

## No. 99.

AN ACT to establish the university of the territory of Wisconsin.

Incorporating  
clause.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That there shall be established at or near Madison, the seat of government, a university for the purpose of educating youth, the name whereof shall be "the university of the territory of Wisconsin." The said university shall be under the government of a board of visitors not exceeding twenty-one in number, of whom the governor and the secretary of the territory, the judges of the supreme court and the president of the said university shall be part, and Bushnell B. Cary, Marshall M. Strong, Byron Kilbourn, William A. Gardner, Henry Stringham, Charles R. Brush, Charles C. P. Arndt, John Catlin, George H. Slaughter, David Brigham, John F. Schermerhorn, William W. Coriell, George Beatty, Henry L. Dodge and Augustus A. Bird, the remainder. They shall hold their office during the pleasure of the legislature by whom all vacancies shall be filled.

Board of visi-  
tors.

Powers and  
capacities.

SECTION 2. The said board of visitors and their successors shall forever hereafter be, and they are hereby established, and declared to be a body politic and corporate, with perpetual succession in deed and in law, to all intents and purposes whatsoever, by the name of "the board of visitors of the university of the territory of Wisconsin," by which name they and their successors shall be capable at law and in equity of suing and being sued, answering and being answered, pleading and being impleaded, and holding property real, personal and mixed, of buying and selling and otherwise lawfully disposing of property; and shall have power to make and use a common seal, and to alter the same at their pleasure; eleven of the said board of visitors shall be a quorum for the purpose of disposing of property, and fixing compensations, and any seven of said board shall be a quorum for all other purposes.

Quorum.

SECTION 3. It shall and may be lawful for the said board from time to time to apply such part of their estate and funds in such manner as they may think most

conducive to the promotion of literature, and the advancement of useful knowledge within this territory: *provided, always*, that when grants shall be made to them for certain uses and purposes therein expressed and declared, the same shall not be applied either in whole or part to any other uses without the consent of the grantor.

SECTION 4. The said board shall appoint by ballot a treasurer and secretary to continue in office during the pleasure of the board. The treasurer shall give bond to the board in such sum and with such sureties for the faithful performance of the duties of his office as the said board may direct, and shall keep fair and true accounts of all moneys by him received and paid out. The secretary shall keep a fair journal of the meetings and proceedings of the board in which the yeas and nays on all questions shall be entered if required by two thirds of the visitors present; and to all the books and papers of the board every visitor shall always have access and shall be permitted to take copies of them. Treasurer and secretary.

SECTION 5. The said visitors may from time to time establish such colleges, academies and schools, depending upon the said university, as they may think proper and as the funds of the corporation will permit. And it shall be the duty of the said visitors to visit and inspect, said colleges, academies and schools, to examine into the state and system of education and discipline therein, and to make a yearly report thereof to the legislature, to make such by-laws and ordinances, not inconsistent with the laws of the United States or of this territory, as they may judge most expedient for the government of such [schools, academies, and colleges, or for the accomplishment of the trust hereby reposed in such visitors, to appoint a president, professors, instructors, and other officers, to fix their compensation and to remove them when such visitors think proper, and also to confer such degrees as are usually conferred by universities established for the education of youth. Power of visitors.

SECTION 6. Persons of every religious denomination shall be capable of being elected visitors, nor shall any person as president, professor, instructor or pupil, be refused admittance for his conscientious persuasion, in matters of religion: *provided*, he shall de- No religious test.

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.

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## 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