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THE
CHARTER AND STATUTES
OF
KENTUCKY UNIVERSITY.

1886.

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THE CHARTERS
OF
BACON COLLEGE
AND
KENTUCKY UNIVERSITY:
ALSO THE OTHER
ACTS OF THE LEGISLATURE
RELATING TO KENTUCKY UNIVERSITY ;
TOGETHER WITH THE
STATUTES,
AS REVISED AND ADOPTED BY THE
BOARD OF CURATORS,
JUNE 10, 1886.

LEXINGTON, KY.:
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1886.

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CHARTER OF BACON COLLEGE.

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AN ACT TO INCORPORATE THE TRUSTEES OF THE BACON COLLEGE LOCATED AT GEORGETOWN.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That John T. Johnson, John Curd, John Duncan, Samuel Nuckols, James H. Davis, Henry Johnson, P. S. Fall, T. C. Flournoy, G. W. Williams, Thomas Smith, H. M. Bledsoe, Asa Runyon, John Bowman, Samuel Hatch, George L. Nuckols and James Challen, shall be, and are hereby constituted a body politic and corporate, to be known and designated by the name and style of the Trustees of the Bacon College, and by that name shall have perpetual succession, and a common seal, with power to change and alter the same at pleasure, and as a body corporate, shall be authorized to exercise all the powers, privileges and rights, which are exercised by the Trustees of the College at Danville in this State, but the property of said corporation shall be subject to taxation, except the College buildings and five acres of ground around or near the same, and on the death, resignation, or other disqualification of any of the said Trustees, or their successors in office, a majority of those in office, may fill such vacancy or vacancies, and the person or persons so appointed shall be vested with the same powers and privileges as those named in this act, and by the name, style and denomination of the Trustees of Bacon College, may sue and be sued, plead and be impleaded, defend and be defended, in any court of law or equity in this State.

§ 2. *Be it further enacted,* That it shall and may be lawful for said Trustees, and their successors in office, in their corporate capacity, to purchase, or receive by donation, demise, or bequeath, any lands, tenements, hereditaments, moneys, rents, goods and chattles, and to hold the same in the name aforesaid, to them and their successors forever, for the use and benefit of

said institution, and to sell, transfer, and convey the same under the seal of said corporation.

§ 3. *Be it further enacted*, That the principal of the Faculty shall be Chairman of the Board of Trustees, and a majority of the Trustees in office shall at all times constitute a quorum to do business, and shall have power to meet at such times and places as they may select for the transaction of business; and may make such laws, rules and ordinances, necessary for the proper government for said institution, as shall not be repugnant to the Constitution and laws of the United States or of this State; the said Trustees shall have power to select and appoint such officers, teachers, tutors, and professors, for the management of said institution as they may think necessary; to fix their salaries, and prescribe their duties, to fix and prescribe the terms upon which the students may be admitted, and for any misconduct in any officer, teacher, tutor, or professor, to dismiss such person from office, and to appoint another or others in their stead.

§ 4. *Be it further enacted*, That the said Trustees shall keep a record of their proceedings, and, if necessary, appoint a clerk to record the same, and to prescribe his duties; it shall be the duty of the Chairman of the Trustees to have recorded in the office of the county court, where said institution is located, the names of the Trustees thereof, and the names of such as may hereafter be appointed.

§ 5. *Be it further enacted*, That the real and personal estate acquired by this corporation, shall at no time exceed the yearly rent or value of ten thousand dollars.

§ 6. *Be it further enacted*, That the funds raised for endowing any of the professorships, shall never be encroached upon, and the funds raised shall not be diverted from the objects contemplated: *Provided however*, That the interest of any of the funds, when not needed for the special object for which they were raised, may be appropriated as said Trustees may direct.

§ 7. *Be it further enacted*, That full power is reserved to the General Assembly, to repeal or modify the privileges herein granted.

APPROVED FEBRUARY 23d, 1837.

CHARTER OF KENTUCKY UNIVERSITY.

AN ACT TO AMEND THE CHARTER OF BACON COLLEGE.

WHEREAS, an Institution of learning, known and called by the name of Bacon College, was founded by certain members of the body of the "Disciples of Christ," denominated "Christians," and was chartered by the Legislature of Kentucky in the year 1836 (1837); and whereas, said Institution, after a series of unsuccessful efforts for its permanent endowment and establishment, suspended its regular collegiate operation; and whereas, in view of the educational wants of the said body of Christians in Kentucky, and of their wishes for the permanent success of said Institution, known and expressed at various times, a plan for its full endowment and reorganization has been presented and prosecuted by John B. Bowman, of Mercer county, Kentucky, which has resulted thus far in the raising of \$100,000 of Endowment Fund; and whereas, it is desired to establish a first-class University, upon a more modern, American and Christian basis, and to carry out such design, it is necessary to amend and extend the provisions of the Charter of said Institution; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That said Institution, known and called by the name of Bacon College, and located at Harrodsburg, in the county of Mercer, and State of Kentucky, shall be from and after the passage of this act, known and called by the name of Kentucky University.

§ 2. That John B. Bowman, Jas. Taylor, John Aug. Williams, Benj. C. Allin, A. G. Kyle, A. H. Bowman, Jno. A. Dearborn, D. W. Thompson, A. G. Vivion, Phil. B. Thompson, W. A. Cooke, G. D. Runyon, A. G. Talbott, P. B. Mason, C. T. Worthington, G. W. Givens, James C. Stone, A. G. Herndon, R. C. Graves, William Morton, Joseph Wasson, John Curd, W. W. McKenney, W. L. Williams, John Allen Gano, John I. Rogers,

Zach. F. Smith, Robert C. Rice, Theodore S. Bell, and Enos Campbell, shall be, and they and their successors in office, are hereby constituted a body politic and corporate, to be known by the name of the Curators of Kentucky University, and by that name shall have perpetual succession and existence, and a common seal, which seal they may change and alter at pleasure; and by the aforesaid name, and in their corporate capacity, may sue and be sued, plead and be impleaded, contract and be contracted with, answer and be answered, in all courts of law and equity; and the same, in their corporate name, are hereby invested with the legal right to all the property and estate, real and personal, as well as all the rights and claims, heretofore vested in the Trustees of the said Bacon College, and may, in said corporate name, sue for and recover the same, in as full and ample manner as the said Trustees of Bacon College could have done prior to this act.

§ 3. For the purpose of promoting the cause of education in all its branches, and extending the sphere of science and Christian morality, the Curators aforesaid, and their successors, shall have power, from time to time, to establish and endow fully in said University, any departments and professorships which they may deem necessary to carry out the aforesaid objects. They, and their successors, shall furthermore have full power, in their corporate capacity, to hold, by gift, grant, devise, demise, or otherwise, any lands, tenants (tenements), hereditaments, moneys, rents, goods, chattels, or interests, of any kind whatsoever, which may be given, granted, demised, devised to, or purchased by them, for the use and benefit of said University; also, may sell, lease, rent, and dispose of the same, or any part thereof, in any way whatsoever, they may adjudge most useful to the interests of said University.

§ 4. They shall also have full power to select and employ any officers and agents they shall deem proper; also, such president, professors, instructors, and tutors, as they may, from time to time, consider necessary; also to make, ordain, establish, and execute, or cause to be executed, all such by-laws, rules, and ordinances, not inconsistent with the constitution and laws of the United States, or of this State, as they may think necessary for the welfare of said University, for their own government, the good government of the professors, instructors, tutors, agents, officers, and students of the same; and generally to do all acts

necessary and proper to promote the welfare and prosperity of said University.

§ 5. The permanent officers of the Board of Curators shall consist of a President, Secretary, Treasurer, and Executive Committee, all of whom shall be annually elected by the Curators from their own number, except the Treasurer, who may be elected out of the Board.

§ 6. The Secretary of the Board shall keep a fair and correct record of all the proceedings of the Board, in a good and substantial book, which record shall be signed by the President and Secretary before the adjournment of each meeting, and shall at any time be subject to the inspection and examination of any member of the Board, or any donor of the Institution. He shall file away, and carefully preserve, all such documents and papers pertaining to his office and to the Institution, as may come into his hands, which shall, upon his death, resignation or removal from office, be delivered up to the Board, and he shall perform such other duties as the Curators may prescribe.

§ 7. The Treasurer, before he enters upon the duties of his office, shall enter into a bond, with ample security, in the penalty of one hundred thousand dollars, for the faithful discharge of the duties of his office. He shall take charge of all the funds of the Institution; he shall pay over all money that may come into his hands, upon the order of the Board; indorsed by the President thereof. He shall pay out no money except upon such order of the Board, he shall render a true account current of the state of his office to the Board of Curators, at its annual meeting, which account must be accompanied by the certificate of the Executive Committee, signed by each member thereof, and stating that it has been examined, and that it is correct, after which it shall then be published; and no person shall be eligible to re-election as Treasurer until such report is made, examined, and approved by the Board of Curators; he shall furthermore, when his term of service expires, or he shall resign his office, or be removed therefrom, deliver up to the Executive Committee, or their order, all the books and papers pertaining to his office, and in each and every particular account for and pay over all money or other thing of value which may come into his hands as Treasurer. He shall also permit his books to be examined at any and all times, by the Executive Committee, or any donor of the In-

stitution. The bond of the Treasurer shall be placed in the hands of the Secretary of the Board, and shall be renewed upon a re-election to the office, which bond shall be made payable to the Curators of said University.

§ 8. For the ownership and control of said University, at least two-thirds of the Board of Curators shall always be members of the Christian Church in Kentucky; at no time shall any member of the Faculty be a member of the Board.

§ 9. An annual meeting of the Board of Curators shall be held during the commencement week of the University, at which time they shall cause to be published a general account of the condition of the Institution. A meeting shall be called at any other time, by the President of the Board, at the suggestion of any three members, or the President of the University. Nine members shall constitute a quorum for ordinary business, one of whom shall be President *pro tem.* in the absence of the President of the Board, and less than a quorum shall have the power of adjourning from day to day, or to any future day, until a quorum shall be had.

§ 10. A majority of all the Curators shall have power to remove a Curator from office, for any cause they may deem sufficient, and shall also have power to define the qualifications of a Curator; and whenever any Curator shall absent himself from two successive annual meetings of the Board, without assigning a sufficient reason therefor, his seat shall be declared thereby vacant, and the Board shall, at its next meeting, proceed to the election of a new Curator to fill such vacancy. All vacancies by death, resignation, or removal from office, or otherwise shall be filled by a quorum.

§ 11. No less than a majority of the whole Board shall have power to appoint the President, professors, instructors, and tutors, and all other officers and agents, to fix their compensation, or increase or diminish the same, to remove the same from office for sufficient cause, and to fill all vacancies in the same, whether by death, resignation, removal, or otherwise: *Provided*, a vacancy may be filled by a quorum until a meeting of said majority shall be held.

§ 12. The Curators, upon the recommendation of the President and Faculty of the University, shall have power to grant such literary honors as are usually granted by the best colleges and universities in the United States, and such other

honors as the Board and Faculty may think necessary, and in testimony thereof, to give suitable certificates or diplomas, under the seal of the corporation, and every such diploma shall entitle its possessor to all the immunities and privileges which, by any law or usage, are allowed to the possessors of diplomas granted by any college or university in the United States.

§ 13. All the provisions of the charter of Bacon College, heretofore enacted, which are in conflict with the provisions of this act, are hereby annulled and repealed.

§ 14. All lands, money, or other property, which may, by donation, devise, deed of gift, or otherwise, be contributed to said University, shall be strictly applied according to the instructions given by the donor or testator, and all money thus donated as a permanent endowment fund, shall be principal, and shall be, as the same accrues, invested in good, safe, profitable and permanent stocks, which shall remain forever intact, and the amount whereof is to be in no respect or in any manner whatever diminished, subject however, as necessity may demand, to investment and reinvestment in such stocks, the proceeds of such stocks, either in the form of dividend or interest, or rents, shall be a fund in the hands of the Treasurer, subject to the order of the Board of Curators, and shall be used as the Board may direct, for the purposes of the University.

§ 15. For maintaining and carrying out effectually the discipline of said University, *Be it further enacted*, that if, by any person, money be lent, or advanced, or anything sold, or let to hire on credit, to or for the use of any student, or pupil under twenty - one years of age, at the said University, without the previous permission in writing, of his parent or guardian, or the authorized officers of said Institution, nothing shall be recovered therefor by action of debt, and there shall, moreover, be forfeited to the Institution twenty dollars, and the amount or value of such money or other things; where such selling, letting, lending, or advancing, is by an agent, such forfeiture shall be by his principal, unless the principal shall, within ten days after he has knowledge or information of the selling, letting, lending, or advancing, give notice, in writing, to the President, or other head of the Institution, that it was done without his knowledge or consent, in which case the forfeiture shall be by the agent.

§ 16. If any person so violate the last above-named section

of this act, as to be liable to the forfeiture thereby declared, he shall, moreover, be fined not less than fifty nor more than three hundred dollars, and upon conviction, he shall be bound by the court, in a sum not less than five hundred dollars, with at least two sufficient securities, to be of good behavior for one year, and any subsequent violation of the section aforesaid shall be held to be a forfeiture of the recognizance.

§ 17. It shall be the duty of the judge of the Mercer Circuit Court to give the fifteenth and sixteenth sections of this act in charge to the grand jury, at each and every term of said court, and the penalties imposed in the above-named sections for a violation or violations of any of the provisions thereof, shall be recovered by indictment found by the grand jury, one-half of the aforesaid penalty to go to the attorney of the Commonwealth.

§ 18. That if the President, or any agent, or the Treasurer or any other officer of the Board of Curators, or of the University, without the authority of the Board, properly given and entered of record, as before directed, appropriate any of the funds of the Institution to his own use, or that of any other person, or shall wilfully fail to make correct entries, or shall knowingly make false entries upon the books of the Institution, with the intent to cheat or defraud the same, or any contributor to the funds thereof, or to hide or conceal any improper appropriation of said funds, the person so offending shall be deemed guilty of felony, and shall, upon conviction thereof, be sentenced to confinement in the jail or penitentiary of the State for a period of not less than one or more than twenty years.

§ 19. The Board of Curators of Kentucky University shall consist of not less than thirty members, a majority of whom shall at all times reside out of the county of Mercer; and in any county of this State where the sum of fifteen thousand dollars may be subscribed to the endowment fund of the University, there shall be a representation of at least one member in the Board.

§ 20. This act to take effect from and after the date of its passage.

APPROVED January 15th, 1858.

ACCEPTED by the Trustees of Bacon College, February 2d, 1858.

ACCEPTED by the Board of Curators of Kentucky University, February 2d, 1858.

AN ACT AUTHORIZING KENTUCKY UNIVERSITY TO LOAN
OUT ITS FUNDS.

*Be it enacted by the General Assembly of the Commonwealth
of Kentucky:*

§ 1. That it shall and may be lawful for the Board of Curators of Kentucky University to loan out any of the funds belonging to said University, upon mortgage or other security, at any rate of interest that may be agreed upon, not exceeding the rate of ten per cent. per annum.

§ 2. This act shall take effect from and after its passage.

APPROVED February 13th, 1863.

ACCEPTED by the Board of Curators of Kentucky University, June 23d, 1863.

AN ACT TO ESTABLISH AN AGRICULTURAL COLLEGE IN
KENTUCKY.

WHEREAS, The Curators of the Kentucky University propose to locate their University in Fayette county, in or near the city of Lexington, and said Curators and the Trustees of Transylvania University propose to consolidate the two Universities, and all the funds and property of each, into one corporation, under the name of the Kentucky University; and it appearing that said Curators have a cash endowment of two hundred thousand dollars, yielding an annual income of about twelve thousand dollars, and that there are cash funds of Transylvania University, to be united with them, of fifty-nine thousand dollars, yielding an annual income of over three thousand five hundred dollars, besides the grounds, buildings, library, apparatus, and other property of Transylvania University, of the value and cost exceeding one hundred thousand dollars; and said institution, when so consolidated, proposes to raise an additional one hundred thousand dollars to purchase a farm and erect all the necessary buildings and improvements to carry on the operations of an Agricultural and Mechanical College, and connect therewith a model or experimental farm, with industrial pursuits, to enable such pupils as choose to do so to sustain themselves, in whole or in part, while acquiring their education; and further propose, that the State of Kentucky shall establish the Agricultural and Mechanical College of Kentucky as one of the Colleges of Kentucky University, thus consolidated,

and endow the same with the income of the fund which shall arise from the sale of land scrip granted to Kentucky by the Congress of the United States for the purpose of establishing said college; and upon the State of Kentucky so establishing and endowing said college, the Curators of Kentucky University will furnish, in reasonable time, all the necessary lands, buildings, apparatus, &c., for such college, and proceed at once to organize said college, and put the same in operation in accordance with this act and the act of Congress, and subject to the visitorial control of the State of Kentucky, in its organization and general management, and with the sole control, by the State, of its said fund, in keeping the principal of the same perpetually secure; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That there shall be, and is hereby, established, the Agricultural and Mechanical College of Kentucky, located in the county of Fayette, in or near the city of Lexington, which shall be a College of Kentucky University.

§ 2. *Be it further enacted,* That the leading object in said College shall be to teach such branches of learning as are related to agriculture and the mechanical arts, including military tactics, without excluding other scientific and classical studies, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life.

§ 3. *Be it further enacted,* That to effect the said leading object of said college, there shall be established therein the competent number of professorships for teaching the sciences related to agriculture and the mechanical arts, including military tactics, which professorships shall be filled by able and competent professors, aided by such assistants, tutors, and other instructors, as shall, from time to time, be necessary; and, as a part of said college, there shall be conducted an experimental or model farm, with the usual accessories thereto, and of size proportioned to the number of students; and on said farm, and in the mechanical arts, there shall be provided to the students opportunities for industrial pursuits, at stated times, whereby agriculture and the mechanical arts may be practically learned, and the student enabled to earn his support while being educated, in whole or in part, by his labor and industry.

§ 4. *Be it further enacted,* That in the appointment of

professors, instructors, and other officers and assistants of said College, and in prescribing the studies and exercises thereof, and in every part of the management and government thereof, no partiality or preference shall be shown to one sect or religious denomination over another; nor shall anything sectarian be taught therein; and persons engaged in the conducting, governing, managing, and controlling said College and its studies and exercises, in all its parts, are hereby constituted officers and agents of the whole Commonwealth, in faithfully and impartially carrying out the provisions of this act for the common good, irrespective of sects or parties, political or religious.

§ 5. *Be it further enacted*, That the Curators of Kentucky University shall organize said Agricultural and Mechanical College by establishing the proper professorships and officers, with the salaries and compensation thereof, and filling the same, from time to time, by their appointments; provide the necessary grounds, buildings, and improvements, and conduct, carry on, and manage the said College, as provided in this act; and said Curators, to aid them in conducting said College and defraying the expenses thereof, shall receive all the income of the fund which shall arise from the sale of land scrip granted to the State of Kentucky by the act of Congress, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanical arts," approved July 2d, 1862; and which income shall be appropriated by said Curators to the payment of the salaries of the professors, and other officers and employes of said College, and other expenses of conducting the same, and the farm and industrial pursuits incidental thereto, and to no other purpose whatever: *Provided*, That a majority of the professors of said College shall not at any one time belong to the same ecclesiastical denomination.

§ 6. *Be it further enacted*, That the Governor, with the advice and consent of the Senate, shall appoint six visitors of said College, who shall constitute the Board of Visitors thereof, and appoint one of their number chairman of the Board; and said Board shall have, at all times, full power to inspect and examine into all the details of the managing and conducting of said College, and to see that all the provisions of this act are carried into effect, according to their true meaning and intent; and it shall be the duty of said Board to point out to the Cura-

tors of Kentucky University all defects or departures from the provisions of this act, in conducting and managing of said college, and suggest the proper mode of correcting them; and said Curators shall proceed to correct them; and it shall be further the duty of said Board of Visitors to report to every biennial meeting of the General Assembly the condition and management of said college; and if, at any time, it shall appear to the General Assembly that the Curators have persisted in not carrying the provisions of this act into effect, according to their true object and spirit, and in disregarding the requirements of the Board of Visitors, it shall be lawful to deprive, either temporarily or permanently, said College of the endowment of the income of the fund aforesaid. The Visitors shall hold their office for two years, and until their successors are appointed. Vacancies in said Board by death, resignation, or expiration of term of office, during the recess of the General Assembly, shall be filled by the Governor until the end of the next succeeding session.

§ 7. *Be it further enacted*, That as soon as the said College is organized for the reception and proper instruction of pupils, the Curators shall make known the same to the Governor and President of the Board of Education; and thereupon, each representative district of the State shall be entitled to send to said College, free of charge for tuition, one properly prepared pupil for each member said district is entitled to elect to the General Assembly; and when the whole of said land scrip shall be sold and invested, each district shall be entitled to send three of such properly prepared pupils to said College for each member the district is authorized to elect. Said pupils shall have the right of receiving, free of charge for tuition, the benefit of any instruction given in any of the Colleges or classes of the University, except those of law and medicine. The pupils shall be selected by the majority of the justices of the peace of said districts.

§ 8. *Be it further enacted*, The provisions of this act shall not go into effect until Transylvania University and Kentucky University shall be consolidated into one corporation, under the name of the Kentucky University, and the funds, property, &c., of Transylvania University shall be vested in the Curators of Kentucky University, as successors of the Trustees of Transylvania University; nor until the Curators of Kentucky University shall, by resolution, assent to all the provisions of this

act, and accept this act as part of its charter. A copy of said resolution, and of the action of the Trustees of Transylvania University, and the Curators of the Kentucky University, in accepting said consolidation, shall be laid before the Governor; whereupon he shall, by writing, signed by him, and under the seal of the State, authorize the Curators of the Kentucky University to organize the Agricultural and Mechanical College of Kentucky, in pursuance of this act.

§ 9. The General Assembly reserves the right to modify and repeal, at pleasure, so much of this act as refers to the establishment of the Agricultural and Mechanical College.

APPROVED FEBRUARY 22D, 1865.

ACCEPTED by the Board of Curators of Kentucky University, June 20th, 1865.

AN ACT TO CONSOLIDATE KENTUCKY UNIVERSITY AND
TRANSYLVANIA UNIVERSITY.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Kentucky University and Transylvania University shall be consolidated into one University and one corporate body, by the name of Kentucky University.

§ 2. That the Curators of Kentucky University shall have all the rights and powers of the Trustees of Transylvania University in regard to all the funds and property of Transylvania University, which, by this act, shall pass to Kentucky University, and be bound by the trusts and conditions to which said Trustees were subject.

§ 3. That, except so far as relates to the funds and property of Transylvania University, the charter of the Kentucky University, as herein changed, shall be the charter of the consolidated University.

§ 4. That Kentucky University shall be located in Fayette county, in or near the city of Lexington, and in said county shall be located all its colleges. It is expressly declared, however, that said Kentucky University is bound to refund to the citizens of Mercer county the full nominal value of all unpaid coupons subscribed and paid by them to the endowment of said University which may be claimed by them; and also refund to

said citizens all of the Bacon College scholarships subscribed and paid in full by any citizen of said county, and which may be claimed by them.

§ 5. That if hereafter, for any cause, the location of Kentucky University shall be changed from Fayette county, then, and in that event, the consolidation shall cease, and the Trustees of Transylvania University resume their separate corporate existence, and shall be entitled to receive and take into their possession all the fund and property which belonged to Transylvania University at the time of consolidation; and it shall be the duty of the Curators to surrender to said Trustees all said property, and the principal of all the funds which came into their possession belonging to Transylvania University at the time of consolidation.

§ 6. That the consolidation herein provided shall not go into effect until a majority of the Trustees of Transylvania University, and a majority of the Curators of Kentucky University, shall each assent to the provisions of this act, by resolutions recorded on their respective journals of their proceedings.

§ 7. This act shall take effect from its passage

APPROVED February 28th, 1865.

ACCEPTED by the Board of Curators of Kentucky University, June 20th, 1865.

AN ACT IN RELATION TO THE AGRICULTURAL COLLEGE.
Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the Auditor of Public Accounts be, and he is hereby, authorized to draw his warrant upon the Treasury in favor of the Treasurer of the Board of Curators of Kentucky University, for the sum of twenty thousand dollars, which sum is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to aid in putting the Agricultural and Mechanical College of Kentucky into immediate operation. Upon the payment of the foregoing sum, the State shall be entitled to send to said College, free of charge, three pupils for each representative district : *Provided, however,* The State reserves the right, hereafter, to reimburse itself for

the amount herein appropriated out of the interest arising from the sale of the land scrip donated by Congress : *And provided further,* The money herein appropriated shall not be drawn from the Treasury until the Curators of Kentucky University shall certify to the Governor that said Agricultural College is ready to go into immediate operation, in accordance with the provisions of the act establishing the same.

§ 2. Before the Auditor shall draw his warrant upon the Treasurer in accordance with this act, the Curators of said University shall accept the provisions of this act, and shall transmit to the Governor a certified copy of the order of their Board showing said acceptance.

§ 3. This act shall take effect from and after its passage.

APPROVED February 10th, 1866.

ACCEPTED by the Board of Curators of Kentucky University, February 12th, 1866

AN ACT TO AMEND THE CHARTER OF KENTUCKY UNIVERSITY.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Treasurer of Kentucky University, before he enters upon the duties of his office, shall enter into a bond with ample security, and in the penalty of twenty-five thousand dollars, for the faithful performance of his duties; he shall receive and safely keep all moneys arising as income from stocks, bonds, promissory notes, or other sources, for the University; he shall pay over all money that shall come into his hands, upon the order of the Board of Curators, endorsed by the President thereof, and in no other way; and in all other respects he shall be governed in his official actions by the provisions of the original act of which this is an amendment.

§ 2. All the funds, certificates of stock, bonds, promissory notes, or other evidences of debt belonging to said University, shall be taken charge of and safely kept by the Executive Committee, subject to the order of the Board of Curators; and there shall be no disposal or transfer of the same except by an order of the Board, and with the endorsement of the President of the

Board of Curators, and the Chairman of the Executive Committee, and countersigned by the Secretary of said Committee.

§ 3. That the provisions of this act shall be of binding force and effect, as a part of the charter of Kentucky University: *Provided*, That a majority of the Board of Curators present at their next annual meeting, or any subsequent meeting, shall accept the same, and order such acceptance entered in the book of their proceedings.

§ 4. This act to take effect from its passage.

APPROVED February 5th, 1868.

ACCEPTED by the Board of Curators of Kentucky University, June 10th, 1874.

AN ACT IN RELATION TO THE AGRICULTURAL AND MECHANICAL COLLEGE OF KENTUCKY, AND TO PROVIDE FOR THE FUTURE MANAGEMENT AND LOCATION THEREOF.

WHEREAS, The Joint Committee appointed by this General Assembly to investigate the condition and relations of the Agricultural and Mechanical College, has reported recommending the severance of the connection existing between said College and the Kentucky University; and whereas, it is desirable to continue the operations of said College until the same is permanently located and established, provided satisfactory arrangements can be effected as is hereinafter provided; and whereas, the future location, establishment, and success of said College is a matter of great and common interest to the people of the whole State, and which should be the pride and aim of every citizen having the future prosperity and welfare of the Commonwealth at heart; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That so much of the act approved February 23 (22), 1865, entitled "An act establishing the Agricultural and Mechanical College of Kentucky as one of the Colleges of the Kentucky University," as establishes the Agricultural and Mechanical College of Kentucky one of the Colleges of the Kentucky University, and so much of said act as places said Agricultural and Mechanical College under the control of the

Curators of the Kentucky University, and as allows said Curators to receive the interest on the fund arising from the sale of land scrip granted to the Commonwealth of Kentucky by act of Congress, approved July 2, 1862, be, and the same is hereby, repealed, said repeal to take effect the first day of July, 1878.

§ 2. There is hereby appointed and constituted a Commission, to be styled "The Agricultural and Mechanical College Commission," composed of the Lieutenant Governor of the Commonwealth of Kentucky, who shall be *ex officio* a member and the Chairman of said Commission, and J. M. Bigger, of the First Congressional District; James Weir, of the Second Congressional District; C. U. McElroy, of the Third Congressional District; David R. Murray, of the Fourth Congressional District; J. Lawrence Smith, of the Fifth Congressional District; H. P. Whitaker, of the Sixth Congressional District; R. A. Spurr, of the Seventh Congressional District; M. C. Saufley, of the Eighth Congressional District; D. D. Sublett, of the Ninth Congressional District, and Richard Dawson, of the Tenth Congressional District. Said Commission are hereby authorized and empowered, and it shall be their duty, to provide, if possible, for the continued operation of said Agricultural and Mechanical College, and to make such equitable and just arrangements with the authorities of Kentucky University as will secure such advantages of an interchange of students, the use of buildings, apparatus, land, &c., as will secure the continued existence and prosperity of said Agricultural and Mechanical College until the same is finally located and settled; and in case said Commission should not be able to make such satisfactory arrangements with Kentucky University as is equitable and just, and such arrangements as will secure the best interest of the Agricultural and Mechanical College, they may suspend the operations of said Agricultural and Mechanical College until the same is finally and permanently located, as hereafter provided. Said Commission are empowered, and it shall be their duty, to advertise for and receive proposals and offers from counties, towns, or cities, or non-sectarian institutions of learning, in lands, buildings, money, apparatus, &c., or either of them, for the permanent location of said Agricultural and Mechanical College; and after receiving said proposals and offers, they shall report the same to the next regular session of the General Assembly, and shall

recommend that place which shall present the best and greatest inducements, all things considered; and any offer or proposal, when made to, and confirmed by, said General Assembly, shall be final and binding; and said Commission, in making advertisements for the proposals, and in the reception thereof, shall make it a condition precedent that all proposals shall be binding if accepted by the General Assembly. Said Commission, in effecting an arrangement for the continued operation of said Agricultural and Mechanical College until the same is permanently and finally located, or in receiving proposals for its final location, shall be empowered to adjust and settle all outstanding differences that may exist between the Agricultural and Mechanical College and Kentucky University; and if said differences are not thus adjusted, said Commission may adjust and settle same in such other manner as may be just and equitable. Said Commission are also empowered to take such steps as may best further the interest of said Agricultural and Mechanical College, and secure its successful management and operation, not inconsistent with the provisions of this act.

* * * *

§ 10. This act shall take effect from and after its passage.
APPROVED March 13th, 1878.

AGREEMENT BETWEEN KENTUCKY UNIVERSITY AND H. H. GRATZ.

This agreement, made this 27th day of April, A. D., 1878, between Kentucky University of the first part, and H. H. Gratz and his assigns of the second part, witnesseth :

That, in consideration of one dollar in hand paid, and the further considerations hereinafter expressed, the party of the first part hereby grants to the party of the second part the right of using and occupying for the purpose of a Park, the Lower College Lawn, bounded by Market, Second, Mill and Third Streets, in the City of Lexington; and for that purpose said second party may erect gates, construct walks and music stands, plant out trees and shrubbery, place upon it seats and benches, and make other improvements appropriate to Park purposes; and he is authorized to make rules and regu-

lations concerning said Park, for the purpose of preserving order and decorum among those using the Park, and prescribe the conditions upon which other persons may visit, use and enjoy the said Park; and he shall have the same power of enforcing such rules, regulations and conditions that Kentucky University possesses; but no right herein granted shall interfere with or hinder Kentucky University from using said Lawn for educational uses, or using for schools connected with said University, the buildings now upon said Lawn, or of erecting other buildings thereon for educational purposes; nor shall the students of Kentucky University, during the day time or at other times when said Lawn shall be opened to visitors, be prevented from using, in an orderly and decorous manner, and in accordance with the rules and regulations applicable to other visitors, the walks and seats of the said Park; but neither said students nor shall any others be permitted to play any games, or run races, or by boisterous cries or other noises disturb either the other visitors of the Park or the citizens residing in that neighborhood.

And the second party binds himself to take good care of said Lawn, and to the extent of his power to enforce good order and decorum upon the same. The second party is also authorized upon such considerations as shall be agreed upon by him and other parties, and upon said parties assuming upon themselves to Kentucky University all the obligations and duties herein imposed upon the second party, to transfer to said other parties all the rights, interests and powers herein granted to the second party; and upon such assumption and transfer said other parties shall become in all respects the grantees in this instrument in lieu of the second party.

It is further agreed between the parties aforesaid, that the first party shall have the right at any time to give notice to the second party that this agreement and all the rights, interests and powers by it conferred, shall cease on a day to be named in said notice; and thereupon, at the time named in the notice, this agreement, with the said rights, interests and powers, shall cease; provided however, that the notice shall be in writing, and served on the second party or his transferee six months before the day fixed for such cessation, and that the day fixed for such cessation shall only be in the months of January, February, March, November or December, and in no other months. Upon

such notice being served as aforesaid, the second party shall have the right of removing from the Lawn all such improvements and embellishments, though fixed to the soil, as he shall put upon the said Lawn; provided that such removal shall only be upon the Lawn being restored, with the exception of the walks, to the same or as good a condition as to the grass sward as it is at this time. But if the first party desires it, it has the privilege of retaining upon the Lawn any and all the improvements and embellishments, including trees and shrubs, placed or planted thereon, by paying either their then value or their original cost.

AN ACT TO AMEND THE CHARTER OF KENTUCKY UNIVERSITY.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Treasurer of Kentucky University may pay out any money that may come into his hands upon the order of the Executive Committee, indorsed by the Chairman and Secretary thereof.

§ 2. The transfer or disposal of the funds, certificates of stock, promissory notes, or other evidences of debt, belonging to the Kentucky University, may, in the intervals between the meetings of its Board of Curators, be made by the Executive Committee thereof; and it shall be the duty of said Executive Committee to keep a record of all such transfers or disposals, and submit the same for approval to the Board of Curators at their next annual meeting.

§ 3. That the provisions of this act shall be of binding force and effect as a part of the charter of Kentucky University: *Provided*, That a majority of the Curators at their next annual meeting of their Board, or at any subsequent meeting of the same, shall accept the said amendment, and order such acceptance to be entered on the books of their proceedings.

§ 4. This act to take effect from and after its passage.

APPROVED March 17th, 1884.

ACCEPTED by the Board of Curators of Kentucky University, June 10th, 1884.

PLAN OF THE UNIVERSITY.

1. The plan of the University embraces several Colleges, each under the immediate government of its own Faculty and Presiding Officer, and all under the general supervision of the President of the University.

2. Each College is divided into several Schools or Departments of Study. Each School is under the charge of a Professor, assisted, when necessary, by subordinate Instructors.

3. The Colleges contemplated in the plan are :

I. A College of Liberal Arts.

II. A College of the Bible.

III. A Commercial College.

IV. A Normal College.

V. A College of Law.

VI. A College of Medicine.

4. The plan also includes an Academy in charge of a Principal and assistants, and under the general oversight of the Faculty of the College of Liberal Arts.

STATUTES OF THE UNIVERSITY.

THE BOARD OF CURATORS.

1. The annual meeting of the Board of Curators shall be held on the Tuesday of commencement week. Other meetings may be held by adjournment; and, whenever a special meeting shall be called in accordance with Article 9th of the Charter, due notice of the same shall be given by the Secretary of the Board to each member thereof, stating the object of the meeting.

2. Unless otherwise ordered, the meetings of the Board shall be held in Morrison College, beginning promptly at 2 P. M. These meetings shall be considered private, except when, by courtesy of the Board, visitors shall be admitted.

3. The proceedings of the Board shall be conducted strictly according to parliamentary law. The order of business for each session of an entire meeting shall be as follows :

a. Calling of the roll.

b. Prayer.

- c. Reading of the minutes of the last preceding session.
- d. Report of the President of the University.
- e. Report of the Treasurer.
- f. Report of the Executive Committee.
- g. Reports of other Committees and of Agents.
- h. Unfinished business.
- i. New business.

At the close of the last session of any meeting, the minutes of that session shall be read, and the record of the entire meeting shall, before adjournment, be signed by the President and Secretary.

OFFICERS OF THE BOARD.

1. The permanent officers of the Board, as provided in Article 5th of the Charter, shall be elected by ballot at each annual meeting, and shall continue to discharge their duties till their successors shall be chosen.

2. The President of the Board shall promptly call the members to order at the time appointed for the meeting. He shall appoint all committees not designated by the Board.

3. The Secretary shall keep the seal of the University, and shall, by the authority of the Board, or of the Executive Committee, affix the same to all official documents requiring this attestation.

4. The Treasurer shall, upon election, promptly present his bond to the Executive Committee for their approval and acceptance; and the obligation thereof shall be binding till, at the close of his term of office, he shall have complied with all the provisions relating to his office, prescribed in the charter or in its amendments.

5. The Executive Committee shall consist of five members of the Board, who shall be residents of Fayette county or its vicinity. They shall, at their first meeting, elect from their own number, a Chairman and a Secretary.

6. They shall have full power, for and in behalf of the Board, to transact all business which the Board might rightfully do, and which ought to be done, in the interim between the meetings of the Board: *Provided, however,* That the acts of said Executive Committee, so far as they relate to the legitimate business of the whole Board, shall have full force and

effect only until the next meeting of the Board, unless at said meeting they shall be ratified by the Board.

7. They shall hold regular meetings on the first Friday in each month, and shall keep a permanent record of all their proceedings, which shall be submitted for approval to the Board at its next annual meeting. They shall have general control of the grounds, buildings, and other property of the University; and shall make such repairs and improvements as from time to time may be necessary.

8. They shall have power to suspend a professor or other instructor, or any officer or agent, and to supply any vacancy that may occur between the meetings of the Board of Curators, in the corps of instructors, or in any office of the University.

9. They shall audit all accounts against the University, and, by the endorsement of their Chairman and Secretary, shall authorize the Treasurer to pay all thus approved. They shall have power to institute suits for the recovery of damages for injuries done to the property of the University, or for dues accruing to the same from any source whatever. They shall audit the annual report of the Treasurer, and shall publish the same. They shall also publish the annual catalogue of the University.

THE PRESIDENT OF THE UNIVERSITY.

1. The President of the University shall exercise a general supervision over its educational interests. He shall be the usual medium of communication between the instructors or students and the Executive Committee or Board of Curators.

2. At the annual meeting of the Board he shall present a report setting forth the general condition, prospects, and wants of the University, and the operations of the several departments during the scholastic year. He shall recommend such measures as pertain to the upbuilding and general welfare of the University; and, by correspondence and otherwise, do all in his power to present the Institution properly before the public and to promote its interests and reputation.

THE FACULTIES.

1. The Faculty of each College shall be composed of the Professors and Assistant-Professors thereof. Each College shall have its Presiding Officer; the President of the University

being, *ex officio*, Presiding Officer of the College of Liberal Arts.

2. The Presiding Officer of each College shall be especially charged with the discipline of that College. He shall have power to admonish, rebuke, or suspend any student for violation of law or negligence of duty; subject, however, in the case of suspension, to the approval of the Faculty. He may, at his discretion, call meetings of the Faculty, and it shall be his duty to do so when requested by two members thereof. In any meeting of the Faculty he shall have the vote of a Professor, and also a casting vote as Chairman when the other votes are equally divided. He shall make to the President of the University, at least five days before the annual meeting of the Board of Curators, a report, in writing, of the operations and condition of the College under his charge, with the recommendation of such measures as he may deem proper. He shall furnish the President of the University a list of names and places of residence of all students who have been recommended by the Faculty for the degrees of the College, and also the names and residences of such alumni as may be entitled to the second degree therein. He shall officiate at the public exercises of the College under his charge, and, in behalf the Curators, confer the degrees upon the students and alumni thereof.

3. Each professor in charge of a School shall be the judge of a student's qualifications for admission to his School, as well as for promotion therein. He shall have full control of his School, subject to the statutes of the Board and the by-laws of the Faculty. He shall direct the labors of his assistants, and may, at his discretion, adopt proper minor laws for the government of his students. He may reprimand, suspend, or dismiss from his School any student whose conduct may, in his judgment, deserve such treatment. He shall promptly report to the Presiding Officer, for the action of the Faculty, every such suspension or dismissal; and, without his consent, no student suspended or dismissed by him shall be restored to his class, except by a vote of two-thirds of the Faculty. He shall make no change of text-books, or course of study, in his School, without the sanction of the Faculty, but may communicate with the Board of Curators, or with the Executive Committee, in reference to any matter pertaining to the well-being of his School. He shall have charge of all apparatus that properly belongs to

his School, and shall be responsible to the Board of Curators for any damages to the same occasioned by negligence on his part. He shall attend, when practicable, the meetings of the Faculty to which he belongs.

4. No instructor, of whatever grade, shall accept a present from any student. Every instructor shall keep a faithful record of the scholarship, attendances, and conduct of his students. He shall be an officer of discipline, as well as of instruction. He shall report promptly to the Professor or Presiding Officer of the proper College, any violation of the laws by any student, and shall labor, to the extent of his ability, to promote the interests of the University. He shall attend, when practicable, the public exercises of the University; and, unless specially exempted, shall reside near the University, and shall engage in no pursuit that will interfere with the regular and faithful performance of his duties.

5. The meetings of each Faculty shall be held at such times and places as its members may agree upon. In these meetings they shall be governed by the usual parliamentary rules, a majority forming a quorum. In the absence of the Presiding Officer, a temporary Chairman shall be chosen. Each Faculty shall have power to make, at its discretion, suitable rules for its own government and for the government of the College under its charge. It shall appoint one of its own members Secretary, who shall keep a permanent record of its proceedings, and shall attend to all writing and correspondence which may be required by the Faculty. The Secretary of the Faculty of the College of Liberal Arts shall keep an accurate record of all graduates of the different Colleges and of all degrees conferred by the University; and to this end it shall be the duty of the Secretaries of the other Faculties to furnish him with proper lists of these graduates and of the degrees conferred in their respective Colleges. Any Faculty may assign to its members, by an equitable distribution, such miscellaneous duties as need to be performed, which do not belong strictly to any one department of instruction; and, whenever, by sickness, death, or any other cause, any officer of instruction is necessarily absent, his duties may, in like manner, be distributed among others until such vacancy can be filled.

6. Any Presiding Officer, Professor, or other Instructor, may be dismissed by the Board of Curators, whenever, in their

judgment, the interests of the University require such dismissal. The right to regulate, from time to time, the salaries of the various officers and instructors is reserved by the Board; but the emolument of no faithful Professor or other Instructor shall be diminished, unless by written notice at the close of the annual session or within one month thereafter. No Professor or other Instructor shall resign without permission of the Board, or of the Executive Committee, except at the end of the session, or without having given at least three months' notice of his intention to resign.

ADMISSION.

1. Every candidate for admission must present satisfactory evidence of good moral character; and, if previously connected with any college or academy, a certificate of honorable dismissal therefrom.

2. The attainments in study required for admission into the Academy shall be determined by the Faculty of the College of Liberal Arts. The Principal shall conduct the examination of the candidate, and shall decide his fitness for admission.

3. The examinations for admission to the Schools of the several Colleges shall be held at the beginning of the session, each Professor conducting the examination in his own School, and being the sole judge thereof. The advanced standing of any student of the preceding session shall be determined by his scale of merit at its close.

4. Each Professor may, at his discretion, admit into any class of his School, a candidate who, though not fully qualified for the same, yet gives evidence of his ability and determination to make up his deficiency. Failure to do so within a reasonable time will be sufficient ground for severing his connection with the class.

MATRICULATION AND DISCHARGE.

1. A student, upon his arrival, should report promptly to the Presiding Officer of the College he wishes to enter, with his testimonials of character and standing. He should, as early as practicable, secure suitable boarding and lodging. Failure to observe these regulations may bar his admission.

2. After successful examination and payment of fees, he will, upon reading a copy of the laws, be entitled to matriculate

upon signing the following declaration : "*I enter the University with a sincere desire to enjoy the benefit of its instruction, and with a determined resolution to conform to its laws.*"

3. Every student shall be free to enter the schools of his choice, and shall be required to enter no other; *Provided*, That he shall attend at least three daily recitations, unless, for special reasons, less be permitted.

4. A student shall not be enrolled as a member of more than one College at a time, and he shall be amenable for his conduct to the Faculty of that College of which he is a matriculate.

5. An honorable discharge shall be granted to any student in good standing, who may wish to withdraw from the University : *Provided*, That a minor shall produce, in writing, the assent of his parent or guardian.

DISCIPLINE.

1. Each Faculty, at its discretion, may, for violation of law, inflict any of the following penalties :

- a. Private admonition.
- b. Public admonition.
- c. Complaint to parent or guardian.
- d. Suspension.
- e. Dismission.
- f. Fines for damages to property.
- g. Expulsion.

2. No student shall be expelled or publicly dismissed without an opportunity of being fully heard in his own defense; and, in all cases of expulsion, the action of the Faculty shall not be final till confirmed by the Executive Committee; but, whenever the Faculty of any College are satisfied that the presence of a student is unfavorable to its prosperity, they may dismiss him privately, or request his parent or guardian to remove him immediately from the University. In all cases of separation by discipline, the delinquent's fees shall be forfeited.

3. It shall be the duty of any student dismissed or expelled by any Faculty, to leave the University grounds immediately, and to return to his home. For any unnecessary delay, on or about the premises of the University, the Faculty shall have power to change his sentence of dismission into that of expulsion.

EXAMINATION AND SCALE OF MERIT.

1. There shall be at least two classes of examinations: the first, in connection with the daily recitation or lecture; the second, public, at the close of each term. In addition to these the Professor in each School may appoint such others as he may deem proper.

2. Each Professor, or other Instructor, shall conduct the daily examination of his classes in such a way as he may deem best, and he shall affix to the name of each student examined a number designating the value of his examination. One hundred shall denote the highest degree of merit; zero, the absence of any.

3. The term examinations shall be either written or oral, as each Professor may determine. But they shall, in all cases, be made *real tests* of scholarship, and efficient means of distinguishing the meritorious from the undeserving, and of conferring honorable rank on young men of promising attainments.

4. At the close of each term examination the Professor in charge shall make an estimate of each student's performance according to the same scale as that used in the daily examinations, and from this estimate and those of the daily exercises, he shall make a just determination of the student's merit for scholarship for the term. He shall also note the number of his absences, excused and unexcused, and the number of his tardy attendances. These results, together with an estimate of his general conduct, shall be entered on the files of the College, and a copy thereof shall be sent to his parent or guardian.

GRADUATION AND DEGREES.

1. A student may graduate in any School of a College on the following conditions :

a. That he shall have completed in that School, in a satisfactory manner, all of the required studies or a fair equivalent therefor; the record of his merit, in each study, for scholarship, being not less than seventy-five per centum of the scale on which one hundred denotes perfection.

b. That he shall have habitually observed the rules of the University.

2. He shall then be entitled to a certificate of graduation signed by the Professor, and bearing the seal of the University.

3. The degree of Bachelor of Arts may be conferred on a student who shall have graduated in all of the Schools of the Classical Course. The degree of Bachelor of Science may be conferred on a student who shall have graduated in all of the Schools of the Scientific Course.

4. The degree of Master of Arts may be conferred on the following conditions :

a. That the candidate shall have received, at least one year before, in the College of Liberal Arts, the degree of Bachelor of Arts.

b. That he shall have passed a satisfactory examination in a prescribed course of study in Mathematics, in Modern Languages, and in History, English Literature, or Philosophy.

c. That he shall have paid a Master's fee of ten dollars.

5. The degree of Master of Science may be conferred on the following conditions :

a. That the candidate shall have received, at least one year before, in the College of Liberal Arts, the degree of Bachelor of Science.

b. That he shall have presented to the Faculty of that College satisfactory evidence of such additional attainments in the Schools of Mathematics, Philosophy, Natural Science, and Modern Languages, as shall fully correspond to one year's study in each of three of these Schools.

c. That he shall have paid a Master's fee of ten dollars.

6. No honorary degree shall be conferred.

PUBLIC WORSHIP.

1. The College of Liberal Arts and the College of the Bible shall be opened daily with prayer, or such brief devotional exercises as the Faculty of each may prescribe. The Presiding officer of each College is charged with the conduct of these exercises.

2. The students of these Colleges shall be required to attend such religious exercises, unless, for special reasons, excused by the Presiding Officer.

3. It shall be the duty of the Professors and other Instructors to be present, when practicable, at the daily opening exercises.

LITERARY AND RELIGIOUS SOCIETIES.

1. Literary or Religious Societies may be organized in any College, with the consent of the Faculty thereof; *Provided*, That the constitution and by-laws of the proposed Society shall have been first approved by the Faculty of that College. Any by-laws subsequently adopted must have a like approval. The meetings of such Society shall at all times be open to any member of the Faculty.

2. Membership, other than honorary, in any such Society, shall be restricted exclusively to students of the University. Honorary members shall not be entitled to hold office, vote, or represent the Society on any public occasion.

3. Any such Society may, with the consent of the proper Faculty, give open sessions or public exhibitions of a literary character; but no such open session or public exhibition shall exceed two hours in length, and all matter or papers designed to be read or spoken on such occasions shall be first approved by the Presiding Officer of the College to which such Society belongs.

4. No such Society shall invite any person to address its members in public without permission, previously obtained, of the proper Faculty.

5. The property of any such Society shall at all times be under the guardianship of the Board of Curators; and, in event of the dissolution of the Society its property shall be at the disposal of the Board.

6. Any such Society may be suspended or dissolved at the discretion of the Faculty of the College in which it is organized.

THE LIBRARY.

1. The Library of the University shall be in charge of some suitable person as Librarian, who shall be appointed annually by the Executive Committee, and whose compensation shall be fixed by the same.

2. It shall be the duty of the Librarian to take good care of all books, maps, manuscripts, etc., belonging to the University, to keep them free from dust as far as practicable, to arrange them in proper order, and to keep a list of all books presented to the Library or purchased for its use.

3. He shall carefully register all books drawn out; noting

the name of the drawer, the number, title, and condition of the book, the time when drawn, and when returned.

4. He shall, one week before the annual meeting of the Board of Curators, make to the President of the University a written report, in which shall be stated the condition and wants of the Library, the number of books received during the year, the number drawn, the number lost or injured, and any other matters pertaining to the Library that may seem to require attention.

5. The Curators of the University, the President, the Presiding Officers, the Professors and other Instructors, the students, and all resident graduates, shall have the right to draw books from the Library. Others may have this privilege by obtaining permission from the President of the University, and by binding themselves to make good any loss or injury which the exercise of this privilege may occasion.

6. Any injury to a book drawn shall be paid for by the drawer at the discretion of the Librarian, whose duty it shall be to assess and to collect all fines for such injuries, and to pay the same to the Treasurer of the University. The loser of a volume must replace the same, or pay the value thereof in money; if the volume be one of a set, the whole set must be replaced, or its value paid in money.

7. No book drawn from the Library shall be carried beyond the precincts of Lexington, except by special permission of the President of the University. A violator of this rule may, at the option of the Librarian, be deprived of the use of the Library, or be required to pay a fine of one dollar.

8. Purchases for the Library shall be made under the supervision of the President of the University, who shall fix the hours when the Library shall be open, and shall enact such minor laws as he may deem best for its regulation.

HISTORICAL SKETCH.

1836—1886.

BACON COLLEGE—KENTUCKY UNIVERSITY.

BACON COLLEGE, the first literary institution of its grade established by the "Disciples of Christ," was founded early in November, 1836, in Georgetown, Scott county, Ky. Its charter was obtained at the next session of the Legislature, and bears date February 23, 1837.

The first President was Walter Scott; who, however, did little more than deliver an inaugural address. He was succeeded, within a year, by David S. Burnet, who remained in office two years.

In the summer of 1839, the institution was removed to Harrodsburg, Mercer county, Ky.; where, in September, it was opened under the Presidency of Samuel Hatch.

In the summer of 1840, James Shannon became President. Under his charge the institution was conducted till the summer of 1850; when, for want of means, its operation was suspended.

After two unsuccessful attempts to raise funds for reopening the institution—the first in the winter of 1851–52 by John Young, the second in the spring and summer of 1854 by Albert G. Talbott—a third was made in the fall of 1855 by John B. Bowman and James Taylor, the latter of whom secured, before the close of the year, in the county of Mercer, subscriptions amounting to \$30,500. Mr. Bowman took the field as solicitor early in January, 1856; and, to a meeting of the donors held in Harrodsburg, May 6–7, 1857, he reported subscriptions amounting to \$134,100. Included in this sum was the amount secured in Mercer by James Taylor, mentioned above as \$30,500, which was augmented in Mercer, by Mr. Bowman, to \$37,900. Prior to this effort for its revival, Bacon College possessed funds amounting to \$9,500; hence, in May, 1857, the aggregate of the funds and subscriptions was \$143,600. Subsequently, by the labors of Mr. Bowman, this sum was greatly increased.

May 9, 1857, Robert Milligan was elected President of Bacon College. He entered upon the discharge of his duties in September, 1859.

September 21, 1857, the Preparatory Department of the College was opened under the name of TAYLOR ACADEMY. An amended charter was obtained, bearing date January 15, 1858, by which the provisions of the former charter were greatly extended, and the name of the institution changed to KENTUCKY UNIVERSITY. This charter was accepted by the Board of Trustees of Bacon College, February 2, 1858.

September 19, 1859, the Collegiate Department was opened, with a full faculty, under the Presidency of Robert Milligan.

In February, 1864, the main building was destroyed by fire, and with it all of the small library and a large portion of its valuable apparatus.

In the summer of 1865, the University was removed to Lexington, Fayette county, Kentucky, its present site. Here it acquired the property of TRANSYLVANIA UNIVERSITY; the latter institution having been consolidated with Kentucky University by an act of the Legislature, approved February 28, 1865. To the Academy and College of Arts which had existed at Harrodsburg, were now added the College of the Bible and the College of Law; the former under the Presidency of Robert Milligan, also Presiding Officer of the College of Arts; the latter under that of Madison C. Johnson. The office of Regent was also created, and John B. Bowman was elected to fill it.

June 27, 1866, Robert Graham was elected Presiding officer of the College of Arts, to succeed Robert Milligan; the latter retaining the Presidency of the College of the Bible. At the same time John Aug. Williams was chosen Presiding Officer of the Agricultural and Mechanical College of Kentucky. This College had, by an act of the Legislature approved February 22, 1865, been made one of the Colleges of Kentucky University. Its first session began October 1, 1866.

October 7, 1867, a fifth College, the Commercial, was opened, under the charge of A. Hollingsworth, Principal.

February 3, 1868, Joseph Desha Pickett succeeded John Aug. Williams as Presiding Officer of the Agricultural and Mechanical College.

In the summer of 1869, Henry H. White succeeded Robert Graham as Presiding Officer of the College of Arts; James K. Patterson succeeded Joseph Desha Pickett as Presiding Officer of the Agricultural and Mechanical College; and Horace P.

Perrin succeeded A. Hollingsworth as Presiding Officer of the Commercial College.

Robert Milligan, Presiding Officer of the College of the Bible, having died March 20, 1875, Robert Graham was, in the succeeding summer, appointed his successor.

In the summer of 1876, Wilbur R. Smith succeeded Horace P. Perrin as Presiding Officer of the Commercial College.

In the summer of 1877, Joseph Desha Pickett succeeded Henry H. White as Presiding Officer of the College of Arts; and Moses E. Lard succeeded Robert Graham as Presiding Officer of the College of the Bible.

June 12, 1878, the office of Regent was abolished, and Henry H. White was elected President of the University, and hence, *ex-officio*, became Presiding Officer of the College of Arts.

June 13, 1878, the resignation of Moses E. Lard as Presiding Officer of the College of the Bible was accepted, and the same day the last session of this College closed.

July 1, 1878, the Agricultural and Mechanical College of Kentucky ceased to be one of the Colleges of Kentucky University, by virtue of an act of the Legislature, approved March 13, 1878, repealing the act which established it, approved February 22, 1865.

In the summer of 1878, the new College of the Bible, which had been organized one year before under the Presidency of Robert Graham, was invited to occupy a portion of the grounds and buildings of the University. This invitation was accepted, and the two institutions have since been conducted in close relationship, with mutual benefit. Each, however, possesses its own funds, is conducted under its own charter, and is controlled by its own Board, these Boards being entirely independent of each other.

The last session of the College of Law closed June 10, 1879.

In the summer of 1880, Henry H. White was succeeded, as President of the University and Presiding Officer of the College of Arts, by the present incumbent, Chas. Louis Loos.

The Collegiate year, 1885-86, just closed, completes a half-century of the existence of the institution: as Bacon College from 1836 to 1858; as Kentucky University from 1858 to 1886.

The degree of Bachelor of Arts was first conferred June 25,

1841. The number of degrees conferred by Bacon College and by Kentucky University from this date to June 10, 1886 inclusive, is as follows: Bacon College, from 1841 to 1850; Bachelor of Arts, 27; Doctor of Laws, 1; total, 28. Kentucky University, from 1861 to 1886; Bachelor of Arts, 85; Master of Arts, regular, 9; Master of Arts, honorary, 9; Bachelor of Science, 12; Master of Science, 2; Bachelor of Laws, 158; Doctor of Laws, 1; total, 276.

In the College of the Bible and in the Commercial College no degrees are conferred. The number of graduates in these Colleges is as follows:

College of the Bible (old), from 1867 to 1877; English Course, 55; Classical Course, 10; total, 65

College of the Bible (new), from 1878 to 1886; English Course, 58; Classical Course, 9; total, 67.

Commercial College, from 1870 to 1886; Shorter Course, 188; Full Course, 1,398; total, 1,586.

TRANSYLVANIA UNIVERSITY.

1780—1865.

At the session of the General Assembly of Virginia, begun and held in May, 1780, an act was passed, vesting in thirteen Trustees, named therein, the title to 8,000 acres of escheated lands in the county of Kentucky, "for the purpose of a public school or seminary of learning, to be erected within said county." No steps appear to have been taken under this act.

At the session of the General Assembly, begun and held in May, 1783, an act amending that of May, 1780, was passed. This act increased the number of Trustees to twenty-five, therein named. Three of the original thirteen had lost their lives in Indian warfare, of whom two fell at the battle of Blue Licks and one elsewhere; the names of three others were dropped; and to the remaining seven were added eighteen others. The act incorporated the twenty-five as Trustees of TRANSYLVANIA SEMINARY; clothed them with the powers and privileges enjoyed by the visitors and Governors of any College or University in Virginia, except as limited by this act; vested in them the title to the 8,000 acres of the preceding act; appropriated 12,000 acres more of escheatable land when escheated; and

fixed the first meeting of the Trustees at John Crow's Station, Lincoln county, on the second Monday in November, 1783. Thus was provision made for the first literary institution of its grade west of the Alleghenies.

November 10, 1783, the first meeting of the Trustees was held at Crow's Station (near the present site of Danville). At this meeting steps were taken to obtain subscriptions of real and personal property for the support of the Seminary.

November 4, 1784, the Trustees resolved that a Grammar School should be "erected in Lincoln county, at or near the Rev. David Rice's present dwelling," and a committee was appointed "to provide a person who should teach under the direction of the Chairman" (Mr. Rice).

May 26, 1785, the committee reported that "they had employed the Rev. James Mitchell to continue in service three months from February 1, 1785," and that "he had since been induced to continue to the present time;" whereupon Mr. Mitchell was appointed for one year more. It would thus appear that the Seminary was first opened to students in February, 1785.

April 17, 1788, it was resolved "that the next stated session of this Board be held at the Court-house in the county of Fayette."

October 13, 1788, the first meeting of the Trustees in Lexington was held.

May 22, 1789, Isaac Wilson was appointed Grammar Master, "the school to commence June 1, 1789, at the public school-house near Lexington." This appears to have been the first session of the Seminary after its removal to Fayette county.

April 9, 1790, was Commencement day in Transylvania Seminary; "the first public college commencement in the West of which we have any record."

April 11, 1791, James Moore was appointed director of the Seminary; his services began September 1, 1791.

February 5, 1794, Harry Toulmin was elected President of the Seminary; he took the oath of office June 30, 1794.

In the following year (1795), measures were taken by some who were dissatisfied with the election of Mr. Toulmin, to establish a rival school, the Kentucky Academy, at Pisgah, in what is now the county of Woodford. James Blythe and David Rice were sent to solicit contributions in the Eastern States.

"George Washington and John Adams, then President and Vice President of the United States, contributed \$100 each, and Aaron Burr \$50. President Washington expressed a warm interest in the subject, and made special inquiries into the state of literature in Kentucky."

November 21, 1795, an act of the Legislature was approved by the Governor, by which the Trustees of Transylvania Seminary were "suspended from any further proceedings in the execution of the trust reposed in them. until the end of the present General Assembly."

November 23, 1795, the Trustees appointed a committee to communicate with the General Assembly on the subject of the act of November 21, 1795, and "to make to the Assembly a full statement of the rights and privileges of Transylvania Seminary."

September 23, 1796, James Moore was elected President of the Seminary. He took the oath of office October 3, 1796.

January 1, 1799, Transylvania Seminary and Kentucky Academy were united under the name of TRANSYLVANIA UNIVERSITY, by an act of the General Assembly, approved December 22, 1798.

January 8, 1799, the first meeting of the Board of Trustees of the University was held. This Board was composed of twenty-five members, eight of whom were selected from the Trustees of Transylvania Seminary and eight from the Trustees of Kentucky Academy. James Moore, President of the Seminary, remained in office as the first President of the University. A professorship of Medicine and one of Law and Politics were established.

April 7, 1802, the first degree conferred by the University, that of Bachelor of Arts, was granted to Robert R. Barr.

October 4, 1804, Professor James Blythe was appointed acting President. He discharged the duties of the office about fourteen years.

November 15, 1817, Horace Holley, the third President, was elected; he was not inaugurated till December 19, 1818.

February 3, 1818, an act of the General Assembly was approved by the Governor, which provided that the seats of all the Trustees of Transylvania University, twenty-one in number, should be vacant from and after February 28, 1818, and that thirteen persons, named therein, should thereafter constitute the

Board of Trustees. Eight of these were members of the retiring Board, and three others had been members thereof.

March 24th, 1827, the final report of President Holley, on retiring from office, was addressed to the Board of Trustees.

February 7, 1828, Alva Woods was elected the fourth President. He took his seat in the Board as President, September 29, 1828.

May 9, 1829, the principal building of the University was destroyed by fire. This building, a brick of three stories, erected in 1817, stood on the lower College Lawn, the lot now leased and styled Gratz Park. The music-stand in this park is on or near its site. The old edifice, a two-story brick, was built at the north end of this lawn, with the present Third street (not then opened) in its rear.

December 29, 1832, Benjamin O. Peers was elected acting President.

November 4, 1833, the present building, styled Morrison College, erected under a contract dated June 30, 1831, "was opened with appropriate inauguration ceremonies." It bears the name of Col. James Morrison, who had, by will dated December 21, 1820, bequeathed \$20,000 to establish in the University a Professorship bearing his name, and also a residuary legacy, estimated at \$40,000, "to be applied to the erection of another edifice to be denominated Morrison College." With a portion of this legacy was purchased that part of the present campus which lies between Broadway and the extension, northward, of the middle line of Market Street. This property was conveyed to the Trustees of the University, June 20, 1831, by Henry Clay, executor of Col. Morrison, to be held "to the exclusive use of said Trustees and their successors for the sole purposes of said University, without being appropriated to any other purpose whatsoever." Col. Morrison died April 23, 1823.

February 14, 1834, acting President Peers was removed from office. This action of the Trustees was the result of differences between them and the President regarding the management of the Institution.

October 25, 1834, Thomas W. Coit was elected the sixth President. He was inducted into office July 1, 1835. His resignation was received November 14, 1837, and the same day Dr. Louis Marshall was elected President *pro tempore*.

February 20, 1839, an act of the Legislature was approved

by the Governor, incorporating the Trustees of Transylvania Institute. This Institute was organized to aid the University in its waning fortunes. A subscription of \$500 to the funds of the University and the payment of one-fifth of this sum were the conditions of membership. The payment of the whole secured to the subscriber the right of sending one pupil to Morrison College. The total number of scholarships subscribed was 81. Of this number but 44 were paid in full, and for these only were certificates issued.

In November, 1840, Dr. Louis Marshall was succeeded by Robert Davidson, the seventh regular President.

In the fall of 1842, the literary department of the University was placed under the control of the Methodist Episcopal Church South, and Henry B. Bascom was elected the eighth President. Mr. Bascom was succeeded by Prof. James B. Dodd, who was appointed President *pro tempore*, in 1849.

By an act of the Legislature, approved March 10, 1856, the University was reorganized, and the literary department converted into a "School for Teachers," under the patronage of the State. To its support, the sum of \$12,000 a year, to be drawn from the common school fund, was appropriated, and the Governor, Lieutenant-Governor, and five other State officials were constituted members of its Board of Trustees. The University, thus reorganized, was placed in charge of Lewis W. Green, its ninth and last President.

By an act of the Legislature, approved February 13, 1858, the act of March 10, 1856 was repealed, "the repeal to take effect from and after June 5, 1858." From this date the exercises of the University were suspended till 1865, except in the Medical Department, the last session of which closed in the spring of 1859.

By an act of the Legislature, approved February 28, 1865, Transylvania University was merged in KENTUCKY UNIVERSITY, and the consolidated institution has since been conducted under the name and charter of the latter.

The number of degrees conferred by Transylvania University, from its origin, January 1, 1799, to the date of President Holley's inauguration, December 19, 1818, a period of nearly twenty years, was, as far as the records show, 22.

The total number from the beginning of the University to the close of President Holley's incumbency, March 24, 1827, was as follows: Bachelor of Arts, 182; Doctor of Medicine, 327; Bachelor of Laws, 41; total, 550. In addition to these, the degree of Master of Arts was conferred on 76 persons, and honorary degrees on 40; making, of degrees conferred, a total of 666.

The records fail to make known the number of degrees conferred since President Holley's resignation, except in the Medical Department. Its register, beginning in 1819 and ending in 1859, shows 1,835 graduates and 44 honorary degrees conferred, a total of 1,879.

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