

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1864.

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

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1864.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1864.

Chapter 292.

An act to provide for an additional term of the court of county commissioners for the county of Knox.

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

SECTION 1. There shall be a term of the court of county commissioners for the county of Knox holden annually on the fourth Tuesday of January.

Co. commis-
sioners court,
Knox county,
4th Tuesday
of January.

SECT. 2. This act shall take effect from and after its approval by the governor.

Approved January 19, 1864.

Chapter 293.

An act to change the name of the Maine State Seminary to that of Bates College, and to otherwise alter the charter of said corporation.

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

SECT. 1. The Maine State Seminary, an institution of learning for males and females, located in Lewiston, in the county of Androscoggin, shall hereafter be called and known by the name of Bates College; and the act incorporating the said seminary, entitled "an act to incorporate the Trustees of the Maine State Seminary," approved March sixteen, eighteen hundred fifty-five, is

Name changed.

Act of incor-
poration
amended.

CHAP. 293. hereby' so altered and amended, that as altered and amended it shall read as follows :

Corporators. **SECT. 2.** Oren B. Cheney, Ebenezer Knowlton, Benjamin E. Bates, James Colder, Hosea Quinby, Lyman Nichols, William Burr, George L. Ward, Henry P. Torsey, Dexter Waterman, James G. Blaine, Moses C. Henderson, Nahum Brooks, George T. Day, William R. Frye, John A. Lowell, John W. Perkins, Abial M. Jones, Daniel M. Graham, Joseph S. Burgess, Jason Mariner, Henry Williamson, Alonzo Garcelon, Alexander H. Morrill, William H. Littlefield, George W. Bean, Nelson Dingley, junior, Moses H. Tarbox, Amos D. Lockwood, Charles H. Smith, Theodore Wells, junior, Francis H. Lyford, Samuel N. Tufts, James S. Gardiner, Samuel Farnham, Porter S. Burbank, George H. Ricker, William T. Smith, Oren Bartlett, Joseph W. Chadwick, Oliver Hill, Moses L. Morse, Benjamin F. Hayes, Bradbury Sylvester, Albanus K. Moulton, Azael Lovejoy, Oren Williamson, Orange T. Moulton and Charles F. Penney, their associates and successors, are hereby constituted a body politic and corporate by the name of the President and Trustees of Bates College, and by that name shall have power to prosecute and defend suits at law, to have and use a common seal and to change the same at pleasure, to take and hold for the objects of their association, by gift, grant, bequest, purchase or otherwise, any estate, real or personal, the annual income of which shall not exceed fifty thousand dollars, and to sell and convey any estate, real or personal, which the interests of said college may require to be exchanged.

Corporate name.

May hold real and personal estate.

—income not to exceed \$50,000.

Donations, &c. **SECT. 3.** All property and estate, real and personal, which may at any time by donation, grant, bequest or otherwise, come into the possession of the said board of president and trustees in their corporate capacity, shall be faithfully applied to the promotion of the cause of education, by maintaining a college for males and females in Lewiston, in the county of Androscoggin, in this State.

—how applied.

Governor and treasurer of state, ex-officio, &c. May adopt rules, regulations, &c. **SECT. 4.** The governor and treasurer of state, shall be members ex-officio of the said board of president and trustees.

Powers. **SECT. 5.** The board of president and trustees aforesaid, may adopt such rules, regulations and by-laws, the same not being repugnant to the laws of this state, as they may deem expedient for the management of their affairs, for the proper discipline and order, and for the general prosperity of said college; they shall have power to establish in the said college, such departments and courses of study as they may elect to establish; they shall fill by ballot all vacancies occurring in their board; they shall choose a secretary, treasurer and such other officers as they shall decide the interests of the said college may require; they shall choose the president of said college, who shall be the president of this corporation and all necessary professors, tutors and teachers, and shall

Vacancies in board, how filled.

Officers.

President, &c.

—may remove president.

have power to remove the same at pleasure ; but the president or any professor shall not be removed from his office until reasonable notice shall have been given to him in writing, specifying the grounds of removal, and a full hearing upon the specifications shall have taken place before the board of president and trustees ; and a majority of the whole of said board is required to effect such removal ; they shall have power to confer such degrees as are usually conferred by colleges or universities established for the education of youth ; and they shall be, and they are hereby invested with all the powers, privileges, rights and immunities incident to similar corporations and institutions.

—shall have notice.

—majority of board to effect removal.

May confer degrees.

Powers, privileges, &c.

SECT. 6. While the president and trustees of said college shall have the right, as is provided in section five of this act, to establish in the said college among other departments, a department of sacred or biblical literature, of anatomy and physiology, and of constitutional law, thereby teaching the young the principles of morality and of the christian religion, to regard the laws of health and to be true and loyal to the state and to the country, the president and trustees are prohibited from establishing in said college a department of theology, of medicine or of law as such, without special authority from the legislature.

Department of theology, &c., prohibited without authority of the legislature.

SECT. 7. The said president and trustees may at any time by a special vote of their board appoint four of their number, who, together with the president, secretary and treasurer of the college, shall constitute a board of overseers, said board of overseers to have a legal existence for the period of one year or until another board shall in a like manner, and of the same number, of seven, be constituted in its stead. The president of the college shall preside in the said board of overseers, and the secretary of the college shall be the secretary of the said board of overseers ; and the said board of overseers thus constituted and organized, shall have full power, and is hereby authorized to act in the interim, from one annual meeting of the board of president and trustees to another for, in behalf, and instead of the said board of president and trustees ; *provided*, that none of the doings of the said board of overseers shall be legal and binding for a longer period than one year, unless the same shall be approved by the said board of president and trustees at a meeting legally held.

Overseers, board of, may be appointed.

—term of office.

President to preside.
Secretary.
Power of overseers.

Proviso.

SECT. 8. The number of the said board of president and trustees shall not at any time be less than thirty-five nor more than fifty-one, and it shall not be necessary for more than thirteen of the said board to be present, to constitute a quorum to do business ; and any trustee, excepting a trustee ex-officio, who shall neglect to attend two stated meetings of the board in succession without giving under his hand, in writing, a satisfactory excuse for his ab-

President and trustees, number of board limited. —quorum of board.

Trustee neglecting to attend meeting, seat shall be vacated.

CHAP. 293.

sence, shall be considered as having voluntarily vacated his seat, and the vacancy shall be filled without delay.

Trustee may be removed.

SECT. 9. The said board of president and trustees shall have power to remove any trustee from their corporation whenever in their judgment he shall become morally, or by age or otherwise, disqualified for performing the duties of his office.

Maine State Seminary and Bates College, deemed one and same institution, &c. Property, powers, &c., of Maine State Seminary, vested in Bates College.

SECT. 10. The said Maine State Seminary and the said Bates College shall be deemed one and the same institution and corporation, and all property now owned and held by the trustees of the said seminary, shall be the property of the president and trustees of the said college, their associates and successors, and shall be held by them in trust for the purposes mentioned in this act forever; and all powers granted to the trustees of the said seminary shall be vested in the president and trustees of the said college; and all donations, grants, devises and bequests, heretofore made, or that shall hereafter be made to the said seminary, or to the trustees thereof, shall be deemed good and valid, as if made to the said college, or to the president and trustees thereof, and shall be held by the said president and trustees in the same manner as if made to them. And the said president and trustees shall have the same right to prosecute in their corporate name any action at law, or in equity upon any contract or liability heretofore made or existing with the said seminary as the said seminary might have done if the name thereof had not been changed; and also to defend any suit which may be brought against them upon any such contract or liability.

Doings of trustees and officers of the Maine State Seminary, deemed doings of Bates College.

SECT. 11. All the doings of the said board of trustees acting heretofore for the said Maine State Seminary, shall be deemed as the doings of one and the same corporation, acting hereafter for said Bates College; and the secretary, treasurer and other officers of the said seminary shall continue to discharge the functions of their respective offices for the president and trustees of the said college, until changed under the provisions of this charter or by-laws made in pursuance thereof; and special and annual meetings of the said board of president and trustees shall until otherwise provided by said president and trustees, be called in the same manner as is provided in the by-laws of the said Maine State Seminary.

Secretary and treasurer, &c., to continue to discharge duties of office.

Meeting, how called.

SECT. 12. All acts or parts of acts inconsistent with the provisions of this act, are hereby repealed.

Inconsistent acts repealed.

SECT. 13. The legislature shall have the right to alter or amend this act at any time.

Right of legislature.

SECT. 14. This act shall be in force from and after its approval.