

THE STATE OF OHIO.

GENERAL AND LOCAL LAWS,

AND

JOINT RESOLUTIONS,

PASSED BY THE

FIFTY-NINTH GENERAL ASSEMBLY.

AT THE REGULAR SESSION,

BEGUN AND HELD AT THE CITY OF COLUMBUS, JANUARY 3, A.D. 1870, AND IN THE 68TH
YEAR OF SAID STATE.

VOLUME LXVII.

COLUMBUS:

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1870.

AN ACT

To authorize county commissioners to pay bounties for killing wolves.

Commissioners may offer and pay bounty.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of any county in this state are hereby authorized, whenever in their opinion such shall be necessary, to offer and pay out of any funds of the county not otherwise appropriated, a bounty of not more than one hundred dollars (\$100) each for the killing of wild wolves within such county.

SEC. 2. This act to take effect from and after its passage.

A. J. CUNNINGHAM,

Speaker of the House of Representatives.

J. C. LEE,

President of the Senate.

Passed March 18, 1870.

AN ACT

To establish and maintain an Agricultural and Mechanical College in Ohio.

Establishment and style of college.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That a college, to be styled the Ohio Agricultural and Mechanical College, is hereby established in this state, in accordance with the provisions of an act of congress of the United States, passed July 2d, 1862, entitled "an act donating public lands to the several states and territories which may provide colleges for the benefit of agricultural and mechanic arts," and said college to be located and controlled as hereinafter provided. The leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agricultural and mechanic arts.

Government thereof.

SEC. 2. The government of said college shall be vested in a board of trustees, to consist of one from each congressional district of this state, who shall be appointed by the governor, by and with the advice and consent of the senate. The president of the state board of agriculture shall be ex-officio member of said board.

Terms of office, &c., of trustees.

SEC. 3. The members of the board of trustees, and their successors, shall hold their office for the term of six years each; provided, that at the first regular meeting of said board, the said members shall determine by lot, so that as nearly as may be one-third shall hold their office for two years, one-third for four years, and one-third for six years from the date of the first meeting of the board, or until their successors are appointed and qualified. In case a vacancy occurs by death,

resignation or otherwise, the appointment shall be for the unexpired term. The trustees shall receive no compensation for their services, but shall be entitled to reasonable and necessary expenses while in the discharge of their official duties.

SEC. 4. The trustees and their successors in office shall be styled the "Board of trustees of the Ohio Agricultural and Mechanical College," with the right as such, of suing and being sued, of contracting and being contracted with, of making and using a common seal, and altering the same at pleasure.

Style and powers of trustees.

SEC. 5. The board of trustees shall have power to adopt by-laws, rules and regulations for the government of said college; to elect a president; to determine the number of professors and tutors, elect the same, and fix their salaries. They shall also have power to remove the president or any professor or tutor whenever the interests of the college, in their judgment, shall require; to fix and regulate the course of instruction, and to prescribe the extent and character of experiments to be made.

Further powers and duties.

SEC. 6. The board of trustees shall annually appoint an executive committee of not less than three of their own members, who, when said board is not in session, shall have the management and control of the affairs of said college, under the direction of the board, and shall furnish a full report of their proceedings at every regular meeting of the board, and at such other times as the board may direct.

Executive committee and its duties.

SEC. 7. The college shall be open to all persons over fourteen years of age, subject to such rules and regulations and limitations, as to numbers from the several counties of the state, as may be prescribed by the board of trustees; provided that each county shall be entitled to its just proportion, according to its population. The board may provide for courses of lectures, either at the seat of the college or elsewhere in the state, which shall be free to all.

Who shall be admitted as pupils.

SEC. 8. The board of trustees shall have the general supervision of all lands, buildings and other property belonging to said college, and the control of all expenses therefor; provided always that said board shall not contract any debt not previously authorized by the general assembly of the state of Ohio.

Prerogative of the trustees.

SEC. 9. The board of trustees shall annually elect one of their number chairman, and in the absence of the chairman shall elect one of their number temporary chairman, and shall have power to appoint a secretary, treasurer and librarian, and such other officers as the interests of the college may require, who may or may not be members of the board; and shall hold their offices for such term as said board shall fix, subject to removal by said board, and shall receive such compensation as the board shall prescribe. The treasurer shall, before entering upon the duties of his office, give bond to the state of Ohio in such sum as the board may determine, which bond shall not be for a less sum than the probable amount that will be under his control in any one year, conditioned for the faithful discharge of his duties and the payment of all

Officers of the board.

moneys coming into his hands, said bond to be approved by the attorney general of the state.

Collection of cabinet, &c.

SEC. 10. The board of trustees shall have power to secure a collection of specimens in mineralogy, geology, zoology, botany, and other specimens pertaining to natural history and the sciences; and it shall be the duty of the chief geologist of the state to collect and deposit in such place as the trustees may direct, a full and complete set of specimens as collected by him or his assistants, for the benefit of said college. The board shall make provision for a library, apparatus, and arms and accoutrements, and for increasing and preserving the same.

Board may receive devise of land, &c.

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

Meeting of the board.

SEC. 12. The first meeting of the members of the board shall be called by the governor as soon after the appointment of said board as he may deem advisable, to be held at Columbus, Ohio; all succeeding meetings shall be called in such manner as said board may prescribe; said board shall meet at least once annually at the college building. A majority of the board of trustees shall constitute a quorum to do business: provided it shall require a majority of all the board to elect or remove a president or professor.

Title of lands to be vested in the state, &c.

SEC. 13. The title for all lands for the use of said college, shall be made in fee simple to the state of Ohio, with covenants of seizin and warranty, and no title shall be taken to the state for purposes aforesaid until the attorney general shall be satisfied that the same is free from all defects and incumbrances.

Annual report.

SEC. 14. The board of trustees shall cause a report to be made annually to the governor, of the condition of said college; the amount of receipts and disbursements, and for what the disbursements were made; the number of professors, teachers and other officers, and the position and compensation of each; the number of students in the several departments and classes, and the course of instruction pursued in each; also, an estimate of the expenses of the ensuing year; a full transcript of the journal of the proceedings of the board for the past year, the progress of said college, recording any improvements and experiments made, with their cost, and the results, and such other matters as may be supposed useful; one copy, when printed and bound, shall be transmitted by mail, free, to all other colleges which may be endowed under the provisions of said act of congress, and also one copy to the secretary of the interior.

Attorney general to be legal adviser of the board.

SEC. 15. The attorney general of the state shall be the legal adviser of said board of trustees, and he shall institute and prosecute all suits in behalf of the same, and shall receive the same compensation therefor as he is entitled 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, derived from the sale of land script issued to the state of Ohio by the United States in pursuance of the act of congress aforesaid, shall be invested in registered bonds of the state of Ohio, or of the United States, by the authority now having control of the same; which bonds shall be and remain in the custody of the state treasurer intact, unless one-tenth shall be appropriated by the general assembly for the purchase of land, as provided in the act of congress, who shall pay over the income thereof as it may accrue to the treasurer of said college upon the order of the auditor of state, made upon the requisition of the board of trustees; to be by the board of trustees appropriated to the endowment, support and maintenance of the college as provided in the act of congress, as aforesaid.

Investment
of bonds, &c.

SEC. 17. It shall be the duty of the board of trustees to permanently locate said Agricultural and Mechanical College upon lands, not less than one hundred acres, which in their judgment is best suited to the wants and purposes of said institution, the same being reasonably central in the state, and accessible by railroad from different parts thereof, having regard to healthiness of location, and also regarding the best interests of the college in the receipt of moneys, lands or other property donated to said college by any county, town or individual, in consideration of the location of said college at a given place: Provided, it shall require a three-fifths vote of the trustees to make said location; and provided further, that said location shall be made on or before the fifteenth day of October, 1870; provided further, that any person acting as a trustee, who shall accept or receive, directly or indirectly, any sum or amount from any person or persons, to use their influence in favor of the location of said college at any particular point or place, shall be held to be guilty of a misdemeanor, and on conviction thereof by any court of competent jurisdiction, shall be fined in any sum not less than one thousand nor more than ten thousand dollars; provided further, that in the location of said college the said trustees shall not in any event incur any debt or obligation exceeding forty thousand dollars; and if, in their opinion, the interests of the college can not be best promoted without a larger expenditure for the location than that sum, then they may delay the permanent location of the same until the third Monday of January, 1871, and report their proceedings and conclusions to the general assembly: provided further, that said college shall not be located until there are secured thereto for such location, donations in money or unincumbered lands at their cash valuation, whereon the college is to be located, or in both money and such lands, a sum equal to at least one hundred thousand dollars.

Location of
the college.

Sundry
provisos.

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

A. J. CUNNINGHAM,
Speaker of the House of Representatives.
J. C. LEE,

Passed March 22, 1870.

President of the Senate.