

CANNON ACT
HARTER
March 22, 1870

59TH GENERAL ASSEMBLY,
REGULAR SESSION.

H. B. No. 29.

Mr. CANNON.

Cannon Bill
Creating the Ohio
Agr. & Mech. College
1870

A BILL

To Establish and Maintain an Agricultural and Mechanical College in Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That*
2 a college for the benefit of agriculture and mechanic arts is hereby established
3 in the state of Ohio, in accordance with the provisions of an act of congress of
4 the United States, passed July 2d, 1862, entitled an act donating public lands
5 to the several states and territories which may provide colleges for the benefit
6 of agriculture and mechanic arts, said college to be located as hereinafter pro-
7 vided.

SEC. 2. The government of said college shall be vested in a board of trustees
2 to consist of nine persons, one from each of the present judicial districts of the
3 state, who shall be appointed by the governor, by and with the advice and
4 consent of the senate. The president of the state board of agriculture and
5 the president of said college shall be ex officio members of said board. The
6 president of said college shall be its chairman. Three of those first appointed
7 shall hold their office for two years, and three for four years, and three for six
8 years, to be determined by lot, and thoreafter each member shall be appointed
9 for the term of six years, except in cases of appointments to fill vacancies
10 occasioned by death, resignation, or removal from office, in which latter case
11 the appointment shall be for the unexpired term. The trustees shall receive
12 no compensation for their services, but shall be entitled to reasonable and
13 necessary expenses whilst in discharge of official duties.

SEC. 3. The trustees and their successors in office shall constitute a body

2 corporate, with the name and style of the board of trustees of the agricultural
 3 and mechanical college of Ohio, with the right, as such, of suing and being
 4 sued, and of contracting and being contracted with, of making and using a
 5 common seal, and altering the same at pleasure. Said trustees shall be resi-
 6 dents of this state.

SEC. 4. The board of trustees shall have power to adopt rules and regula-
 2 tions for the government of said college; to appoint a president; to determine
 3 the number of professors and teachers, and appoint the same; to increase or
 4 diminish the same, from time to time, and fix their salaries. They shall also
 5 have the power to remove the president or any professor or teacher whenever
 6 the interests of the college, in their judgments, shall so require, and the clerk
 7 of the board shall give notice to the governor of such vacancy.

SEC. 5. The college shall consist of four departments. 1st. The depart-
 2 ment of agriculture. 2d. Mechanic arts. 3d. Military science. 4th. Litera-
 3 ture and science. Such branches of learning as relate to the department of
 4 agriculture and mechanic arts, as provided for in the act of congress aforesaid,
 5 shall always be taught in said college.

SEC. 6. The board of trustees shall have power to prescribe the nature,
 2 extent and character of experiments to be made; to fix and regulate the course
 3 of instruction, and to do all things incident to the successful management of
 4 the college.

SEC. 7. The college shall be open to all persons over fourteen years of age,
 2 subject to such rules and regulations and limitations, as to numbers from the
 3 several counties of the state, as may be prescribed by the board of trustees.

SEC. 8. The board of trustees shall have the general supervision of the col-
 2 lege, college grounds, and all lands for experimental farms, and also the control
 3 of all college or other buildings necessary for the same and expenditures there-

4 for; Provided always that said board shall not contract any debt not previously
5 authorized by the general assembly of the state of Ohio.

SEC. 9. The board of trustees shall have power to appoint a secretary,
2 treasurer and librarian, and such other officers as the interests of the college
3 may require, who may or may not be members of the board, and shall hold
4 their offices for such term as said board shall fix, subject to removal by said
5 board, and shall receive such compensation as the board shall prescribe. The
6 treasurer shall before entering upon the duties of his office give bond to the
7 state of Ohio in such sum as the board may determine, conditioned for the
8 faithful discharge of his duties and the payment of all moneys coming into his
9 hands, said bond to be approved by the attorney general of the state.

SEC. 10. The board of trustees shall have power to secure a collection of
2 specimens in mineralogy, geology, zoology, botany and other specimens per-
3 taining to natural history and the sciences, and it shall be the duty of the chief
4 geologist of the state (now making a survey) to deposit in said college a full
5 and complete set of specimens as collected by him or his assistants in making
6 said survey. The board shall make provision for a library apparatus and arms
7 and accoutrements, and for increasing and preserving the same.

SEC. 11. The board of trustees shall have power to receive and hold in trust
2 for the use and benefit of the college any grant or devise of land and any do-
3 nation or bequest of money or other personal property to be applied to the
4 general or special use of the college; all donations or bequests of money shall
5 be paid to the state treasurer and invested in the same manner as the endow-
6 ment fund of the college, unless otherwise directed in the donation or bequest.

SEC. 12. The first meeting of the members of the board shall be called by
2 the governor as soon after the appointment of said board as he may deem ad-
3 visable, to be held at Columbus, Ohio; all succeeding meetings shall be called
4 in such manner as said board may prescribe; said board shall meet at least

5 once annually at the college building. A majority of the board of trustees
6 shall constitute a quorum to do business, and until the appointment of a presi-
7 dent of the college, and in his absence, said board shall elect a temporary chair-
8 man.

SEC. 13. The title for all lands for sites for college buildings and experi-
2 mental farms shall be made in fee simple to the state of Ohio, with covenants
3 of seizure and warranty, and no title shall be taken to the state for purposes
4 aforesaid until the attorney general shall be satisfied that the same is free from
5 all defects and incumbrances.

SEC. 14. The board of trustees shall cause a report to be made annually to
2 the governor, of the condition of said college, the amount of receipts and dis-
3 bursements, and for what the disbursements were made, the number of profes-
4 sors, teachers and other officers, and the position and compensation of each,
5 the number of students in the several departments and classes, the books of
6 instruction used. Also, an estimate of the expenses of the ensuing year, a full
7 transcript of the journal of the proceedings of the board for the past year, the
8 progress of said college, recording any improvements and experiments made,
9 with their cost, and the results, and such other matters as may be supposed
10 useful; one copy, when printed and bound, shall be transmitted by mail, free,
11 to all other colleges which may be endowed under the provisions of said act of
12 congress, and also, one copy to the secretary of the interior.

SEC. 15. The attorney general of the state shall be the legal adviser of
2 said board of trustees, and he shall institute and prosecute all suits in behalf
3 of the same, and shall receive the same compensation therefor, as he is entitled
4 to by law, for suits brought in behalf of the asylums of the state.

SEC. 16. All funds, together with the interest now accumulated thereon,
2 derived from the sale of land script issued to the state of Ohio by the United
3 States in pursuance of the act of congress aforesaid, shall be invested in regis-

4 ~~tered~~ bonds of the state of Ohio, or of the United States, by the authority now
 5 having control of the same, which bonds shall be and remain in the custody of
 6 the state treasurer intact, unless one-tenth shall be appropriated by the general
 7 assembly for the purchase of land, as provided in the act of congress, who shall
 8 pay over the income thereof as it may accrue to the treasurer of said college
 9 upon the order of the auditor of state, made upon the requisition of the board
 10 of trustees; to be by the board of trustees appropriated to the endowment, sup-
 11 port and maintenance of the college as provided in the act of congress, as afore-
 12 said.

SEC. 17. It shall be the duty of the board of trustees to permanently locate
 2 said agricultural and mechanical college upon lands which in their judgment is
 3 best suited to the wants and purposes of said institution, the same being reason-
 4 ably central in the state and accessible by railroad from different parts thereof,
 5 having regard to healthiness of location, and also regarding the best interests of
 6 the college in the receipt of moneys, lands or other property donated to said
 7 college by any county, town or individual, in consideration of the location of said
 8 college at a given place.

SEC. 18. This act shall take effect and be in force from and after its passage.

2—H. B. No. 29.