

William Smith, and Benjamin Chambers, the present visitors of Kent county school, and their successors, shall have full power and authority to erect the said school into a college or seminary of universal learning, and to increase the number of visitors and governors thereof to twenty-four, in manner following, that is to say: First, The said visitors of Kent county school, and their successors, for and during the term of five years next after the passing of this act, are hereby empowered and made capable to receive contributions and subscriptions, for the said intended college or seminary of universal learning, of any person or persons who may be willing to promote so good a design; and, in case any number or denomination of contributors in any county of the eastern shore of this state, or of the peninsula aforesaid in the neighbouring states, shall subscribe and engage to pay towards the founding and supporting the said intended college, any sum not less than five hundred pounds current money, payable in Spanish milled dollars, or the value thereof, as the same may be at the times of payment, in good merchantable wheat or tobacco, the said visitors, and their successors, may covenant and agree with such subscribers and contributors, that there shall be one visitor and governor of the said college chosen for ever out of such county, for every five hundred pounds of specie so subscribed and paid, or secured to be paid, towards founding and supporting the said college, and that the first election of every such county visitor and governor of the said college shall be made by the subscribers and contributors in the county, within three months after the sum of five hundred pounds, or the value thereof, shall be subscribed and paid, or secured to be paid, as aforesaid; and due notice of the time and place of election shall be given to the subscribers and contributors in every county, in such form and manner as shall be agreed upon by the visitors of Kent county school, and set forth in the preamble of the subscription papers, which the said visitors shall send into the several counties for obtaining subscriptions towards founding and supporting the said college. Secondly, If the visitors of any county school on the said eastern shore, for the more effectual advancement of useful knowledge, and the better promoting the good purposes for which such county schools were originally founded, shall be desirous to engraft and consolidate the funds and estate of such county school, or any part or parts of the same, with the funds and estate of the said intended college, the visitors of Kent county school, for and during the term of five years next after passing this act (unless the said college is sooner established agreeable to the tenor hereof) and the visitors or governors of the college, at any time after the same shall be so established, shall have full power and authority to treat and agree with the visitors of such county school, and to allow one visitor and governor of the college to be for ever chosen from among the inhabitants of such county, for every five hundred pounds which any such county schools may contribute towards founding and supporting the said college, the first choice to be in the visitors of such county school; or in consideration of the said five hundred pounds contribution, or if any sum of estate of greater or less value, that may be thus given by any county school towards the said college, any other privileges and advantages, in respect to the education of the youth of such county in the college, may be fixed and agreed upon, as shall be judged reasonable between the visitors and governors of the college and the visitors of such county school, instead of fixing any visitor and governor to be for ever chosen from the said county; and all contracts and agreements, truly and fairly made for founding and supporting the said college, as above set forth, shall be good and effectual in law, according to the plain intent and the true and legal construction of the same; provided always, that the whole number of visitors and governors of the said college shall never be more than twenty-four at one time, nor under seventeen, and that not less than seven of them shall have their usual residence in Kent county, and within seven miles of the town of Chester aforesaid. Thirdly, When any of the first visitors and governors of the said college, chosen as aforesaid on the part of any county, or any of the visitors and governors in general, shall die or remove out of the county for which he was chosen, or absent himself from four succeeding quarterly meetings, without such excuse or plea of necessary absence as shall be deemed reasonable by a legal and just quorum of the said visitors and governors, duly assembled at a quarterly visitation of the said college, such quorum, so assembled, shall proceed by a new election to fill

C H A P.
VIII.