

CHAPTER MCCXCVII.

AN ACT FOR OPENING A ROAD BETWEEN THE RIVER SUSQUEHANA AT THE FALLS OF NESCOPECK AND THE LEHIGH AT OR NEAR THE UNION SAW MILL.

(Section I. P. L.) Whereas the opening of a road as aforesaid will tend greatly to populate and improve that part of the state through and near which it may run and as the few inhabitants are yet unable to bear the expense thereof.

[Section I.] (Section II. P. L.) Be it 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 supreme executive council shall and they are hereby authorized and directed to employ the necessary means for opening the road as aforesaid from the river susquehanna at the falls of Nescopeck by the river Lehigh at or near the Union Saw-Mill, which when opened accordingly the same shall be registered in the books of the said council and be thenceforth deemed a public highway.

[Section II.] (Section III. P. L.) And be it further enacted by the authority aforesaid, That the supreme executive council may and they are hereby authorized to expend in the opening of said road any sum of the unappropriated public moneys not exceeding one hundred and fifty pounds.

Passed March 29, 1787. Recorded L. B. No. 3, p. 224, etc. See the Act of Assembly passed March 27, 1789, Chapter 1418.

CHAPTER MCCXCVIII.

AN ACT TO INCORPORATE AND ENDOW THE ACADEMY OF THE PROTESTANT EPISCOPAL CHURCH IN THE CITY OF PHILADELPHIA.

(Section I. P. L.) Whereas it is right and proper to afford all due encouragement to the education of youth and to the es-

tablishment of useful seminaries of learning within this state:

And whereas a number of persons of the Protestant Episcopal churches in the city of Philadelphia and others have instituted an academy and subscribed and given divers sums of money for purchasing a lot of ground and erecting a building or buildings thereon for the purpose of establishing and supporting a Protestant Episcopal academy in the said city:

And whereas the trustees of the said academy have petitioned this house to be incorporated for the more effectual carrying into execution the original design of the said subscribers.

[Section I.] (Section II. 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 shall be established in the city of Philadelphia an academy for the education of youth in useful branches of learning, by the style, name and title of "The Academy of the Protestant Episcopal Church in the City of Philadelphia."

[Section II.] (Section III. P. L.) And be it further enacted by the authority aforesaid, That the following persons, viz: the Reverend William White, the Reverend Samuel Magaw, the Reverend Robert Blackwell, Robert Morris, Thomas Willing, Edward Shippen, Richard Peters, Andrew Doz, Abraham Markoe, Peter Baynton, Gerardus Clarkson, Francis Hopkinson, Joseph Swift, William Pollard, John Wilcocks and Alexander Wilcocks shall be the trustees of the said academy, which said trustees and their successors 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 the Academy of the Protestant Episcopal Church in the City of Philadelphia," by which name and title they the said trustees and their successors shall be capable in law and equity to take to themselves and their successors and to hold for the use of the said academy any estate in any messuages, lands, lots, tenements, hereditaments, goods, chattels, moneys or other effects, by the gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest of any per-

son or persons whatsoever and the same messuages, lands, lots, tenements, hereditaments and estate, real and personal to grant, bargain, sell, convey, mortgage, assure, demise and to farm, let and to place out money on interest, erect necessary and convenient buildings or otherwise dispose of the same for the use of the said academy in such manner as to them or at least to eleven of them shall seem most beneficial to the institution and to receive the rents, issues and profits, income and interests of the same and to apply the same to the purpose, use and support of the said academy and by the same name to sue and be sued, prosecute and defend any and all manner of actions and suits whatsoever in any court or courts of law or equity wheresoever and generally by and in the same name to do and transact all and every the business touching and concerning the premises, which shall be incidentally necessary thereto, as fully and effectually as any natural person or body politic or corporate within this commonwealth can, might or could do in his or their own affairs.

[Section III.] (Section IV. P. L.) And be it further enacted by the authority aforesaid, That the said trustees may and shall make, have and use one common seal with such device and inscriptions thereon as they shall think proper and the said seal at their pleasure may break, alter and renew.

[Section IV.] (Section V. P. L.) And be it further enacted by the authority aforesaid, That the trustees of the said academy shall consist of sixteen members, eleven of whom shall be a board or quorum to make and enact by-laws and ordinances for the government of the said institution. Provided always, That such by-laws and ordinances be not repugnant to the laws of this state.

[Section V.] (Section VI. P. L.) And be it further enacted by the authority aforesaid, That all and singular the estate and estates, real and personal whatsoever now belonging to or held by any person or persons whatsoever in trust for or for the use of the said academy shall be and the same is and are by force of this act transferred and vested in the aforesaid trustees of the academy of the Protestant Episcopal church in the city of Philadelphia and their successors forever for the use of the same

academy, and that it shall and may be lawful for the said trustees to enter into and upon the same and to take possession thereof and to sue, commence and prosecute all such suits and actions at law as may be necessary for the recovery of all debts, demands and sums of money due, owing or payable to the said institution before the incorporation thereof or to the former trustees thereof for the use of the said academy, whether the same be due for tuition money or on bonds, notes or other securities or by the gift, donation, bequest or promissory subscription of any person or persons whatsoever.

[Section VI.] (Section VII. P. L.) And be it further enacted by the authority aforesaid, That the quantity of ten thousand acres of land to be located, set out and surveyed within the unappropriated lands belonging to this state be and hereby are granted to the said trustees to have and to hold the same to them and their successors forever:

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 academy.

[Section VII.] (Section VIII. P. L.) Be it enacted by the authority aforesaid, That upon the application 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 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 the academy of the Protestant Episcopal Church in the city of Philadelphia, such and so many tracts of lands 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 within the different districts and counties 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 said trustees of the said academy in the same manner and form and having the like effect as the like proceedings and patents have been and are conducted and located in case of private persons making application for and taking up lands under the laws of the state in such case made and provided.

[Section VIII.] (Section IX. P. L.) And be it further enacted by the authority aforesaid, That all and every the tract and tracts of land hereby directed to be surveyed for the use of the said academy shall be so done at the charge of this state and the president or vice-president in council are hereby authorized and empowered to draw orders on the treasurer of this state to pay and defray all the charges arising thereupon.

Passed March 29, 1787. Recorded L. B. No. 3, p. 221, etc.

CHAPTER MCCXCIX.

AN ACT TO GRANT TO OLIVER EVANS FOR A TERM OF YEARS THE SOLE AND EXCLUSIVE RIGHTS OF MAKING AND SELLING WITHIN THIS COMMONWEALTH THE MACHINES HEREIN DESCRIBED.

(Section I. P. L.) Whereas Oliver Evans of the county of New Castle in the state of Delaware, miller, hath represented to this house that he hath invented, discovered and introduced into exercise two machines for the use of merchant mills, one of which, denominated by the said Oliver Evans an elevator is calculated by its own motion to hoist the wheat or grain from the lower floor and the meal and flour from the stones of any mill to the upper floor or loft of such mill, the other denominated a hopper-boy so constituted as to spread the meal over the floor of a mill to cool, gather it up again to the bolting hopper and attend the same regularly without the assistance of manual labor. And as the said inventions of the said Oliver Evans will greatly tend to simplify and render cheap the manu-