

SENATE....No. 97.

Commonwealth of Massachusetts.

IN SENATE, March 19, 1863.

The Committee on Education, to whom was committed the Petition of John McElroy and others, for an Act* of incorporation as the Boston College, have considered the same, and report the accompanying Bill.

Per order,

E. O. HAVEN, *Chairman.*

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Sixty-
Three.

AN ACT

To incorporate the Trustees of the Boston 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. John McElroy, Edward H. Welch, John
2 Bapst, James Clark, and Charles H. Stonestreet, their
3 associates and successors, are hereby constituted a
4 body corporate by the name of the Trustees of the
5 Boston College, in Boston, and they and their succes-
6 sors and such as shall be duly elected members of
7 such corporation shall be and remain a body corporate
8 by that name forever. And for the orderly conducting
9 the business of said corporation the said trustees
10 shall have power and authority from time to time,
11 as occasion may require, to elect a president, vice-
12 president, secretary, treasurer, and such other officers

13 of said corporation as may be found necessary, and
14 to declare the duties and tenures of their respective
15 offices, and also to remove any trustee from the same
16 corporation, when in their judgment he shall be
17 rendered incapable by age or otherwise of discharging
18 the duties of his office, or shall neglect or refuse to
19 perform the same, and also from time to time to elect
20 new members of the said corporation: *provided*,
21 *nevertheless*, that the number of members shall never
22 be greater than ten.

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 said
6 college, and such professors, tutors, instructors and
7 other officers of the said college, as they shall judge
8 most for the interest thereof, and to determine the
9 duties, salaries, emoluments, responsibilities and
10 tenures of their several offices. And the said corpo-
11 ration are further empowered to purchase, erect, and
12 keep in repair, such houses and other buildings as
13 they shall judge necessary for the said college; and
14 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
21 degrees as are usually conferred by colleges in said
22 Commonwealth, except medical degrees: *provided*,

23 *nevertheless*, that no corporate business shall be trans-
24 acted at any meeting unless one-half, at least, of the
25 trustees are present.

1 SECT. 3. That the said corporation may have a
2 common 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 Boston College; and that said corpora-
11 tion shall be capable of taking and holding in fee
12 simple or any less estate by gift, grant, bequest, devise
13 or otherwise, any lands, tenements, or other estate
14 real or personal: *provided*, that the clear annual in-
15 come of the same shall not exceed thirty thousand
16 dollars.

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

1 SECT. 5. No student in said college shall be re-
2 fused admission to, or denied any of the privileges,
3 honors or degrees of said college on account of the
4 religious opinions he may entertain.

1 SECT. 6. The legislature of this Commonwealth
2 may grant any further powers to, or alter, limit,
3 annul, or restrain, any of the powers vested by this
4 act in the said corporation, as shall be found neces-
5 sary to promote the best interests of the said college,
6 and more especially may appoint overseers or visitors
7 of the said college, with all necessary powers for the
8 better aid, preservation and government thereof.

1 SECT. 7. The granting of this charter shall not be
2 considered as any pledge on the part of the Common-
3 wealth that pecuniary aid shall hereafter be granted
4 to the college.

