

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1865.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 26, 1840, and March 16, 1842.

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1865.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1865.

Chapter 532.

CHAP. 532.

An act to establish the State College of Agriculture and the Mechanic Arts.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

- SECT. 1. Samuel F. Perley, N. T. Hill, Bradford Cummings, Trustees,
Thomas S. Lang, Dennis Moore, William D. Dana, S. L. Goodale,
Robert Martin, Alfred S. Perkins, Joseph Farwell, Seward Dill,
Joseph Day, Ebenezer Knowlton, Hannibal Hamlin, Charles A.
Everett and William Wirt Virgiu, are hereby constituted a body
politic and corporate, by the name of the Trustees of the State Col- Corporate
lege of Agriculture and Mechanic Arts, having succession as here- name.
inafter provided, with power to establish and maintain, subject to
the provisions and limitations of this act, such a college as is au- Collego author-
thorized and provided for, by the act of the congress of the United ized to be
States, passed on the second day of July, in the year eighteen established,
hundred and sixty-two, entitled "an act donating lands to the &c.
several states and territories, which may provide colleges, for the
benefit of agriculture and the mechanic arts." They shall be enti- Trustees to
tled to receive from the state the income which shall accrue from receive from
the funds granted to the state by the act aforesaid, and shall apply the state
the same, together with all such income as they shall receive from income of fund.
any other sources to the maintenance of the college in conformity Such income,
with the act of congress. &c., how
applied.
- SECT. 2. The trustees shall annually elect one of their number President,
to be president of the board. They shall appoint a clerk and treas- clerk and
urer, both of whom shall be sworn, and shall hold their offices at treasurer, &c.
the pleasure of the trustees. The clerk shall record all proceedings Tenure of office
of the board, and copies of their records certified by him shall be of treasurer
evidence in all cases in which the originals might be used. The and clerk.
treasurer shall be required to give suitable bond, and to renew the Duties of clerk.
same, whenever the trustees shall require. Treasurer to
give bond, &c.
- SECT. 3. The governor and council shall at all times have the Governor and
power, by themselves, or such committee as they shall appoint to council, &c.
examine into the affairs of the college, and the doings of the trust- Process against
ees, and to inspect all their records and accounts, and the build- the trustees in
ings and premises occupied by the college. Whenever the gov- corporate
ernor and council shall have reason to believe that the trustees are capacity, when
exercising or attempting to exercise any unlawful powers, or un- authorized.
lawfully omitting to perform any legal duty, they may direct the
attorney general to institute process against the trustees in their
corporate capacity, in the nature of a complaint in equity before
the supreme judicial court, in the county in which the college may
be established, and the court after notice, shall hear and determine
the same, by summary proceeding in term time, or by any judge
in vacation, and may make any suitable decree, restraining the
Decree of court.

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Any individual trustee, complaint against may be instituted.

Decree of court on such complaint.

Trustees, &c.

Clerk to give notice of vacancies to governor, &c.

Vacancies, how filled.

Trustees, what real and personal property may be held by them.

Land scrip received by state to be sold, &c.

Securities to be kept by state treasurer, &c.

Site for college, how to be procured.

trustees from performing or continuing the unlawful acts complained of, for requiring them to perform whatever is unlawfully omitted, and may enforce such decrees. In like manner a complaint may be instituted against any individual trustee, and be heard in the county where he resides, alleging against him any cause deemed by the governor and council sufficient to disqualify him for the trust; and if in the judgment of the court such allegation shall be sustained, a decree shall be made removing such trustee from office, and his place shall be thereby vacated.

SECT. 4. No person shall be a trustee, who is not an inhabitant of this state, nor any one who has reached the age of seventy years. The clerk of the trustees shall give notice of all vacancies to the governor and council; vacancies occurring in any of the foregoing modes, or by the resignation or decease of any trustee, shall be filled in the following manner. The first vacancy that shall occur, shall be filled by the legislature at the next session thereafter by joint ballot of the two branches; the second vacancy shall be filled by the trustees at their next meeting; and all succeeding vacancies shall be filled in like manner, alternately by the legislature and the trustees.

SECT. 5. The trustees, in their corporate capacity, may take and hold in addition to the income, which they shall receive, through the state from the endowment made by congress, such other real and personal property as may be granted or devised to them for the purpose of promoting the objects of this act. But they shall not be entitled to receive any benefactions made to them upon conditions inconsistent with the act of congress aforesaid, or for purposes different from what is therein prescribed.

SECT. 6. The governor and council shall take measures, as soon as may be advantageously done after the passage of this act, to sell the land scrip received by this state under the act of congress, and to invest the same as required by the fourth section of said act. The securities shall be kept by the state treasurer, and he shall report annually to the legislature the amount and condition of the investments, and of the income of the same. He shall from time to time, as the income shall accrue, pay over the same to the treasurer of the college.

SECT. 7. It shall be the duty of the trustees, as soon as may be, after their organization, to procure a tract of land suitable as a site for the establishment of the college. If no other provision shall be made therefor, there shall be placed at the disposal of the trustees for this purpose, such proportion as the governor and council may deem suitable, of that part of the fund, which is authorized by the fifth section of the act of congress to be expended for the purchase of lands for sites or experimental farms.

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SECT. 8. The trustees shall appoint such directors, professors, lecturers and teachers in the college, and employ such other persons therein from time to time, as the means at their command may permit for the accomplishment of the objects enumerated and described in the fourth section of the act of congress. Every officer and every person employed shall hold his office or employment at the pleasure of the trustees. They shall, as soon as may be, arrange and make known the several courses of instruction which they will undertake at the outset of the college, and shall enlarge and improve the same whenever practicable, subject to the limitations prescribed by congress. They shall also establish the qualifications for admission, and modify the same, as circumstances may require. But no student shall be admitted into or continued in the college, nor shall any person be employed in any office or service, who is not of good moral character and pure life.

Trustees to appoint professors, lecturers, teachers, &c.

—their employment to be during pleasure of trustees.

—their duties.

Students required of good moral character, &c.

SECT. 9. In addition to the instruction which is to be given by classes, text books, lectures and apparatus, in such branches of learning as are related to agriculture and the mechanic arts, the trustees shall provide, as fully as may be for practical experiments and demonstrations of scientific principles and rules. They shall encourage, and for due proportions of time, at different seasons of the year, and with reference to other exercises, require all the students to engage in actual labor upon the lands and in the workshops with which the college may be furnished, and shall provide suitable oversight and direction in such labor, so that they may become habituated to skilful and productive industry.

Instruction required to be given.

Students to be required to engage in actual labor, &c.

SECT. 10. Military tactics shall be taught, during some suitable part of each year, to all the students; and they shall be required to form and maintain such habits of obedience and subordination, as may be useful to them, if called into military service. The adjutant general shall be authorized to furnish to the college, for military drill, such arms and equipments, not needed by the state for other service, as may suffice for the number of students. He shall also furnish to the college a United States flag.

Military tactics to be taught.

Students required to form, &c.

Adjutant general to furnish arms, &c.

SECT. 11. Such other studies are to be taught, within the limitations of the act of congress, as the facilities of the college, and the periods of instruction will permit.

Other studies to be taught.

SECT. 12. Students who satisfactorily complete any one or more of the prescribed courses of study, may receive public testimonials thereof, under the direction of the trustees, stating their proficiency.

What students entitled to testimonials, &c.

SECT. 13. No charge shall be made for tuition, to any student who is an inhabitant of this state; and the trustees and all persons employed by them shall constantly endeavor, by the adoption of judicious and effective arrangements in all the labor departments of the college, to reduce the cost of subsistence to the students, and to render the institution, as far as possible, self-sustaining.

Tuition, no charge for.

Cost of subsistence, &c.

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Duty of trustees and teachers.

SECT. 14. It shall be the duty of the trustees, directors and teachers of the college, to impress on the minds of the students, the principles of morality and justice and a sacred regard to truth; love to their country; humanity and universal benevolence; sobriety, industry and frugality, chastity, moderation and temperance, and all other virtues which are the ornaments of human society; and among other means to promote these ends, and to secure the best personal improvement of the students, the trustees shall provide, as fully as may be practicable, that the internal organization of the college shall be on the plan of one or more well regulated households and families, so that the students may be brought into relations of domestic intimacy and confidence with their teachers.

Admission of students, how regulated as to locality.

SECT. 15. If at any time, the number of students, applying for admission shall be greater than the means of the trustees will enable them to receive, they shall make regulations for the number to be admitted, having reference to the proportions of population in the several senatorial districts in the state, and equalize the admissions according to such proportions as nearly as may be.

Annual session of trustees, &c.

SECT. 16. The trustees shall hold a regular session at the college at least once in each year; and may provide for periodical visitations by committees. No trustee shall receive any compensation except actual travelling expenses to be paid from the treasury of the college.

Compensation of trustees.

Report of treasurer to be as often as once in six months.

—duty of trustees in relation thereto.

SECT. 17. The treasurer of the college shall make as often as once in six months, a detailed report of all receipts and expenditures, and the trustees shall cause the same to be verified by full inspection and settlement of all his accounts and shall transmit a copy of the same, as verified by them to the governor and council. The trustees shall also cause to be made annually, such report as is required by the fifth section of the act of congress, and communicate the same as therein provided.

Rights of the legislature reserved.

SECT. 18. The legislature shall have the right to grant any further powers, to alter, limit or restrain any of the powers vested in the trustees of the college established by this act, as shall be judged necessary to promote the best interests thereof. And this act shall take effect upon its approval by the governor.

Approved February 25, 1865.