

mean himself in a proper manner and conform to such rules as may be established.

Donations not to be diverted from their original purpose.

SECTION 7. This law may be repealed or modified by the legislative power of this territory: *provided*, that such power of repeal shall never extend to direct to any other purposes than those expressed therein if any shall be expressed in any grant of property to such corporation; but such property in the event of the dissolution of such corporation or in case such grant shall be disapproved of by the legislative power shall revert to the grantor or his heirs.

SECTION 8. The first meeting of the visitors under this act shall be held on the first Monday in July next and they shall have power to adjourn from time to time and to regulate their own meetings, and the notices that shall be given of such meeting, and if a quorum shall not attend at any meeting the visitors present may adjourn from time to time until a quorum shall attend.

SECTION 9. Whenever the word territory occurs in the body of this law it shall be read state after this territory shall become a state.

Approved January 19, 1838.

---

## No. 100.

AN ACT to incorporate the Davenport manual labor college.

Incorporating clause.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin*, That J. A. Burchard, Alex. C. Donaldson, John Work, John McGregor, Ant. Le Claire, Jo. W. Parker, D. C. Eldridge, L. S. Colton, G. C. R. Mitchell, Ira Cook, Leonard Burdwell, William West, Stephen Henley, Christopher Rowe, Geo. L. Davenport, Samuel Hedges, James Hall, Ebenezer Cook, Wheeler Hedges, Andrew F. Russell, E. Parkhurst and Roswell H. Spencer, and their successors be, and they are hereby enacted a body politic and corporate, to be styled and known by the name of "the trustees of the Davenport manual labor college," and by that name and style to remain and have perpetual succession. The said college shall be located

near the town of Davenport, on the most suitable ground that can be obtained for that purpose. The number of trustees shall not exceed twenty-five, exclusive of the president, principal or presiding officer of the college, who shall *ex officio* be a member of the board of trustees; no other instructor shall be a member of the board of trustees. For the present the above named individuals shall constitute the board of trustees, who shall fill the remaining vacancies at their discretion.

SECTION 2. The object of this corporation shall be the promotion of the general interests of education, and to qualify young men to engage in the several employments and professions of society, and to discharge honorably and usefully the various duties of life.

SECTION 3. The corporate powers hereby bestowed shall be such only as are essential in the attainment of said object, and such as are usually conferred on similar bodies corporate, viz: to have perpetual succession, to make contracts, to sue and be sued, plead and be impleaded, to grant and receive in its corporate name, and to do all other acts as natural persons may, to accept, acquire, purchase or sue, property real, personal or mixed; in all lawful ways to use, employ, manage and dispose of, all such property and all money belonging to said corporation, in such manner as shall seem to the trustees best adapted to promote the above mentioned objects, to have a common seal, and to alter or change the same, to make such by-laws for its regulation as are not inconsistent with the laws of the land, and to confer on such persons as may be considered worthy, such academical and honorary degrees as are usually conferred by similar institutions.

SECTION 4. The trustees shall have power from time to time to prescribe and regulate the course of study to be pursued in said college, and in the preparatory departments if any attached thereto, to fix the rate of tuition, room rent and other college expenses, to appoint instructors, professors and such other officers and agents, as may be needed in managing the concerns of the institution, to define their powers, duties and employments, to fix their compensation, to displace and remove either of the instructors, officers or agents, as said trustees shall deem the interest of

said college shall require, to fill all vacancies among the instructors, professors, officers and agents, to erect necessary buildings, to purchase books and chemical and philosophical apparatus, and other suitable means of instruction, to put into operation a system of manual labor for the purpose of lessening the expense of education and promoting the health of the students, to make rules for the general management of the affairs of the college, and for the regulation of the conduct of the students, and to add, as the ability of the corporation shall increase and the interest of the community shall require, additional departments for the study of any or all of the liberal professions: *provided, however*, that nothing herein contained shall authorize the establishment of a theological department in said college.

Power to remove.

SECTION 5. If any trustee shall be chosen president of said college, his former place as trustee shall be considered as vacant, and his place filled by the remaining trustees. The trustees for the time being shall have power to remove any trustee from his office as trustee for any dishonorable or criminal conduct: *provided*, that no such removal shall take place on account of religious opinions, nor without giving to such trustee notice of the charges exhibited against him and an opportunity to defend himself before the board, nor unless that two-thirds of the whole number of trustees for the time being shall concur in such removal. The trustees for the time being, in order to have perpetual succession, shall have power, as often as a trustee shall be removed from office, die, resign or remove out of the territory or state, to appoint a resident of the territory or state to fill the vacancy in the board. A majority of the board of trustees for the time being shall be a quorum to do business.

Fill vacancies.

Quorum.

SECTION 6. The trustees shall faithfully apply all funds collected or hereafter to be collected for said college, according to their best judgment, in erecting suitable buildings, in compensating the necessary instructors, professors, officers and agents, in procuring books, maps, charts, globes, philosophical, chemical and other apparatus, necessary to aid in the promotion of sound learning in said institution: *provided*, that in case any donation, devise or bequest, shall be made for particular purposes, accordant with the objects of

Donation.

the institution, and the trustees shall accept the same, every such donation, devise or bequest, shall be expressly applied in conformity with the condition of the donor or devisor: *provided, also*, that lands donated or devised as aforesaid shall be sold or disposed of as hereafter directed.

SECTION 7. The trustees of said college always, and all other agents when required by the trustees, before entering upon the duties of their respective offices, shall give bonds for the security of the corporation, in such penal sums, and with such securities, as the board of trustees shall approve; and all process against the corporation shall be by summons, and the service shall be by leaving an attested copy thereof with the treasurer or at his office or place of abode, at least twenty days before the return day thereof.

Official bonds.

Summons, how served.

SECTION 8. The said college and the preparatory departments thereof shall be equally open to all denominations of christians, and the profession of any particular religious faith shall not be required of those who become students. Any student however may be suspended or expelled from said institution, whose habits are idle or vicious or whose moral character is bad.

No religious test.

SECTION 9. The lands, tenements and hereditaments, to be held in perpetuity in virtue of this act, by said corporation, shall not exceed six hundred and forty acres: *provided, however*, that if donations, grants or devises in land, shall, from time to time, be made to said college, over and above said six hundred and forty acres, which may be held in perpetuity as aforesaid, the same may be received and held by said trustees for the period of three years from the date of every such donation, grant or devise. At the end of which time, if the said lands, over and above the six hundred and forty acres, shall not have been sold by said college, then in that case the said lands so donated, granted or devised shall revert to the donor, grantor or their heirs.

Real estate limited.

Approved January 19, 1838.