commencement of the work they have undertaken, and shall have power to adjourn from time to time as they shall see cause to any other times and places for the purpose of perfecting the same.

VI. That there shall be a meeting of the said trustees held once in every year at least at the borough of Carlisle at such

time as the [said] trustees or a quorum thereof shall appoint, of which notice shall be given after the first meeting either by public advertisements in two of the public newspapers of Philadelphia six weeks before the time or by notice in writing signed by the clerk or other officer of the said trustees for that purpose to be appointed, and sent to each trustee at least twenty days before the time of such intended meeting; and if at such meeting nine of the trustees shall not be present those of them meeting nine of the said trustees shall not be present those of them who shall be present shall have power to adjourn the meeting to any other day as fully and effectually to all intents and purposes as if the whole number of trustees for the time being were present; but if nine or more of the said trustees shall meet at the said appointed times or at any other time of adjournment then such nine of the said trustees shall be a board or quorum, and a majority of the votes of them shall be capable of doing and transacting all the business and concerns of the said college not otherwise provided for by this act, and particularly for the making and enacting ordinances for the government of the said college, of electing trustees in the place or stead of those who shall resign their places, or who shall die, of electing and appointing the principal and professors of the said college, of agreeing with them for their salaries and stipends and removing them for misconduct or breach of the laws of the institution, of appointing committees of their own body to carry into execution all and every the resolution of the board, of appointing a treasurer, secretary, stewards, managers and other necessary and customary officers for the taking care of the estate and managing the concerns of the corporation, and generally a majority of voices of the board or quorum of the said trustees, consisting of nine persons at least at any annual or adjourned meeting, after notice given as aforesaid, shall determine all matters and things (although the same be not herein particularly mentioned) which shall occasionally arise and be incidentally necessary to be determined and transacted by the said trustees: Provided always, That no ordinances shall be of force which shall [be] repugnant to the laws of this state.

VII. The head or chief master of the said college shall be

called and styled, "The Principal of the College;" and the masters thereof shall be called and styled, "Professors," but neither principal nor professors, while they remain such, shall ever be capable of the office of trustee.

VIII. The principal and professors, or a majority of them shall be called and styled, "The Faculty of the College;" which faculty shall have the power of enforcing the rules and regulations adopted by the trustees for the government of the pupils by rewarding or censuring them, and finally by suspending such of them, as after repeated admonitions shall continue disobedient and refractory, until the determination of a quorum of trustees can be had, and of granting and confirming, by and with the approbation and consent of a board of trustees, signified by their mandamus such degrees in the liberal arts and sciences to such pupils of the college or others who, by their proficiency in learning or other meritorious distinction, they shall think entitled to them, as are usually granted and conferred in other colleges in Europe or America, and to grant to such graduates diplomas or certificates under their common seal and signed by the faculty to authenticate and perpetuate the memory of such graduation.

IX. Persons of every religious denomination among Christians shall be capable of being elected trustees; nor shall any person, either as principal, professor or pupil, be refused admittance for his conscientious persuasion in matters of religion, provided he shall demean himself in a sober, orderly manner, and conform to the rules and regulations of the college.

X. As it has been found by experience that those persons separated from the busy scenes of life, that they may with more attention study the grounds of the Christian religion, and minister it to the people, are in general zealous promoters of the education of youth, and cheerfully give up their time and attention to objects of this kind; therefore, whenever a vacancy shall happen by the want of qualification, resignation or decease of any clergyman hereby appointed a trustee, such vacancy shall be filled by the choice of another clergyman of any Christian denomination, and so toties quoties such vacancy shall happen, whereby the number of clergymen hereby appointed trustees shall never be lessened.

XI. No misnomer of the said corporation shall defeat or annul any gift, grant, devise or bequest to or from the said corporation, provided the intent of the parties shall sufficiently appear upon the face of the gift, grant, will or other writing, whereby any estate or interest was intended to pass to or from the said corporation, nor shall any disuser or nonuser of the rights, liberties, privileges, jurisdictions and authorities, hereby granted to the said corporation, or any of them, create or cause a forfeiture thereof.

[Section II.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the constitution of the said college herein and hereby declared and established shall be and remain the inviolable constitution of the said college forever, and the same shall not be altered or alterable by any ordinance or law of the said trustees, nor in any other manner than by an act of the legislature of this state.

[Section III.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the said trustees hereinbefore appointed and their successors and the principal 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 section of an act of assembly made and passed the fifth day of December in the year of our Lord one thousand seven hundred and seventy-eight, entitled¹ "A further supplement to the act, entitled 'An act for the further security of the government,'" and shall also take an oath or affirmation for the faithful discharge of their trust of office aforesaid.

Passed September 9, 1783. Recorded L. B. No. 2, p. 110, etc.

¹ Passed December 5, 1778, Chapter 822.