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THE
REVISED STATUTES,
OF THE
TERRITORY OF MINNESOTA,

PASSED AT THE SECOND SESSION OF THE
LEGISLATIVE ASSEMBLY,

COMMENCING JANUARY 1, 1851.

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CHAPTER 28.

OF THE UNIVERSITY OF MINNESOTA.

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University of Minnesota established.

University fund, how used.

Sectarian instruction forbidden.

Objects of the university.

Government of the university, how vested.

Board of regents to be elected by the present legislature.

Classification and term of office.

Future elections to be biennial.

Vacancies, how filled.

Regents of university to be a body corporate.

SEC. 1. That there shall be established in this territory an institution, under the name and style of the University of Minnesota.

SEC. 2. The proceeds of all lands that may hereafter be granted by the United States to the territory for the support of a university, shall be and remain a perpetual fund, to be called the "University Fund," the interest of which shall be appropriated to the support of a university; and no sectarian instruction shall be allowed in such university.

SEC. 3. The object of the university shall be to provide the inhabitants of this territory with the means of acquiring a thorough knowledge of the various branches of literature, science and the arts.

SEC. 4. The government of the university shall be vested in a board of twelve regents, who shall be elected by the legislature as hereinafter provided.

SEC. 5. The members of the board of regents shall be elected at the present session of the legislature, and shall be divided into classes, numbered one, two, and three; class numbered one shall hold their offices for two years; class numbered two, for four years, and class numbered three, for six years, from the first Monday of February, one thousand eight hundred and fifty-one; biennially thereafter there shall be elected in joint convention of both branches of the legislature, four members to supply the vacancies made by the provisions of this section, and who shall hold their offices for six years respectively.

SEC. 6. Whenever there shall be a vacancy in the office of regents of the university, from any cause whatever, it shall be the duty of the governor to fill such office by appointment, and the person or persons so appointed, shall continue in office until the close of the session of the legislature, then next thereafter, and until others are elected in their stead.

SEC. 7. The regents of the university and their successors in office, shall constitute a body corporate, with the name and style of the "Regents of the University of Minnesota," 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.

SEC. 8. The regents shall appoint a secretary, a treasurer, and a librarian, who shall hold their respective offices during the pleasure of the board. It shall be the duty of the secretary to record all the proceedings of the board and carefully to preserve all its books and papers; the treasurer shall keep a true and faithful account of all moneys received and paid out by him, and shall give such bonds for the faithful performance of the duties of his office as the regents may require.

A secretary, treasurer, and librarian to be elected.

Their duties.

SEC. 9. The regents shall have power, and it shall be their duty to enact laws for the government of the university; to elect a chancellor, who shall be ex-officio, president of the board of regents, or when absent, or previous to the election of such chancellor, the board may appoint one of their own number president *pro. tem.* They may also appoint the requisite number of professors and tutors, and such other officers as they may deem expedient; also to determine the amount of their respective salaries: *Provided*, That the salaries thus determined, shall be submitted to the legislature for their approval or dissent.

Regents to frame a code of laws, elect a chancellor, professors, tutors, and fix salaries, with approbation of legislature.

SEC. 10. The university shall consist of five departments: The department of science, literature and the arts: The department of law: The department of medicine: The department of the theory and practice of elementary instruction: The department of agriculture. The immediate government of the several departments shall be intrusted to their respective faculties; but the regents shall have power to regulate the course of instruction; and prescribe under the advice of the professorships, the books and authorities to be used in the several departments, and also to confer such degrees and grant such diplomas as are usually conferred and granted by other universities.

Departments of university.

Regents may grant diplomas and confer degrees.

SEC. 11. The regents shall have power to remove any officer connected with the institution, when in their judgment the interest of the university requires it.

Regents may remove any officer.

SEC. 12. The admission fee to the university and the charges for tuition in the several departments thereof, shall be regulated and prescribed by the board of regents; and as soon as in their opinion, the income of the university fund will permit, tuition in all of the departments shall be without charge to all students in the same, who are residents of the territory.

Regents to regulate admission fee, &c.

When resident students to have instruction free.

SEC. 13. The University of Minnesota, shall be located at or near the falls of Saint Anthony; and the regents, as soon as they may deem expedient, shall procure a suitable site for the erection of the university buildings, and they may proceed to the erection of the same as soon as funds may be provided for that purpose, after such plan or plans as may be approved by a majority of said board.

Location of university building.

SEC. 14. The regents shall have the power, and it shall be their duty as soon as the requisite funds shall have been secured for that purpose, to establish a preparatory department of said university, and employ teachers for the same, who shall be qualified to give instruction in all the branches of learning usually taught in academies; which preparatory department may be discontinued whenever the regents may think proper, after the other departments of said university shall have been established.

Preparatory department to be established, and when to be discontinued.

SEC. 15. The regents are authorized to expend such portions of the fund, which by the provisions of this chapter, may come under their control, as they may deem expedient for the erection of suitable buildings, and the purchase of apparatus, a library, and a cabinet of natural history; and the selection, management and control of all lands, which may hereafter be granted by congress for the endowment of said university, is hereby vested in the board of regents.

Regents to disburse funds, and manage and control grant made by Congress.

SEC. 16. The regents shall make a report annually, to the legislature at its regular session, exhibiting the state and progress of the uni-

Regents to report annually to the legislature.

versity in its several departments, the course of study, the number of professors and students, the amount of expenditures and such other information as they may deem proper, or may from time to time be required of them.

Meetings of the board.

SEC. 17. Meetings of the board may be called by any seven members thereof, at such time and place as they may deem expedient, and a majority of the said board shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time.

Branches of the university may be established.

SEC. 18. The regents, if they shall deem it expedient, may receive into connection with the university, any college within the territory, upon application of the board of trustees; and such college so received, shall become a branch of the university, and be subject to the visitation of the regents.

Religious tenets not required.

SEC. 19. No religious tenets or opinions shall be required to entitle any person to be admitted as a student in said university; and no such tenets or opinions shall be required as a qualification for any professor, tutor or officer of said university.

Legislature may repeal this chapter.

SEC. 20. The legislative assembly may at any time, alter, amend, modify or repeal this chapter.

CHAPTER 29.

OF COMMON SCHOOLS.

SECTION

1. Duty of commissioners; to divide county into school districts, and levy tax.
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SECTION

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16. When the apportionment of school money is insufficient to support school, balance how to be raised.
17. When clerk fails to make return of persons in school district, any inhabitant of the district may do so.

Duty of commissioners.

SEC. 1. That for the purpose of establishing and maintaining common schools, it shall be the duty of the commissioners of each county,

To divide county into school districts and levy tax.

1. To divide such portion of their county as shall be inhabited into convenient school districts, to define the boundaries, numbers, and file a copy of the same in the office of the clerk of the board of county commissioners, to lay an annual tax of one-fourth of one per cent. on the advalorum amount of the assessment rolls, made by the county assessors for the same year, and to include the same in their warrant to col-