

The Commonwealth of Massachusetts

MEMORANDUM OF THE SECRETARY OF THE COMMONWEALTH PURSUANT TO GENERAL LAWS, CHAPTER 3, SECTION 7, WITH RESPECT TO PETITION OF DAVID E. HARRISON RELATIVE TO THE ELECTION OF MEMBERS OF THE TRUSTEES OF TUFTS COLLEGE.

March 13, 1970.

To the Honorable Senate and House of Representatives.

The above named petition was transmitted to me by the Clerk of the House of Representatives on January 8, 1970, with a request for a memorandum.

Trustees of the Tufts College, in Medford was incorporated under the provisions of Chapter 141 of the Massachusetts Special Laws of 1852, which act was approved on April 21, 1852. The following legislation has been enacted relative to said corporation since its inception: Chapter 263 of the Acts of 1852; Chapter 154 of the Acts of 1859; Chapter 72 of the Acts of 1867 changed the name of the corporation to Trustees of Tufts College; Chapter 41 of the Acts of 1878; Chapter 42 of the Acts of 1878; Chapter 162 of the Acts of 1886; Chapter 80 of the Acts of 1890; Chapter 146 of the Acts of 1896; Chapter 109 of the Acts of 1899; Chapter 216 of the Acts of 1901; Chapter 255 of the Acts of 1907; Chapter 240 of the Acts of 1908; Chapter 133 of the Acts of 1910; Chapter 623 of the Acts of 1910; Chapter 106 of the Acts of 1919; Chapter 40 of of the Acts of 1930; Chapter 166 of the Acts of 1934; Chapter 149 of the Acts of 1946; Chapter 176 of the Acts of 1953. A certificate of change of purpose was filed in this office by the Trustees of Tufts College on March 15, 1955 allowing the corporation to make use of the name Tufts University.

Section 1 of the bill before your honorable bodies seeks to amend Section 1 of Chapter 141 of the Acts of 1852, as amended by Chap-

ter 42 of the Acts of 1878, by striking out the word "thirty", the last word in said section, and substituting therefor the word "thirty-one".

Section 2 of the bill recites that twenty of the members of the Trustees of Tufts College, incorporated by chapter one hundred and forty-one of the acts of eighteen hundred and fifty-two under the name of the Trustees of the Tufts College, and whose name was changed to its present one by section one of chapter seventy-two of the acts of eighteen hundred and sixty-seven, hereinafter called the corporation, shall be elected by the members of the corporation then serving in office. Ten of the members of the corporation shall be elected from among the alumni of the corporation's colleges and schools either by the alumni acting directly as a whole or by such representatives of the alumni as may be chosen members of a representative group. The President of the corporation shall be a member of the corporation, *ex officio*, during the term of his office as President. Members of the corporation in office on the effective date of this Act, other than alumni members, shall continue in office without limit of time and alumni members then in office shall continue in office until the expiration of the terms to which they were elected. Except as herein stated, the qualifications, terms of office, and the manner of election of the members of the corporation shall be as specified from time to time in the by-laws of the corporation.

Section 3 of the bill recites that Chapter one hundred and sixty-six of the acts of nineteen hundred and thirty-four, and all other acts and parts of acts inconsistent herewith, are hereby repealed.

Section 4 of the bill recites that this act shall not take effect until it shall have been accepted by vote of the Trustees of Tufts College and a copy of the vote of acceptance shall have been filed with the secretary of the commonwealth.

Special legislation is required to effect the desired result.

Whether or not this should be allowed is a matter of policy within your exclusive jurisdiction, and this office expresses no opinion on the merits of the bill. No fee is required to be paid by a corporation of this type under the provisions of Chapter 3, Section 7.

Respectfully submitted,

JOHN F. X. DAVOREN,

Secretary of the Commonwealth.

By Mr. Harrison of Gloucester, petition of David E. Harrison relative to the election of members of the Trustees of Tufts College. Education.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

AN ACT RELATIVE TO THE ELECTION OF MEMBERS OF THE TRUSTEES
OF TUFTS COLLEGE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section one of chapter one hundred and forty-
2 one of the acts of the year eighteen hundred and fifty-two, as
3 amended by chapter forty-two of the acts of the year eighteen
4 hundred and seventy-eight, is hereby amended by striking out
5 the word "thirty", the last word in said section, and substitut-
6 ing therefor the word — thirty-one.

1 SECTION 2. Twenty of the members of the Trustees of Tufts
2 College, incorporated by chapter one hundred and forty-one
3 of the acts of eighteen hundred and fifty-two under the name
4 of the Trustees of the Tufts College, and whose name was
5 changed to its present one by section one of chapter seventy-
6 two of the acts of eighteen hundred and sixty-seven, hereinafter
7 called the corporation, shall be elected by the members of the
8 corporation then serving in office. Ten of the members of the
9 corporation shall be elected from among the alumni of the corpo-
10 ration's colleges and schools either by the alumni acting di-
11 rectly as a whole or by such representatives of the alumni as
12 may be chosen members of a representative group. The Presi-
13 dent of the corporation shall be a member of the corporation,
14 ex officio, during the term of his office as President. Members
15 of the corporation in office on the effective date of this Act, other
16 than alumni members, shall continue in office without limit of

17 time and alumni members then in office shall continue in office
18 until the expiration of the terms to which they were elected. Ex-
19 cept as herein stated, the qualifications, terms of office, and the
20 manner of election of the members of the corporation shall be as
21 specified from time to time in the by-laws of the corporation.

1 SECTION 3. Chapter one hundred and sixty-six of the acts of
2 nineteen hundred and thirty-four, and all other acts and parts
3 of acts inconsistent herewith, are hereby repealed.

1 SECTION 4. This act shall not take effect until it shall have
2 been accepted by vote of the Trustees of Tufts College and a
3 copy of the vote of acceptance shall have been filed with the
4 secretary of the commonwealth.