

1
An Act to establish a University
in the State of Indiana

Sect. 1 Be it enacted by the General Assembly
of the State of Indiana. That there
shall be and hereby is created and
established a University adjacent to the
town of Bloomington in the County of
Monroe for the education of youth
in the American learned and foreign
languages, the useful arts, sciences,
(including Law and Medicine) and Litera-
-ture, to be known by the name and
style of the "Indiana University" and
to be governed and regulated as herein
-after directed

Sect. 2, There shall be a board of trustees
appointed consisting of twenty one persons,
residents of this State who shall be and
hereby are constituted a body corporate
and politic by the name of the trustees

2
of the Indiana University and in their
Corporate Name and Capacity may sue
and be sued plead and be impleaded
in any Court of record and by that name
shall have perpetual succession

Sec 3 The said Trustees shall fill all vaca-
-ancies which may occur in their own
body elect a President of the board
secretary treasurer and such other
officers as may be necessary for the good
order and government of said Corporation
and shall be competent in law and in
equity to take to themselves and their
successors in their said Corporate name
any estate real personal or mixed by
the gift grant bargain sale conveyance
will devise or bequest of any person
or persons whomsoever and the same
estate whether real personal or mixed
to grant bargain sell convey devise
let, place, out on interest or otherwise

3
dispose of for the use of the said University in such manner as to them shall seem most beneficial to the institution And to receive the Rents issues profits income and interest thereon and apply the same to the proper use and support of the said University and generally, in their said Corporate Name shall have full power to do and transact all and every the business touching or concerning the premises or which shall be incidentally necessary thereto as fully and effectually as any natural person body politic or Corporate may or can do in the management of their own concerns and to hold enjoy exercise and use the rights powers and privileges incident to bodies politic or Corporate in law and equity

Sec 4 The said trustees shall cause to be

3

Made for their use one Common Seal
with such devises and inscription thereon
as they shall think proper under
and by which all deeds diplomas and
Certificates and acts of the said Corpora-
-tion shall pass and be authenticated
Sec, 5. The said trustees or any ten of them
shall meet at Bloomington in the
County of Monro on the last Monday
of September next in the year (1838)
and after severally taking an oath or
affirmation faithfully and impartially
to discharge the duties by this act enjoined
shall proceed to organize a board, by
electing one of their members as Presi-
-dent and the board when so formed
shall appoint a Secretary and treasurer
who shall severally before entering upon
the duties of their respective offices

4

5
take an oath or affirmation faithfully
and impartially to perform the duties
appertaining to their respective offices
and the treasurer shall give bond with
three or more securities to be approved
by said trustees, in the sum of twenty
thousand dollars payable to the State of
Indiana and conditioned for the faith-
ful discharge of the duties of his office
of Treasurer to the said Corporation and
which bond executed and approved
as aforesaid shall be deposited in the
office of the Treasurer of State

Sec. 6. The said board of trustees when
organized in manner aforesaid shall
forever thereafter determine the time
of t. i future meetings, the manner
of notifying the same and act on
their own adjournments as to them

shall seem most expedient and shall from time to time, as occasion may require make and ordain reasonable rules Ordinances and by laws with reasonable penalties for the good government of the University and the regulations of their own body not repugnant to the laws and Constitution of this State

Sec 7 The said board of trustees shall from time to time as the interest of the institution may require elect a President of said University and such Professors tutors instructors and other officers of the same as they may judge necessary for the interest thereof - and shall determine the duties salaries emoluments responsibilities and tenures of their several offices and designate the course of instruction in said University

Sec. 8, The said board of trustees shall have full power to remove any one of their own body for misconduct breach of the bye laws or gross immorality and may at any time they may deem it necessary for the good of the institution remove any of the officers of said University or Corporation and others appoint in their stead

Sec. 9, The Presidents professors and tutors shall be styled the Faculty of said University which Faculty shall have the power of enforcing the rules and regulations adopted by the said trustees for the government of the students by rewarding or censuring them and finally suspending such as after the necessary admonition shall continue refractory untill a determination of a quorum of the trustees can be had thereon

and of granting and conferring by and with the approbation and consent of the board of trustees such degrees in the liberal arts and sciences including those of Law and Medicine as are usually granted and conferred in other Universities in America to the Students of the University or to others who by their proficiency in learning or by other meritorious distinction may be entitled to the same and to grant unto such graduates diplomas or certificates under their Common Seal and signed by the Faculty, to authenticate and perpetuate the memory of such graduation.

Sec. 10, No President professor or other officer of the University shall whilst acting in that capacity be a trustee nor shall any President professor tutor instructor or other officer of the University ever be required by the trustees

to profess any particular religious opinions
 and no student shall be denied adm-
 -ission or refused any of the privileges
 honor or degrees of the University on
 account of the religious opinions he
 may entertain, nor shall any sectarian
 tenets or principles be taught instructed
 or inculcated at said University by
 any President professor tutor or instruc-
 -tor thereof provided however that
 if at any meeting of the board of
 trustees of the University there should
 be one wanting to make a quorum
 then and in that case the Presid-
 -ent of the faculty of said University
 shall for the time being be consider-
 -ed as a member of said board
 and have power to act as such
 but as soon as a quorum of the said

board shall be present, then the President shall no longer ~~be~~ as a member of said board.

Dec. 11, His Excellency David Wallace Governor of the State of Indiana (who shall be ex officio Vice President of the board and his successor in office forever) William Hendricks of the County of Jefferson Seth M. Leavenworth of the County of Crawford David G. Mitchell of the County of Madison James W. Farrington of the County of Vigo John Law of the County of Knox Rev. Allen Wiley of the County of Montgomery Nathaniel West and Isaac Blackford of the County of Marion Jesse L. Holman of the County of Dearborn Robert Hale Owen of the County of Posey Richard W. Thompson of the County of Lawrence Samuel H. Koskour of the County of Wayne George W. Ewing of the County of Cass

Hiram A. Hunter of the County of
 Gibson Johnathan Nichols Paris Cum-
 ming James Blair Chester S. Ballard
 Joshua O. Howe Leroy Mayfield and
 William Turner of the County of Monroe
 shall be and hereby are appointed
 trustees of said University agreeably to the
 provisions of this act and shall hold
 their first meeting as herein before dire-
 =cted; and should any ten of them who
 shall at all times be necessary to constitute
 -to a quorum for the transaction of
 business) provided however that a deficien-
 =cy of one may be supplied in the man-
 =ner heretofore prescribed in the tenth
 section of this act) fail to meet on
 the said last Monday of September
 next, the Governor of this State is hereby
 authorized and required to appoint some
 subsequent day for the meeting of said
 trustees giving to each of them twenty

12
days notice thereof in Writing and
Said trustees or a quorum of them
when convened in pursuance of such
notice shall proceed to Organize the
board in manner hereinbefore directed
and the President of the University
shall be empowered to call occasion
al meetings of the trustees in such
manner as the board of trustees may
by their bye laws direct.

Sec 12 That all monies which have hitherto
or which may hereafter arise from
the sales of the Seminary townships
of land in the Counties of Monroe
and Gibson shall be and forever
remain a permanent fund for
the support of said University and
the interest arising from the amount
of said sales together with the amount
of the sales of the three Reserve secti-
-ons in the Seminary townships situated

in the County of Monroe, the residue
of the unsold sections aforesaid and
all the buildings which have been
erected adjacent to the town of
Bloomington, in the said County of
Monroe and which are now used by
and belong to the Indiana College
together with all the estate either
real personal or of any description
whatever, belonging to or in anywise
[Connected with the Indiana College as the
property of the State and, all gifts grants
and donations which have been or hereafter
may be made previous to the taking effect
of this act, for the support of the
Indiana College shall be and hereby
are forever vested in the aforesaid trustees
and their successors, to be controlled,
regulated and appropriated by them

in such manner as they shall deem most conducive to the best interest and prosperity of the institution Provided that the said trustees shall conform to the will of any donor or donors in the application of any estate which may be given, devised or bequeathed for any particular object connected with the institution and that the real estate hereby vested in the said trustees and their successors, shall be by them held forever for the use of said University, and shall not be sold or converted by them to any other use whatsoever

Sec 13 That it shall be the duty of the Secretary of said Corporation, to keep a true, and faithful record of all the proceedings of said board of

trustees in a suitable book to be pro-
vided by them for that purpose, and
make such copies and transcripts of
the orders and proceedings of the said
board of trustees as may from time to
time be required, and the same duly
certify under the seal of the Corporation
and for his services he shall receive such
compensation as said trustees may from
time to time, allow, to be paid out of
any funds in the treasury of said

Corporation not otherwise appropriated.
Sec. 14. That it shall be the duty of the treas-
urer of said Corporation to keep a full true and
faithful account of all monies by him receiv-
ed by virtue of his said office, in suit-
able books to be for that purpose provi-
ded and pay such monies out from time
to time as may be required by and

and upon the order of said board of trustees duly certified by the Secretary and keep a similar account of all such disbursements, and furnish said board of trustees whenever they may require the same a full true and complete statement of such receipts and disbursements and exhibit to them for their inspection his original books of entry, and also submit his books to the inspection and examination of the board of visitors of said University, which may at any time hereafter be appointed by the General Assembly of this State and shall moreover annually transmit to the Governor of this State to be by him laid before the General Assembly thereof, a true and complete statement of the annual receipts and expenditures

17
of Said Corporation, and Should Said Corporation ever be dissolved by Legislature or enactment or otherwise, it shall in such case be the duty of ~~Said~~ Treasurer to pay over and deliver to the treasurer of State for the use of this State all monies and funds in his hands derived from the State, belonging to Said Corporation at the time of such dissolution and Should any treasurer of Said Corporation at any time be guilty of any defalcation in the discharge of the duties of his said office, the said trustees shall have the right of an action therefor against said treasurer and his sureties on his official bond, in the name of the State of Indiana, for the use of said trustees and of prosecuting the same to final judgment and recovery, or in

17

Case of dissolution of said Corporation
Such action shall be sustained for the
use of the State

Sec. 15, That the power and authority of the
present trustees of the Indiana College
Over and Concerning the said institution
the funds, estate, property, rights, and
demands thereof, shall forever cease and
determine from and after the organization
of the board of trustees of Indiana Univer-
-sity named in this act: And all the funds
estate, property rights demands privileges &
immunities of what kind or nature soever
belonging or in any wise appertaining to said
Indiana College shall be and the same
are hereby invested in the trustees of the
Indiana University appointed by this act
and their successors in office for the uses
and purposes only of the said University; and

19 The said trustees and their successors
in office, shall have, hold, possess, and
exercise, all the power and authority
over the said institution and the estate
and concerns thereof in the manner
herein before prescribed

Sec. 15 That the Constitution of the said University
herein and hereby declared and established
shall be subject to be changed, altered
or amended by the legislature of this
State, all laws or parts of laws coming
within the purview of this act are
hereby repealed. This act to take
effect and be in force from and after its
passage

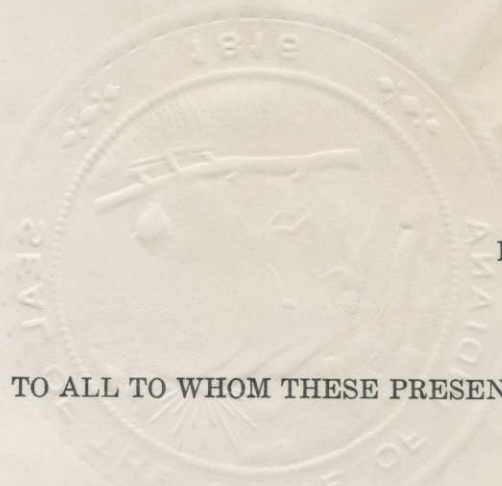
Th. J. Evans
Speaker of the H. R.

C. Lewis Morgan

President of the Senate
Protem

Approved Feby. 15 1838

Ward Wallace



STATE OF INDIANA
DEPARTMENT OF STATE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, Crawford F. Parker-----, Secretary of State of the State of Indiana, and being the officer who under the Constitution and laws of said State is duly constituted the custodian of the public records of the State of Indiana and the keeper of all books and papers thereto pertaining and being empowered to authenticate exemplifications of the same, do hereby certify that an exemplified copy, carefully compared by me with the original of the same now in my official custody as Secretary of State, and found to be a full, true and correct copy of an Act to establish a University in the State of Indiana Approved February 15, 1838,

is as follows, to-wit:

is as follows, to-wit:

State of Indiana, December 19, 1939.

and found to be a full, true and correct copy of an act to establish a University in the

AND I HEREBY FURTHER CERTIFY, that the herein exemplification is in due form and made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.

officer who under the constitution and laws of said State is duly constituted the secretary of the

Secretary of State of the State of Indiana, and being the

IN WITNESS WHEREOF, I have hereunto set my hand

and affixed the seal of the State of Indiana, at the

City of Indianapolis, this 22nd. day of

October, A.D. 1953.



Crawford F. Parker
Secretary of State.

UNITED STATES OF AMERICA
STATE OF INDIANA
EXECUTIVE DEPARTMENT.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, George N. Craig, GOVERNOR OF THE STATE OF INDIANA, do hereby certify that Crawford F. Parker, who signed the foregoing certificate, was at the time of signing the same, and is now, Secretary of State of the State of Indiana, duly elected and qualified to that office, and that full faith and credit are due his official attestations; and further that he is the custodian of the manuscripts containing the enrolled acts and joint resolutions of the general assembly of the State of Indiana, and authorized by law to furnish, on demand, to any person, a duly certified copy of all or any part of any law or act on file, or deposited, pursuant to law, to be kept in his office, and of which a copy may be properly given; that the foregoing attestation is in due form and by the proper officer; that, under the Constitution I am the keeper of the Seal of State of the State of Indiana; and that, under the laws, all copies of any records, deeds, laws, acts, official bonds, registers and papers, or such parts thereof as shall be necessary, deposited by authority of law, to be kept in his office, duly certified by the Secretary of State and sealed with the State seal, shall, in all cases, be evidence equally and in like manner as the originals.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Indiana to be affixed.

Done at the City of Indianapolis, this 22nd.
day of October, 1953.



George N. Craig

GOVERNOR

By the Governor:

Crawford F. Parker

Secretary of State.

STATE OF INDIANA
DEPARTMENT OF STATE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, Crawford F. Parker, SECRETARY OF STATE OF THE STATE OF INDIANA, hereby certify that George N. Craig, who signed the immediately foregoing certificate, was at the time of signing the same, and is now, Governor of the State of Indiana, duly elected and qualified, and that as such, full faith and credit is, and ought to be, given to his official acts and proceedings; that, under the Constitution of the State of Indiana, the Governor is the keeper of the Seal of the State of Indiana.

AND I FURTHER CERTIFY that the foregoing signature is a genuine signature of George N. Craig, Governor, and that the foregoing certificate signed by him is in due form.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Indiana, at the City of Indianapolis, this 22nd day of October, A.D. 1953.

Crawford F. Parker
Secretary of State.

EXECUTIVE DEPARTMENT
STATE OF INDIANA
UNITED STATES OF AMERICA