

for embanking and draining several parcels of marsh land situate in the counties of Philadelphia and Chester and for repairing and maintaining the banks, dams, and sluices thereunto belonging,"<sup>1</sup> so far as they relate to the aforesaid districts or divisions shall be and are hereby repealed and made null and void.

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CHAPTER MCCCXXXVIII.

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AN ACT TO INCORPORATE AND ENDOW AN ACADEMY OR PUBLIC SCHOOL IN THE BOROUGH OF READING IN THE COUNTY OF BERKS.

(Section 1, P. L.) Whereas the education of youth has ever been found to be of the most essential consequences as well to the good government of states and the peace and welfare of society, as to the profit and ornament of individuals, insomuch that from the experience of all ages it appears that seminaries of learning when properly conducted have been public blessings to mankind so that much of the happiness and prosperity of every community depends on the proper instruction of youth who must succeed the aged in the important business of life, and as an academy or public school in the borough of Reading and county of Berks for the education of youth is likely to contribute to the welfare of the community and this house cheerfully concurring in so laudable a work:

Therefore:

[Section 1.] (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 there shall be and hereby is erected and established in the borough of Reading in the county of Berks an academy or public school for the education of youth in useful arts, sciences and literature by the name, style and title of "Reading Academy."

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<sup>1</sup>Passed February 15, 1765, Chapter 523.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the first trustees of the said academy shall consist of the following persons, viz: the Honorable Thomas Mifflin, Esquire, the Reverend William Ingold, the Reverend Frederick Wildbohn, the Reverend William Boos, Daniel Broadhead, Daniel Heister, Junior, James Biddle, Joseph Heister, Collinson Read, Daniel Clymer, Doctor James Diemer, Cadwalader Morris, George Ege, Joseph Sands, Christopher Lower, Charles Shoemaker, Nicholas Lutz, John Bishop, Thomas Dundass, Paul Grosscup, John Eckert, John Otto, Daniel Levam, Esquires, Jacob Winey, John Hartman, Henry Hahn, Senior, Peter Nagle, John Strohecker and Daniel Udre, to meet the fourteenth day of May one thousand seven hundred and eighty-eight in the borough of Reading at the house of John Hartman, which said trustees and their successors to be elected as hereinafter mentioned shall forever hereafter be and they are hereby erected, established and declared to be one body politic and corporate in deed and in law to all intents and purposes with perpetual succession by the name and title of "The Trustees of the Academy in the Borough of Reading and county of Berks," by which name and title they and their successors shall be competent and capable in law and in equity to take and hold to them and their successors for the use of the said academy any estate in any messuages, lands, tenements, hereditaments, goods, chattels, moneys or other effects, by the gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest of any person or persons whatsoever capable of making the same, and the same messuages, lands, tenements, hereditaments and estates, real and personal to grant, bargain, sell, convey, assure, devise and to farm, let out on interest or otherwise dispose of for the use of the said academy, either to build rebuild or enlarge or otherwise alter the school house for the accommodation of the scholars at the aforesaid academy or to erect or make any new building in such manner as to them or at least seven of them shall seem most beneficial to the institution and to recover the rents, issues, profits, income and interest of the same and to apply the same to the benefit, use and support of the said academy and by the same name and title

as aforesaid to sue, commence, prosecute and plead and be impleaded in any court or courts, before any judge or judges, justice or justices in all and every manner of suits, complaints, pleas, causes, matters and demands of whatsoever nature, kind or [form] they may be and all and very matter and thing therein to do in as full and effectual a manner as any other person or persons, bodies politic or corporate within this commonwealth may or can do, and to hold, enjoy and exercise all such powers, authorities and jurisdictions touching and concerning the premises which shall be incidentally necessary thereto in every case, matter or thing relative to the management or in anywise necessary for the good government of the aforesaid academy.

[Section III.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said trustees and their successors, shall have full power and authority to use one common seal with such device and inscription thereon as they shall think proper, under and by which all deeds, certificates and acts of the said corporation shall pass and be authenticated and the said seal to break alter and renew at their pleasure.

[Section IV.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That any seven of the said trustees shall be a quorum to transact all the business of the said academy, particularly of making and enacting ordinances and by-laws for the government of the said academy, of electing trustees in the room of those who shall be removed by death or resignation, of electing and appointing masters and tutors of said academy, of agreeing with them for their salaries and removing them for misconduct and breaches of the laws of the institution, of appointing a secretary, stewards, managers and other necessary officers for taking care of the estate and managing the concerns of the corporation and shall determine all matters and things, although the same be not herein particularly mentioned, which shall occasionally arise and be eventually necessary to be determined and transacted by the said trustees. Provided always, That no ordinance or by-laws shall be of force which shall be repugnant to the laws of this com-

monwealth and that all their laws and proceedings be fairly and regularly entered in a book to be kept for that purpose.

[Section V.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That no misnomer of the said corporation shall defeat or annul any gift, grant, devise, or bequest to 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 the said corporation, nor shall any disuser or nonuser of the rights, liberties, privileges, jurisdictions and authorities hereby granted to the said corporation create or in anywise cause a forfeiture thereof.

[Section VI.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That no sale or alienation of the real estate of the said corporation which shall have been made by the said trustees or their successors bona fide for a valuable consideration, in case the possession thereof pass immediately to the purchaser or purchasers thereof and continue in him, her or them, his, her or their heirs or assigns shall be invalidated for want of proving that seven of the trustees of the said corporation consented to such sale or alienation, unless the same be controverted within the space of seven years, from and after the sale and delivery of such real estate to the purchaser or purchasers thereof.

[Section VII.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That five thousand acres of land together with six per centum allowance for roads be laid off and surveyed within the unappropriated lands of this commonwealth be and they are hereby granted to the said trustees of Reading Academy in the county of Berks to have and to hold the same to them, their successors and assigns forever. And on the application of the said trustees or of any person duly authorized by them, the secretary of the land office of this state, he shall and hereby is required to grant and issue such and so many warrants to be directed to the surveyor general, requiring him to survey or cause to be surveyed for the trustees of the said academy such and so many tracts of land with such number of acres in each warrant as shall be applied for

at each application in such places not otherwise appropriated by acts of assembly of this commonwealth as shall in the whole amount to the said quantity of five thousand acres with the usual allowance and 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 duly 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 issued and granted to the said trustees of the said academy in like manner and form and having 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 this commonwealth, provided that no warrant issue for less than five hundred acres and that the same be included in one survey.

[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 10, 1788. Recorded L. B. No. 3, p. 348.

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## CHAPTER MCCCXXXIX.

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### AN ADDITIONAL SUPPLEMENT TO THE ACTS FOR THE REGULATION OF THE MILITIA OF THE COMMONWEALTH OF PENNSYLVANIA.

(Section I, P. L.) Whereas the present laws for the regulation of the militia of this commonwealth prove very burthensome and expensive to those who spend their time in attending on muster days as well as to those who from conscientious scruples or otherwise neglect or refuse to give such attendance and