

No. 397.

AN ACT

To incorporate the Meadville theological school.

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 the Meadville theological school, in the borough of Meadville, in the county of Crawford, be and the same is hereby incorporated and made a body corporate, according to the following plan of incorporation: the name, style or title of the institution, shall be the "Meadville theological school."

SECTION 2. The said school shall be under the management, direction and government of a board of trustees, in number not exceeding thirty, or a quorum thereof, as hereinafter mentioned, and of a board of instruction, provisionally to be composed of four persons, but which may be increased in the manner hereinafter provided, each of whom shall hold his office five years and no longer.

SECTION 3. The first board of trustees of the Meadville theological school shall consist of the following persons: Albert Fearing, Elder Jonathan Thompson, Massachusetts; Rev. Henry W. Bellows, Elder Joseph Badger, Rev. Samuel J. May, Elder John Spoor, Elder E. G. Holland, Ira A. Blossom, New York; Elder Isaac N. Walter, Greenleaf Fifield, M. D., who shall hold their respective offices two years; Brewster Randall, Ohio; Rev. John H. Heywood, Kentucky; Elder Oliver Barr, Rev. A. H. Conant, Illinois; John H. Tweede, Wisconsin; Rev. W. H. Furness, Philadelphia; Rev. James Kay, Northumberland county; William Kelly, Elder Ashel Fish, Erie county; H. J. Huidekoper, who shall hold their respective offices four years; Elder Jesse E. Church, Asa Sturdevant, Isaac Cooper, Horace Cullum, Alfred Huidekoper, Michael H. Bagley, Dennison Herrick, James Foster, William D. Tucker, Arthur Cullum, of Crawford county, who shall hold their respective offices six years, which said trustees, and their successors in office, are hereby constituted and established a body politic and corporate, with perpetual succession, in deed and in law, to all intents and purposes whatsoever, by the name, style, and title of the president and trustees of the Meadville theological school; by which name and title, they and their successors shall be competent and capable at law and in equity, to take to, and for the use of said school, any estate in any messuages, lands, tenements and hereditaments, goods, chattels, money or other effects, by gift, grant, bargain, sale, assurance, devise or bequest, of any body corporate or politic, or of any person or persons whatsoever; and the same to grant, sell, convey, assure, demise, farm, let, and place out on interest, or otherwise dispose of for the use of said school, in such manner as to them, or at least five of them, shall seem most beneficial to the institution; and to receive the rents, issues, profits, and interests and income of the same, and to apply the same to the proper use, benefit and support of the said school; and by the same name of the president and trustees of the Meadville theological school, to sue and be sued, plead and be impleaded, commence, prosecute and defend, in any court or courts 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 and every business touching or concerning the premises, or which shall be incidentally necessary thereto, as fully, amply and effectually as any person or persons, body corporate or politic within this commonwealth, have the right and power to manage their own concerns; and to hold, enjoy, and exercise all such powers, authorities, jurisdictions and privileges, as may be necessary to carry the object of the school fully into effect; but the said trustees shall not have power to encumber by debt, any of the property, real, personal or mixed, belonging to the school: *Provided*, That the clear yearly value of the real estate held by said corporation, shall not exceed five thousand dollars.

Seal. SECTION 4. The trustees and board of instruction shall cause to be made for the institution, and for their use, a common seal, with such devices and inscriptions thereon as they shall think proper, under and by which all deeds, diplomas and certificates, and acts of the said corporation, shall pass and be authenticated, and shall at their pleasure break the same and devise a new one.

Vacancies, how supplied. SECTION 5. In case of the death or resignation of a member of the board of trustees, the board, or a quorum of them, may at any of their meetings, elect another person to fill the vacancy: *Provided*, That 'at least three weeks' notice of such meetings shall be given in some paper published in Crawford county: *And provided further*, That in case of any vacancy of trustee or trustees, such vacancy shall be filled by appointing citizens of this commonwealth to supply such vacancy, until two-thirds of the trustees shall be citizens thereof, and that thereafter not less than two-thirds of the trustees shall be citizens of this commonwealth.

By-laws. SECTION 6. The board of trustees, or a quorum of them, shall have the power of making such by-laws as shall be necessary for the well ordering, management and performance of their trust, and not incompatible with the laws of the United States, and of the commonwealth of Pennsylvania.

Quorum. SECTION 7. Ten trustees shall constitute a quorum to transact all business relative to the said institution, with power to adjourn from time to time: *Provided however*, That any less number shall have power to adjourn, giving notice of the time and place of meeting: *And provided*, That the place of meeting be within the said borough of Meadville, or township of Mead; there shall be a stated meeting of the board of trustees of the school annually, for the election of a president, secretary and treasurer of the board, and for the transaction of general business, of which meeting at least four weeks' notice shall be given in some paper published in Crawford county; the president may, however, at any time call a meeting of the board of trustees, whenever the business of the school requires it, or whenever he shall be requested to do so, in writing, by at least two members of the board, or by the board of instruction; in case of the failure of the board of trustees to elect a president, secretary or treasurer, the old president, secretary or treasurer, shall hold their office until new ones are chosen; should the president or secretary be unable to attend at any meeting of the board, from sickness, absence or other cause, the board may elect a president or secretary *pro tem*.

Board of instruction. SECTION 8. The following four persons, to wit: Rev. Rufus P. Stebbins, Rev. Frederick Huidekoper, Rev. George W. Hosmer and Rev. David Millard, are provisionally to constitute the board of instruction, who shall hold their offices for five years; and whenever in the opinion of the board of trustees, and of the members of the board of

instruction for the time being, it shall be deemed expedient to increase the number of persons constituting the said board, the same may be increased from time to time as circumstances may require.

SECTION 9. Whenever any vacancy shall occur in the board of instruction, or when an additional instructor is to be appointed, the members of said board shall nominate to the board of trustees within three months, a candidate, subject to the acceptance or rejection of the board of trustees, within three months after the reception of the nomination: In case the board of trustees shall not act definitively on such nomination during the period above specified, the candidate nominated by the board of instruction shall be considered as chosen.

SECTION 10. The first president of the board of instruction shall be Reverend Rufus P. Stebbins, who shall hold his office five years. Whenever a vacancy of the presidency shall occur, the board of trustees shall either before or subsequently to the filling of the vacancy thereby occasioned in the board of instruction, designate some member of said board of instruction to fill that office.

SECTION 11. The system of instruction, and all which pertains to the educational department of the school, shall be under the control of the board of instruction. Any member of said board, however, who shall be found by the board of trustees, incompetent, for any cause, for the proper discharge of his duties, may be dismissed by a vote of two-thirds of the members of said board present at any meeting; due notice of such meeting shall however be given or forwarded to each and every trustee, at least one month before the time of such meeting, nor shall any member of the board of instruction be dismissed by less than eight votes.

SECTION 12. In the establishment of the salaries of the board of instruction, the board of trustees alone shall act; in the appropriation of all other funds of the school, the two boards shall act jointly.

SECTION 13. No doctrinal test shall ever be made a condition of enjoying any of the opportunities of instruction in the school, except a belief in the divine origin of christianity. This, however, is not to be understood as forbidding the reception of funds for the support of students of particular denominations, and the application of such funds according to the intention of the donors.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The seventh day of April, one thousand eight hundred and forty-six.

FRS. R. SHUNK.