

by the authority of the same, That the present public road as laid out by order of the court on the northwest side of the Ohio river from Pittsburgh, to Beavertown, shall be, and hereby is declared to be a state road.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That William Leek, Joseph Edgar, and Thomas Henry be, and they are hereby authorized to lay out and mark a road, beginning at Beavertown, and extending in a westwardly direction to the state line, in the nearest and best course toward New Lisbon, in the state of Ohio, and the said commissioners shall proceed to perform the said services during the ensuing summer, and shall cause a draught of the said road, as well from Pittsburgh to Beaver, as from Beaver to the state line, to be deposited in the office of the secretary of this commonwealth, and they shall also deposit a copy of said draught in the office of the clerk of the court of quarter sessions, in Beaver county; and the said clerk shall enter the same on record, and the said road shall from thenceforth, be, to all intents and purposes, a public highway, and shall be kept in repair as roads laid out by the court of quarter session.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners shall receive each two dollars for every day they shall be necessarily employed in the service aforesaid, together with a reasonable compensation for the hands necessarily employed in surveying, chaining, and marking the aforesaid road to be adjusted and settled by the accountant officers, and paid by the treasurer of the commonwealth.

Approved April 4, 1809. Recorded in L. B. No. 11, p. 381.

CHAPTER MMMCXV.

AN ACT TO ESTABLISH AN ACADEMY IN THE BOROUGH OF HARRISBURG, IN THE COUNTY OF DAUPHIN.

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 and hereafter is established in the borough of Harrisburg, in the county of Dauphin, an academy or public school for the education of youth in useful arts, sciences and literature, by the name and style of "The Harrisburg Academy."

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the first trustees of the Harrisburg Academy shall consist of the following persons, to wit: William Graydon, Christian Kunkel, George Hoyer, Robert Harris, Samuel Laird, Henry Beader, John Wyeth, Joshua Elder, and John Luther, which said trustees and their successors, to be elected as is hereinafter directed, shall be and hereby are declared to be one body corporate and politic, by the name, style and title of "The Trustees of Harrisburg 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 equity, to take and to 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 or mixed, by gift, grant, bargain, sale, conveyance, assurance, will, devise, or bequest from 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 said academy, and to erect such buildings as may be necessary, and generally to do all and singular 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 and authority to use one common seal, and the same to alter and renew at their pleasure.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said trustees shall meet on the first Monday in May next after the passing of this act, and shall divide themselves into three equal classes. The seats

of the first class shall be vacated at the expiration of the first year; of the second class at the expiration of the second year, and of the third class at the expiration of the third year; so that one third may be chosen every year upon the first Monday in May of each year by the remaining trustees, or a majority of them. But if the annual election shall happen not to be held at the time appointed, the corporation shall not for that cause be dissolved, but an election shall be held as soon afterwards as may be.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That the said trustees and their successors, any five of whom shall constitute a quorum, may and shall transact all the business of the said academy, such as making and enacting ordinances and by-laws for the government of the said academy, electing trustees in the room of those who may be removed by death, resignation, or otherwise, electing and appointing masters and tutors for said academy, and at their pleasure removing the same; appointing a secretary, treasurer and other necessary officers, for taking care of the funds and managing the concerns of the corporation, and determining all matters and things necessary to the good order and well being of the same: Provided always, that no ordinance or by-law shall have any force or effect which shall be contrary to the constitution or laws of this commonwealth or of the United States: Provided also, that no sale or purchase of property exceeding one hundred dollars in value, shall be made without the approbation of a majority of all the trustees.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That all by-laws, ordinances and proceedings of the corporation shall be fairly and regularly entered in 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 same, where the intent of the party or parties shall sufficiently appear on the face of gift, grant, will, or other writing, whereby any estate or other interest was intended to pass to the said corporation, nor shall any nonuser

of the rights, liberties, privileges, jurisdictions and authorities hereby granted to the said corporation, create, or in anywise cause a forfeiture of the same.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the sum of one thousand dollars be, and the same is hereby granted to the trustees of the Harrisburg Academy, to enable them to purchase a lot of ground, whereon to erect a suitable building for the said academy or public school, and to procure a pair of globes and such other astronomical and mathematical apparatus as may be necessary for the said academy, and that the same be paid by a warrant to be drawn by the governor on the state treasurer, out of any unappropriated money in the treasury.

Approved April 4, 1809. Recorded in L. B. No. 11, p. 382.

CHAPTER MMMCXVI.

AN ACT FURTHER TO EXTEND THE JURISDICTION OF THE ALDERMEN AND JUSTICES OF THE PEACE OF THIS COMMONWEALTH.

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 from and after the passing of this act, all actions of trover and conversion shall, and are hereby declared to be cognizable before the aldermen and justices of the peace of this commonwealth, to the amount of thirty dollars, subject to the same rules of procedure as are provided in and by an act, entitled "A supplement to an act, entitled "An act to extend the powers of the justices of the peace of this state," passed the first day of March, Anno Domini one thousand seven hundred and ninety-nine:⁽¹⁾ Provided, that nothing herein contained shall prevent any person or persons from his remedy by action of replevin or detinue, as already regulated by law.

Approved April 4, 1809. Recorded in L. B. No. 11, p. 383.

Note (1). Chapter 2023; 16 Statutes at Large, p. 187.