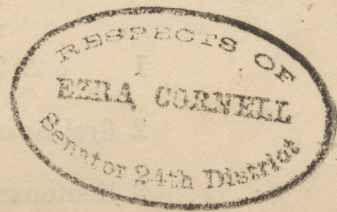


State of New York.

No. 145.



IN SENATE,

February 7, 1865.

Introduced on notice by Mr. WHITE—read twice, and referred to the committees on literature and agriculture.

AN ACT

To establish the Cornell University, and to appropriate to it the income of the sale of public lands granted to this State by Congress, on the second day of July, eighteen hundred and sixty-two: *and to restrict the operation of Chapter 511 of the laws of 1863—*

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 SECTION 1. Ezra Cornell, William Kelly, Horace Greely, Josiah B.
2 Williams, William Andrus, John McGraw, George W. Schuyler, Hiram
3 Sibley, J. Meredith Read, John M. Parker, and such other persons as may
4 be associated with them for that purpose, are hereby created a body pol-
5 itic and corporate, to be known as the Cornell University, which univer-
6 sity shall be located *in the County of Tompkins in this State* in the town of Ithaca. The object of the corporation
7 hereby created, is the cultivation of the arts and sciences and of litera-
8 ture, and the instruction in agriculture, the mechanic arts and military
9 tactics, and in all knowledge; and it shall have all the rights and privi-
10 leges necessary to the accomplishment of the objects of its creation as it
11 is herein declared, and in the performance of its duties shall be subject to
12 the provisions and may exercise the powers enumerated and set forth in

13 the second article of the fifteenth chapter, title one of the Revised Stat-
 14 utes of the state of New York.

The first board of trustees of said corporation shall consist of

1 § 2. The persons named in the first section of this act, ~~shall be the~~
 2 ~~first board of trustees of said corporation~~, together with the governor and
 3 lieutenant governor, the speaker of the house of assembly, the superin-
 4 tendent of public instruction, the president of the state agricultural so-
 5 ciety, the librarian of the Cornell library, and the eldest male lineal
 6 descendant of Ezra Cornell, who shall be ex-officio members thereof; and
 7 there shall be ^{seventeen} ~~eighteen~~ trustees, exclusive of the ex-officio trustees. The
 8 said board of trustees shall be so constituted, by elections from time to
 9 time as the by-laws shall direct, as that at no time shall a majority there-
 10 of be of any one religious sect, or of no religious sect.

1 § 3. The farm and grounds to be occupied by said corporation, where-
 2 upon its buildings shall be erected, in such number and to such extent as
 3 the trustees may from time to time direct and provide for, shall be situ-
 4 ted in the town of Ithaca, ^{as aforesaid} ~~county of Tompkins~~, and shall consist of not
 5 less than two hundred acres.

1 § 4. The leading object as to the plan of instruction in said corpora-
 2 tion shall be to teach such branches of learning as relate to agriculture
 3 and the mechanic arts, including military tactics. But such other
 4 branches of science and knowledge may be embraced in this plan as the
 5 trustees may deem useful and proper. And persons of every or of no re-
 6 ligious denomination, shall be equally eligible to all offices and appoint-
 7 ments.

1 § 5. The corporation hereby created may hold real and personal prop-
 2 erty to an amount not exceeding three millions of dollars in the aggre-
 3 gate.

*and as shall be consistent with the object of
 this corporation as stated in the first section hereof*

*And to make up the said number of seventeen, by addition to the trustees
 who are named in the first section of this act, the said trustees, and the said trustees
 shall or a person of all of them shall at the first meeting in person or of their
 select such other seven persons as trustees to act with them.*

and avails
3

1 § 6. The income ~~and~~ revenue which shall be received from the invest-
2 ment of the proceeds of the sale of the lands, ^{or the scrip therefor} or of any part ~~of them,~~
3 ^{thereof} granted to this state by the act of congress entitled "An act donating
4 public lands to the several states and territories which may provide col-
5 leges for the benefit of agriculture and the mechanic arts," approved July
6 second, eighteen hundred and sixty-two, are hereby appropriated to, and
7 shall, from time to time as the same shall be received, be paid over to the
8 trustees of the corporation hereby created, for its use and behoof, in the
9 mode and for the purposes in said act of congress defined; provided how-
10 ever, that no part of such payment shall be made until the said trustees
11 shall prove to the satisfaction of the comptroller within six months after
12 the passage of this act that the said corporation possesses a fund of five
13 hundred thousand dollars at least, given by the honorable Ezra Cornell,
14 of Ithaca.

*aforsaid, absolutely and without any limitation
reservation or condition whatsoever, save such as are
in accordance with the provisions of this act,
Provided however that the Trustees of the People's College
at Havana, may in place of strict compliance with*

3 provided, and shall give them instruction in any, or in all the prescribed
4 branches of study in any department of said institution free of any tuition
5 fee, or of any incidental charges to be paid to said university, unless such
6 incidental charges shall have been made to compensate for damages heed-
7 lessly or purposely done by ^{the} ~~said~~ students ^{to the property thereof} to the property of said university.
8 The said free instruction shall be accorded to said students in consider-
9 ation of their superior ~~physical and mental~~ ability, and as a reward
10 for superior scholarship in the academies and public schools of this state,
11 and the students shall be selected as follows: The school ^{Commissioner or} commissioners
12 of each county, and ^{the} board of education of each city, or those performing
13 the duties of such a board, shall select annually the best scholar from each
14 academy and each public school of their respective counties or cities as
15 candidates for the university scholarship. The candidates thus selected
16 in each county or city, shall meet at such time and place in each year as
17 the board of supervisors of the county shall appoint, to be examined by a
18 board consisting of the school commissioner or commissioners of the
19 county, or ^{the said} board of ^{Education} public instruction of the cities, with such other persons
20 as the supervisors shall appoint, who shall examine said candidates, and the
21 board of supervisors shall then select therefrom the best scholars to the
22 number of one for each assembly district in said county or city, and
23 furnish the candidates thus selected with a certificate of such selection,
24 which certificate shall entitle said student to admission to said university,
25 subject to the examination ^{and approval} of the faculty of said university. In making
26 the selection above referred to, preference shall be given (when other
27 qualifications are equal,) to the sons of those who have died in the mili-
28 tary or naval service of the United States. ^{and in making such selection}
^{consideration shall be had of the physical ability of the candidate}

1 § 10. All payments made under this act, shall be made by the treas-
2 urer on the warrant of the comptroller, out of the special fund on deposit
3 with the treasurer arising from the receipt of the income and revenue
4 ^{and avails} mentioned in the sixth section of this act.

1 § 11. Chapter five hundred and eleven of the laws of 1863, entitled
 2 "An act to appropriate the income and revenue which may be received
 3 from the investment of the proceeds of the sales of the lands granted to
 4 the state by the act of congress, entitled 'An act donating public lands
 5 to the several states and territories which may provide colleges for the
 6 benefit of agriculture and the mechanic arts,' approved July second, 1862,

7 passed May fourteenth, 1863," is hereby repealed. *shall be read and construed*
subject to the provisions of this act, and whenever

1 § 12. This act shall take effect immediately.

the provisions of said act and the provisions of
this act shall conflict, the provisions of this
act shall be deemed ^{to be} the law and shall prevail

§ 12 This act shall take effect immediately

The Bill as Amended and
Ordered to a Third Reading
in Senate — Wilkey and Finch
Wants to see this bill as it was
Amended. EC

Canada already

An Act to incorporate
Carmel University—
Y^{rs} Wilkey 1865

Revised

Apr 27 -

1865

K-232-A-2-B

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