

THE LAWS

OF THE

STATE OF KANSAS,

PASSED AT THE

FOURTH SESSION OF THE LEGISLATURE,

3153

COMMENCED ON TUESDAY, JANUARY 12, 1864,

AT THE STATE CAPITAL.

PUBLISHED BY AUTHORITY.

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JOHN SPEER, PRINTER TO THE STATE.

1864.

I hereby certify the foregoing to be a true copy of the enrolled law on file in my office, and that the same was published in the *Lawrence Daily Tribune* for February 19, 1864.

W. W. H. LAWRENCE,
Secretary of State.

CHAPTER CV.

ORGANIZING STATE UNIVERSITY.

AN ACT to organize the University of the State of Kansas.

Be it enacted by the Legislature of the State of Kansas:

SECTION 1. There shall be established in this State, at or near the city of Lawrence, in the county of Douglas, on the grounds secured for that purpose, pursuant to the act entitled "An act to locate the State University," passed Feb. 20, 1863, an institution of learning, under the name of the University of Kansas.

SEC. 2. The object of the university shall be to provide the inhabitants of this State with the means of acquiring a thorough knowledge of the various branches of literature, science and the arts.

SEC. 3. The government of the university shall vest in a Government. board of regents, to consist of a president and twelve members, who shall be appointed as hereinafter provided, and the State Superintendent of Public Instruction and Secretary of State shall also, during their respective terms of office, be *ex officio* members of said board. A majority of the board shall constitute a quorum for the transaction of business.

SEC. 4. The members of the board of regents shall be appointed by the Governor of the State, by and with the advice and consent of the Senate, two-thirds of the Senators concurring therein, and shall hold their offices respectively, except those appointed to the first board, for the term of six years from the first Monday of September succeeding their appointment, and until the appointment of a successor: *Provided*, that Appointment by Governor.

not more than three of the regents to be appointed shall be members of the same religious denomination. Immediately upon the passage of this act, it shall be the duty of the Governor to appoint the members of the first board of regents, four of whom he shall appoint for two, four for four, and four for six years, from the first day of September next; and every second year after the passage of this act, there shall be appointed as aforesaid, for the term of six years, four members of said board, whose term of office shall commence on the first day of September after their appointment.

Vacancy—how filled. SEC. 5. 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 Legislature then next thereafter, and until others are appointed in their stead.

Body corporate. SEC. 6. 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 Kansas, with the right, as such, of sueing and being sued, of contracting and being contracted with, of making and using a common seal, and altering the same at pleasure.

Appointments. SEC. 7. 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.

By-laws and regulations. SEC. 8. 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 the board may appoint a president *pro tem.* They may also appoint the requisite number of professors and tutors, and such other officers as they may deem expedient; also determine the amount of their respective salaries.

SEC. 9. There shall be two branches of the university, viz: a male and a female branch. The female branch may be

taught exclusively by women, and buildings for that branch shall be entirely separate from the buildings of the male branch. And to establish and maintain the said female branch, the regents shall annually appropriate a sufficient amount of the funds of the university.

SEC. 10. The university shall consist of six departments. First, the department of science, literature and the arts; second, the department of law; third, the department of medicine; fourth, the department of theory and practice of elementary instruction; fifth, the department of agriculture; sixth, the normal department. The immediate government of the several departments shall be entrusted to their respective faculties, but the regents shall have the 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.

SEC. 11. The regents shall have power to remove any officer connected with the institution, when in their judgment the interests require it.

Removals.

SEC. 12. The fee of admission to the university shall never exceed ten dollars, and the charge for tuition in the first and fourth departments shall never exceed in one year, to the residents of the State, thirty dollars; and as soon as the increase of the university fund will permit, tuition in those departments shall be without charge to all students in the same who are residents of the State.

Admission fees.

SEC. 13. The regents are authorized to expend such portion of the income of the university fund and the fund now on hand as they may deem expedient, for the erection of suitable buildings and the purchase of apparatus, a library and cabinet of natural history: *Provided*, that before they make any purchase or proceed to the erection of such buildings, they shall submit a plan of the same to the Governor and Secretary of State, which shall be approved by them: *And provided further*, that before proceeding to erect said university building, or any part thereof, there shall be on hand and provided for, money sufficient to erect and complete an entire section or wing of said building, or a building entire of itself.

Funds.

SEC. 14. The regents shall make a report annually to the Legislature at its regular session, exhibiting the state and progress of the university 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. Meetings of the board may be called in such manner as the regents may prescribe, and any seven of them, at a meeting regularly called, shall be a quorum for the transaction of business, and a less number may adjourn from time to time. No sectarian 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 person as tutor or professor of said university.

SEC. 15. Nothing herein contained shall be construed as involving the State in any expense in the organization of said university.

SEC. 16. This act to take effect on and after its passage.

Approved, March 1, 1864.

THOMAS CARNEY,

Governor.

CHAPTER CVI.

STATE UNIVERSITY GROUNDS.

AN ACT relating to the State University grounds.

Be it enacted by the Legislature of the State of Kansas:

SECTION 1. That the Governor is hereby authorized to assume control of the State University grounds, and to cause the same to be fenced and set out with trees, and to lease said grounds on such terms as he may deem best.

SEC. 2. That the sum of one thousand dollars is hereby appropriated out of the interest that may arise from the university fund, and under the direction of the Governor, for the purpose of carrying out the first section of this act; and the Auditor of State shall draw his warrant on the State Treasurer.