

Pamph. v. 4

87

CONSTITUTION & LAWS

OF THE

INSTITUTION OF LEARNING

UNDER THE CARE OF THE

MISSISSIPPI PRESBYTERY.

Oakland college, Claiborne Co. Miss.

HERALD-OFFICE, CARLISLE, PA.—1831.

PREFACE.

AT a meeting of the Mississippi Presbytery in April 1830, a petition, from a number of gentlemen residing in the State of Mississippi, was laid before that body, requesting them to adopt measures for the establishment of an Institution of learning in some eligible site within the bounds of Presbytery, and to be under their control. This petition was accompanied by an offer of about \$13,000, payable by instalments yearly for five years, to be expended in the erection of buildings for the use of the Institution. At that time there was not an Institution of learning in the State at which a young man could receive a liberal education; and the bounds of the Presbytery extended over the States of Mississippi and Louisiana. Attempts had been made to establish Colleges and liberal donations made by the Legislature, but had failed. And the failure, it was thought, was owing chiefly to the fact, of their being no religious society or permanent body of men, men, in connection with these attempts. To secure the patronage of at least one religious denomination, and through them, all the other religious denominations in fraternal correspondence with them, towards this object, was the desire of the petitioners. The Presbytery granted the request and adopted measures to accomplish the object. At that same meeting, the Presbytery adopted the following Constitution and appointed a Board of Trustees. The Trustees located the Institution on a tract of two hundred and fifty acres of land which they purchased within five miles of the river Mississippi, in the county of Claibourne, Miss. They have also erected on this land, buildings sufficient to accommodate about fifty pupils, besides a house for the accommodation of a Professor and his family, and Recitation rooms. The Institution was opened last summer, and at the end of last Session it consisted of three Instructors and sixty-five Pupils. A good and sufficient Charter was obtained from the Legislature at their last session, and is published after the Constitution. The location is in the midst of a populous part of the State, and is considered one of the most healthy in the southern section of our country.

JULY, 1831.

L D
4141
.0575

CONSTITUTION AND LAWS, &c.

CHAPTER I.

OF THE DESIGN OF THE INSTITUTION.

Section 1. **T**HE object of this Institution is to provide the means of a liberal education for the youth of our country, adapted to the wants of the community.

2. The friends of it hope to accomplish this object by locating a permanent institution, and furnishing it with the necessary funds, officers, teachers, library and philosophical apparatus—by making provision for a thorough collegiate course of studies, and moral and religious instruction—by making the terms of tuition so low, as to be within the power of all our citizens to enjoy the means of instruction; and by giving these advantages to the poor gratuitously.

3. It is, further, the object of the friends of this Institution to provide for the education of poor and pious young men for the gospel ministry, and the theological studies of all candidates for the gospel ministry in our bounds, who may desire to avail themselves of such advantages.

CHAPTER II.

OF THE PRESBYTERY.

Sec. 1. This Institution shall be under the direction of the Mississippi Presbytery as hereinafter provided.

2. The Presbytery shall appoint a Board of Trustees, consisting of twelve members. Of this number, at the first election, one third shall be appointed for one year, one third for two years, and one third for three years; and at all future elections one third shall be appointed annually, and continue in office three years.

3. The appointment of Instructors and of all other permanent officers shall be made, and all other salaries fixed by the Presbytery.

4. No appropriation of funds shall be made unless by order of the Presbytery.

5. The Presbytery shall observe a most strict regard, in appropriating all funds according to the intention of the donors.

6. The Presbytery shall have power to add to the articles of the laws of this Institution, and of altering and amending them; and of removing any officer from the Institution, at any regular meeting, by a vote of two thirds of the members present—provided always, that notice be given of the contemplated addition, alteration and removal, to all the members of Presbytery three months previously.

7. And in case this Presbytery should ever be divided, that Presbytery retaining the present name shall hold the control of this institution until a Synod embracing the territory which is now embraced within the limits of this Presbytery shall be organized, when the control shall be resigned into the hands of said Synod, and this Institution shall hold the same relation to the Synod which it now holds to the Presbytery.

8. The Presbytery shall determine the site of the buildings, and the number and names of the Professorships.

CHAPTER III.

OF THE BOARD OF TRUSTEES.

Sec. 1. The Board shall hold their annual meeting on Monday preceding the last Wednesday in March, and at other times upon their own adjournments, and also on the call of the President.

2. The President shall call a meeting of the Board upon the request of two members of the same, and give ten days' notice to all the members.

3. All meetings of the Board shall be opened and closed by prayer.

4. The President of the Institution shall be ex officio, President of the Board of Trustees.

5. Any six members of the Board together with the President shall form a quorum; and in the absence of the President, seven members shall be required to form a quorum, and any member, in such a case, may be called to act as President pro tempore.

6. A Secretary shall be chosen out of their own body, who shall keep a correct history of all their proceedings.

7. They shall choose a Treasurer out of their own body, who shall be bound with two sufficient sureties, in a reasonable sum, to be determined by the Board, for the faithful discharge of his duties.

8. The Treasurer shall take charge of the funds of the Institution, and keep an accurate account of the same, shewing the sources from which they have been derived; the purposes for which they have been given, and the manner in which they have been appropriated.

9. He shall pay no money out of the Treasury without a written order from the Board of Trustees, signed by the Secretary and countersigned by the President.

10. He shall make out a full report to the Board at their annual meeting of all expenditures and receipts within the year and the state of the whole funds of the Institution; which report shall be audited by a committee appointed by the Board and incorporated in their annual report to Presbytery.

11. All decisions of the Board shall be made by votes, and when a division on any question be called for, every member including the President shall have one vote, and in case of a tie the President shall give the casting vote.

12. They shall have the power of filling all vacancies which may occur in their own body and in the offices of the Institution, subject to the revision of Presbytery at their next meeting.

13. They shall recommend suitable persons to the Presbytery for appointment, as teachers and other officers; but this shall not bind the Presbytery to appoint those persons thus recommended, nor take away the power from Presby-

tery of selecting the officers of the Institution independently of such recommendation.

14. They shall, also, recommend to the Presbytery such alterations and additions as they may think important in the laws of the Institution, and all other business involving the interest of the Institution.

15. It shall be the duty of the Board to inspect the fidelity of the Teachers in the discharge of their respective duties, and report to the Presbytery any officers whom they may judge either unfaithful or incompetent ; and whenever the case may demand it, they shall remove him from office, after having admonished him of the cause of complaint, and report the whole to the Presbytery, for their decision.

16. The Board shall hold all funds, donations and bequests—and all titles to lands, buildings and other property belonging to the Institution in trust for the Presbytery.

17. They shall make out a detailed account of all their proceedings, and an accurate state of the Institution, at their annual meeting, and transmit it to the Presbytery annually at their meeting in April.

18. They shall appoint a Committee of nine, selected out of the Contributors, who shall be styled the Visitors, whose duty it shall be to frequently visit the Institution, and inspect its whole management, and especially to attend the whole time of the annual examination and make report thereon to the Presbytery, and which report shall be published.

19 They shall appoint some minister of the Gospel of acknowledged piety and orthodoxy, to preach a sermon at the close of the annual examination on some important branch of the evidences of revelation, or on some fundamental doctrine of the Gospel, which sermon may be published. Due notice of the appointment and the subject shall be given to the individual thus appointed beforehand, so that no failure occur.

20. The plan of building and the purchase of real property, shall be determined by two thirds of the whole Board.

21. The Board may make rules for their own government, and for the government of the Institution, not inconsistent with the regulations adopted by the Presbytery.

CHAPTER IV.

OF THE IMMEDIATE GOVERNMENT OF THE INSTITUTION.

Sec. 1. The immediate government shall be vested in the Faculty.

2. The President, Professors and Tutors, constitute, and shall be styled The Faculty of the Institution.

3. The Faculty shall have one stated meeting every week, during term time, at such time and place as the President shall direct; and the President may convene the Faculty at all other times at discretion.

4. They shall direct the application of the laws, and make other regulations, for the government of the Institution

not contrary to the laws, and annex thereto such means of enforcement as to them may appear just and necessary.

5. In all decisions made by the Faculty, the same rule shall be observed as in the decisions of the Board of Trustees.

6. The Faculty shall choose a Secretary, who shall keep a fair record of all their proceedings; and they shall make a faithful statement to the Board of the condition of the Institution at the end of every session.

7. No offence shall be brought before the Faculty, but in consequence of their own order, or that of the Trustees.

8. An exemplary regard to moral and religious deportment, is indispensable to every member of the Faculty.

CHAPTER V.

OF THE PRESIDENT.

Sec. 1. He shall be an ordained Minister of the Gospel, and a member in good standing in the Presbyterian Church.

2. He shall be especially charged with the responsibility of the Institution and its success, and shall be bound to use all the means in his power to advance the interest and reputation of the Institution.

3. He shall have power to direct in all matters relating to the Institution; to govern the students and to punish all offences committed by them against the laws of the Institution, except in cases referred by law to the Faculty or Board of Trustees.

4. He shall visit the recitations of the other Instructors frequently—shall hear the recitations of the classes committed to the care of the other Instructors occasionally; and shall instruct such class as he may choose; and in such branch or branches of their studies as he may select.

5. In the absence of the President the senior Professor present shall have all the powers of the President, so far as the Faculty are concerned.

CHAPTER VI.

OF THE PROFESSORS AND TUTORS.

Sec. 1. The Professors, severally, shall have power to govern the Students, and to punish any crime, except in cases referred by law to the Faculty; provided that they may not in any case proceed contrary to the advice and direction of the President.

2. They shall give instruction in such branches of education as may be assigned to them by the Presbytery at their appointment to office; or by the Board of Trustees with the advice of the President.

3. The Tutors shall be appointed by the Presbytery to render such assistance as may be required in the Institution, & their duties assigned by the Faculty or Board of Trustees.

CHAPTER VII.

OF THE SEVERAL DEPARTMENTS OF THE INSTITUTION; AND OF THE COURSE OF STUDY.

Sec. 1. The Institution shall consist of an English

School—a Classical School—a School for the Modern Languages—and a College Proper.

2. In the English Schools, Reading, Writing, Arithmetic, English Grammar, and the Elements of Modern Geography shall be taught.

3. The Faculty shall prescribe the books to be used in this school, and no book or course of study shall be introduced unless by their consent.

4. In business relating to the English School, the Teacher of it shall be a member of the Faculty.

5. In the Classical School the Elements of the Latin and Greek Languages shall be taught.

6. The pupils in this department shall commit to memory the general rules, contained in Adams' Latin Grammar, and their application to parsing—they shall write Latin from Mair's Exercises, and study Jacob's Latin Reader, Parts I and II.—Cæsar's Commentaries—Sallust—Ovid's Select Metamorphoses—Cicero's four Orations against Cataline, and Virgil's Bucolics, in Latin—and in the Greek Language, they shall commit to memory the general rules contained in Valpy's Greek Grammar, and study the Greek Testament and Jacobs' Greek Reader—they shall also write Greek from Neilson's Exercises. Instruction in this department shall be given in Ancient Geography, Heathen Mythology—and Roman and Grecian Antiquities.

7. The Classes, in this School, shall be arranged, according to their improvement and progress, by the Teacher with the consent of the President.

8. The Teacher of this School, in all business relating to it, shall be a member of the Faculty.

9. In the School for the Modern Languages, instruction shall be given in the French and Spanish Languages, and be subject to such regulations as the Faculty may prescribe. The Teacher shall be a member of the Faculty in all business relating to this School.

10. The President shall direct in what manner religious instruction shall be given in these Schools, and to what extent.

11. Reports shall be made by the Teachers of these Schools, to the Faculty, once every week, of their state, and the progress of every pupil.

12. There shall be Two Examinations in each of these Schools, in each year, commencing on the week preceding the examination in the College Proper.

13. The Students of the College Proper shall be divided into Four Classes, namely, the *Freshman*, the *Sophomore*, the *Junior*, and the *Senior*.

14. Candidates for admission into the Freshman Class, cannot be received unless upon examination they be found able to read and parse Cæsar, Virgil's Bucolics, Cicero and Jacob's Greek Reader, and shall have learned Arithmetic, English Grammar and the Elements of Modern Geography.

15. No person shall be admitted to an advanced standing, unless he be equal to the Class for which he is a candidate.

16. No person of known immoral habits shall be admitted into the Institution, or any of its departments.

17. The Secretary of the Faculty shall keep a Matriculation Book, in which every Student upon his admission into the College Proper, shall be required to enter his name, place of abode, and the name of his parent or guardian, which signature shall obligate him to perform the duties, and entitle him to the privileges of a Student; and previously to entering his name he shall attest as follows: "I, A. B. do solemnly promise, on my truth and honour, to observe and obey the laws, rules and regulations of this Institution, and to avoid all immoral behaviour, and disrespectful conduct towards the Faculty or any member thereof, so long as I am continued a member of this Institution; as witness my hand." A. B.

18. No young man shall be considered a member of the Institution until he shall have paid the College Fees, and have been matriculated.

19. The Academical Year shall be divided into two terms. The first commencing on the first Monday in November, and ending on Thursday after the last Wednesday in March; and the second commencing on the first Monday in May, and ending on Thursday after the last Wednesday in September.

The Freshman Class shall study

FIRST TERM,

Day's Algebra, as far the end of Simple Equations—Virgil's Eneid—Xenophon's Cyropædia—Murray's English Grammar—Adams' Roman Antiquities.

SECOND TERM,

Playfair's Euclid, first five books—Day's Algebra, as far the end of the 18th Section—Virgil's Georgics—Homer's Iliad—Woodbridge and Willard's Geography—Grecian Antiquities.

The Sophomore Class shall study

FIRST TERM,

Day's Algebra, finished—Euclid, reviewed and finished—Day's Mathematics—Nature and Use of Logarithms and Plane Trigonometry—Cicero's Orations—Homer's Iliad—Tytler's History—Porter's Analysis.

SECOND TERM,

Day's Mathematics, Parts III & IV.—Horace—Græca Majora, 1st vol.—History—Chronology—Jamieson's Rhetoric—Jewish Antiquities—Constitution of the United States.

The Junior Class shall study

FIRST TERM,

Datton's Conic Sections and Spherical Trigonometry—

Horace—Græca Majora—Blair's Rhetoric—Chemistry—Andrews' Logic.

SECOND TERM,

Natural Philosophy—Mechanics—Quinctilian—Longinus—Chemistry—Hebrew—Paley's Natural Theology.

The Senior Class shall study

FIRST TERM,

Natural Philosophy—Optics—Electricity and Magnetism—Chemistry—Cicero de Natura Deorum—Longinus—Paley's Evidences of the Christian Religion—Philosophy of the Human Mind—Hebrew.

SECOND TERM,

Astronomy—Chemistry—Philosophy of the Human Mind—Hebrew—Moral Philosophy—Political Economy.

20. In each Class, there shall be Exercises in Composition, Criticism, and Declamation, as the President shall direct.

21. Each Class shall also devote a portion of time to the study of the Bible.

CHAPTER VIII.

OF THE HOURS OF STUDY AND THE MODE OF ASCERTAINING THE PROGRESS OF THE STUDENTS.

Sec. 1. The hours of study shall be from day-light until breakfast in the morning—and from nine until twelve in the forenoon during the first term—from eight until twelve during the second term—from two until five in the afternoon—and from eight until bed-time in the evening. There shall be a recess from study on Saturday afternoon.

2. Every Student shall diligently apply himself to such studies as shall be prescribed to him by his Teacher, and shall be careful to attend every recitation of his class.

3. Every Instructor shall keep a roll of his class or classes, which shall be called over at the hour of lecture or recitation, and the manner of attendance and performance of each Student in every exercise carefully noted. This mark shall be common to all the Instructors; and in common with other circumstances shall determine the relative standing of the Students.

4. If a Student shall be found incapable of proceeding in his class with advantage to himself, the Faculty may arrest his progress; it being always understood, that if he shall make up his deficiency he may regain a standing in his former class.

CHAPTER IX.

OF RELIGIOUS EXERCISES.

Sec. 1. The Professor, or one of the Professors or Tutors shall pray every morning in the Chapel, and read a chapter or some suitable portion of scripture; and every Student shall be obliged to attend.

2. Divine worship shall be publicly attended on the Sabbath in the chapel, and all the members of the Faculty and

all the Students shall be present, unless having previously obtained leave of absence from the President.

3. A biblical lecture shall be attended every Sabbath afternoon by all the Faculty and Students, at such time and place as the President shall direct.

4. It is enjoined upon all the Students to observe the Christian Sabbath as holy and sacred to the duties of religion; and all amusements and recreations shall be avoided, which are inconsistent with their duties.

5. As it is the right of every religious denomination to enjoy its peculiar sentiments and modes of worship, it is ordered that the officers of College in their instructions avoid every species of sectarianism.

CHAPTER X.

OF THE DEPARTMENT AND DRESS OF THE STUDENTS.

Sec. 1. The Students are to consider themselves and each other as young gentlemen associated for purposes of mutual improvement, and are to behave themselves accordingly; avoiding all turbulence, rudeness and violence.

2. They are to treat the President, Professors, and Tutors, on all occasions, with profound respect, obeying implicitly all their lawful commands, and in every respect so demeaning themselves as those should, who know that their character for correct behaviour is not less important than their character for intellectual acquirements.

3. They shall treat all persons with whom they have intercourse with decency and respect.

4. It is enjoined on all the Students to be neat and economical in their dress; and if any Student be negligent in either of these respects it shall be the duty of the Faculty to censure him according to the nature of his offences.

CHAPTER XI.

OF MISDEMEANORS, OFFENCES AND PUNISHMENTS.

Sec. 1. Neglect of study—interrupting the studies of others—profaneness—playing at games of cards or chance—duelling, or aiding or abetting it—wearing or carrying a dirk or other deadly weapon—intemperance in any degree—keeping company with persons of known immoral character—resorting to places of expensive amusement, & every other species of immoral conduct, of which the Faculty are the sole judges, are offences; and shall be punished as hereinafter directed.

2. The punishments of the Institution shall be admonition, rebuke, suspension and expulsion.

3. The Faculty shall apply these punishments, except expulsion; and whenever the offence in their estimation shall merit expulsion, the President shall convoke the Board of Trustees, and lay before them, the facts in the case for their decision. But the Board shall act exclusively on the written report of the Faculty.

CHAPTER XII.

OF EXAMINATIONS AND VACATIONS.

Sec. 1. There shall be two Public Examinations in each

year, of all the Classes, and in all the departments. In the College Proper, the first Examination shall commence on Monday preceding the last Wednesday in March; and the second on Monday preceding the last Wednesday in September. The Examinations in the other departments shall commence on the week preceding the Examinations in the College.

2. The President shall give public notice of these Examinations, three weeks previous to the time appointed for them.

3. There shall be two Vacations in each year, the first commencing on Friday after the last Wednesday in March, and continuing until the first Monday in May; and the second commencing on the Friday after the last Wednesday in September, and continuing until the first Monday in November, in the College; and in the other departments, the Vacations shall commence on the same days and continue three weeks.

CHAPTER XIII.

OF THE COLLEGE FEES.

Sec. 1. Each Student upon his admission into College, shall pay in advance to the Treasurer, Twenty Dollars for tuition; and shall pay the further sum of Twenty Dollars at the commencement of every Session afterwards.

2. In the other departments each pupil shall pay Fifteen Dollars at the commencement of every Session.

3. All Students entering at any time before the middle of a Session shall pay for the whole Session; and if after half a Session has expired, they shall pay for half the Session.

4. The price of Board will be One Hundred Dollars for the College year; paid quarterly in advance. The Board shall include, besides diet, lodging, washing and fuel.

AN ACT,

To incorporate the Board of Trustees of the Institution of Learning under the care of the Mississippi Presbytery.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the State of Mississippi, in General Assembly convened,* That Doctor Rush Nutt, David Hunt, James McGill, Thomas Freeland, Matthew Bolls, Smith C. Daniel, John Snodgrass, William Young, Horace Carpenter, Isaac Ross, Pierce Noland, Charles S. Lee, be, and they are hereby incorporated and made a body corporate and politic, by the name of "The Board of Trustees of the Institution of Learning under the care of the Mississippi Presbytery," which may hereafter be changed at the discretion of the Board; and the board of trustees aforesaid, shall have perpetual succession, according to the constitution already adopted by the aforesaid institution, and may have a common seal, which they may alter at will, and may purchase and receive by gift or devise, lands, tenements, and real estate of any kind, and hold the same in fee simple, or less estate; the annual in-

come and profits whereof shall not exceed the value of ten thousand dollars; and the said board of trustees is hereby enabled, to take and receive subscriptions of charitably disposed persons, and may take any personal estate in succession, and all donations to the institution, either by subscription, legacy, or otherwise, (excepting such as shall be differently appropriated by the donor) shall make a part of, or be put into the capital stock of the institution, which shall be put out on good interest, on good security, or otherwise improved to the best advantage, and the income or profits applied to the support of the institution.

Sec. 2. *And be it further enacted,* That the said board of trustees shall choose a secretary and treasurer, and the present constitution of said institution shall not be altered, unless in the manner therein pointed out, and no alteration shall ever be made, repugnant to the constitution of this state.

Sec. 3. *And be it further enacted,* That the board shall make provision for instruction to be given in the English Language, in the Latin and Greek Languages, in Mathematics and the Arts and Sciences, and such other branches of Literature as may be within their means, in order to prepare young men for business, or any of the learned professions, and shall have power to confer such degrees, and grant such certificates or diplomas as are usually given by the colleges or universities in the United States.

Sec. 4. *And be it further enacted,* That the board of trustees shall have full power to attach to the institution, a school for the education of young females, which shall be endowed and supported by funds contributed especially for this purpose.

Sec. 5. *And be it further enacted,* That the board of trustees aforesaid may, at all times, under the name, style, and title aforesaid, sue and be sued, plead and be impleaded, appear, prosecute and defend to final judgment and execution; and may appoint an agent or agents to prosecute and defend suits, with power of substitution; and it shall be lawful for said board of trustees to make sale of any estate or personal property given or purchased, or in any other way or right, accruing to them in their corporate capacity, and convey the same by deed or other legal instrument, duly executed; and when the property to be conveyed is real estate, under the hand of the treasurer and the seal of the institution, provided that this section shall not be construed to affect the purchase of real estate already made in any other way than to sanction it.

Sec. 6. *And be it further enacted,* That Thomas Freeland be, and he is hereby authorized to give ten days notice, in writing, to all the members, and appoint the time and place of the first meeting of the board, under this act of incorporation.

GERARD C. BRANDON,

Governor of the State of Mississippi.

Approved : December 3d, 1830.