

CHARTER,

BY-LAWS,

AND

RULES OF ORDER,

FOR THE

Government of the Board of Curators

OF THE

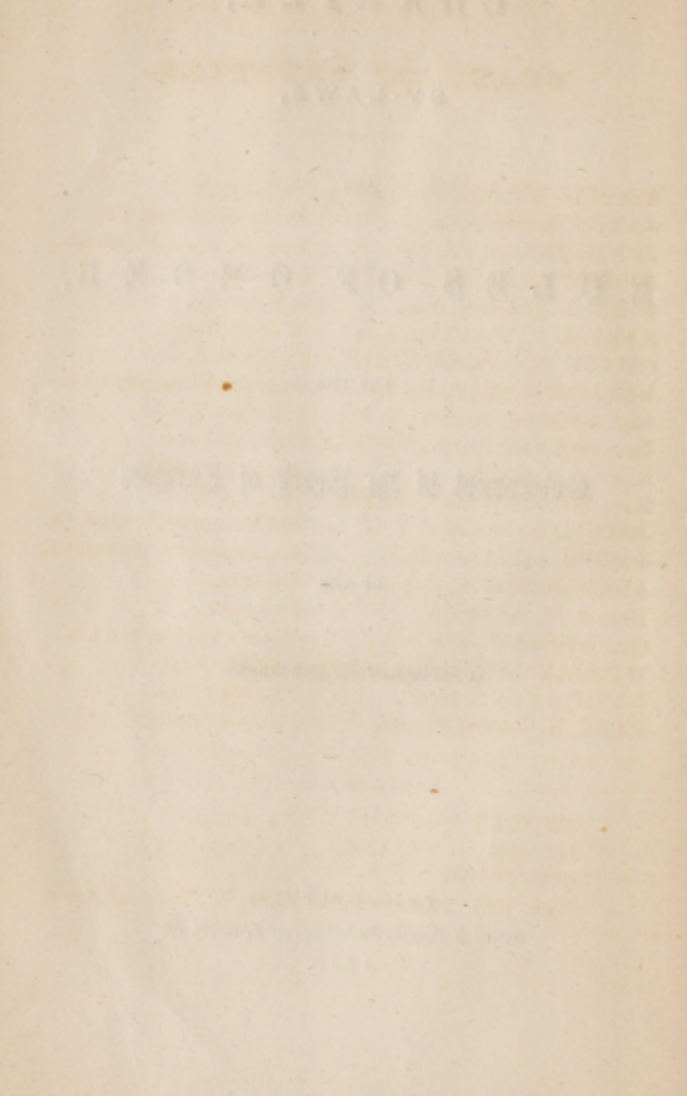
UNIVERSITY AT LEWISBURG.



PHILADELPHIA:

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1852.



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C H A R T E R  
OF THE  
UNIVERSITY AT LEWISBURG.

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AN ACT

TO ESTABLISH THE UNIVERSITY AT LEWISBURG.

*Whereas*, the Baptists of Pennsylvania, as a denomination, are not now engaged for the maintenance of any particular College or University in this State.

And *Whereas*, the chartering of a University to be placed under their patronage, supervision, and direction, would be a measure well adapted to call forth, from all parts of this commonwealth, concentrate, increase, and render effective, in the cultivation of sound learning, the efforts of said denomination, and thereby promote the general interests of science, literature, and good morals: Therefore,

SECTION 1. *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 be, and hereby is erected and established, at or near the borough of Lewisburg in the County of Union, in this commonwealth, a University to consist of a Primary School, an Academy, a College, and such other departments appropriate to a University, as the patrons and managers of said Institution shall find themselves able to maintain; and that the name and constitution of the said University shall be, and they are as follows:

## ARTICLE I.

SECTION 1. The said Institution shall be forever called and known by the name of "The University at Lewisburg."

## ARTICLE II.

SECT. 1. The said University shall be under the management, direction, government, and supervision of a number of trustees, not exceeding twenty, and a number of curators not exceeding forty, or a quorum of each, as hereinafter mentioned.

SECT. 2. The trustees and a majority of the curators shall be regular members of the Baptist denomination. Five or more of the trustees shall be a quorum of the trustees; and seven or more of the curators shall constitute a quorum of curators.

## ARTICLE III.

SECT. 1. The trustees of said University shall consist of the following persons, to wit: James Moore, James Moore, jr., Joseph Meixel, William H. Ludwig, Samuel Wolfe, Levi B. Christ, Henry Funk, Joel E. Bradley, Eugenio Kincaid, Benjamin Bear, William W. Keen, William Bucknell, jr., Thomas Wattson, James M. Linnard, Lewis Vastine, Oliver Blackburn, Caleb Lee, Daniel L. Moore; which said trustees and their successors, to be elected as herein subsequently mentioned, shall be, forever hereafter, and they are hereby created, established, and declared to be a body politic and corporate, with perpetual succession, and with all the incidents of a corporation, in deed and in law, to all intents and purposes whatsoever, by the name, style, and title of "The Trustees of the University at Lewisburg;" by which name and title, said trustees and their successors shall be capable, in law and in equity, to take to themselves and their successors, for the use of said



University, any estate in any messuages, lands, tenements, hereditaments, goods, chattels, moneys, or other effects, by gift, grant, bargain, sale, conveyance, assurance, will, devise, or bequest, of any person or persons whatsoever; and to hold ten acres of land together with the improvements thereon exempt from taxation, *Provided*, That the annual nett income accruing from said estate, and subject to a yearly appropriation or disposition of said trustees, shall not exceed the sum of twenty thousand dollars; and the same messuages, lands, tenements, hereditaments, and estates real and personal, to grant, bargain, sell, convey, assure, demise, and to farm, let, and place out on interest, or otherwise dispose of, or invest, for the use of said University, in such a manner as to them, at least a quorum of them, shall seem most beneficial to said Institution; and to receive the rents, issues, profits, income, and interest of the same, and to apply the same to the proper use of said University; and by the same name, to sue and be sued, implead and be impleaded, in any court of law or equity, and in all manner of suits and actions whatsoever; and, generally, by and in the same name, to do and transact all the business touching or concerning the premises, or which shall be incidentally necessary thereto, as fully and effectually, as any natural person, or body politic or corporate, has power to manage the concerns belonging to such person, or body; and to hold, enjoy, and exercise all such powers, authorities, and jurisdictions, as are customary in other Universities, or in Colleges within this commonwealth.

SECT. 2. Said trustees shall cause to be made, for their use, one common seal with such devices and inscriptions thereon, as they shall think proper, and by and with it, all deeds, diplomas, certificates, and acts of said incorporation shall pass and be authenticated; and said trustees may, at their pleasure, alter their seal, or break it and substitute a new one.

SECT. 3. A quorum of said trustees shall meet at Lewisburg, within ten days from the date of this charter, to transact any business which the interests of the Institution may then require. (More particular notice of said meeting shall be given by the first trustee first named on the list.)

SECT. 4. There shall be a meeting of said trustees held as often as once in six months, at or near the borough of Lewisburg, and at such particular times, and place or places, as said trustees, or a quorum of them, shall appoint; of which, after the first meeting, notice shall be given by a written communication signed by the Chairman or Secretary of the Board, and addressed to said trustees severally, at least ten days before the time of such intended meeting, and if at such meeting less than a quorum shall be present, the members present shall have power to adjourn to some other day; but if a quorum of said trustees meet at the appointed time, or at any time of adjournment, then the majority of the votes of such quorum or Board, shall be capable of doing and transacting all the business and concerns of said University not otherwise provided for by this act, and particularly, of making and enacting ordinances and by-laws for the government and instruction of said University; of adding, within the limit prescribed by article two, section one, to the number of trustees whose names are inserted in this charter; of electing trustees in the place and stead of those who shall decline serving, resign or die, or whose places become vacant from some other cause; of electing or appointing the President, Professors, Tutors, and other teachers of said University; of agreeing with them for their salaries and stipends; of removing them for misconduct, breaches of the ordinances of the Institution, or other sufficient causes; of appointing a Chairman, Secretary, Treasurer, and other officers necessary for managing the concerns of the corporation; of providing for the maintenance and observance of discipline in said



University, and of prescribing and inflicting the penalties due to all violations of the rules, ordinances, or regulations thereof, or to other misconduct committed by students or other persons thereat; and generally by the majority of the voices of the Board or quorum of said trustees, at any stated or extra meeting, shall determine all matter of things (although not herein specified) which shall occasionally arise, and be incidentally necessary to be determined by said trustees; *Provided*, That said laws, rules, and ordinances, or any of them, be not repugnant to the laws and constitution of this Commonwealth.

SECT. 5. As soon as said trustees shall have obtained, in the form of subscriptions believed to be valid, the amount of one hundred thousand dollars, they shall purchase a lot or farm, and proceed to erect thereon suitable buildings for the use and benefit of said University, to procure the requisite library, apparatus and specimens in natural history; and they shall exercise their own judgment and discretion in so doing, as likewise in the general management and disposition of the funds of said University; *Provided, however*, said trustees shall exact from their Treasurer adequate security for all the moneys and other property of the Institution, which he may at any time receive; *Provided, also*, That if any person contributing to the funds of said Institution, indicate a special appropriation of the amount so contributed, said contribution, if accepted, shall be disposed of in strict accordance with the evident intent or expressed wish of the contributor; *Provided, likewise*, That a fourth part of said one hundred thousand dollars, and, at least, twenty-five per cent. of all moneys and every species of property capable of producing revenue (and not herein already specified or excepted) which shall come into the hands of said trustees for the use and benefit of said Institution, shall be placed out on interest, the principal or stock secured by bond or mortgage on real estate; and the revenue thence accruing shall be exclusively and forever appropriated to the

support of instruction in said university; *And Provided too*, That said Trustees shall not for any cause or under any pretext whatever, encumber, by mortgage or otherwise, the real estate or any other property of said Institution, and they shall not involve it in any debt, which they have not the means of paying consistently with the restrictions above mentioned.

SECT. 6. Said Trustees shall annually publish an abstract of the minutes of their doings.

#### ARTICLE IV.

SECT. 1. The President, Professors, Tutors, and other teachers, or a majority of them for the time being, shall constitute the faculty of the University, and, in their respective departments, shall have the power of enforcing the rules and regulations adopted by the trustees for the government and instruction of the students; and the President and Professors, with the counsel and consent of a quorum of curators, shall have the power to grant and confirm the students of the University, or unto others deemed worthy, such degrees in the liberal arts and sciences or in certain branches thereof, as have been usually granted in other universities; to grant likewise, to said graduates, diplomas under the common seal of the corporation, in order to authenticate and to perpetuate the memory of such graduation; and to grant, also, certificates to such students as have duly completed the course of studies prescribed in any subordinate department of the University.

#### ARTICLE V.

SECT. 1. The curators of the University shall consist of the following persons, to wit: The Governor, and the Secretary of this Commonwealth, the Judges of the Supreme Courts, and the President of the University, (ex officio,) together with Abbott Green, G. S. Webb, George B. Ide, William Shadrach, J. Lansing Burrows, A. D. Gil-

lette, J. H. Kennard, Wilson Jewell, David Jayne, A. A. Anderson, Charles Tucker, John O. Rockafellow, Simon Schuyler, Martin Bell, James Estep, Simon Cameron, George I. Miles, Joseph Green, James Buchanan, Jackson M'Faddin, George F. Miller, James Irwin, Morgan J. Rhees, (Delaware,) George M. Keim, William R. Williams, (N. Y.,) T. O. Lincoln, (N. J.,) and Jacob Wagenseller; which persons and their successors, in perpetual succession, are hereby made and declared to be, and forever hereafter, are to be known by the title of "The Curators of the University at Lewisburg."

SECT. 2. Within six months from the date of this charter, (the room and hour to be designated by the curator whose proper name is first mentioned above,) said curators, or at least seven of them, shall meet at or near said Lewisburg, and appoint a Chancellor, a Scribe, and such committees of their own body, as they may deem requisite in order to the faithful and convenient discharge of their duties, and they shall observe the same rules in calling meetings, passing decisions, adding to the number of curators whose names are herein specified, and filling vacancies in their own body, as herein prescribed to the trustees. The meetings are all to be held at or near the borough of Lewisburg, and, after the first they are to be notified by the Chancellor or Scribe.

SECT. 3. Said curators, a quorum of them, or at least a committee of three, are required and expected to attend the principal examinations and the annual commencements of the University; they are to make themselves acquainted with the manner in which the work of study and recitation is planned for the students, and by them executed, and particularly, with the scholarship, conduct, and character of such students as are candidates for admission from a lower into a higher class or department of the University, or for degrees; and the consent of the majority of the

curators present shall be necessary in order to a student's promotion, or receiving a degree.

SECT. 4. Said curators are to have access to the minutes of the official doings of the faculty, and they are, likewise, to take care to inform themselves respecting the methods of government and instruction adopted and practised by the several teachers in the University.

SECT. 5. Said curators are to inspect the records of the business transactions of the trustees, and audit the Treasurer's accounts.

SECT. 6. Finally, the curators shall every year, publish, in at least three papers having extensive circulations in different parts of this Commonwealth, such a statement of the result of their observations as they shall reckon due to the University, and to its patrons and friends.

#### ARTICLE VI.

SECT. 1. No misnomer of the said corporation shall defeat or annul any gift, grant, devise, or bequest, to or from the said corporation, *Provided*, The intent of the parties shall sufficiently appear upon the face of the gift, grant, will, or writing, whereby any estate or interest was intended to pass to or from said corporation.

#### ARTICLE VII.

SECT. 1. No religious sentiments are to be accounted a disability to hinder the election of an individual to any office among the teachers of the Institution, or to debar persons from admittance as pupils, or in any manner to abridge their privileges or immunities as students in any department of the University.

#### ARTICLE VIII.

SECT. 1. The Legislature reserves the right to alter or annul this charter in case of any abuse of the privileges hereby granted.



## A SUPPLEMENT

*To an Act entitled "An Act to Establish the University at Lewisburg."*

READ JANUARY 9, 1850.

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SECTION 1. *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 so much of the fourth section of the third article of the act entitled "An Act to establish the University at Lewisburg," approved the fifth day of February, Anno Domini one thousand eight hundred and forty-six, as requires the trustees of said University to meet as often as once in six months, be and the same is hereby repealed; and that they shall be required to meet as often as twice a year, at such times as they may determine by by-laws or otherwise; and that no failure to meet heretofore in accordance with the second section shall be deemed in any wise to impair the rights and privileges of the said University.

SECTION 2. That extracts taken from the records of the board of trustees of the University at Lewisburg, certified by the secretary under the seal of said board of trustees, shall be received in evidence to all intents and purposes as the original would be in any court of justice of this commonwealth.

SECTION 3. That all purchases heretofore made by said board of trustees of real and personal estate shall be and are hereby made good and valid to all intents and purposes; and the said trustees are hereby fully authorized to sell and convey so much of the same, and in such parts and parcels as they may deem proper.



SECTION 4. That so much of the fifth section of the fourth article of the act entitled "An Act to establish the University at Lewisburg" aforesaid, to which this is a supplement, as requires the fourth part of the one hundred thousand dollars obtained in the form of subscription to said University, to be placed out at interest, the principal or stock to be secured on real estate, be and the same is hereby construed to mean that said trustees are not bound to place out at interest any part of the first, second, or third instalments collected, or to be collected of the said one hundred thousand dollars (if in their opinion the good of the institution requires the same to be appropriated to other purposes) but may reserve the fourth and last instalments to be placed out at interest, so that in the end they put out at interest as aforesaid one-fourth of the moneys collected.

## BY-LAWS

*And Rules of Order for the Government of the Board of Trustees.*

### ARTICLE I.

The stated meetings of the Board, shall be on the third Thursday in February, and on the Thursday preceding the annual commencement, in August, at eleven o'clock, in each and every year. Meetings may be held by adjournment, or special meetings convened, at the call of the Chairman, or of any five Trustees. Notice of such call, stating the object of the meeting, shall be given through the post office, or otherwise, by the Secretary, to each member of the Board, not less than fifteen days before such contemplated meeting, and no other business than that named in the notice of such special meeting shall be transacted or consummated, without the consent of two-thirds of the members present.

### ARTICLE II.

The Officers of the Board shall be a Chairman, Secretary, and Treasurer, to be elected annually, by ballot, at the stated meetings in August, the election to take place immediately after the reading and confirmation of the minutes; but in case of failure or omission to elect, the officers of the preceding year shall continue in office until superseded by a new election.

### ARTICLE III.

The Chairman, or, in his absence, a Chairman pro tem., shall preside at each meeting of the Board, decide all points of order, subject to appeal to the Board, when seconded,

appoint all committees, unless otherwise directed, sign all orders directed to be drawn on the Treasurer, and see that the business of the Board is not impeded by conversation on matters not before them.

#### ARTICLE IV.

The Secretary shall keep in a book provided for the purpose, legible and correct minutes of the transactions of the Board, with the names of members present at each meeting, attest all orders drawn on the Treasurer by order of the Board, give the proper notice of each meeting, and preserve, on file, all papers, documents, and reports directed by the Board, and in case of resignation, or removal from office, or the expiration of his term of service, deliver to the Board, or his successor in office, all books, papers and documents belonging to the Board.

#### ARTICLE V.

The Treasurer shall give good and sufficient bonds for the faithful appropriation of all moneys received for the use of the University, giving receipt for the same to the payer, and entering a duplicate in a book provided for the purpose; pay all orders drawn by the Board, signed by the Chairman, and attested by the Secretary; keep accurate accounts, under their proper heads, of all the disbursements of the Board, reporting at each meeting an account current of receipts and expenditures, and at the expiration of his term of service, or resignation of office, deliver to his successor all moneys, books, papers, and vouchers that may be in his possession, pertaining to the duties of his office.

#### ARTICLE VI.

An Executive Committee of five members may be appointed, three of whom shall be a quorum, clothed with such powers as the Board shall define; but any action of this

Committee shall require confirmation by the Board at its next meeting, unless otherwise ordered.

#### ARTICLE VII.

All motions, except for adjournment, shall be made in writing, if required, and if seconded, shall be stated by the Chairman previous to discussion, and if not amended may, by leave of the Board, be withdrawn by the mover and seconder, any time prior to final decision. Any member may call for a division of a question when it is susceptible thereof.

#### ARTICLE VIII.

Whenever a member wishes to communicate with the Board, or debate a subject before them, he shall rise and address the chair, and no interruption shall be permitted, unless by a call to order, or consent of the speaker. No member shall speak more than twice on the same subject nor more than fifteen minutes at any one time, unless by special leave of a majority of the members present.

#### ARTICLE IX.

Motions acted on, and negatived, shall not be recorded, unless directed by the Board.

#### ARTICLE X.

On the call of two members, the yeas and nays shall be taken on any matter before the Board, and recorded with the vote of each member opposite his name.

#### ARTICLE XI.

A motion to adjourn shall always be in order, unless a member is speaking, or the Board voting, and decided without debate.

## ARTICLE XII.

A motion to lay a subject before the Board on the table, shall be decided without debate, and shall not be called up again for action until an adjournment has intervened, unless by unanimous consent.

## ARTICLE XIII.

No member in attendance shall withdraw from the meeting but by permission of the chair, nor from the business of the session, or the voting on any question unless excused by the Board.

## ARTICLE XIV.

The minutes of the proceedings of the Board for each day of any meeting, shall be read at the commencement of the session of the following day, and the whole proceedings of each meeting shall be read before the final adjournment.

## ARTICLE XV.

In all ordinary transactions, the charter quorum shall govern; but in the election of a President, and Professors, and fixing their salaries, the consent of a majority of the whole Board shall be requisite.

## ARTICLE XVI.

Every meeting of the Board shall be opened and closed with prayer.

## ARTICLE XVII.

No alteration of these By-Laws shall be made, but at a regular stated meeting of the Board.



## ORDER OF BUSINESS.

1. Roll call.
2. Prayer.
3. Reading and adopting the minutes of the preceding meeting.
4. Treasurer's Report.
5. Executive Committee's Report.
6. Agents or Superintendent's Report.
7. Reports of Committees.
8. Unfinished business.
9. New business.
10. Prayer.

# BOARD OF CURATORS.

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FRANCIS W. HUGHES,	}
Secretary of Commonwealth,...	
HON. JEREMIAH S. BLACK,	}
Chief Justice S. Court,...	
HON. WALTER H. LOWRIE,	}
Assoc. Judge S. Court,...	
HON. J. B. GIBSON, LL.D.	}
Assoc. Judge S. Court,...	
HON. ELLIS LEWIS, LL.D.	}
Assoc. Judge S. Court,...	
HON. GEO. W. WOODWARD,	}
Assoc. Judge S. Court,...	
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REV. A. D. GILLETTE,.....	do.
REV. J. H. KENNARD,.....	do.
REV. GEO. I. MILES, .....	do.
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JOHN WALLS, Esq.....	do.
JAMES P. ROSS, Esq.....	do.
JAMES F. LINN, Esq.....	do.
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E. D. GUNNISON, Esq.....	ERIE.

## BY-LAWS AND RULES OF ORDER

*For the Government of the Board of Curators of the University at Lewisburg.*

### ARTICLE I.

1. A stated meeting of the Board shall be held at Lewisburg, on the day preceding the Annual Commencement of the University, in August, in each and every year, at two o'clock in the afternoon.

2. Meetings may be held by adjournment; and special meetings may be convened at the call of the officers and five other members of the Board.

3. Notice of all meetings, stating the object, shall be given by the Scribe to each member of the Board, not less than twenty days before the meeting shall be held.

### ARTICLE II.

The Chancellor and Scribe shall be elected annually, by ballot, the election to take place on the first day of the stated meeting in August, immediately after reading the minutes of the preceding meeting. In case of failure or omission to elect, the officers of the preceding year shall continue to act until their successors shall have been chosen.

### ARTICLE III.

The Chancellor, or in his absence a Chairman *pro tem.*, shall preside at each meeting of the Board; maintain decorum; decide all points of order, subject to appeal to the Board; and, unless otherwise directed, appoint all the Committees.

### ARTICLE IV.

The Scribe shall keep, in a book provided for the purpose, legible and correct minutes of all the transactions of

the Board, with the names of the members present, at each meeting; register the names of all persons, students of the University and others, upon whom any degree or degrees may have been conferred; notify new members of their election to this Board; preserve, on file, all papers, documents, and reports directed by the Board; and, on going out of office, deliver all books and papers to the Board, or to his successor in office.

### ARTICLE V.

At each annual meeting, the following Standing Committees shall be appointed, to wit:

1. A Committee of three on the examination of Students for promotion or degrees. (See Charter, Art. V., Sect. 3.)

2. A Committee of three on the Departments of Government and Instruction. (See Charter, Art. V., Sec. 4.)

3. A Committee of three on the Treasurer's accounts, whose duty it shall be likewise to make themselves acquainted with the business transactions of the Board of Trustees (See Charter, Art. V., Sect. 5.)

4. A Committee on Publication. (See Charter, Art. V., Sect. 6.)

### ARTICLE VI.

The order of business, unless otherwise directed by a majority of the members present, shall be as follows:

1. Roll call.
2. Prayer.
3. Reading minutes of the preceding meeting.
4. Reports of Committees.
5. Appointment of Standing Committees.
6. Unfinished business.
7. New business.
8. Prayer.

## ARTICLE VII.

The order of debate shall be as follows :

1. Any member, about to speak, shall arise and address the Chair; shall confine his remarks to the point in hand, and avoid all personalities.

2. When two or more members arise at once, the Chair shall decide which is first to speak, and no interruption shall be permitted, except by a call to order or permission to explain.

3. No member shall be allowed to speak longer than fifteen minutes at one time, nor oftener than twice on the same subject, unless by special leave of a majority of the members present.

4. A member called to order by the Chair, or by any other member, shall immediately take his seat until the question of order is settled. The decision of the Chair in all such cases shall be final, unless an appeal be made to the Board.

## ARTICLE VIII.

When a motion is made and seconded, it shall be stated from the Chair before any debate is had upon it. Every motion made and seconded shall be put to the Board for decision, unless withdrawn by the mover and seconder, which may be allowed at any time previous to a vote being taken, by amendment or otherwise.

## ARTICLE IX.

If any member doubt the correctness of the judgment of the Chair in announcing the vote, a division may be called for, when the members shall arise and be counted.

## ARTICLE X.

On the call of two members, the yeas and nays shall be taken on any matter before the Board, and recorded with the vote of each member opposite his name.



## ARTICLE XI.

All motions and resolutions acted upon, shall be recorded, unless the Board direct otherwise.

## ARTICLE XII.

When a question is under debate, no motion shall be received, except to adjourn, to lay on the table, for the previous question, to postpone to a certain day, to commit or amend, to postpone indefinitely, which several motions shall have precedence of each other in the order in which they are here arranged.

## ARTICLE XIII.

A motion to adjourn shall always be in order, unless a member is speaking, or the Board voting; that, and the motion to lay on the table, shall be decided without debate.

## ARTICLE XIV.

No member in attendance shall withdraw from the meeting without permission of the Chair, nor from the business of the session, or from voting on any question, unless excused by the Board.

## ARTICLE XV.

The minutes of the proceedings of the Board at each meeting, shall be read before final adjournment.

## ARTICLE XVI.

No alteration in these By-Laws and Rules of Order shall be made, nor shall the Rules be suspended in any case, without a two-third vote of the members present.

## ARTICLE XVII.

Any member failing to be in attendance at any stated meeting of the Board, shall be requested to furnish a written excuse for his absence; and neglecting to attend for three meetings in succession without a justifiable cause, shall be considered as having resigned his membership.