

Endowment of Seminaries (1798)

CHAPTER LX.

An ACT for the Endowment of Certain Seminaries of Learning, and for other Purposes.

Approved by the Kentucky General Assembly on February 10, 1798

Section 1. **BE it enacted by the General Assembly**, That there shall be granted to the trustees of the Kentucky, Franklin, and Salem academies, the following quantities of lands, that is to say, to the Kentucky academy, six thousand acres; to the Franklin academy, six thousand acres; to the Salem academy, six thousand acres; and to the Bethel academy, six thousand acres.

Section 2. And the trustees of the said academies for the time being, are hereby authorized and empowered, by themselves or agents, within ten months from the passage of this act, to cause to be surveyed the quantity of land hereby allowed to each academy, on any vacant and unappropriated land within this state, on the south side of Green river, each quantity to be laid off in not more than twelve surveys, and no survey to be more than twice as long as wide; and shall moreover cause a plat and certificate of each survey to be returned to the surveyor's office of the county in which such survey may be, to be recorded, and the same shall be returned to the register's office of this state, and the register, without any fee, shall issue grants as in other cases. And the lands so patented shall be vested in the trustees of each academy respectively and their successors forever; and the lands shall be free from taxes so long as they shall remain the property of the said seminaries.

Section 3. **And be it further enacted**, That six thousand acres of land be and is hereby vested in Adam Rankin, Peter January, Sen., David Logan, William Robinson, David McGee, Richard Steele and James Scott, and their successors forever, in trust for the use and benefit of the Lexington Seminary; also six thousand acres for the use and benefit of the Jefferson seminary, to be vested in John Thompson, William Croghan, Alexander S. Bullitt, James Meriwether, John Thruston, Henry Churchill, William Taylor and Richard Clough Anderson, or a majority of them and their successors for ever, in trust for the benefit of the same; the said land to be entered, surveyed and patented by the said trustees, in the manner directed in the cases of the other academies in this act mentioned; and the said trustees and their successors forever, shall be vested with similar powers over the same.

Section 4. The said trustees shall have power from time to time to fill any vacancies which may happen in their own body, and shall in all respects whatsoever, so far as the cases will apply, be governed by as enlarged rules and regulations, and be invested with as ample power and authority, as the trustees of either of the aforesaid academies are by this or any other act invested.

Section 5. It shall be lawful for the trustees of either of the said academies or seminaries, to sell one-third of the lands hereby granted to the said academies and seminaries, and no more, without the future consent of the legislature, for the purpose of erecting their public buildings, purchasing a library and philosophical apparatus; **provided** that the lands hereby granted shall not be surveyed on any lands set apart for any Indian tribe.

Provided, however, That no salt lick or spring, nor any bank, bed or pit of mine or ore of any valuable metal or mineral, with one thousand acres, and including the same, as near the centre of a square as prior claims will admit of, shall be taken into any survey of land hereby granted.

And whereas it is certain that however particular forms of government are better calculated than others to protect individuals in the free exercise of their natural rights, and are at the same time themselves better guarded against degeneracy, yet experience hath shewn that even under the best forms, those entrusted with power have, in time and by slow operation, perverted it into tyranny, and it is believed that the most effectual means of preventing this, would be to illuminate, as far as possible, the minds of the people at large, and more especially to give them knowledge of those facts which history exhibiteth, that, possessed thereby of the experience of other ages and countries, they may be enabled to know ambition under all its shapes, and prompt to exert their natural powers to defeat its purposes: **And whereas** it is generally true, that that people will be happiest whose laws are best, and are best administered, and that laws will be wisely formed and honestly administered in proportion as those who form and administer them are wise and honest, whence it becomes expedient, for promoting the public happiness, that those persons show nature hath endowed with genius and virtue, should be rendered by liberal education, worthy to receive and able to guard the sacred deposit of the rights and liberties of their fellow citizens; and that to aid and accelerate this most desirable purpose, must be one of the first duties of every wise government:

Section 6. **BE it therefore enacted by the General Assembly,** That all the lands lying within the bounds of this commonwealth, on the south side of Cumberland river, below Obey's river, which is now vacant and unappropriated, or on which there shall not be, at the passage of this act, any actual settler under the laws of this state for the relief of settlers south of Green river, shall be and the same are hereby reserved by the general assembly, to be appropriated as they may hereafter from time to time think fit, to the use of the seminaries of learning throughout the different parts of this commonwealth; and no person or persons shall after one month subsequent to the passage of this act, be permitted to settle on or take up any vacant land on the south side of Cumberland river as aforesaid, until the further order of the legislature; any law or laws to the contrary notwithstanding.

REF: "The Statute Law of Kentucky", Vol. II, by William Littell, 1810, pages 107-109.