

SENATE....No. 57.

Commonwealth of Massachusetts.

IN SENATE, March 11th, 1852.

The Joint Committee on Education, to which was committed the petition of B. B. Mussey and others, praying for an Act of Incorporation for the Trustees of the Tufts College, report the accompanying Bill.

E. L. KEYES, *Chairman.*

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Fifty-
Two.

AN ACT

To Incorporate the Trustees of the 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 SECT. 1. B. B. Mussey, Timothy Cotting, Rich-
2 ard Frothingham, Jr., their associates and successors,
3 are hereby constituted a body corporate by the name of
4 the Trustees of the Tufts College; and that they and
5 their successors, and such as shall be duly elected
6 members of said corporation, shall be and remain a
7 body corporate by that name forever. And for the
8 orderly conducting the business of said corporation,
9 the said trustees shall have power and authority, from
10 time to time, as occasion may require, to elect a Pres-
11 ident, Vice-President, Secretary, and Treasurer, and
12 such other officers of said corporation as may be
13 found necessary, and to declare the duties and tenures
14 of their respective offices; and also to remove any
15 trustee from the same corporation, when, in their

16 judgment, he shall be rendered incapable, by age, or
17 otherwise, of discharging the duties of his office, or
18 shall neglect or refuse to perform the same; and also,
19 from time to time, to elect new members of the said
20 corporation; *provided, nevertheless*, that the number
21 of members shall never be greater than twenty-
22 three.

1 SECT. 2. The said corporation shall have full
2 power and authority to determine at what times and
3 places their meetings shall be holden, and the manner
4 of notifying the trustees to convene at such meetings;
5 and also, from time to time, to elect a President of
6 said college, and such professors, tutors, instructors,
7 and other officers of the said college, as they shall
8 judge most for the interest thereof, and to determine
9 the duties, salaries, emoluments, responsibilities, and
10 tenures of their several offices. And the said cor-
11 poration are further empowered to purchase or erect,
12 and keep in repair, such houses and other buildings
13 as they shall judge necessary for the said college;
14 and also to make and ordain, as occasion may require,
15 reasonable rules, orders and by-laws, not repugnant
16 to the constitution and laws of this Commonwealth,
17 with reasonable penalties for the good government of
18 the said college, and for the regulation of their own
19 body, and also to determine and regulate the course
20 of instruction in said college, and to confer such de-
21 grees as are usually conferred by colleges in New
22 England, except medical degrees: *provided, neverthe-*
23 *less*, that no corporate business shall be transacted at
24 any meeting unless one half, at least, of the trustees
25 are present.

1 SECT. 3. The said corporation may have a com-
2 mon seal, which they may alter or renew at their

3 pleasure, and that all deeds sealed with the seal of
4 said corporation, and signed by their order, shall,
5 when made in their corporate name, be considered in
6 law, as the deeds of said corporation; and that said
7 corporation may sue and be sued in all actions, real,
8 personal, or mixed, and may prosecute the same to
9 final judgment and execution by the name of the
10 Trustees of the Tufts College; and that said corpor-
11 ation shall be capable of taking and holding in fee
12 simple, or any less estate, by gift, grant, bequest, de-
13 vise, or otherwise, any lands, tenements, or other
14 estate, real or personal: *provided*, that the clear an-
15 nual income of the same shall not exceed twenty
16 thousand dollars.

1 SECT. 4. The clear rents and profits of all the
2 estate, real and personal, of which the said corpora-
3 tion shall be seized and possessed, shall be appropriated
4 to the endowment of said college, in such manner as
5 shall most effectually promote virtue and piety, and
6 the knowledge of such of the languages, and of the
7 liberal and useful arts and sciences, as shall be di-
8 rected, from time to time, by the said corporation,
9 they conforming to the will of any donor or donors
10 in the application of any estate received, which may
11 be given, devised, or bequeathed for any particular
12 object connected with the college.

1 SECT. 5. The said trustees be, and are hereby
2 authorized to receive all the real estate, goods, chat-
3 tels, choses in action, and property of every descrip-
4 tion whatever, which has heretofore been given, con-
5 veyed, purchased, bequeathed, devised, or in any
6 other way secured to the Trustees of the Tufts Insti-
7 tution of Learning, with the intent and for the pur-

8 pose of establishing and maintaining a classical or
9 collegiate institution in Medford; and that all the
10 said funds and estate, as well as all other property
11 which may be received by them, shall be faithfully
12 and forever used and appropriated according to the
13 will of the donors.

1 SECT. 6. No instructor in said college shall ever
2 be required by the trustees to profess any particular
3 religious opinions as a test of office, and no student
4 shall be refused admission to or denied any of the
5 privileges, honors, or degrees of said college on ac-
6 count of the religious opinions he may entertain.

1 SECT. 7. The Legislature of this Commonwealth
2 may grant any further powers to, or alter, limit, an-
3 nul, or restrain any of the powers vested by this Act
4 in the said corporation, as shall be judged necessary
5 to promote the best interests of the said college, and
6 more especially may appoint and establish overseers
7 or visitors of the said college, with all necessary
8 powers for the better aid, preservation, and govern-
9 ment thereof.

1 SECT. 8. The granting of this charter shall never
2 be considered as any pledge on the part of the gov-
3 ernment, that pecuniary aid shall hereafter be granted
4 to the college.

