

## CHAPTER XCI.

*An Act to Incorporate a College at Excelsior in the County of Hennepin.*

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*Be it enacted by the Legislative Assembly of the Territory of Minnesota:*

SECTION 1. That there be established at Excelsior in the county of Hennepin, in this Territory, a College by the name of \_\_\_\_\_, and that Charles Galpin, Charles B. Sheldon, Doct. E. Snell, Arba Cleveland, George M. Powers, Parson Beman, Charles Seccombe, Sherman Hall, Richard Hall, Asa Keith and John P. Plumer, and their successors in office, be Incorporators a body corporate to be known by the name and style of the Trustees of the \_\_\_\_\_ College, and shall be under the supervision of the Congressional Association of Minnesota, and be named by the Trustees who shall be chosen by the Association above mentioned, with the right, as such, of suing and being sued, of contracting and being contracted with, and of making and using a common seal, and altering the same at pleasure. Power

SEC. 2. The Trustees may be half lay members, not confined to any denomination. Trustees

SEC. 3. The object of this institution shall be to provide the means of acquiring a knowledge of the various branches of literature, science and the arts. Object

SEC. 4. The proceeds of all donations, from whatever source, shall be and remain a perpetual fund (except as hereinafter provided) and called the \_\_\_\_\_ College Fund, the interest and proceeds of which shall be appropriated to the support of said College; *Provided, however,* that when any donor, at the time of making his donation to said College, shall designate the particular object for which he makes said donation, it shall be the duty of the Trustees to appropriate the same accordingly. Proceeds of Donation

SEC. 5. The Trustees are authorized to expend such por-

Authority of  
Trustees

tions of the funds as may come under their control in the erection of suitable buildings, and purchasing a site for the same; for the purchase of library, mathematical, philosophical, chemical, astronomical, or other apparatus; and such furniture, fixtures, and specimens of art, as they may deem expedient; and the control of all funds given or granted to said College, are hereby vested in said Board of Trustees.

First meeting

SEC. 6. Any three of the Trustees named in this act may call the first meeting of the Trustees, by giving two weeks notice thereof in some newspaper printed in this Territory; at which meeting the Trustees shall designate the time of the first and future annual meetings, which shall in no case be altered, except by the vote of two-thirds of the Trustees. They may also choose all necessary officers, whose term of office shall continue until the next annual meeting and until their successors are appointed. The Trustees shall, at said

Annual meet-  
ing

first annual meeting, be divided by lot into three classes, of three each, numbered one, two, and three. Class numbered one shall hold their office one year; class numbered two shall hold their office two years; and class numbered three shall hold their office three years from the first annual meeting. After the first annual meeting there shall be elected annually three Trustees to supply the vacancies occasioned by the provisions of this section, who shall hold their office for the term of three years. All vacancies occasioned by death, resignation, removal from the Territory, or otherwise, as well as the vacancies occasioned by the expiration of the term of office, shall be filled by the Board of Trustees, at any meeting called for that purpose; and the Trustees so appointed to fill vacancies shall continue in office until the term of office to which they are appointed shall regularly expire, according to the provisions of this act.

Vacancies

Enact laws

SEC. 7. The Trustees shall have power, and it shall be their duty to enact laws for the government of the College, to sell or purchase real or personal property, to appoint such officers, teachers and committees as the management of the college and its funds may require; to designate their duties their term of office and their salaries respectively.

Quorum

SEC. 8. Meetings of the Trustees may be called by the Secretary on application of five members, or by said members themselves, at such time and place as they may deem expedient; and a majority of the board shall, at all times, constitute a quorum to transact business, but a less number may adjourn.

Officers

SEC. 9. The officers of the Board of Trustees shall consist of a President, Secretary and Treasurer, and such other officers and Committees as the Trustees may deem expedient. The President, Secretary, and Treasurer shall hold their offices for one year, or from the time of their election to the next annual meeting, and until their successors are appointed; all other officers shall hold their offices for such term as the board may direct.

SEC. 10. It shall be the duty of the President to preside at meetings of the Board, but in his absence the Board may elect a President *pro tem*. President

SEC. 11. It shall be the duty of the Secretary to keep a fair record of all votes and proceeding of the meetings of the Trustees. Also to keep on file and preserve all papers belonging to the said Board of Trustees. Secretary

SEC. 12. It shall be the duty of the Treasurer to collect all moneys due the College, and pay the same in such manner and for such purposes as the Trustees by vote may direct; and all deeds, leases, bonds and evidences of debt, executed by the Treasurer as such, and in pursuance of a vote of the Trustees, shall be binding, and the funds and the property of the Collège shall be holden for the just performance and payment of the same. Treasurer

SEC. 13. The Treasurer, before entering upon the duties of his office shall give a bond satisfactory to the Trustees for the faithful performance of his duties. Bond

SEC. 14. No religious tenets or opinions shall be required to entitle any person to be admitted as a teacher or student in said College and no sectarian doctrine shall be taught therein. No religious test

SEC. 15. The Legislature may at any time alter, modify or amend this act. Alter or amend

J. W. FURBER,  
Speaker of the House of Representatives.

JOHN B. BRISBIN,  
President of the Council.

APPROVED—May twenty-third, one thousand eight hundred and fifty-seven.

S. MEDARY.

SECRETARY'S OFFICE, Minnesota, }  
SAINT PAUL, July 22, 1857. }

I hereby certify the foregoing to be a correct copy of the original bill on file in this office.

CHAS. L. CHASE,  
Secretary of Minnesota Territory.