

Campbell, for seventy-four acres thereof, he was not able to obtain possession thereof or derive any emolument therefrom; and upon an ejectment brought by the said Bernard Hubley, for the recovery thereof which was tried at the circuit court for the county of York, on the twenty-first day of April, last verdict and judgment were rendered for the defendants; and that he also paid to the said agent the sum of four hundred and fifty-five pounds, for a certain part of another tract of land and ferry, known by the name of Noblet's ferry; but by reason of certain irregularities in the proceedings of sale by the agents, and difficulties as to the title of William Rankin thereto, the said sale was not confirmed, nor any title therefor given to the said Bernard Hubley, nor the money returned, but the same is still retained by the commonwealth; and as it is just and equitable to compensate the said Bernard Hubley for his loss as well as to refund the money for which he has received no consideration: Therefore,

Section I. (Section I, P. L.) 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 be, and he is hereby authorized to draw his warrant on the treasurer in favor of Bernard Hubley, for the sum of three thousand four hundred and seventy-eight dollars and fifty-eight cents; to be paid out of any unappropriated monies in the treasury, as a full compensation to him by reason of the loss of the said seventy-four acres of land, and also in full for the money paid by him for the land for which no conveyance was executed.

Approved March 24, 1807. Recorded in L. B. No. 10, p. 483.

CHAPTER MMDCCXCV.

AN ACT TO INCORPORATE TRUSTEES FOR THE MEADVILLE ACADEMY, AND TO ESTABLISH THE SAME.

Section I. (Section I, P. L.) 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 there shall be established in the town of Meadville, in Crawford county, an academy or public school, for the education of youth in the useful arts, sciences and literature, by the name, style, and title of "The Meadville Academy."

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the first trustees of the Meadville academy shall consist of the following persons: to wit, Roger Alden, Jesse Moore, John Brooks, Robert Stockdon, Joseph Hackney, James Herrington, James Burchfield, John Davis, Aaron Wright, John Limber, Joseph Andrews, James Gibson, Henry Richard, Robert Cochran, John Patterson, Henry Hurst, David Meade, Doctor Thomas R. Kennedy, and Moses Scott; which said trustees and their successors, who shall be elected as hereinafter mentioned, shall be, and they are hereby declared to be, one body corporate and politic, by the name, style and title of "The Trustees of the Meadville Academy;" and by the same name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded in all courts of record and elsewhere; and shall be competent and capable in law and in equity to take, and hold to them and their successors, for the use of said academy, lands, tenements, hereditaments, goods, and chattels, of what kind, nature or quality soever real, personal or mixed, by the gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest of any person or persons whomsoever, capable of making the same; and the same from time to time to grant, bargain, sell, demise, alien or dispose of for the use of the said academy; and generally to do all the matters and things which shall be lawful for them to do for the well being of the said academy, and the due management and ordering the affairs thereof.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the said trustees and their successors, shall have full power to make one common seal with such devices and inscriptions as they shall think proper, under and by which all their deeds, diplomas and certificates shall be authenticated, and the same break, alter and renew at pleasure.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said trustees shall hold their first meeting in the academy in the town of Meadville, on the first Monday in the month of June next, and at least once annually thenceforth at such time or times as the said trustees, or a quorum of them, shall appoint; of which notice shall be given, either by public advertisements in a newspaper published in the said town, at least four weeks before such meeting, or by notice in writing, signed by the secretary, or other officer, whom the said trustees for that purpose may appoint, and to be left at the dwelling-house, or place of residence of each trustee, at least ten days before such intended meetings; and if at such meeting fifteen of the said trustees shall not be present, those present shall have power to adjourn the meeting to any other day or hour, as fully and effectually to all intents and purposes as if the whole number of trustees for the time being were present; but if fifteen or more of the said trustees shall meet at the said appointed times, or any other time of adjournment, then such number so met, shall be a board or quorum; and a majority of them shall be capable of doing and transacting all the business and concerns of the said academy; and particularly of electing trustees in the stead of those occasioned by death, resignation or otherwise, of electing and appointing a principal, and assistant teacher or teachers for the said academy, and of fixing the amount of their salaries; and the powers in this section given and contained, shall be exercised by the said trustee only or a quorum of them as aforesaid.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That the said trustees and their successors in office, or a quorum of them as aforesaid, shall have the power of removing the principal and assistant teacher or teachers, for a breach of the laws of the institution, for misconduct, incompetency, or for any other cause which they shall deem expedient; and of enacting ordinances and by-laws for the government of the said academy; and

of appointing committees of their own body to carry into execution all and every the resolutions of the board; of appointing a treasurer, secretary, managers and other customary officers for taking care of the estate, and managing the concerns of the corporation; and a majority of the board of trustees or a quorum of them at any annual meeting or meetings which they may deem expedient to appoint, shall determine all matters and things which may occasionally arise, and be incidentally necessary to be determined and transacted for the well-being of the said academy, although the same be not herein particularly mentioned; the said trustees and their successors in office, or a quorum of them, shall have full power to elect and appoint annually, or as often as they may deem necessary, a committee to consist of seven members of their own body, any five of whom shall constitute a number competent to do, perform and execute all and every duty or duties which the said trustees or their successors in office could or should do, perform or execute, under the powers given by this act: Excepting nevertheless, the powers given in the third section of this act which are reserved to be exercised by the board of trustees only.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That all by-laws, ordinances and proceedings of the said corporation, shall be fairly and regularly entered in a book or books to be kept for that purpose; and no misnomer of the said corporation shall defeat or annul any gift, grant, devise or bequest to the said academy.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the trustees hereinbefore appointed and their successors in office shall, before they enter on the duties of their trust, before any justice of the peace of this state, take an oath or affirmation, for the diligent and faithful discharge of the duties enjoined on them by this act.⁽¹⁾

Approved March 31, 1807. Recorded in L. B. No. 10, p. 484.

Note (1) See a supplement, Chapter 3005; *Infra* this volume, p. 904.