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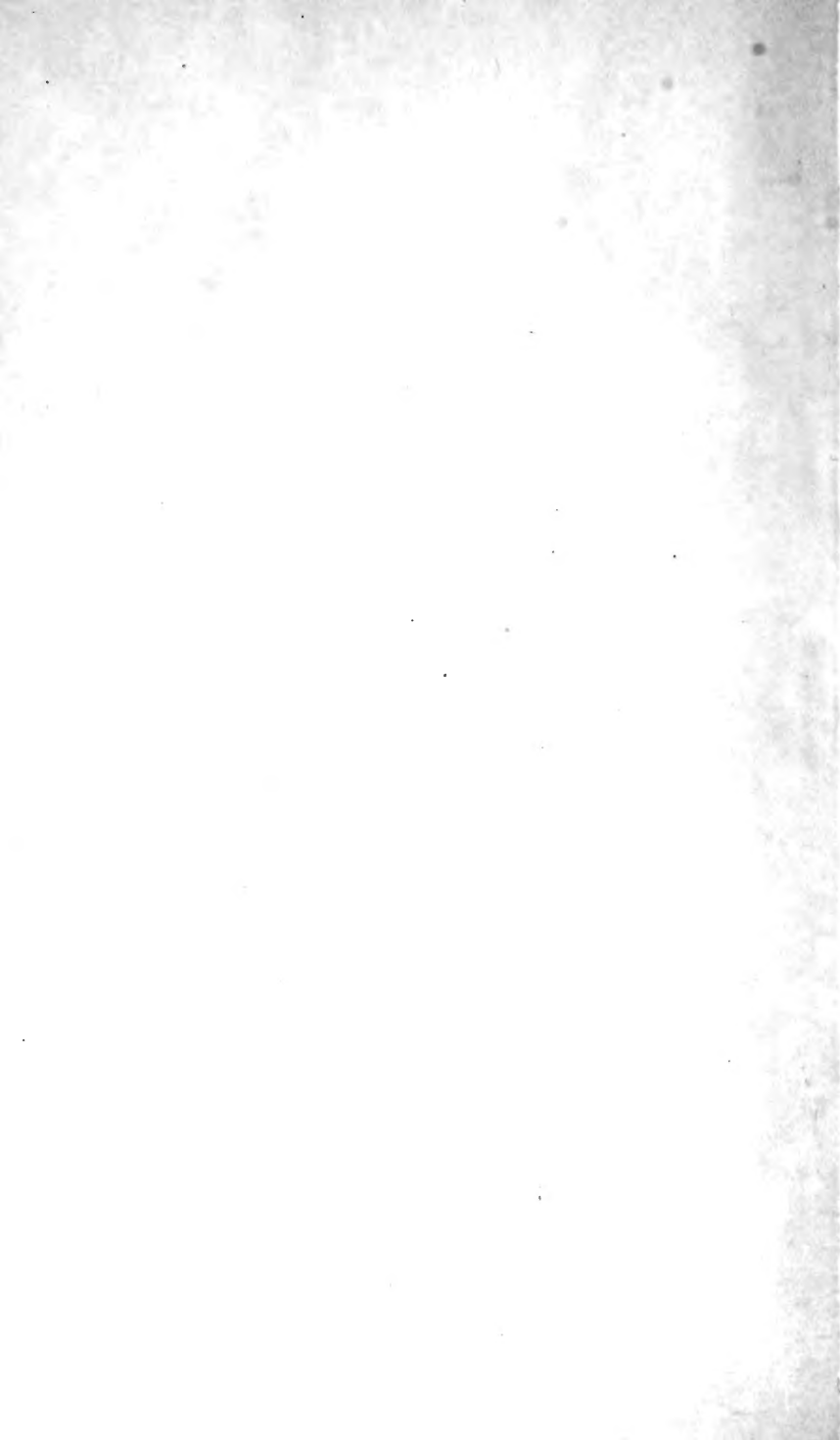


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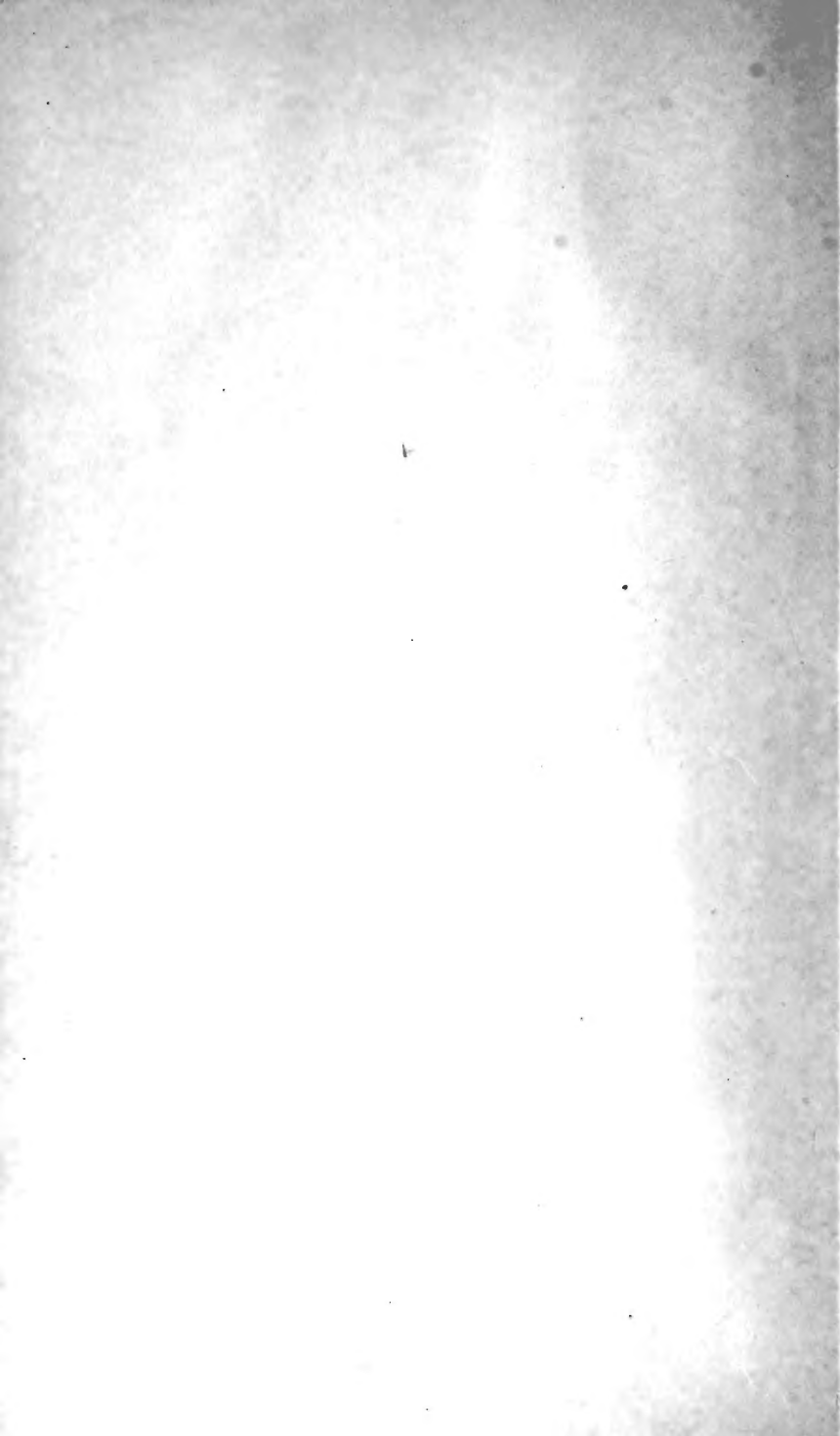
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OFFICIAL DONATION.









BY-LAWS OF THE TRUSTEES

OF THE

NEW HAMPSHIRE COLLEGE OF AGRICULTURE AND  
THE MECHANIC ARTS,

ALSO

GENERAL ACTS

OF

THE UNITED STATES AND NEW HAMPSHIRE,

RELATING TO THE AGRICULTURAL COLLEGE, WITH AMENDMENTS  
AND ADDITIONS THERETO.

1862-1893.

PREPARED UNDER THE DIRECTION OF

A COMMITTEE OF THE BOARD OF TRUSTEES.

CONCORD, N. H. :

REPUBLICAN PRESS ASSOCIATION, RAILROAD SQUARE.

1893.

## EXPLANATION.

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*To the Board of Trustees of the New Hampshire College of Agriculture and the Mechanic Arts :*

In preparing the by-laws of the College, we have carefully examined the books of the trustees, and made a record of all votes passed by the Board, and have classified them according to their respective subjects. All votes having a bearing upon the future management of the College have been made a part of the by-laws, so that all precedents have been followed as far as consistent. New by-laws for the College have been added, for which there seemed to be a demand, caused by the severing of its relation with Dartmouth College and its removal to Durham. We have also compiled the Acts of Congress and the Laws of New Hampshire and such decisions of the Treasury and Post-Office Departments as we have been able to obtain, bearing upon the College and Experiment Station to the present date. We have also included a copy of the Benjamin Thompson will and the lists of the colleges and experiment stations in the United States. We trust this hand-book of by-laws and compilation of the laws will be of value, and meet the approval of the Trustees, and all interested in the welfare of the College.

LUCIEN THOMPSON,  
JOSEPH KIDDER,  
ALBERT DEMERITT,

*Committee on By-Laws.*



g.c.e. 5/16/05.

# BY-LAWS

OF THE

## BOARD OF TRUSTEES

OF THE

### NEW HAMPSHIRE COLLEGE OF AGRICULTURE AND THE MECHANIC ARTS.

#### ARTICLE I.—MEETINGS OF THE BOARD.

SECTION 1. There shall be four stated meetings of the Board at Durham in each year, viz., the second Wednesday in January, April, and October, and on the day preceding Commencement Day, in June, at 11 o'clock in the forenoon, and the stated meeting in June shall be the annual meeting. Written notice of all meetings shall be given by the Secretary to each member of the Board at least fourteen days previous to the day of said meetings. In case of omission to notify the stated meetings as aforesaid, the same shall not be lost, but shall be adjourned for the transaction of business until the required notice thereof shall be given. At the stated meetings it shall be in order to act on any subject within the power of the Corporation, and at all special meetings the subjects to be acted upon shall be specified in the notices of such meetings.

#### SPECIAL MEETINGS.

SEC. 2. It shall be the duty of the President of the Board to call a special meeting of the Board of Trustees whenever in his view or that of any four of the Trustees it shall be deemed

THE BOARD OF TRUSTEES

NEW HAMPSHIRE COLLEGE OF AGRICULTURE AND THE MECHANIC ARTS

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expedient. If, from any cause, such meeting shall not be so called by the President of the Board within six days, then any four of the Trustees may call the same, and the same notice shall be given of special meetings as of stated meetings.

ARTICLE II.—ORDER OF BUSINESS.

SECTION 1. The business of each meeting shall be conducted in the following order :

1. Calling the roll of members.
2. Reading and approval of minutes of last meeting.
3. Election of officers.
4. Report of President and communications from Faculty.
5. Reports of committees.
6. Communications, petitions, and memorials.
7. Unfinished business.
8. New business.

ARTICLE III.—RULES OF DEBATE.

SECTION 1. In the discussion and disposal of business, the Board shall be governed by the parliamentary rules and usages usually governing deliberative bodies.

SEC. 2. Every resolution offered shall be reduced to writing before it shall be finally acted upon.

ARTICLE IV.—OFFICERS OF THE BOARD, ETC.

SECTION 1. The Board shall at their annual meeting elect by ballot, by major vote of those present and voting, a President of the Board, Secretary, and five standing committees, said committees to consist of members of the Board only, to wit,—an Executive Committee, a Committee known as the Board of Control, a Finance Committee, a Committee on Real Estate, and a Committee on Curriculum.

SEC. 2. Special Committees may be chosen from time to time as the Board may deem expedient.

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SEC. 3. All officers and standing committees shall be continued in their respective offices until others are chosen and qualified in their stead.

#### ARTICLE V.—DUTIES OF OFFICERS.

SECTION 1. The officers of this Board are charged with the duties, and entitled to the rights and privileges, which belong, by general consent and parliamentary custom, to their respective offices.

#### DUTIES OF THE PRESIDENT OF THE BOARD.

SEC. 2. Any member of the Board of Trustees, except the President of the College, shall be eligible to the office of President of the Board. The President of the Board shall call all meetings of the Trustees, and send a copy of the call to the Secretary. He shall preside at all meetings of the Board. He shall annually file the report of the Trustees with the Secretary of State, in accordance with the provisions of chapter 11, section 9, of the Public Statutes of New Hampshire (said report to be made up to July 1, each year). He shall have the custody of the bond of the Treasurer, and be responsible for the safe keeping of the same.

#### DUTIES OF SECRETARY.

SEC. 3. The Secretary shall be sworn to faithfully perform the duties of his office, and shall attend all meetings of the Board of Trustees, and shall keep a full and accurate record, in a suitable book provided for the purpose, of all votes and acts of the Trustees. He shall record all calls for meetings of the Board, and notify all members of said meetings. He shall notify all committees of their appointment, and furnish a copy of all votes delegating power to said committees.

The Secretary shall keep a record, in a separate book, of the names of all the Trustees, the date of their appointment, form of appointment, expiration of term of office, the Coun-

cillor District in which they reside, the political party to which they belong, and their occupation. He shall furnish all officers of the College with a copy of any votes passed by the Board of Trustees relating to their duties. He shall keep a separate book in which shall be kept a record of all votes relating to special committees, and a record of all reports made by said committees to the Board. He shall keep a separate record of all donations to the Institution; and all conditions and votes relating thereto shall be recorded in a book provided for that purpose.

#### DUTIES OF TREASURER.

SEC. 4. The Treasurer shall give bonds to the acceptance of the Trustees for the faithful performance of his duties, and said bond shall be deposited with the President of the Board, after being recorded by the secretary. He shall receive all money and securities belonging to the College, all dividends and interest accruing to the College, and account for the same, and pay all bills that have been endorsed as approved by the President of the College, except the salary and bills contracted by the President of the College which shall be approved by the President of the Board of Trustees. He shall have a descriptive list of all bonds, stocks, mortgages, and other evidences of debt to the College recorded in the office of the state treasurer. He is authorized to endorse all checks and drafts in favor of the College. He shall be empowered to hire money on recommendation of the Finance Committee, subject to the approval of the Board of Trustees. He shall keep a separate account of all funds in his hands for a specified purpose.

The Treasurer of the Board of Trustees is hereby designated and appointed to receive and have the custody of the money appropriated from time to time by the congress of the United States, and any and all money appropriated or donated at any time for the purpose of the Experiment Station,

and he shall keep all such money in a separate fund account, and shall pay the same out upon warrants signed by the President of the College and countersigned by the Director of the Experiment Station, but no money shall be drawn or used for any purpose except for the work and needs of the Experiment Station. He shall, in his annual report, render a full and complete account of all money received and paid out, investment of funds and money hired. He shall file and preserve all vouchers, receipts, correspondence, or other papers relating to his office.

#### DUTIES OF PURCHASING AGENT.

SEC. 5. The Board, at any stated meeting, may elect a Purchasing Agent who shall hold office, subject to removal at the pleasure of the Board.

He shall make all purchases of every description for the College and Experiment Station and farm. No purchases shall be made by the said Purchasing Agent except on the written requisition from the heads of the departments, or such as may be ordered by the Board of Trustees, said requisitions to be countersigned by the President of the College, before the purchase is made, and these requisitions are to be, by him, numbered, filed, and duly recorded in a book kept for the purpose. These requisitions when properly signed shall be construed to be, and shall be, his order for the purchases to be made. Bills for goods ordered by the Purchasing Agent if approved, first by the head of the department where the goods are used, second by the Purchasing Agent, and third by the President of the College, shall be paid by the Treasurer.

All bills for purchases for the Experiment Station and farm shall be made out in every case against the New Hampshire Agricultural Experiment Station, and all others against the New Hampshire College of Agriculture and the Mechanic Arts.

## ARTICLE VI.—GENERAL DUTIES OF COMMITTEES.

SECTION 1. Every Standing Committee shall choose a Secretary who shall record all votes passed in the Board of Trustees bearing upon the work of said committee, with time and place of meeting at which such vote was passed, so indicated that it could be readily found by reference to the book of the Secretary of the Board of Trustees. They shall keep an accurate record of all proceedings in suitable books, which shall be filed in the office of the Board at Durham for safe keeping and open to the examination at all times of any member of the Board of Trustees.

SEC. 2. Special Committees may conform to the requirements of the preceding section, or file a written report of their proceedings with the Secretary of the Board of Trustees.

SEC. 3. No Committee shall have power to carry out any action on their own motion (except in cases specified in these By-Laws) until they shall have reported to the Board and gained its consent to the action proposed.

## EXECUTIVE COMMITTEE.

SEC. 4. This Committee shall consist of three members of which the President of the College shall be one. Local improvements in connection with the college are placed in charge of this Committee.

They shall have charge of water-works, supply of water, including reservoir, all the water pipes, connections to all buildings for fire purposes and water supply, and heating and lighting of premises and buildings including electricity and gas.

They shall have authority to make all arrangements on account of the College with the town or private citizens for the use of water, gas, or electricity. They shall also have charge of all matters pertaining to heating, lighting, ventilation, and the distribution of power from the Station;

the care of all machinery connected with the Power Station, and the shops, which shall include the ordering of whatever is required to render those things under their care beneficial to the College. They shall have charge of all matters pertaining to the proper draining of the College buildings, including a proper system of sewerage when the same becomes necessary. All contracts of whatever nature binding upon the College as bearing on future relations of the College with any outside party, either citizen, corporation, or town, shall be subject to the approval of the Trustees. They shall keep a record of all their proceedings which shall be kept at the office of the Board in Durham, open at all times to the inspection of the Trustees, and they shall report to the Board at their annual meeting.

#### BOARD OF CONTROL.

SEC. 5. 1. The experimental work of the Station shall be under the immediate control of five trustees, of which number the President of the College shall be one, and known as the Board of Control.

2. The Board of Control may adopt such rules of organization as they may deem necessary, which shall not be in conflict with the laws under which the department is organized, or with such regulations as the Trustees may from time to time prescribe.

3. The Trustees shall elect a Director whose duties shall be, under the direction of the President of the College, to keep a complete record of the work of the Station, to carry on the correspondence, supervise the editing and printing of all bulletins and reports, and shall do all other work necessary to be done about the business of such Station, which may be required of him by the Trustees or President of the College.

4. This Board shall plan and arrange the methods by which investigations shall be pursued and experiments

conducted. They shall instruct the director to divide the work of the Station, and assign the parts thereof to such persons as may be best fitted by experience and ability to carry forward such work. They shall cause to be kept accurate detailed accounts of all experimental work, and all circumstances surrounding the experiments, which can in any way affect them, and such results as the facts show shall be worked out and put in shape for proper reports, to be published from time to time as required by the act of congress of March 2, 1887.

5. This Board shall require the Director to lay before the Trustees at each stated meeting of the Trustees a plan of such experiments as may seem desirable to undertake, also report the probable expense of the same, and shall designate such instruments, lands, help, and other requirements as they need to successfully carry out the proposed work.

6. In case any professor of the College shall be employed in the work of the Experiment Station, this Board shall estimate the value of his services while so employed, such estimate to be made upon the basis of his regular salary as such professor, and whatever sum shall be found to be proper compensation for such services, such sum shall be paid from the Experiment Station fund.

7. This Board shall recommend to the Trustees, the appointment of all officers and regular assistants employed upon the work of the Station or farm. They shall employ all temporary assistants, laborers, janitors, and workmen, who shall be paid from a fund appropriated for that purpose, and report to the Trustees at each stated meeting.

8. They shall regulate the price paid to students for any labor performed on the farm or at the Experiment Station.

9. They shall cause to be kept in proper books for the purpose, a regular account of all money received and disbursed, the receipts from and expenditures for and on account of the Experiment Station and farm, or for the con-



struction of buildings, or improvement of the premises, and in the farming and gardening operations. These accounts shall be so kept as to show, as near as practicable, the cost of carrying on the farm or garden and the quantity and value of the products of the same.

#### DUTIES OF FINANCE COMMITTEE.

SEC. 6. This Committee shall consist of three members, of which the President of the College shall be one. They shall have special care of the finances of the College, and all matters relating to appropriations of funds shall be referred to them for examination, and they shall report on same to the Board of Trustees, and recommend at any time such measures as they deem for the best interests of the College. All matters relating to salaries of employés, including the faculty, shall be referred to the Finance Committee, who shall report on same to the board, and they shall carry out the votes of the Board in regard to salaries, and keep a separate record of the employment of all officers and employés of the College, the date when hired, the length of time, the amount of salary, and the duties to be performed.

They shall carefully audit the accounts of the Treasurer, and of all committees or employés of the College who have the handling of any of the College funds, and report to the board annually. They shall annually examine the condition of the Benjamin Thompson trust fund as kept by the state treasurer. They shall have charge of the investments of the College funds, and may change the form of investment of said funds, as may be necessary, into such securities as trustees are allowed to make under the laws of New Hampshire, and in compliance with any laws of the United States that may govern the same, and subject to the approval of the Board of Trustees. Any money ordered to be hired by vote of the Board shall be hired by the Treasurer, with their approval. They shall annually, in June, cause to be made an

appraisal of all the property of the College and record the same in detail in a book of inventory, and a summary of the same shall be published in the annual report.

#### COMMITTEE ON REAL ESTATE.

SEC. 7. This Committee shall consist of three members, of which the President of the College shall be one. The Committee shall have full power to buy, sell, rent, or lease any real estate belonging to the College, which the Trustees, at any meeting may order to be bought, sold, rented, or leased, and shall sign deeds, leases, or contracts, regarding real estate in the name of the College when so ordered by the Board at any legal meeting. They shall keep a record of all such votes. They shall also record all transactions in real estate made by the College, and give full descriptions of the same; and all buildings owned by the College shall be kept insured in reliable companies by the said Committee on Real Estate, subject to alterations at any time by vote of the Board of Trustees. All records of the Committee shall be filed in the office of the Board at Durham for safe keeping and examination. They shall fix prices of rent for all buildings, rooms, or halls owned by the College which may be rented, collect the rent for the same, and turn it over to the treasurer with an itemized statement of amounts received, on what property collected, and the price for which the property was leased or rented. They may discharge, or authorize the discharge of, mortgages that are cancelled, and the release of all contracts and liens requiring release upon payment.

#### COMMITTEE ON CURRICULUM.

SEC. 8. This Committee shall consist of three members of which the President of the College shall be one. They shall have general oversight of the instruction of the college, and consider and recommend improved methods of instruction, nominate professors and instructors to vacant chairs, or to

chairs which may be established, and have charge of the general subject of scholarships and fellowships, and all matters connected with the curriculum. They shall recommend the names of those entitled to degrees under Article 19 of these By-Laws.

They shall have charge of the Library, Laboratories, Museums, and Art Collections, and suggest plans for the improvement of the working apparatus of the college.

They shall recommend such measures as will tend to improve the relations of the college to the state, the educational institutions of the state, churches of the state, so far as they relate to the college, the town of Durham, and, if occasion offers, to the legislature.

They shall represent the board in all correspondence or interviews with the Executive and other recognized Committees of the Alumni, and advise such methods as may, in its judgment, increase the interest of the Alumni in the college.

#### ARTICLE VII.—NAME AND OBJECT OF THE EXPERIMENT STATION.

SECTION 1. There shall be and hereby is established a department of the college which shall be known and designated as the New Hampshire Agricultural Experiment Station, said department having exclusive use of Nesmith Hall.

SEC. 2. The object and purpose of such Station shall be to fulfil in its scope and work the requirements of section 2 of the act of congress of March 2, 1887, establishing the same; and to conduct such other researches and experiments bearing directly on the agricultural industry of the state of New Hampshire as may be deemed advisable by the Board of Trustees.

SEC. 3. The Board of Trustees reserves to itself the power to control all property received and all officers appointed in the Experiment Station, established by the

“Hatch Bill,” so-called, and the right to remove all such officers, when in their judgment the interests of the Station require it.

SEC. 4. The land belonging to the college, and used for agricultural purposes, shall be devoted to the uses of the Experiment Station, placed in the care of the Board of Control, but subject to the Board of Trustees the same as the Experiment Station under the preceding section.

SEC. 5. The Trustees shall set apart such rooms and buildings as shall be needed from time to time for the purposes of an Experiment Station, on such terms as shall be provided when assigned, subject to the provisions of section 3 of this article.

SEC. 6. All records in this department, relating to the Board of Control and Directors, shall be open at any time to the inspection of any member of the Board of Trustees.

#### ARTICLE VIII.—DIRECTOR OF EXPERIMENT STATION.

SECTION 1. The Director shall be the Executive officer of the Experiment Station and farm, and the work shall be under his control and management, subject to the general supervision of the Board of Control, the President of the College, and the several sections of Article 7 of these By-Laws.

SEC. 2. All bills contracted by any department of the Station or farm shall be approved by said Director before being countersigned by the President of the College, and when so approved by both shall be paid by the Treasurer out of the Experiment Station fund.

SEC. 3. He shall establish such a system of book-keeping in the several departments, that all experiments and work in the Station shall be a matter of record. In all experimental work on the farm or at the Station the books shall be so kept as to show the exact time employed in said experiments, to the end that there shall be no doubt as to the cost

of the same, and that said experiments may prove of value as a matter of reference bearing upon the different subjects under investigation. He shall cause the different departments to make detailed reports of all work done by them, including the cost of the same, monthly, or oftener as he may require; and from these reports he shall make annually to the President of the College and Trustees a report to cover all the work carried on at the Station and on the farm, and the cost of the same.

He shall, also, annually report to the President of the College and to the Trustees, the value and condition of the farm which shall include all stock and machinery thereon, also, all crops raised on the farm, and how disposed of;—if fed to the stock they shall be charged at their market value and credited to the farm, and the farm shall also be charged with all manure made by the cattle, horses, sheep, and swine, kept at the Station or farm, as well as labor.

SEC. 4. He shall also make a record, and report to the Treasurer the value of all labor and also all crops, stock, lumber, wood, or material, sold from or used in any departments of the College, for any purpose as so much cash, so that it can be carried into the Treasurer's accounts.

SEC. 5. If he shall sell or otherwise dispose of the products of the Station or farm, he shall make a record of the same, and shall make out, present, and collect all accounts and bills accruing from the sale of productions in his department, and shall, on the first of every month, pay into the College treasury all sums of money received from such sales, accompanied by an itemized statement of the sources of such receipts and the same shall be kept as a separate fund and used only for farm improvements.

SEC. 6. It shall be his duty to carry out the measures determined upon by the Trustees and Board of Control, and to publish and to distribute the bulletins of the Station as required by law.

## ARTICLE IX.—THE FACULTY—VOTING.

The Faculty of the College shall consist of the President of the College and those instructors who hold full professorships. Members of the Faculty shall be elected to their respective positions by the Board of Trustees whenever vacancies occur or whenever the Board deem it expedient.

A full professorship in the College shall be understood to be a position in which its occupant is placed at the head of a particular department of instruction, and such professorship can be created only by vote of the Trustees. Any person elected to a full professorship shall thereupon become a member of the Faculty, and be entitled to a voice and vote in the proceedings of that body.

Tutors, and lecturers may be engaged by the President of the College, with the advice and consent of the Committee on Curriculum, said engagements to be made subject to the confirmation of the Board of Trustees; and such tutors, and lecturers shall be included in the list of the Faculty printed in the annual catalogue and entitled to take part in Faculty meetings, but not entitled to vote therein, except in the absence of the head of the department in which they are employed, when they may represent that department by vote or otherwise, if the majority of the Faculty assent thereto; but no department shall be represented at any meeting by more than one vote.

## ARTICLE X.—DUTIES OF THE FACULTY.

The President of the College shall be the chief executive officer of the Institution, and shall have general supervision of all departments of instruction and discipline, and all matters pertaining to the general welfare of the College and the students. He shall pass upon all bills and claims against the College, and shall be responsible for the proper care of the grounds and buildings, and all apparatus and personal

property pertaining thereto. He shall draw his order on the Treasurer for the payment of approved bills, and see that the expenditures do not exceed the appropriations in any department. He shall furnish the Treasurer with a schedule of all approved bills each month, and the Treasurer is authorized to pay his order for the amount of such bills, and the order of the President with such a schedule shall be a sufficient voucher for the Treasurer. These approved bills when paid and receipted shall be a sufficient voucher for the President. He shall at the annual meetings report the receipts and expenditures from each fund and show balance on hand of each.

He shall give bonds to the satisfaction of the Trustees for the faithful performance of his duties.

The President shall, with the advice and consent of his associates of the Faculty, establish such rules and regulations for the government of the students and for the general work of the College as shall in their judgment best subserve the interests of both, subject to the approval of the Board of Trustees.

He shall be *ex-officio* a member of the Board of Trustees and of all Standing Committees from said Board. He shall be President of the Faculty, and have general supervision of all college work, including Experiment Station. He shall direct the correspondence of the Faculty, have charge of the advertising ordered by the Board, and custody of the College Seal. He shall give lectures, and take such part in the instruction as in his judgment the interests of the College demand.

The institute work of the College shall be carried on by him, or any member of the Faculty under his supervision. He shall direct the course as laid out by the Faculty and approved by the Committee on Curriculum. He shall report any defect in any member of the Faculty, Instructor, or Officer of the College, which he deems injurious to the College, to the President of the Board of Trustees.

He is authorized to grant temporary leave of absence to students. He shall call all meetings of the Faculty, and a request of three of the Faculty to hold a meeting shall be granted. He shall preside in said meetings, and cause a record of all business transacted therein to be kept in a suitable book, subject to the examination of any member of the Board of Trustees.

The members of the Faculty, who are the heads of departments of instruction, shall, under the supervision of the President, be responsible for the same, including the custody and care of the apparatus belonging to their respective departments.

Associate professors, tutors, or superintendents shall be under the direct supervision of the heads of the departments in which they are working, and answerable to them; but this shall not debar such associate professors, tutors, or superintendents from presenting to the Faculty reports of their work, or any views relating to the same.

It shall be the duty of the head of each department, or his assistant, to make, if required by the Finance Committee, an inventory at the end of each year of all apparatus and personal property belonging in his department, and forward it to the President, who, after examination and approval, shall file the same with the Treasurer as a part of the accounts of the College, and in the case of the farm department, this inventory shall include an account of the stock and produce at a fair market valuation.

The Faculty shall present to the Committee on Curriculum, before the annual meeting of the Board of Trustees, a statement of any desirable changes in the courses of study, and to the Committee on Finance, a statement of the wants of the different departments, and said Committees shall thereupon consider the same, and report at the annual meeting such recommendations as they deem expedient.

The professors and instructors shall be liable to do a limited amount of clerical or supervision work, this work being



apportioned by the Faculty so as to equalize the full amount of work done by the different instructors.

#### ARTICLE XI.—MEETINGS OF THE FACULTY.

The Faculty shall choose annually in June a Secretary and such other officers and committees as they deem expedient. They shall hold at least two meetings a month during each term of the collegiate year, and keep a record of each meeting, with the names of the instructors present, open at all times to the inspection of the Board of Trustees, or any member thereof.

It shall be the duty of the members of the Faculty, and all instructors and lecturers in the College living in Durham, to attend regularly the Faculty meetings, and take part therein, unless excused by the President.

#### ARTICLE XII.—MATTERS OF IMPORTANCE—APPEAL.

SECTION 1. All important matters relating to the work of the College, its discipline, instruction, and the well-being of the students, also all plans touching the arrangement of the grounds and buildings, shall be considered by the Faculty as a body, and in case of disagreement shall be decided by vote. In the event of a tie vote, or the inability to agree from any cause, an appeal may be taken to the Executive Committee, or directly to the full Board of Trustees.

SEC. 2. Any professor, associate professor, tutor, or superintendent, who is dissatisfied with any decision of the Faculty, or the President of the College, or who has any matter which he would like to bring before the Trustees, may present the same in writing, or in person to the Executive Committee, or directly to the full board, as he may elect.

#### ARTICLE XIII.—VACANCIES IN THE FACULTY.

SECTION 1. The position of Dean may be filled at any legal

meeting, and the occupant shall hold the position subject to removal at the pleasure of the Board. In the event of a vacancy in the office of President of the College, or during his temporary absence or inability to attend to the duties of that office, the Dean shall perform the duties of President of the College until the vacancy is filled or the President returns to his duties.

SEC. 2. In the event of a vacancy in any chair of instruction, or during the absence of any instructor, the President, with the advice of the Faculty, may appoint some suitable instructor to perform the duties of the absentee until his return, or until the vacancy is filled by the Board of Trustees. Such appointee, if appointed to a chair or head of a department, shall be entitled, for the time being, to a vote in the Faculty as though regularly elected to a full professorship.

#### ARTICLE XIV.—PAYMENT OF FACULTY.

Instructors in the College, occupying full professorships, and associate professors, shall draw their salaries monthly at a fixed yearly rate from the time they enter upon their duties, and thereafter from the first of July in each year. Other instructors, tutors, and lecturers shall receive such compensation and for such length of time, and in such manner, as is agreed upon at the time they are engaged.

#### ARTICLE XV.—LEAVE OF ABSENCE.

The Board of Trustees may grant leave of absence to any member of the Faculty or Instructors at any legal meeting of the Board.

#### ARTICLE XVI.

Women shall be admitted to the full privileges of the College.

## ARTICLE XVII.—HISTORIAN.

The Board of Trustees may select a Historian who shall collect and record in readable form all matters of historical value, as bearing upon the college.

## ARTICLE XVIII.—CONFERRING DEGREES.

The Trustees shall confer the degree of Bachelor of Science on students who complete the whole course, and attain a satisfactory per cent. in recitations and examinations, also if satisfactory to the Faculty in deportment.

The theses of the senior class shall be laid before the Trustees for examination, and each member of the graduating class shall deposit with the Faculty a copy of his thesis for preservation, and the Board shall cause all the theses of the graduating class of each year to be bound in a volume for permanent preservation.

## ARTICLE XIX.—QUORUM.

SECTION 1. A quorum of seven members shall be necessary to transact any business of the Board, but any less number, at a meeting duly called, may adjourn from time to time until a quorum shall be obtained.

SEC. 2. Not less than seven affirmative votes shall be required to elect a President of the College in accordance with chapter 52, section 5, of Pamphlet Laws of New Hampshire, session of 1891.

## ARTICLE XX.—AMENDMENTS.

SECTION 1. These By-laws may be changed or amended, and additional by-laws may be adopted at any stated meeting of the Trustees, provided notice has been given to each of the Trustees as required in Article 1 of these By-laws, by a vote of two thirds of the members present.

SEC. 2. These By-laws shall be suspended only by unanimous consent at the stated meetings.

SEC. 3. All prior By-laws, and all votes of the Board of Trustees inconsistent herewith, are hereby repealed, and these By-laws shall take effect and be in force from the date of their adoption.

# LAWS CONCERNING

THE

## NEW HAMPSHIRE COLLEGE OF AGRICULTURE AND THE MECHANIC ARTS.

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### LAWS OF THE UNITED STATES.

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#### DONATION OF LANDS—1862.

AN ACT donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be granted to the several states, for the purposes hereinafter mentioned, an amount of public land, to be apportioned to each state, in quantity equal to 30,000 acres, for each senator and representative in congress to which the states are respectively entitled by the apportionment under the census of 1860: *Provided,* That no mineral lands shall be selected or purchased under the provisions of this act.

SEC. 2. *And be it further enacted,* That the land aforesaid, after being surveyed, shall be apportioned to the several states in sections or subdivisions of sections not less than one quarter of a section; and whenever there are public lands in a state, subject to sale at private entry, at one dollar and twenty-five cents per acre, the quantity to which said state shall be entitled shall be selected from such lands, within the limits of such state; and the Secretary of the Interior is hereby directed to issue to each of the states in which there is not the quantity of lands subject to sale at private entry, at one dollar and twenty-five cents per acre, to which said state may be entitled under the provisions of this act, land scrip to the amount in acres for the deficiency of its distributive share; said scrip to be sold by said states, and the proceeds thereof applied to the uses and purposes prescribed in this act, and for no other use or purpose whatsoever: *Provided,* That in no case shall any state to which land scrip may thus be issued, be allowed to locate the same within the limits of any other state, or of any territories of the United States; but their assignees may thus locate said land scrip upon any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents or less per acre. *And provided further,* That not more than one million acres shall be located by such assignees in any one of the states. *And provided further,* That no such locations shall be made before one year from the passage of this act.

Sec. 3. *And be it further enacted*, That all the expenses of management, superintendence, and taxes from date of selection of said lands, previous to their sales, and all expenses incurred in the management and disbursement of the moneys which may be received therefrom, shall be paid by the states to which they may belong, out of the treasury of said states, so that the entire proceeds of the sale of said lands shall be applied, without any diminution whatever, to the purposes hereinafter mentioned.

Sec. 4. *And be it further enacted*, That all moneys derived from the sale of lands aforesaid, by the states to which the lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States, or of the states, or some other safe stocks, yielding not less than five per cent. upon the par value of said stocks; and that the money so invested shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section fifth of this act), and the interest of which shall be inviolably appropriated by each state, which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college, where 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 agriculture and the mechanic arts, in such manner as the legislatures of the states may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

Sec. 5. *And be it further enacted*, That the grant of land and scrip hereby authorized shall be made on the following conditions, to which, as well as to the provisions hereinbefore contained, the previous assent of the several states shall be signified by legislative acts:

*First*—If any portion of the fund invested as provided by the foregoing section, or any portion of the interest thereon, shall by any action or contingency be diminished or lost, it shall be replaced by the state to which it belongs, so that the capital of the fund shall remain forever undiminished; and the annual interest shall be regularly applied, without diminution, to the purposes mentioned in the fourth section of this act, except that a sum, not exceeding ten per centum upon the amount received by any state under the provisions of this act, may be expended for the purchase of lands for sites or experimental farms, whenever authorized by the respective legislatures of said states.

*Second*—No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings.

*Third*—Any state which may take and claim the benefit of the provisions of this act, shall provide, within five years, at least not less than one college, as prescribed in the fourth section of this act, or the grant to such state shall cease; and said state shall be bound to pay the United States the amount received of any lands previously sold, and that the title to purchasers under the state shall be valid.

*Fourth*—An annual report shall be made regarding the progress of each college, recording any improvements and experiments made, with their cost and results, and such other matters, including state industrial and economical statistics, as may be supposed useful; one copy of which shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act, and also one copy to the secretary of the interior.

*Fifth*—When lands shall be selected from those which have been raised to double the minimum price in consequence of railroad grants, they shall be computed to the states at the *maximum price, and the number of acres proportionally diminished.*

*Sixth*—No state, while in a condition of rebellion or insurrection against the government of the United States, shall be entitled to the benefits of this act.

*Seventh*—No state shall be entitled to the benefits of this act unless it shall express its acceptance thereof by its legislature within two years from the date of the approval by the President.

SEC. 6. *And be it further enacted,* That land scrip issued under the provision of this act shall not be subject to location until after the first day of January, 1863.

SEC. 7. *And be it further enacted,* That land officers shall receive the same fee for locating land scrip issued under the provisions of this act, as is now allowed for the location of military bounty land warrants under existing laws: *Provided,* Their maximum compensation shall not be thereby increased.

SEC. 8. *And be it further enacted,* That the governors of the several states to which scrip shall be issued under this act, shall be required to report annually to congress all sales made of such scrip until the whole shall be disposed of, the amount received for the same, and what appropriation has been made of the proceeds.

[APPROVED July 2, 1862.]

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## EXTENSION OF TIME—1866.

AN ACT to amend the fifth section of an act entitled, "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and mechanic arts," approved July two, eighteen hundred and sixty-two, so as to extend the time within which the provisions of said act shall be accepted and such colleges established.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the time in which the several states may comply with the provisions of the act of July two, eighteen hundred and sixty-two, entitled, "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts," is hereby extended so that the acceptance of the benefits of said act may be expressed within three years from the passage of this act, and the colleges required by the said act may be provided within five years from the date of the filing of such acceptance with the commissioner of the general land office: *Provided,* That when any territory shall become a state and be admitted into the Union, such new state shall be entitled to the benefits of the said act of July two, eighteen hundred and sixty-two, by expressing the acceptance therein required within three years from the date of its admission into the Union, and providing the college or colleges within five years after such acceptance, as prescribed in this act: *Provided, further,* That any state which has heretofore expressed its acceptance of the act herein referred to, shall have the period of five years within which to provide at least one

college, as described in the fourth section of said act, after the time for providing said college, according to the act of July second, eighteen hundred and sixty-two, shall have expired.

[APPROVED July 23, 1866.]

## AGRICULTURAL EXPERIMENT STATION.

AN ACT to establish agricultural experiment stations in connection with the colleges established in the several states under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to aid in acquiring and diffusing among the people of the United States useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science, there shall be established, under direction of the college or colleges, or agricultural department of colleges, in each state or territory, established or which may hereafter be established, in accordance with the provisions of an act approved July second, eighteen hundred and sixty two, entitled "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts," or any of the supplements to said act, a department to be known and designated as an "agricultural experiment station:" *Provided,* That in any state or territory in which two such colleges have been or may be so established the appropriation hereinafter made to such state or territory shall be equally divided between such colleges, unless the legislature of such state or territory shall otherwise direct.

Sec. 2. That it shall be the object and duty of said experiment stations to conduct original researches or verify experiments on the physiology of plants and animals; the diseases to which they are severally subject, with the remedies for the same; the chemical composition of useful plants at their different stages of growth; the comparative advantages of rotative cropping as pursued under a varying series of crops; the capacity of new plants or trees for acclimation; the analysis of soils and water; the chemical composition of manures, natural or artificial, with experiments designed to test their comparative effects on crops of different kinds; the adaptation and value of grasses and forage plants; the composition and digestibility of the different kinds of food for domestic animals; the scientific and economic questions involved in the production of butter and cheese: and such other researches or experiments bearing directly on the agricultural industry of the United States as may in each case be deemed advisable, having due regard to the varying conditions and needs of the respective states or territories.

Sec. 3. That in order to secure, as far as practicable, uniformity of methods and results in the work of said stations, it shall be the duty of the United States Commissioner of Agriculture to furnish forms, as far as practicable, for the tabulation of results of investigation or experiments; to indicate, from time to time, such lines of inquiry as to him shall seem most important; and in general, to furnish such advice and assistance as



will best promote the purposes of this act. It shall be the duty of each of said stations annually, on or before the first day of February, to make to the governor of the state or territory in which it is located, a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the said Commissioner of Agriculture, and to the Secretary of the Treasury of the United States.

SEC. 4. That bulletins or reports of progress shall be published at said stations at least once in three months, one copy of which shall be sent to each newspaper in the states or territories in which they are respectively located, and to such individuals actually engaged in farming as may request the same, and as far as the means of the station will permit. Such bulletins or reports and the annual reports of said station shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General may from time to time prescribe.

SEC. 5. That for the purpose of paying the necessary expenses of conducting investigations and experiments, and printing and distributing the results as hereinbefore described, the sum of fifteen thousand dollars per annum is hereby appropriated to each state, to be specially provided for by congress in the appropriations from year to year, and to each territory entitled under the provisions of section eight of this act out of any money in the Treasury proceeding from the sales of public lands, to be paid in equal quarterly payments, on the first day of January, April, July, and October in each year, to the treasurer or other officer duly appointed by the governing boards of said colleges to receive the same; the first payment to be made on the first day of October, eighteen hundred and eighty-seven: *Provided, however,* That out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection enlargement, or repair of a building or buildings necessary for carrying on the work of such station; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended.

SEC. 6. That whenever it shall appear to the Secretary of the Treasury from the annual statement of receipts and expenditures of any of said stations, that a portion of the preceding annual appropriation remains unexpended, such amount shall be deducted from the next succeeding annual appropriation to such station, in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support.

SEC. 7. That nothing in this act shall be construed to impair or modify the legal relation existing between any of the said colleges and the government of the states or territories in which they are respectively located.

SEC. 8. That in states having colleges entitled under this section to the benefits of this act, and having also agricultural experiment stations established by law separate from said colleges, such state shall be authorized to apply such benefits to experiments at stations so established by such states; and in case any state shall have established under the provisions of said act of July second aforesaid, an agricultural department or experimental station, in connection with any university, college, or institution not distinctively an agricultural college or school, and such state shall have established or shall hereafter establish a separate agricultural college or school, which shall have connected therewith an ex-

perimental farm or station, the legislature of such state may apply in whole or in part the appropriation by this act made, to such separate agricultural college or school, and no legislature shall by contract, express or implied, disable itself from so doing.

SEC. 9. That the grants of moneys authorized by this act are made subject to the legislative assent of the several states and territories to the purposes of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any state before the adjournment of the regular session of its legislature meeting next after the passage of this act, shall be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury.

SEC. 10. Nothing in this act shall be held or construed as binding the United States to continue any payment from the Treasury to any or all the states or institutions mentioned in this act, but congress may at any time amend, suspend, or repeal any or all the provisions of this act.

[APPROVED March 2, 1887.]

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## APPROPRIATIONS.

### *Acts of 1888.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That to carry into effect the provisions of an act approved March second, eighteen hundred and eighty-seven, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states, under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto," the sum of five hundred and eighty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June thirtieth, eighteen hundred and eighty-eight.

[APPROVED February 1, 1888.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the grant of money authorized by the act of Congress, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states under the provisions of an act approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto," are subject, as therein provided, to the legislative assent of the states or territories to be affected thereby; but as to such installments of the appropriations as may be now due or may hereafter become due when the legislature may not be in session, the governor of said state or territory may make the assent therein provided, and, upon a duly certified copy thereof to the Secretary of the Treasury, he shall cause the same to be paid in the manner provided in the act of which this is amendatory until the termination of the next regular session of the legislature of such state or territory.

[APPROVED June 7, 1888.]

[From act making appropriations for Agricultural Department.]

That to carry into effect the provisions of an act approved March second, eighteen hundred and eighty-seven, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states, under the provisions of an act approved July second, eighteen hundred and sixty-two, and the acts supplementary thereto," five hundred and ninety-five thousand dollars; ten thousand dollars of which sum shall be payable upon the order of the Commissioner of Agriculture to enable him to carry out the provisions of section three of said act of March second, eighteen hundred and eighty-seven, and to compare, edit, and publish such of the results of the experiments made under section two of said act by said experimental stations as he may deem necessary; and for these purposes the Commissioner of Agriculture is authorized to employ such assistants, clerks, and other persons as he may deem necessary.

[APPROVED July 18, 1888.]

*Act of 1888.*

[From act making appropriations for Agricultural Department.]

That to carry into effect the provisions of an act approved March second, eighteen hundred and eighty-seven, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states, under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto," six hundred thousand dollars, fifteen thousand dollars of which sum shall be payable upon the order of the Secretary of Agriculture to enable him to carry out the provisions of section three of said act of March second, eighteen hundred and eighty-seven, and to compare, edit, and publish such of the results of the experiments made under section two of said act by said experimental stations as he may deem necessary; and for these purposes the Secretary of Agriculture is authorized to employ such assistants, clerks, and other persons as he may deem necessary: *Provided*, That, as far as practicable, all such stations shall devote a portion of their work to the examination and classification of the soils of their respective states and territories, with a view to securing more extended knowledge and better development of their agricultural capabilities.

*Act of 1890.*

[In the appropriations for Agricultural Experiment Stations it is provided that the sums appropriated to the several states shall be paid quarterly in advance.]

*Act of 1891.*

[From act making appropriations for Agricultural Department.]

To carry into effect the provisions of an act approved March second, eighteen hundred and eighty-seven, entitled, "An act to establish agricultural experiment stations in connection with the colleges established in the several states, under provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto," six hundred and seventy-five thousand dollars, fifteen thousand dollars of which sum shall be payable upon the order of the Secretary of Agriculture to enable him to carry out the provisions of section three of said act of March

second, eighteen hundred and eighty-seven; and the Secretary of Agriculture is hereby authorized to employ such assistants, clerks, and other persons as he may deem necessary, and to incur such other expenses in traveling, stationery, and office fixtures as he may find essential in carrying out the objects of the above acts, and the sums apportioned to the several states shall be paid quarterly, in advance.

*Act of 1893.*

[The act of the Fifty-second congress, making appropriations for the Department of Agriculture, for the fiscal year ending June 30, 1894, contains the following paragraph:]

"Agricultural experiment stations: To carry into effect the provisions of an act approved March 2, 1887, entitled, 'An act to establish agricultural experiment stations in connection with the colleges established in the several states under provisions of an act approved July 2, 1862, and of the acts supplementary thereto,' and to enforce the execution thereof, \$745,000, \$25,000 of which sum shall be payable upon the order of the Secretary of Agriculture to enable him to carry out the provisions of section 3 of said act of March 2, 1887; and the Secretary of Agriculture is hereby authorized to employ such assistants, clerks, and other persons as he may deem necessary, and to incur such other expenses in traveling, stationery, and office fixtures as he may find essential in carrying out the objects of the above acts, and the sums apportioned to the several states shall be paid quarterly, in advance. And the Secretary of Agriculture is hereby authorized to furnish to such institutions or individuals as may care to buy it, copies of the card index of agricultural literature prepared by the Office of Experiment Stations, and charge for the same a price covering the additional expense involved in the preparation of these copies, and he is hereby authorized to apply the moneys received toward the expense of the preparation of the index."

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MORRILL COLLEGE AID ACT—1890.

AN ACT to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of congress approved July second, eighteen hundred and sixty-two.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be and hereby is annually appropriated, out of any money in the treasury not otherwise appropriated, arising from the sales of public lands, to be paid as hereinafter provided, to each state and territory for the more complete endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts now established, or which may be hereafter established, in accordance with an act of congress approved July second, eighteen hundred and sixty-two, the sum of fifteen thousand dollars for the year ending June thirtieth, eighteen hundred and ninety, and an annual increase of the amount of such appropriation thereafter for ten years by an additional sum of one thousand dollars over the preceding year, and the annual amount to be paid thereafter to each state and territory shall

be twenty-five thousand dollars, to be applied only to instruction in agriculture, the mechanic arts, the English language, and the various branches of mathematical, physical, natural, and economic science, with special reference to their applications in the industries of life, and to the facilities for such instruction: *Provided*, That no money shall be paid out under this act to any state or territory for the support or maintenance of a college where a distinction of race or color is made in the admission of students, but the establishment and maintenance of such colleges separately for white and colored students shall be held to be a compliance with the provisions of this act if the funds received in such state or territory be equitably divided as hereinafter set forth: *Provided*, That in any state in which there has been one college established in pursuance of the act of July second, eighteen hundred and sixty-two, and also in which an educational institution of like character has been established, or may be hereafter established, and is now aided by such state from its own revenue, for the education of colored students in agriculture and the mechanic arts, however named or styled, or whether or not it has received money heretofore under the act to which this act is an amendment, the legislature of such state may propose and report to the Secretary of the interior a just and equitable division of the fund to be received under this act between one college for white students and one institution for colored students established as aforesaid, which shall be divided into two parts and paid accordingly, and thereupon such institutions for colored students shall be entitled to the benefits of this act and subject to its provisions, as much as it would have been if it had been included under the act of eighteen hundred and sixty-two, and the fulfilment of the foregoing provisions shall be taken as a compliance with the provisions in reference to separate colleges for white and colored students.

SEC. 2. That the sums hereby appropriated to the states and territories for the further endowment and support of colleges shall be annually paid on or before the thirty-first day of July of each year, by the Secretary of the Treasury, upon the warrant of the Secretary of the Interior, out of the Treasury of the United States, to the state or territorial treasurer, or to such officer as shall be designated by the laws of such state or territory to receive the same, who shall, upon the order of the trustees of the college, or the institution for colored students, immediately pay over said sums to the treasurers of the respective colleges or other institutions entitled to receive the same; and such treasurers shall be required to report to the Secretary of Agriculture and to the Secretary of the Interior, on or before the first day of September of each year, a detailed statement of the amount so received and of its disbursement. The grants of moneys authorized by this act are made subject to the legislative assent of the several states and territories to the purpose of said grants: *Provided*, That payments of such installments of the appropriation herein made as shall become due to any state before the adjournment of the regular session of legislature meeting next after the passage of this act, shall be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury.

SEC. 3. That if any portion of the moneys received by the designated officer of the state or territory for the further and more complete endowment, support, and maintenance of colleges, or of institutions for colored students, as provided in this act, shall, by any action or contingency, be diminished or lost, or be misapplied, it shall be replaced by the state or territory to which it belongs, and until so replaced no subsequent appro-

priation shall be apportioned or paid to such state or territory; and no portion of said moneys shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings. An annual report by the president of each of said colleges shall be made to the Secretary of Agriculture, as well as to the Secretary of the Interior, regarding the condition and progress of each college, including statistical information in relation to its receipts and expenditures, its library, the number of students and professors, and also as to any improvements and experiments made under the direction of any experiment stations attached to said colleges, with their costs and results, and such other industrial and economical statistics as may be regarded as useful, one copy of which shall be transmitted by mail free to all other colleges further endowed under this act.

SEC. 4. That on or before the first day of July in each year, after the passage of this act, the Secretary of the Interior shall ascertain and certify to the Secretary of the Treasury, as to each state and territory, whether it is entitled to receive its share of the annual appropriation for colleges, or of institutions for colored students, under this act, and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of the Interior shall withhold a certificate from any state or territory of its appropriation the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next congress, in order that the state or territory may, if it should so desire, appeal to congress from the determination of the Secretary of the Interior. If the next congress shall not direct such sum to be paid, it shall be covered into the Treasury. And the Secretary of the Interior is hereby charged with the proper administration of this law.

SEC. 5. That the Secretary of the Interior shall annually report to congress the disbursements which have been made in all the states and territories, and also whether the appropriation of any state or territory has been withheld, and if so, the reasons therefor.

SEC. 6. Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.

[APPROVED August 30, 1890.]

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## DETAIL OF OFFICERS OF THE ARMY.

### *Revised Statutes of the United States.*

SEC. 1225. The President may, upon the application of any established military institute, seminary or academy, college or university, within the United States, having capacity to educate at the same time not less than one hundred and fifty male students, detail an officer of the army or navy to act as superintendent or professor thereof; but the number of officers so detailed shall not exceed fifty from the army, and ten from the navy, being a maximum of sixty, at any time, and they shall be apportioned throughout the United States,—first, to those state institutions applying for such detail that are required to provide instruction in military tactics under the provisions of the act of congress of July second, eighteen hundred and sixty-two, donating lands for the establishment of colleges where the leading object shall be the practical instruction of the industrial classes

in agriculture and the mechanic arts, including military tactics; and after that, said details to be distributed, as nearly as may be practicable, according to population. The Secretary of War is authorized to issue, at his discretion and under proper regulations to be prescribed by him, out of ordnance and ordnance stores belonging to the government, and which can be spared for that purpose, such number of the same as may appear to be required for military instruction and practice by the students of any college or university under the provisions of this section, and the Secretary shall require a bond in each case, in double the value of the property, and for the care and safe keeping thereof, and for the return of the same when required: *Provided*, That nothing in this act shall be so construed as to prevent the detail of officers of the engineer corps of the navy as professors in scientific schools or colleges, as now provided by act of congress approved February twenty-sixth, eighteen hundred and seventy-nine, entitled "An act to promote a knowledge of steam-engineering and iron ship-building among the students of scientific schools or colleges in the United States;" and the Secretary of War is hereby authorized to issue ordnance and ordnance stores belonging to the government, on the terms and conditions hereinbefore provided, to any college or university at which a retired officer of the army may be assigned as provided by section twelve hundred and sixty of the Revised Statutes.

[APPROVED September 26, 1888.]

AN ACT to amend section twelve hundred and twenty-five of the Revised Statutes; concerning details of officers of the army and navy to educational institutions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section twelve hundred and twenty-five of the Revised Statutes, concerning details of officers of the army and navy to educational institutions, be and the same is hereby amended so as to permit the President to detail, under the provisions of said act, not to exceed seventy-five officers of the army of the United States; and the maximum number of officers of the army and navy to be detailed at any one time under the provisions of the act passed September twenty-sixth, eighteen hundred and eighty-eight, amending said section twelve hundred and twenty-five of the Revised Statutes, is hereby increased to eighty-five: *Provided*, That no officer shall be detailed to or maintained at any of the educational institutions mentioned in said act where instruction and drill in military tactics is not given: *Provided further*, That nothing in this act shall be so construed as to prevent the detail of officers of the engineer corps of the navy as professors in scientific schools or colleges, as now provided by act of congress approved February twenty-sixth, eighteen hundred and seventy-nine, entitled "An act to promote a knowledge of steam-engineering and iron ship-building among the students of scientific schools or colleges in the United States."

[APPROVED January 13, 1891.]

SEC. 1260. Any retired officer may, on his own application, be detailed to serve as professor in any college. (But while so serving, such officer shall be allowed no additional compensation.)

[Extract from the act of congress approved May 4, 1880.]

That upon the application of any college, university, or institution of learning incorporated under the laws of any state within the United States, having capacity at the same time to educate not less than one hundred and fifty male students, the President may detail an officer of the army on the retired list to act as president, superintendent, or professor thereof; and such officer may receive from the institution to which he may be detailed the difference between his retired and full pay, and shall not receive any additional pay or allowance from the United States.

## DETAIL OF ENGINEERS FROM THE NAVY.

SEC. 1390. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That for the purpose of promoting a knowledge of steam-engineering and iron ship-building among the young men of the United States, the President may, upon the application of an established scientific school or college within the United States, detail an officer from the engineer corps of the navy as professor in such school or college: *Provided,* That the number of officers so detailed shall not at any time exceed twenty-five, and such details shall be governed by rules to be prescribed from time to time by the President: *And provided further,* That such details may be withheld or withdrawn, whenever, in the judgment of the President, the interests of the public service shall so require.

[APPROVED February 26, 1879.]

## IMPORTATIONS FREE OF DUTY.

*Act of October, 1890.*

SEC. 2. On and after the sixth day of October, eighteen hundred and ninety, unless otherwise specially provided for in this act, the following articles when imported shall be exempt from duty:

515. Books, maps, lithographic prints and charts, specially imported, not more than two copies in any one invoice, in good faith, for the use of any society incorporated or established for educational, philosophical, literary, or religious purposes, or for the encouragement of the fine arts, or for the use or by order of any college, academy, school, or seminary of learning in the United States, subject to such regulations as the Secretary of the Treasury shall prescribe.

677. Philosophical and scientific apparatus, instruments, and preparations; statuary, casts of marble, bronze, alabaster, or plaster of Paris; paintings, drawings, and etchings, specially imported in good faith for the use of any society or institution incorporated or established for religious, philosophical, educational, scientific, or literary purposes, or for encouragement of the fine arts, and not intended for sale.



692. Regalia and gems, statues, statuary, and specimens of sculpture where specially imported in good faith for the use of any society incorporated or established solely for educational, philosophical, literary, or religious purposes, or for the encouragement of fine arts, or for the use or by order of any college, academy, school, seminary of learning, or public library in the United States; but the term "regalia," as herein used, shall be held to embrace only such insignia of rank or office or emblems, as may be worn upon the person or borne in the hand during public exercises of the society or institution, and shall not include articles of furniture or fixtures, or of regular wearing apparel, nor personal property of individuals.

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### ALCOHOL FREE OF TAX.

SEC. 3297. The Secretary of the Treasury is authorized to grant permits to any incorporated or chartered scientific institution or college of learning, to withdraw alcohol in specified quantities from bond without payment of the internal revenue tax on the same, or on the spirits from which the alcohol has been distilled, for the sole purpose of preserving specimens of anatomy, physiology, or natural history, belonging to such institution, or for use in its chemical laboratory: *Provided*, That application for permits shall be made by the president or curator of such institutions, who shall file a bond for double the amount of the tax on the alcohol to be withdrawn, with two good and sufficient sureties, to be approved by the Commissioner of Internal Revenue, and conditioned that the whole quantity of alcohol so withdrawn from bond shall be used for the purposes above specified, and for no other, and that the said president or curator shall comply with such other requirements and regulations as the Secretary of the Treasury may prescribe. And if any alcohol so obtained is used by any officer, as aforesaid, of such institutions for any purposes other than that above specified, then the said officer or sureties shall pay the tax on the whole amount of alcohol so withdrawn from bond, together with a like amount as a penalty in addition thereto.

The provisions contained in the foregoing section are extended by the act of congress approved May 3, 1878 (20 Stat. , 48) which provides:

That the Secretary of the Treasury is authorized to grant permits, as provided for in section thirty-two hundred and ninety-seven of the Revised Statutes of the United States, passed at the first session of the Forty-third Congress, to any scientific university, or college of learning created and constituted such by any state or territory under its laws, though not incorporated or chartered, upon the same terms and subject to the same restrictions and penalties, already provided by said section thirty-two hundred and ninety-seven: *Provided further*, That the bond required thereby may be executed by any officer of such university or college, or by any other person for it, and on its behalf, with two good and sufficient sureties, upon like conditions, and to be approved as by said section is provided.

REGULATIONS OF THE POST OFFICE DEPARTMENT FOR THE FREE TRANSMISSION IN THE MAILS OF THE BULLETINS AND REPORTS OF AGRICULTURAL EXPERIMENT STATIONS UNDER THE ACT OF CONGRESS OF MARCH 2, 1887.

(1) Any claimant of the privilege must apply for authority to exercise it to the Postmaster-General, stating the date of the establishment of such station, its proper name or designation, its official organization and the names of its officers, the name of the university, college, school, or institution to which it is attached, if any, the legislation of the State or Territory providing for its establishment, and any other granting it the benefits of the provision made by congress as aforesaid (accompanied by a copy of the act or acts), and whether any other such station in the same State or Territory is considered, or claims to be, also entitled to the privilege; and also the place of its location and the name of the post-office where the bulletins and reports will be mailed. The application must be signed by the officer in charge of the station.

(2) If such application be allowed after examination by the department, the postmaster of the proper office will be instructed to admit such bulletins and reports to the mails in compliance with these regulations, and the officer in charge of the station will be notified thereof.

(3) Paragraph 3, section 419, Postal Laws and Regulations, 1887, is hereby amended so as to read as follows:

"Only such bulletins or reports as shall have been issued after the station became entitled to the benefits of the act can be transmitted free, and such bulletins or reports may be enclosed in envelopes or wrappers, sealed or unsealed. On the exterior of every envelope, wrapper, or package must be written or printed the name of the station and place of its location, the designation of the enclosed bulletin or report, and the word 'Free' over the signature or fac simile thereof of the officer in charge of the station, to be affixed by himself, or by some one duly deputed by him for that purpose. There may also be written or printed upon the envelope or wrapper a request that the postmaster at the office of delivery will notify the mailing station of the change of address of the addressee, or other reason for inability to deliver the same, and upon a bulk package a request to the postmaster to open and distribute the 'franked' matter therein, in accordance with the address thereon.

"Bulletins published by the U. S. Department of Agriculture and analogous to those of the station, and entitled to be mailed free under the penalty envelope of that department, may also be adopted and mailed by the several stations with their own publications, under the same regulations, and any bulletins or reports mailable free by any agricultural experiment station under these regulations may be so mailed by any other station having free mailing authority.

"If such station's annual reports be printed by state authority, and consist in part of matter relating to the land-grant college to which such station is attached, then said report may be mailed free entire by the

director of the station; provided, in his judgment, the whole consists of useful information of an agricultural character."

The post-office department has recently ruled that "in sending out bulletins from an agricultural experiment station it is permissible to inclose postal cards to enable correspondents of the station to acknowledge the receipt of its publications and to request their continuous transmission."

(4) The bulletins may be mailed to the stations, newspapers, or persons to whom they are by the foregoing act authorized to be sent, and the annual reports to any address within the United States.

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## RULINGS OF THE TREASURY DEPARTMENT AS TO THE CONSTRUCTION OF THE ACT OF CONGRESS OF MARCH 2, 1887, ESTABLISH- ING AGRICULTURAL EXPERIMENT STA- TIONS.

From copies of letters addressed to the Secretary of the Treasury, and others by the First Comptroller of the Treasury, relating to the construction of the act of Congress of March 2, 1887, and acts supplementary thereto, the following digest has been prepared for the use of the stations. The sections are those of the act; the dates, those of the decisions by the Comptroller:

### *Section 3. January 30, 1888.*

That the annual financial statement of the stations, with vouchers, should not be sent to the Treasury Department, but that a copy simply of the report that is made to the governor is to be sent to the Secretary of the Treasury.

### *Section 3. January 31, 1888.*

First. That the Treasury Department will not require officers of experiment stations to do or perform anything not specifically required by said bill.

Second. That the Secretary of the Treasury is not required to take a bond of the officers of said stations for the money paid over under the provisions of said act.

Third. That no reports will be required from the stations directly to the Secretary of the Treasury; but the governor of the State must send to the Secretary of the Treasury a copy of the report made to him by the colleges or stations.

### *Section 5. March 4, 1887.*

"Congress only intended by the expression 'the sum of fifteen thousand dollars is hereby appropriated to each state,' to fix the amount that could be specially provided for by Congress in appropriations from year to year. Hence I conclude that section 5 does not make an appropriation; but that the same must be specially provided for by Congress."

*Sections 5 and 6. March 10, 1888.*

(1) The appropriations are intended for the fiscal year and not the calendar year.

(2) The first annual report should be made on or before the 1st day of February, 1889, and said report should include simply the operations of the preceding fiscal year, not down to and including December 31, but up to and including June 30, 1888.

(3) The balance unexpended at the end of the fiscal year, the 30th of June preceding the report, must be accounted for in the report.

(4) The one-fifth proviso for building in section 5 can be made out of the first annual appropriation, to wit, that which commences on the 1st day of July, 1887, and terminates on the 30th of June, 1888.

(5) The intention of Congress was to make quarterly payments, not in advance, but at the end of each quarter.

*Section 5, proviso. March 22, 1888.*

"I have been informed that there is no farm connected with the agricultural college in Delaware. The act provides that one fifth of the amount appropriated can be expended in the creation, enlargement, or repair of a building or buildings for carrying on the work of the station receiving the appropriation. I am in doubt whether, with this qualification, out of the balance of the appropriation a farm could either be purchased or rented. Another question in my mind is as to the competency of the legislature which was in session at the date of the passage of the act to accept, as it assumed to do, of the provisions of the act, the ninth section of which provides that 'Payment of such instalments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of its legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof duly certified to the Secretary of the Treasury.'"

*Section 6. April 24, 1888.*

At the end of the present fiscal year, to wit, June 30, any portion of the \$15,000 which shall have been received, up to and including the payment made on the 1st day of July, which is unexpended, or which may not be necessary to pay claims under contracts made for the benefit of said agricultural station, must be deducted from the next annual appropriation, as specified in said sixth section.

*Section 6. August 2, 1888.*

The fiscal year commences on the 1st day of July, corresponding with the fiscal year of the government.

An agricultural station entitled to the benefits of said appropriations made by Congress can anticipate the payment to be made July 1, and make contracts of purchases prior to that time, if it shall be necessary to carry on the work of the station. Of course no portion of said appropriations paid in quarterly instalments can be drawn from the Treasury unless needed for the purposes indicated in the act; and so much of what is so drawn as may not have been expended within the year must be accounted for as part of the appropriation for the following year.

*Section 8. January 30, 1888.*

The State of New York ought to designate whether to the college or to

the station, or to both, it desires the appropriation to be applied. The eighth section of the act seems to authorize the State to apply such benefits to experimental stations it may have established as it desires.

Where there are no experimental stations connected with the colleges, the legislatures of such States must connect the agricultural experiment stations with the colleges already established under the act of July 2, 1862; there is no authority in the act authorizing the establishment of agricultural experiment stations independent of said colleges.

The act contemplates that where stations have already been established disconnected from the colleges, the legislatures of such States may make such provisions in regard thereto as they may deem proper; but it does not authorize the establishment of stations except in connection with the colleges that were at that time or might thereafter be established under the act of July 2, 1862.

*Section 8. February 14, 1888.*

Where there is an agricultural college or station which may have been established by State authority, and is maintained by the State, the eighth section of the above act would authorize the State to designate the station to which it desired the appropriation to be applied, whether to one or more, or all, and the Secretary of the Treasury should make the payment under the appropriation to whichever one the State might designate.

*Sections 1 and 8. February 15, 1888.*

(1) When an agricultural college or station has been established under the act of July 2, 1862, each college is entitled to the benefits of the provisions of said act (*i. e.*, of March 2, 1887).

(2) In a State where an agricultural college has been established under the act of July 2, 1862, and agricultural stations have also been established, either under the act of July 2, 1862, or by State authority, before March 2, 1887, the legislature of such State may determine which one of said institutions, or how many of them, shall receive the benefits of the act of March 2, 1887.

(3) If the legislature of any State in which an agricultural college has been established under the act of July 2, 1862, desires to establish an agricultural station which shall be entitled to the benefits of said act it must establish such station in connection with said college.

*Proviso to section 1 and section 8. December 7, 1888.*

It is within the power of the legislature of any State that has accepted the provisions of said act of March 2, 1887, to dispose of the amount appropriated by Congress for said station to either one or all of the agricultural colleges or stations which may have been established in said State by virtue of either the provisions of the act of July 2, 1862, or the provisions of said eighth section of the act of March 2, 1887.

The whole responsibility rests upon the State legislature as to how the fund appropriated by Congress shall be distributed among these various institutions of the State, provided there is one or more agricultural colleges with which an agricultural station is connected, or one or more agricultural stations.

*Section 8. January 28, 1889.*

The act of the State of Georgia, in authorizing the governor to receive the fund to which the State may be entitled under the act of March 2, 1887,

is not in conflict with any of the provisions of said act. If a State has established an agricultural college or station under the act of July 2, 1862, or if it has established an agricultural station in connection with said college, as provided in the eighth section of March 2, 1887, the legislature can authorize some person or persons to receive the money donated by the Government, and direct its application in such way and manner as it seems best to carry out the objects and purposes of said acts of Congress to either the colleges or the station, or to both.

*Section 9. February 4, 1888.*

It appears by the statement of Representative Blount that there was a session of the legislature of the State of Georgia after the passage of the act, and before the first payment became due, October 1, 1887, and which did not adjourn until after that time. That being the case, under the proviso of the section, the governor of the State cannot assent to that payment which was to be made October 1, 1887. The legislature having adjourned before the second payment became due, without accepting the provisions of the bill, no further payment can be made to said State until the legislature thereof shall have accepted the provisions of the bill. You will observe the language of the proviso, "that payments of the instalments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of its legislature" applies, certainly, only to such instalments as become due before the final adjournment. The idea seems to be to give the legislature the full time before it adjourns to accept the provisions of the bill or not; but it is plain to my mind that only such payments as become due before the adjournment of the legislature can be accepted by the governor of the State.

# LAWS OF THE STATE OF NEW HAMPSHIRE.

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An Act for the Reception of a Grant of Land by Congress, and to Create a Fund for the Promotion of Education in Agriculture and the Mechanic Arts.

*Be it enacted by the Senate and House of Representatives in General Court Convened:*

SECTION 1. The State of New Hampshire hereby accepts the grant made to it by Congress, according to the provisions of an act donating public lands to the several States and Territories, which may provide colleges for the benefit of agriculture and the mechanic arts, approved July 2, 1862, and the governor is hereby authorized and instructed to give due notice thereof to the secretary of the interior, or other proper officer of the government of the United States.

SEC. 2. The governor is hereby authorized and instructed to receive by himself or his order, from the secretary of the interior, or any other officer authorized to issue the same, all the land scrip to which this State may be entitled by the provisions of the before mentioned act of Congress.

SEC. 3. The governor, by and with the advice and consent of the council, is hereby authorized and instructed to appoint a commissioner, whose duty it shall be to take charge of the scrip received by this state, and to sell and transfer the same on terms to be approved by the governor and council; *provided*, that no scrip shall be transferred and delivered to any purchaser thereof until the same shall have been fully paid for, and said commissioner shall pay the moneys so received to the treasurer of the State. Said commissioner shall give a bond with sufficient sureties, in the penal sum of twenty-five thousand dollars, to be approved by the governor and council, that he will faithfully perform the duties of his office, and shall render full and accurate returns to them at the end of every six months, or oftener, if required to do so by them, of his proceedings under this act. The compensation of said commissioner shall be fixed by the governor and council, and the governor is hereby authorized to draw his warrants on the treasury for the same, and for all other necessary expenses arising out of the management and sale of said scrip.

SEC. 4. The treasurer shall hold all the moneys received for the sale of said scrip and shall invest the same in accordance with the provisions of the fourth section of the before mentioned act of Congress. The money so invested shall constitute a separate and perpetual fund, to be entitled, "The fund for the promotion of education in agriculture and the mechanic arts," which shall be appropriated and the interest used in such manner as the Legislature shall prescribe, and in accordance with the aforesaid act of Congress, and with which a special office and bank account shall be kept, so that the moneys shall not be intermingled with ordinary funds of the State; and of the state and condition of said fund, the treasurer shall make an annual report to the Legislature.

SEC. 5. The governor, with the advice and consent of the council, is hereby authorized and instructed to appoint a committee consisting of

ten persons, one from each county, who, from their profession and pursuits, may in their judgment be best qualified for the duty, who shall, after the fullest inquiry and consultation, prepare a scheme for the establishment of a college for education in agriculture and the mechanic arts, and make a printed report thereon to the Legislature at its next June session. The compensation of said committee for their labor and expenses shall be determined by the governor and council, and the governor is hereby authorized to draw his warrants on the treasury for the same, on receiving their report.

SEC. 6. This act shall take effect upon its passage.

[APPROVED July 9, 1863.]

An Act to incorporate the New Hampshire College of Agriculture and the Mechanic Arts.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That a college is hereby established, incorporated, and made a body politic and corporate, by the name of the New Hampshire College of Agriculture and the Mechanic Arts, whose 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 agriculture and the mechanic arts, in conformity to an act of Congress, entitled "An act donating land to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts, approved July 2, 1862," and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be vested with all the powers and privileges and be subject to all the liabilities incident to corporations of a similar nature.

SEC. 2. The general government of this college shall be vested in nine trustees, five of whom shall be appointed, one from each councillor district, and commissioned by the governor, with the advice of the council, and four by the trustees of Dartmouth College, and be so classified and commissioned that the offices of three trustees shall become vacant annually.

SEC. 3. The trustees shall appoint a secretary, who shall keep a full and fair record of their proceedings, and a treasurer, who shall give bonds to the faithful discharge of his duties in such sum as the trustees may require; and may receive such compensation for his services as they may deem reasonable. They shall also appoint a faculty of instruction, prescribe their duties; and invest them with such powers, for the immediate government and management of the institution, as they may deem most conducive to its best interests.

SEC. 4. No trustee shall receive any compensation for his services, but expenses reasonably incurred by him shall be paid by the college.

SEC. 5. The trustees shall make an annual report to the Legislature of the financial condition, of the operations and progress of the college, recording any improvements and experiments made, with their cost and results, including state, industrial, and economical statistics, as may be supposed useful, one copy of which shall be transmitted by mail, free, to all the other colleges which may be endowed under the provisions of the act of Congress hereinbefore mentioned, and also one copy to the United States secretary of the interior.



SEC. 6. The trustees are authorized and empowered to locate and establish the college incorporated by this act at Hanover, in this State, in connection with Dartmouth College, and with that corporation to make all necessary contracts in relation to the terms of connection therewith, subject to be terminated upon a notice of one year, given at any time after fourteen years, and to its furnishing to the College of Agriculture and the Mechanic Arts the free use of an experimental farm, of all requisite buildings, of the libraries, laboratories, apparatus, and museums of said Dartmouth College, and for supplying such instruction, in addition to that furnished by its professors and teachers, as the best interests of its students may require; and also as to any legacy said Dartmouth College may receive from the estate of the late David Culver. The said trustees are also authorized and directed to furnish, so far as may be practicable, free tuition to indigent students of the college, and to make provision for the delivery of free lectures in different parts of the State upon subjects pertaining to agriculture and the mechanic arts.

SEC. 7. All funds derived from the sale of the land scrip issued to the State of New Hampshire by the United States, in pursuance of the act of Congress hereinbefore mentioned, shall be invested in registered bonds of the State of New Hampshire, or of the United States, which shall be delivered to the state treasurer, who shall have the custody of the same, and pay over the income thereof, as it may accrue, to the treasurer of the College of Agriculture and the Mechanic Arts.

SEC. 8. His Excellency the Governor may call the first meeting of the trustees by sending to each a written or printed notice of the time and place of holding the same ten days before the day of meeting.

SEC. 9. This act shall take effect upon its passage.

AUSTIN F. PIKE,  
*Speaker of the House of Representatives.*  
DANIEL BARNARD,  
*President of the Senate.*

[APPROVED July 7, 1866.]

FREDERICK SMYTH,  
*Governor.*

Joint Resolution accepting the Provisions of the Act of Congress approved March 2, 1887, and providing for the Establishment of Experiment Stations in connection with Colleges.

*Legislative Assent.*

WHEREAS, The Congress of the United States at its last previous session passed an act approved March 2, 1887, and entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto;" and

WHEREAS, The grants of moneys authorized by said act are made subject to the legislative assent of the said states and territories to the purposes of said grant; therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

That the legislative assent of this state be and hereby is given to the purposes of said grants by acts of Congress.

[APPROVED August 4, 1887.]

An Act giving legislative assent to the Purpose of the Grants of Money made under the act of congress approved August 30, 1890, for the Benefit of the College of Agriculture and the Mechanic Arts.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the legislature of said state of New Hampshire hereby gives its assent to the purpose of, and accepts for the benefit of the New Hampshire College of Agriculture and the Mechanic Arts, the grants of money authorized by act of congress, approved August 30, 1890, for the further endowment and support of the colleges for the benefit of agriculture and the mechanic arts and "to be applied only to instruction in agriculture, the mechanic arts, the English language, and the various branches of mathematical, physical, natural, and economic science, with special reference to their applications in the industries of life and the facilities for such instruction," as provided in said act of congress.

SEC. 2. That the treasurer of the New Hampshire College of Agriculture and the Mechanic Arts is hereby designated and authorized to receive all grants of money made to this state under the provisions of said act of congress.

SEC. 3. This act shall take effect from and after its passage.

[APPROVED February 13, 1891.]

An Act to accept the Provisions of the Thompson Will, and to Provide for the present Disposition of the Funds.

WHEREAS, Benjamin Thompson, late of Durham, in this state, died January 30, 1890, leaving a will and codicils thereto, which have been proved, approved, and allowed by the probate court of the county of Strafford, by which he devised a large share of his property to the state of New Hampshire, in trust, for the establishment and maintenance of a school or college, to be located on his "Warner farm," in said Durham, wherein there shall be thoroughly taught, both in the schoolroom and in the field, the theory and practice of agriculture and other sciences connected therewith, and wherein there may be taught such other arts and sciences as may be necessary to enable the state to fully avail itself of the donation of land made by the act of the congress of the United States, approved July 2, 1862, entitled, "An act donating land to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts," and,

WHEREAS, Said bequest is made subject to certain provisos, conditions, and limitations, set forth in the will and the codicils thereto, to which reference is made for the particulars thereof; and,

WHEREAS, By one of said conditions it is provided that said bequest shall become null and void if the state does not accept the trust within two years from the time of the decease of said Thompson; now, therefore,

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the State of New Hampshire does hereby gratefully accept said bequest, subject to the provisos, conditions, and limitations set forth in said will, as modified by the codicils thereto, and, in consideration thereof, does hereby promise to execute said trust in accordance with the terms of said will.

SEC. 2. The State, in compliance with the requirements of said will and

codicils, promises and guarantees to appropriate and does hereby appropriate, annually, for the term of twenty years from and after said Thompson's death, such sum as will pay a net annual compound interest of four per cent. per annum upon the amount of the appraised value of the estate bequeathed and devised to the State as aforesaid, aside from the real estate situated in said Durham, after deducting therefrom the legacies given by the codicils to said will, and does hereby authorize and direct the state treasurer to credit said sums to the trust fund; as provided in the fourth section of this chapter.

SEC. 3. The State, in further compliance with the requirements of said will and codicils, promises and guarantees to appropriate, and does hereby appropriate, annually, for the term of twenty years from and after said Thompson's death, the sum of three thousand dollars, and such further sum as will pay a net annual compound interest of four per cent. per annum upon said annual appropriations from the dates when they severally become a part of the trust fund until the expiration of said term of twenty years; and does hereby authorize and direct the state treasurer to credit said sums to the trust fund, as provided in the following section.

SEC. 4. The state treasurer, upon receipt of the estate devised to it by said will and codicils, shall open two accounts, in a book provided for the purpose, as follows: He shall open one account with "The Benjamin Thompson Trust Fund," and shall credit therein to said fund, under date of January 30, 1891, the amount of the appraised value of the estate received by the State, by virtue of said Thompson's will, together with a sum equal to four per cent. upon said appraised value (not including the real estate situated in said Durham), and on the thirtieth day of January in each year thereafter, until and including January, 1910, excepting when such day falls on Sunday, and in such cases on the day preceding, he shall credit to said account a sum equal to four per cent. upon the total amount of said trust fund, excepting the appraised value of the real estate in said Durham, after the credits of the preceding year have been made. He shall open the other account with "The Benjamin Thompson State Trust Fund," and shall credit therein to said fund, under date of January 30, 1891, the sum of three thousand dollars, together with a sum equal to four per cent. upon said sum of three thousand dollars, and on the thirtieth day of January in each year thereafter, until and including January, 1910, excepting when such day falls on Sunday, and in such cases on the day preceding, he shall credit to said account a sum equal to four per cent. upon the total amount of said trust fund after the credits of the preceding year have been made.

SEC. 5. The accounts so made shall represent the amount of the trust funds in the possession of the State; and the state guarantees to preserve them intact and unimpaired until they shall become available for opening and maintaining said school or college, and then to administer them as required by said will.

SEC. 6. The state treasurer is hereby authorized to receive from the executors of said will the money, notes, bonds, stocks, and evidences of debt coming to the State by virtue of the will, and to give proper discharges therefor in the name of the State.

SEC. 7. If any notes, bonds, stocks, or evidences of debt shall come to the state treasurer from said executors as a part of said estate, he may, with the approval of the governor and council, convert the same into money,—selling the stocks and bonds by auction at the Boston stock exchange, or such other place in Boston as property of that kind is usually sold.

SEC. 8. All notes, bonds, stocks, and other evidences of debt coming into the possession of the treasurer, and not converted into money as aforesaid, shall be transferred to the State and be carefully preserved by the treasurer. The governor and council may authorize any person to vote upon any of such stocks at meetings of stockholders of the corporations to which the stocks appertain, and may authorize a sale and transfer thereof whenever they deem it to be for the interest of the State.

SEC. 9. The governor and council are authorized to sell and convey any real estate coming to the State by virtue of the said will, which the State has power to sell, in such manner and at such time as they shall think for the interest of the State, and may make and execute in the name of the State proper conveyances thereof, upon payment of the consideration therefor to the state treasurer.

SEC. 10. All money received from the sources aforesaid shall be used as soon as practicable after its receipt in paying and retiring outstanding indebtedness of the State; and the state treasurer shall keep an itemized and true account of all money and securities of any kind so received, and of the disposition made of the same and of the proceeds thereof, and shall give a full account thereof in his annual reports, and shall state in each annual report the exact condition of said funds.

SEC. 11. The board of agriculture is hereby authorized and directed in behalf of the State to receive possession of the real estate in Durham coming to the State by virtue of said will, and to care for, control, and manage it until it is needed for the uses of the school or college to be established as provided in the will.

SEC. 12. The board shall make report of their doings in respect to such real estate in their annual reports.

SEC. 13. In case the State shall desire to establish said school or college at any time before the expiration of twenty years from the time of the decease of the said Thompson, it shall, before using any of either of the funds aforesaid, raise and set apart such sums of money as will make said funds equal in amount to what said funds would become if accumulated during twenty years; and having thus raised and set apart such sums of money, the State shall thereafter be relieved from the obligation of appropriating annually for the balance of the said term of twenty years the said sum of three thousand dollars, and guaranteeing the net annual compound interest of four per cent. thereon; and the State shall also be thereafter relieved from the obligation to provide for or guarantee any interest upon the amount of the appraised value of said estate, as hereinbefore provided.

SEC. 14. The governor and council are authorized, in behalf of the State, to make and enter into such further stipulations with the executors of said will and to give such further guarantees as the executors shall require to secure the objects intended by said Thompson to be secured by his said will, and codicils, and to affix the name and seal of the State thereto, and to do all other acts that may become necessary to secure the rights of the State under said will.

SEC. 15. The said will and codicils shall be recorded in the office of the secretary of state.

SEC. 16. This act shall take effect and be in force from and after its passage.

[APPROVED March 5, 1891.]

An Act providing for the removal of the New Hampshire College of Agriculture and the Mechanic Arts from Hanover to Durham, and for other purposes.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The trustees of the New Hampshire College of Agriculture and the Mechanic Arts, located at Hanover, in this state, are hereby instructed and required to terminate the location and agreement made and concluded on the 7th day of April, eighteen hundred and sixty-eight, between the said New Hampshire College of Agriculture and the Mechanic Arts and Dartmouth College, by giving one year's notice of such termination, in writing, to the trustees of Dartmouth College as soon as practicable after the time when this act shall take effect, in accordance with the terms of said agreement and of the act of incorporation of said New Hampshire College of Agriculture and the Mechanic Arts.

SEC. 2. Upon the termination of the location and agreement aforesaid, the said New Hampshire College of Agriculture and the Mechanic Arts, and the Experiment Station connected therewith, shall be removed from Hanover to and located upon the "Warner farm," so called, of the late Benjamin Thompson, in the town of Durham, devised by the said Thompson to the State of New Hampshire by his last will and testament.

SEC. 3. The trustees of the New Hampshire College of Agriculture and the Mechanic Arts are hereby authorized and directed to sell, at public or private sale, the real estate, with the buildings thereon, acquired by them by the deed of John Conant, dated September 16, 1870, and recorded in the Grafton County registry of deeds, book 324, page 87, and all other real estate owned by said college in the town of Hanover, reserving the right to occupy the same until the removal of said college as hereinbefore provided, and to invest the proceeds of such sales, so far as the same shall be derived from the sale of the land conveyed to said college by said Conant, in accordance with the terms expressed in his said deed, and the balance of said proceeds in aid of the erection and furnishing of buildings for the use of said college upon said Warner farm.

SEC. 4. Upon the termination of the location and agreement aforesaid, the State shall and it does hereby relinquish to the trustees of Dartmouth College all claim to the building known as Culver Hall, erected at Hanover in cooperation with the trustees of Dartmouth College, under the provisions and authority of section 6 of an act approved Jul 9, 1869, entitled "An act to promote the interests of the New Hampshire College of Agriculture and the Mechanic Arts," and thereupon the said trustees of Dartmouth College are hereby requested to refund to the State the sum of fifteen thousand dollars appropriated by the act aforesaid in aid of the erection and furnishing of said Culver Hall. The said sum of fifteen thousand dollars, when the same shall be refunded to the State, shall be and is hereby appropriated in aid of the erection and furnishing of the buildings required for the use of said college upon said Warner farm.

SEC. 5. The general government of said College of Agriculture and Mechanic Arts is vested in a board of thirteen trustees, and all vacancies hereafter occurring in said board shall be filled as follows: The governor of the State and the president of said college shall be trustees *ex officio*. The alumni of said college may elect one trustee in such manner as said board may prescribe. He shall be a resident of the State and his term of

office shall be three years. All other trustees shall be appointed by the governor with the advice of the council, one at least from each councillor district, and so classified and commissioned that the office of three trustees shall become vacant annually. Not more than five of the trustees appointed by the governor and council shall belong to the same political party, and at least seven of them shall be practical farmers. Seven members shall constitute a quorum for doing business, and not less than seven affirmative votes shall be required to elect a president of said college.

SEC. 6. The sum of one hundred thousand dollars is hereby appropriated for the removal of said college from Hanover to Durham, and the erection and maintenance of suitable buildings for the purposes of said college, and the treasurer of the State is hereby authorized, under the direction of the governor and council, to issue bonds or certificates of indebtedness in the name and in behalf of the State, for the whole or any part of said sum, in the same manner and subject to the same conditions as are provided in the act approved March 19, 1891, entitled "An act to provide for re-funding maturing bonds and authorizing a temporary loan," and said bonds or certificates of indebtedness issued by authority of said act, and those issued by authority of this act, are hereby consolidated into one series, and the governor is authorized to draw his warrant on the treasurer for said sum from time to time as the same shall be needed, and the same shall be paid to the treasurer of said College of Agriculture and the Mechanic Arts, and expended under the direction of the trustees of said college.

SEC. 7. Section 11 of the act approved March 5, 1891, entitled "An act to accept the provisions of the Thompson will, and to provide for the present disposition of the funds," is hereby amended by striking out the words "The board of agriculture is," and inserting in the place thereof the words, "The trustees of the New Hampshire College of Agriculture and the Mechanic Arts are," so that said section, as amended, shall read:

"SEC. 11. The trustees of the New Hampshire College of Agriculture and the Mechanic Arts are hereby authorized and directed in behalf of the State to receive possession of the real estate in Durham coming to the State by virtue of said will, and to care for, control, and manage it until it is needed for the uses of the school or college to be established as provided in the will."

SEC. 8. This act shall take effect and be in force from and after the day on which the estate devised and bequeathed to the State by the said Benjamin Thompson shall be turned over to and become the property of the State. The state treasurer is hereby required to notify the trustees of said College of Agriculture and the Mechanic Arts, in writing, of the reception of said estate immediately after it shall be turned over to the State as aforesaid.

SEC. 9. All acts and parts of acts inconsistent with this act are hereby repealed.

[APPROVED April 10, 1891.]

An Act providing for the completion of the New Hampshire College of Agriculture and the Mechanic Arts in Durham and for other purposes.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The sum of thirty-five thousand dollars is hereby appropriated for completing and furnishing the buildings of the New Hampshire

College of Agriculture and the Mechanic Arts in Durham, and for other purposes of said college, and the governor is authorized to draw his warrant on the treasurer for said sum, from time to time, as the same shall be needed, and the same shall be paid to the treasurer of said College of Agriculture and the Mechanic Arts, and expended under the direction of the trustees.

SEC. 2. To provide the funds appropriated by this act, and to reimburse the state treasury for the amount appropriated by chapter 52 of the Pamphlet Laws of 1891, the state treasurer is hereby authorized to issue, under the direction of the governor and council, bonds or certificates of indebtedness, in the name and in behalf of the state, to an amount not exceeding the sum of one hundred and thirty-five thousand dollars, and the same shall be deemed a pledge of the faith and credit of the state.

SEC. 3. Said bonds or certificates shall be dated July 1, 1893, and made payable in twenty years at a rate of interest not exceeding four per cent. per annum, payable semi-annually, on the first days of January and July of each year; such bonds to have interest warrants or coupons attached thereto; said bonds and coupons to be signed by the state treasurer, and made payable at such bank in Boston as shall be designated by the governor and council.

SEC. 4. The treasurer shall keep a record of all bonds disposed of by him, which shall contain the name of the person to whom any bond may be sold, the number thereof, the amount received therefor, and the date when the bond shall become due.

SEC. 5. The Benjamin Thompson state trust fund, established in pursuance of the provisions of section 4, chapter 12 of the Pamphlet Laws of 1891, and the requirements of the will of the late Benjamin Thompson, with all additions and accumulations prior to and including the thirteenth day of January, 1910, are hereby appropriated for the payment of the issue of bonds authorized by this act, *provided*, that on the last named date the buildings erected in accordance with the provisions of chapter 52 of the Pamphlet Laws of 1891, and this act, shall be in such condition as to meet the requirements of Benjamin Thompson's will.

SEC. 6. The trustees shall elect three of their board, who shall have the sole control of expending the appropriation, and shall complete the buildings and grade the grounds for which this appropriation is made, and make a detailed report of their expenditure to the governor, which report shall be published.

[APPROVED April 1, 1893.]

## PAMPHLET LAWS OF NEW HAMPSHIRE, 1891.

## CHAPTER 11.—THE STATE AGRICULTURAL COLLEGE.

## SECTION

1. Agricultural college established and located.
2. Its objects defined.
3. Government; trustees, how appointed.
4. Term of office; vacancies, how filled.
5. Trustees to receive no compensation.
6. Secretary, treasurer, how appointed.
7. Faculty, how appointed.

## SECTION

8. Trustees to make contracts with Dartmouth College, etc.
9. Trustees to make report.
10. Trust funds derived from land scrip, provisions concerning.
11. Funds of institution, investment of.
12. \$3,000 annually appropriated for college.
13. This chapter not to repeal an act for removal of agricultural college, etc.

SECTION 1. The state agricultural college, located at Hanover, is a corporation by the name of The New Hampshire College of Agriculture and the Mechanic Arts.

SEC. 2. The leading object of the college is, without excluding other scientific and classical studies and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in conformity to an act of congress entitled "An act donating land to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862.

SEC. 3. The general government of the college is vested in thirteen trustees, of whom the governor shall be one, *ex officio*. The governor, with advice of the council, shall appoint seven of the trustees, one at least of whom shall be selected from each councillor district, and two from the practical farmers of the state. Five of said trustees shall be appointed by the trustees of Dartmouth College.

SEC. 4. The trustees shall be so commissioned that the offices of four shall become vacant each year. Any vacancy occurring shall be filled by the authority which made the original appointment.

SEC. 5. The trustees shall receive no compensation for their services, but expenses reasonably incurred by them shall be paid by the college.

SEC. 6. The trustees shall choose a secretary, who shall be sworn and shall keep a record of their proceedings, and a treasurer who shall give a bond satisfactory to the trustees for the faithful discharge of his duties. The treasurer shall receive such compensation as the trustees may determine.

SEC. 7. The trustees shall appoint a faculty of instruction for said college, prescribe their duties, and invest them with such powers for the immediate government and management of the institution as they may deem conducive to its best interests. They shall furnish free tuition to indigent students in said college, so far as practicable.

SEC. 8. The trustees are authorized to make contract with Dartmouth College, relative to the connection of the New Hampshire College of Agriculture and the Mechanic Arts with said college, the provision of buildings, library, laboratory, museums, apparatus, an experimental farm, and instruction for the use of the college of agriculture; but all contracts shall



contain a provision that they may be terminated by either party upon giving notice to the other party of a desire for such termination, one year, at least, before it is to take place.

SEC. 9. The trustees shall file with the secretary of state, on or before the first day of November, annually, a report of the operations, progress, and financial condition of the college. They shall include in the report an account of such improvements and experiments made, with their costs and results, and such state industrial and economical statistics as may be supposed useful. One copy thereof shall be transmitted to each college endowed under the aforesaid act of congress, and one copy to the secretary of the interior.

SEC. 10. The funds derived from the sale of land scrip of the United States, and now in the possession of the state, shall be held by it as a trust fund for the benefit of the college of agriculture and the mechanic arts until otherwise ordered by the legislature; and the state shall pay to the treasurer of the college, semi-annually, interest on the fund at the rate of six per cent. per annum.

SEC. 11. The trustees, with the consent and approval of the governor and council, except as is provided in the preceding<sup>3</sup> section, may make such changes from time to time in the investment of the funds of said institution as its interests may in their judgment require.

SEC. 12. The sum of three thousand dollars is appropriated annually to the college of agriculture and the mechanic arts, to be annually expended in providing free tuition for students in said college who are residents of the state, and in paying the general expenses of the college, in such manner as the trustees may direct. Said sum shall be drawn from the treasury, in semi-annual payments, from any moneys not otherwise appropriated.

SEC. 13. Nothing in this chapter contained shall be construed as repealing any of the provisions of an act entitled "An act providing for the removal of the New Hampshire College of Agriculture and the Mechanic Arts from Hanover to Durham, and for other purposes," approved April 10, 1891.

*Section 18 of Chapter 8, Public Statutes of 1891.*

The principal of each college, academy, seminary, or other institution of learning incorporated by the laws of this state shall annually and before the first day of November of each year forward to the state librarian for the state library two copies, and to the New Hampshire Historical Society two copies, of each printed catalogue of its officers and students and courses of studies published during the year ending on that date.

*Section 9 of Chapter 12, Public Statutes of 1891.*

He [Secretary of Board of Agriculture] shall collect samples of fertilizers sold in this state, and any other articles which the interests of agriculture may require, and submit them to the College of Agriculture and the Mechanic Arts for chemical analysis.

*Section 11 of Chapter 89, Public Statutes of 1891.*

Any school district may contract with an academy, seminary, or other literary institution located within its limits or in its immediate vicinity, for furnishing instruction to its scholars, and the school money may be used to carry the contract into effect.

## BENJAMIN THOMPSON'S WILL.

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IN THE NAME OF GOD, AMEN.

I, BENJAMIN THOMPSON, of Durham, in the county of Strafford and State of New Hampshire, farmer, being in good health, and of a sound and perfect mind and memory, but aware of the uncertainty of this life, do make, publish, and declare this my last will and testament, and herein dispose of all my worldly estate in manner following, to wit:

1st. I order and direct my executors herein named, to pay all my just debts and funeral charges as soon as may be after my decease.

2d. I give, devise, and bequeath all my estate, real, personal, and mixed, of which I may die seized and possessed, wherever situate, to my native State of New Hampshire forever, in trust, subject, however, to the provisos, conditions, and limitations hereinafter mentioned and expressed concerning the same.

The object of this devise being to promote the cause of agriculture, by establishing at the expiration of twenty years from the time of my decease an agricultural school, to be located on my Warner farm, so called, and situated in said Durham, wherein shall be thoroughly taught, both in the schoolroom and in the field, the theory and practice of that most useful and honorable calling. The said State is to have and to hold the estate above devised, upon the express condition that said State shall guarantee a net annual compound interest of five per cent. upon the amount of the appraised value thereof for the term of twenty years; after which time the whole amount of principal and interest thus compounded is to constitute a fund, the principal of which said State shall guarantee forever to preserve; and the net annual income thereof is to be expended for maintaining and continuing said school, and improving said farm and other lands herein devised, situate in said Durham.

Believing that said fund will be insufficient to erect the necessary buildings and furnish the same, to stock said farm, procure the needful apparatus, to commence a library, and sustain said school usefully and honorably; and believing that such an institution rightfully conducted and sustained would confer honor on the whole State, and greatly advance and improve its agriculture, the leading interest of the State; and knowing no better way of arousing the attention of the citizens of said State to the necessity of acquiring such knowledge in this country and in Europe, as may be useful for rightly managing said school,—I propose and make it a condition of this bequest that said State of New Hampshire shall raise and appropriate, by law, annually, for the term of twenty years, the sum of three thousand dollars, which would be less than one cent a year for each inhabitant of the State; and also upon the further condition that said State shall guarantee a net annual compound interest of five per cent. on the twenty sums of three thousand dollars each, thus required to be raised; and at the expiration of twenty years from the time of my decease, the principal and interest thus compounded is to constitute a fund, out of which the amount necessary to erect suitable buildings and to furnish the same, to stock said farm, procure apparatus, and commence a library, shall be expended; and the interest of the State fund thus reduced, and net annual income of the fund constituted according to the express terms

and conditions of the bequests which I have hereinbefore made, shall be expended under the direction and supervision of said State, for the purpose of maintaining and continuing said school, and improving said farm and all other lands situate in said Durham; and as the fund last named is partly composed of my real estate,—my meaning is, that the net annual income of all my real estate herein bequeathed is also to be expended at the same time, in the same manner, and for the same purpose above set forth; and it is made a further condition of this bequest, that no part of said Warner farm and other lands herein devised, situate in said Durham, shall ever be sold, conveyed, leased, or alienated by said State of New Hampshire, or diverted from the purpose above set forth, of establishing, endowing, and continuing said state agricultural school.

If the state of New Hampshire does not accept said trust upon the terms and conditions herein set forth, within two years from the time of my decease, or, accepting the same, shall fail to comply with the terms and conditions thereof, then, and in such case, this devise to said state shall become and be null and void.

3d. If the State of New Hampshire does not accept said trust upon the conditions herein set forth, within two years from the time of my decease, or if the foregoing devise to said state shall become null and void by reason of the failure of said State to comply with the terms and conditions thereof, then, and in such case, I give, devise, and bequeath all of my said estate to the State of Massachusetts, upon the same terms and conditions as herein required of the State of New Hampshire; excepting that forbidding the sale of my land in Durham, and requiring said school to be located in said Durham, and limiting the time of accepting said trust to two years from the time of my decease; the State of Massachusetts being at liberty to sell all my lands and to locate the school wherever its legislature shall deem it most for the advantage of said State of Massachusetts; and said State of Massachusetts may have four years from the time of my decease, within which to accept said trust upon the terms and conditions herein set forth thus modified.

4th. If the State which accepts the trust upon the conditions herein set forth should desire to establish said school at any time before the expiration of twenty years from the time of my decease, then, and in such case, my will is that said State may thus do, provided said State shall, before using any of either of the funds herein set forth, raise and set apart such sums of money as will make said funds equal in amount to what said funds would become, if accumulated during twenty years according to the terms and conditions herein set forth.

I hope that the citizens of my native town and county, and of the county of Rockingham, will manifest such liberality as will induce my native State to accept said trust upon the conditions herein set forth.

It might seem presumptuous in me to attempt to devise any plan for the ordering and management of such an institution as is contemplated by this will, and which will probably go into operation at a time so remote, when doubtless there will be great advancement in the knowledge of agriculture; so I leave this duty to the wisdom of the State, through its legislature, only claiming to make the suggestions following: Morality, order, industry, and economy should be constantly taught and practiced by all the teachers and by all the scholars. Teachers, scholars, and laborers should be required to meet each morning in the chapel for the reading of the Scriptures and for prayer.

No scholar should be admitted to the school under sixteen years of age. Every scholar should be required to labor on the land four hours of each working day, when practicable.

Horticulture should receive its due share of attention.

The chemistry of agriculture, and physiology, and other sciences, so far as they are connected with agriculture, should be taught; but no professor should be selected unless he is also distinguished for his knowledge of scientific and practical agriculture.

The theories taught should, as far as practicable, be tested by experiments on the farm; and all experiments, together with the cost and results thereof, should be published and sold to the citizens of the State and the United States, at the cost of publication.

There should be one vacation each year from December first to April first.

I would also suggest the propriety of applying to the Congress of the United States for a grant of land in aid of this object; and in other ways to seek contributions to promote the usefulness and extend the advantages of said school; and I believe that when the vast benefit to be derived from such teaching shall be practically demonstrated, similar schools will be multiplied in every state of this great confederacy, their unbounded agricultural resources will be developed, the national wealth and power increased, the happiness of man, the honor of God, and the love of Christ promoted, and the way be in some degree prepared for the time when "He shall judge the nations and shall rebuke many people, and they shall beat their swords into ploughshares and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more."

Lastly, I do hereby nominate and appoint William P. Frost and Stephen Demeritt of said Durham, and John S. Woodman and Henry W. Pickering of the city of Boston and State of Massachusetts, executors of this my last will and testament, hereby revoking all former wills by me made.

In witness whereof I have hereunto set my hand and seal this twelfth day of February, in the year of our Lord one thousand eight hundred and fifty-six.

(Signed) BENJAMIN THOMPSON. [L. s.]

Signed, sealed, published, and declared by the said Benjamin Thompson, as and for his last will and testament, in presence of us, who, at his request, in his presence and in the presence of each other, have subscribed our names as witnesses thereto.

(Signed) J. A. RICHARDSON.  
J. B. SMITH.  
JOS. W. COE.

#### CODICIL.

WHEREAS, I, Benjamin Thompson, of the town of Durham, in the State of New Hampshire, having made and duly executed my last will and testament in writing, and bearing date the twelfth (12th) day of February, in the year of our Lord one thousand eight hundred and fifty-six.

AND WHEREAS, Since the date of my said will the Congress of the United States, having passed an act making a grant of lands to the various States of the Union, to endow colleges for the benefit of agriculture and the mechanic arts, entitled, "An act donating land to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts." Approved July 2, 1862.

AND WHEREAS, The said act provides a fund for the same purposes in part as does my said last will and testament, and my desire is to add to and increase said fund for the purposes named.

NOW, THEREFORE, I do hereby declare this present writing to be as a codicil to my said will, and direct the same to be annexed thereto, and be taken as a part thereof.

My object being mainly to promote the improvement of agriculture, though willing that the college to be established should also provide for the mechanic arts, it is my will that the institution to be established by the State, which shall by due acceptance of the terms upon which my bequest is made and agreement therewith, shall be called and designated College of Agriculture and the Mechanic Arts, with the name of the State which shall become entitled under my said will to the property bequeathed therein, prefixed, as, for instance, The New Hampshire College of Agriculture and the Mechanic Arts, if that shall be the wish of the State; and, that in addition to the instruction to be given therein, as provided by my said will, there shall be taught only such other arts or sciences as may be necessary to enable said State to fully avail itself of said donation of lands by the government in good faith, which two branches of instruction shall be the leading objects of said institution or college.

If both the said States named in my will shall fail to accept my bequest within the time limited therein, then, and in that case, I give, devise, and bequeath all my said estate to the State of Michigan, upon the same trusts, terms, and conditions as I have in my will required of the State of Massachusetts; and I give to my executors authority in the mean time to enter upon and take charge of, and have the care of my estate, and to hold and preserve the same until one or the other of the said states shall have accepted the terms of this will and become entitled to the bequests herein made.

And it shall be the duty of my executors, herein named, whenever this will shall become operative, to communicate the same to the governors of New Hampshire, Massachusetts, and Michigan, in the order in which each shall become entitled to accept the said terms and bequests, and as soon as each shall become entitled by the terms hereof.

And I authorize and direct my said executors, and give them full power to make and enter into such stipulations, and require such guarantees of the State which shall accept as will secure the objects which are intended to be secured by my said will and this codicil, before my said estate shall be turned over to and become the property of said State.

ITEM. I hereby modify my bequest made in my said will, so far as the following legacies are concerned, which will be and are hereby reserved from the said general bequest of my estate, viz.: I give twelve (12) shares in the Boston & Maine Railroad Company to the CONGREGATIONAL SOCIETY IN DURHAM, in trust, and upon the condition that the said shares shall forever be kept as a fund by said society and the annual income thereof be used for the improvement of sacred music in said society.

I also give ten (10) shares in the Suffolk National Bank, Boston, to LUCETTA M. DAVIS, my housekeeper, as a testimonial of my respect and esteem for her character, and of the consideration in which I hold her services in my house; and in case the said Lucetta M. Davis continues to be my housekeeper at the time of my decease, then, and in that case, I give to the said Lucetta M. Davis, in addition thereto ten (10) shares more in the same bank.

I give also one hundred dollars to ASA A. TUFTS, cashier of the Stafford National Bank, Dover, as a slight testimonial of my regard and esteem.

I give two hundred dollars to BENJAMIN D. HILL, of Durham, New Hampshire.

I annul the appointment of executors heretofore named, and all former codicils, and appoint the following named persons to be the executors of my said will, with the usual authority as such, viz.; James F. Joy, of Detroit, Michigan, and Joshua B. Smith, of Durham, New Hampshire.

In witness whereof I have hereunto set my hand and seal this twenty-first (21st) day of March, in the year of our Lord one thousand eight hundred and seventy-four.

(Signed) BENJAMIN THOMPSON. [L. s.]

Signed, sealed, published, and declared by the said Benjamin Thompson, as a codicil to his last will and testament, in presence of us, who, at his request, in his presence and in presence of each other, have subscribed our names as witnesses thereto.

(Signed) WILLIAM P. SYLVESTER.  
FRANK A. J. SYLVESTER.  
LEVI CRAM.

#### SECOND CODICIL.

Having required in my will that the State which should become entitled to the bequest therein made should guarantee a net annual compound interest of five (5) per cent. upon the appraised value of my Warner farm, so called, and all my other lands and buildings situated in Durham, and mentioned in my said will and testament, for the term of twenty (20) years after my decease, as one of the conditions upon which it should become entitled, and being doubtful whether this condition may not constitute an obstacle in the way of the acceptance of my said bequests by my native State, and possibly the others in succession. Therefore it is my declared will that it shall be competent for my executors named in and by my said will, or any codicil thereto, to waive the said condition, in case that shall be the sole obstacle in the acceptance of the said bequests, but with the hope that the waiver of said condition may not be found necessary, and with the declared will that it shall stand as a condition, unless by them waived for the purpose of carrying into effect the object and purpose of my said last will and testament.

In witness whereof I have hereunto set my hand and seal this fifteenth day of March, A. D. 1875.

(Signed) BENJAMIN THOMPSON. [L. s.]

Signed, sealed, published, and declared by the said Benjamin Thompson, as a second codicil to his last will and testament, in presence of us, who, at his request, in his presence and in presence of each other, have subscribed our names as witnesses thereto.

(Signed) LEVI CRAM.  
JOHN McDANIEL.  
JAMES F. GRIFFIN.

#### THIRD CODICIL.

I, Benjamin Thompson, do make this, the third codicil, to become a part of my last will and testament, in view of the lower rates of interest which now prevail than at the time my said will and former codicils were made, and do provide and declare that the rate of interest provided in my said

will, to be compounded for twenty years, shall be reduced to four per cent. compounded for the same length of time, in case my bequests and the terms of my said will be accepted and complied with by either of my legatees.

And I further waive, in favor of my native State of New Hampshire, all the interest on the valuation of my real estate, situated in the town of Durham, in case it shall accept the bequests made in my said will, and upon the terms made in it and the codicils.

In addition to the bequests made in my will and former codicils, to my housekeeper, L. M. DAVIS, I give and bequeath to her all my household furniture and wearing apparel, which I value at about a thousand dollars, as a testimony both of my regard and of my appreciation of her long and faithful services.

I hereby constitute and appoint as one of the executors of my said will, instead of J. B. Smith, whose appointment I revoke and annul, John W. E. Thompson, to act as such with J. F. Joy, giving them all the usual authority in such cases, as if they had been named originally in my said will as the executors thereof.

In witness whereof I have hereunto set my hand and seal this twenty-first day of January, A. D. 1882.

(Signed) BENJAMIN THOMPSON. [L. s.]

Signed, sealed, published, and declared by the said Benjamin Thompson, as a codicil to his last will and testament, in presence of us, who, at his request, in his presence and in the presence of each other, have subscribed our names as witnesses thereto.

(Signed) JOHN McDANIEL.  
ALVIN JACKSON.  
JASPER R. McDANIEL.

UNITED STATES  
DEPARTMENT OF AGRICULTURE.  
—1893—

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## THE AGRICULTURAL EXPERIMENT STATIONS.

- ALABAMA—*Auburn*: College Station; W. L. Broun, president of board of direction. *Uniontown*: Canebrake Station; B. M. Duggar, assistant director in charge.
- ARIZONA—*Tucson*: F. A. Gulley, director.
- ARKANSAS—*Fayetteville*: R. L. Bennett, director.
- CALIFORNIA—*Berkeley*: E. W. Hilgard, director.
- COLORADO—*Fort Collins*: Walter J. Quick, director.
- CONNECTICUT—*New Haven*: State Station; S. W. Johnson, director. *Storrs*: Storrs School Station; W. O. Atwater, director.
- DELAWARE—*Newark*: A. T. Neale, director.
- FLORIDA—*Lake City*: J. P. DePass, director.
- GEORGIA—*Experiment*: R. J. Redding, director.
- IDAHO—*Moscow*: R. Milliken, director.
- ILLINOIS—*Champaign*: G. E. Morrow, president of board of direction.
- INDIANA—*La Fayette*: C. S. Plumb, director.
- IOWA—*Ames*: James Wilson, director.
- KANSAS—*Manhattan*: G. T. Fairchild, chairman of council.
- KENTUCKY—*Lexington*: M. A. Scovell, director.
- LOUISIANA—*Audubon Park, New Orleans*: Sugar Station. *Baton Rouge*: State Station. *Calhoun*: North Louisiana Station; W. C. Stubbs, director.
- MAINE—*Orono*: W. H. Jordan, director.
- MARYLAND—*College Park*: R. H. Miller, director.
- MASSACHUSETTS—*Amherst*: State Station; C. A. Goessmann, director. *Amherst*: Hatch Station; H. H. Goodell, director.
- MICHIGAN—*Agricultural College*: O. Clute, director.
- MINNESOTA—*St. Anthony Park*: C. D. Smith, director.
- MISSISSIPPI—*Agricultural College*: S. M. Tracy, director.
- MISSOURI—*Columbia*: E. D. Porter, director.
- NEBRASKA—*Lincoln*: C. L. Ingersoll, director.
- NEVADA—*Reno*: S. A. Jones, director.
- NEW HAMPSHIRE—*Durham*: G. H. Witcher, director.

- NEW JERSEY—*New Brunswick*: State and College stations;  
James Neilson, acting director.
- NEW MEXICO—*Las Cruces*: H. Hadley, director.
- NEW YORK—*Geneva*: State Station; P. Collier, director. *Ithaca*:  
Cornell University Station; I. P. Roberts, director.
- NORTH CAROLINA—*Raleigh*: H. B. Battle, director.
- NORTH DAKOTA—*Fargo*: H. E. Stockbridge, director.
- OHIO—*Wooster*: C. E. Thorne, director.
- OKLAHOMA—*Stillwater*: J. C. Neal, director.
- OREGON—*Corvallis*: J. M. Bloss, director.
- PENNSYLVANIA—*State College*: H. P. Armsby, director.
- RHODE ISLAND—*Kingston*: C. O. Flagg, director.
- SOUTH CAROLINA—*Fort Hill*: H. A. Strode, director.
- SOUTH DAKOTA—*Brookings*: L. Foster, director.
- TENNESSEE—*Knoxville*: F. Lamson-Scribner, director.
- TEXAS—*College Station*: G. W. Curtis, director.
- UTAH—*Logan*: J. W. Sanborn, director.
- VERMONT—*Burlington*: W. W. Cooke, director.
- VIRGINIA—*Blacksburg*: J. M. McBryde, director.
- WASHINGTON—*Pullman*: G. Lilley, director.
- WEST VIRGINIA—*Morgantown*: J. A. Myers, director.
- WISCONSIN—*Madison*: W. A. Henry, director.
- WYOMING—*Laramie*: A. A. Johnson, director.

LIST OF AGRICULTURAL SCHOOLS AND COLLEGES IN THE UNITED STATES, WITH LOCATION AND NAMES OF PRESIDENTS, 1892.

- ALABAMA—Agricultural and Mechanical College, Alabama Polytechnic Institute.  
*President*, William Leroy Broun, M. A., LL. D. *Auburn.*
- ARIZONA—College of Agriculture of the University of Arizona.  
*Chancellor*, M. P. Freeman. *Tucson.*
- ARKANSAS—Arkansas Industrial University.  
*President*, E. H. Murfee, M. A., LL. D. *Fayetteville.*  
 Branch Normal College of Arkansas Industrial University.  
*Principal*, J. C. Corbin, M. A. *Pine Bluff.*
- CALIFORNIA—College of Agriculture of the University of California.  
*Acting President*, M. Kellogg, M. A. *Berkely.*
- COLORADO—The State Agricultural College of Colorado.  
*President*, Alston Ellis, M. A., Ph. D., LL. D. *Fort Collins.*
- CONNECTICUT—Sheffield Scientific School of Yale University.  
*President*, Timothy Dwight, D. D., LL. D. *New Haven.*  
 Storrs Agricultural School.  
*Principal*, B. F. Koons, Ph. D. *Mansfield.*
- DELAWARE—Delaware College.  
*President*, A. N. Raub, Ph. D. *Newark.*
- FLORIDA—Florida State Agricultural and Mechanical College.  
*President*, F. L. Kern, M. A. *Lake City.*  
 Florida State Normal School.  
*President*, T. DeS. Tucker, M. A. *Tallahassee.*
- GEORGIA—Georgia State College of Agriculture and Mechanic Arts.  
*President*, H. C. White, Ph. D. *Athens.*  
 North Georgia Agricultural College.  
*Chancellor of University*, Wm. E. Boggs, D. D. *Dahlonega.*  
 Middle Georgia Military and Agricultural College.  
*President*, J. C. Lynes, Ph. D. *Milledgeville.*  
 South Georgia College.  
*Chancellor of University*, W. E. Boggs, D. D. *Thomasville.*  
 Southwest Georgia Agricultural College.  
*President*, L. W. Haskell. *Culbert.*

- ILLINOIS—College of Agriculture of the University of Illinois.  
*Acting Regent*—T. J. Burrill, M. A., Ph. D. *Champaign.*
- INDIANA—School of Agriculture, Horticulture, and Veterinary Science of Purdue University.  
*President*, J. H. Smart, M. A., LL. D. *La Fayette.*
- IOWA—Iowa State College of Agriculture and Mechanic Arts.  
*President*, W. M. Beardshear, M. A., LL. D. *Ames.*
- KANSAS—Kansas State Agricultural College.  
*President*, George T. Fairchild, M. A. *Manhattan.*
- KENTUCKY—Agricultural and Mechanical College of Kentucky.  
*President*, J. K. Patterson, Ph. D. *Lexington.*  
 State Normal School.  
*Principal*, J. H. Jackson, M. A. *Frankfort.*
- LOUISIANA—Louisiana State University and Agricultural and Mechanical College.  
*President*, J. W. Nicholson, M. A. *Baton Rouge.*  
 Southern University and Agricultural and Mechanical College.  
*President*, H. A. Hill. *New Orleans.*
- MAINE—Maine State College of Agriculture and the Mechanic Arts.  
*President*, M. C. Fernald, M. A. *Orono.*
- MARYLAND—Maryland Agricultural College.  
*President*, H. E. Alvord, C. E. *College Park.*
- MASSACHUSETTS—Massachusetts Agricultural College.  
*President*, H. H. Goodell, M. A., LL. D. *Amherst.*  
 Bussey Institution of Harvard University.  
*Instructor in Farming*, Thomas Motley, M. A. *Jamaica Plain.*
- MICHIGAN—Michigan Agricultural College.  
*President*, O. Clute, M. S. *Agricultural College.*
- MINNESOTA—College of Agriculture of the University of Minnesota.  
*President*, Cyrus Northup, LL. D. *St. Anthony Park.*  
 State School of Agriculture of the University of Minnesota.  
*Principal*, W. W. Pendergast. *St. Anthony Park.*
- MISSISSIPPI—Agricultural and Mechanical College of Mississippi.  
*President*, S. D. Lee. *Agricultural College.*  
 Alcorn Agricultural and Mechanical College.  
*President*, J. H. Burrus, M. A. *Rodney.*
- MISSOURI—College of Agriculture and Mechanic Arts of the University of Missouri.  
*President*, R. H. Jesse, LL. D. *Columbia.*

NEBRASKA—Industrial College of the University of Nebraska.

*Chancellor*, James H. Canfield, M. A. *Lincoln.*

NEVADA—School of Agriculture of the Nevada State University.

*President*, S. A. Jones, M. A., Ph. D. *Reno.*

NEW HAMPSHIRE—New Hampshire College of Agriculture and the  
Mechanic Arts.

*President*, Lyman D. Stevens, A. B. *Durham.*

NEW JERSEY—Rutgers Scientific School.

*President*, Austin Scott, Ph. D., LL. D. *New Brunswick.*

NEW MEXICO—New Mexico College of Agriculture and Mechanic  
Arts.

*President*, H. Hadley, M. A. *Las Cruces.*

NEW YORK—College of Agriculture of Cornell University.

*President*, Jacob G. Schurman, B. A., D. Sc., LL. D. *Ithaca.*

NORTH CAROLINA—The North Carolina College of Agriculture and  
Mechanic Arts.

*President*, Alexander Q. Holladay. *Raleigh.*

NORTH DAKOTA—North Dakota Agricultural College.

*President*, H. E. Stockbridge, Ph. D. *Fargo.*

OHIO—Ohio State University.

*President*, W. H. Scott, M. A., LL. D. *Columbus.*

OKLAHOMA—Agricultural and Mechanical College of Oklahoma.

*President*, R. J. Barker. *Stillwater.*

OREGON—Oregon State Agricultural College.

*President*, J. B. Bloss, M. A. *Corvallis.*

PENNSYLVANIA—Pennsylvania State College.

*President*, George W. Atherton, LL. D. *State College.*

RHODE ISLAND—Brown University.

*President*, E. B. Andrews, D. D., LL. D. *Providence.*

Rhode Island College of Agriculture and Mechanic Arts.

*Principal*, J. H. Washburn, Ph. D. *Kingston.*

SOUTH CAROLINA—Clemson Agricultural College (not yet open).

*Fort Hill.*

Claffin University, College of Agriculture and Mechanics'  
Institute.

*President*, L. M. Dunton, M. A., D. D. *Orangeburg.*

SOUTH DAKOTA—South Dakota Agricultural College.

*President*, Lewis McLouth, M. A., Ph. D. *Brookings.*

TENNESSEE—State Agricultural and Mechanical College of the  
University of Tennessee.

*President*, C. W. Dabney, Jr., Ph. D., LL. D.      *Knoxville.*

TEXAS—State Agricultural and Mechanical College of Texas.

*President*, L. S. Ross.      *College Station.*

UTAH—Agricultural College of Utah.

*President*, J. W. Sanborn, B. S.      *Logan.*

VERMONT—University of Vermont and State Agricultural College.

*President*, M. H. Buckham, D. D.      *Burlington.*

VIRGINIA—Virginia Agricultural and Mechanical College.

*President*, J. M. McBryde, Ph. D., LL. D.      *Blacksburg.*

Hampton Normal and Agricultural Institute.

*Principal*, S. C. Armstrong, LL. D.      *Hampton.*

WASHINGTON—Washington Agricultural College and School of  
Science.

*President*, George Lilley, Ph. D., LL. D.      *Pullman.*

WEST VIRGINIA—West Virginia University.

*President*, E. M. Turner, LL. D.      *Morgantown.*

WISCONSIN—College of Agriculture of the University of Wisconsin.

*President*, T. C. Chamberlin, Ph. D., LL. D.      *Madison.*

WYOMING—College of Agriculture of the University of Wyoming.

*President*, A. A. Johnson, M. A., D. D.      *Laramie.*

## TABLE OF CONTENTS.

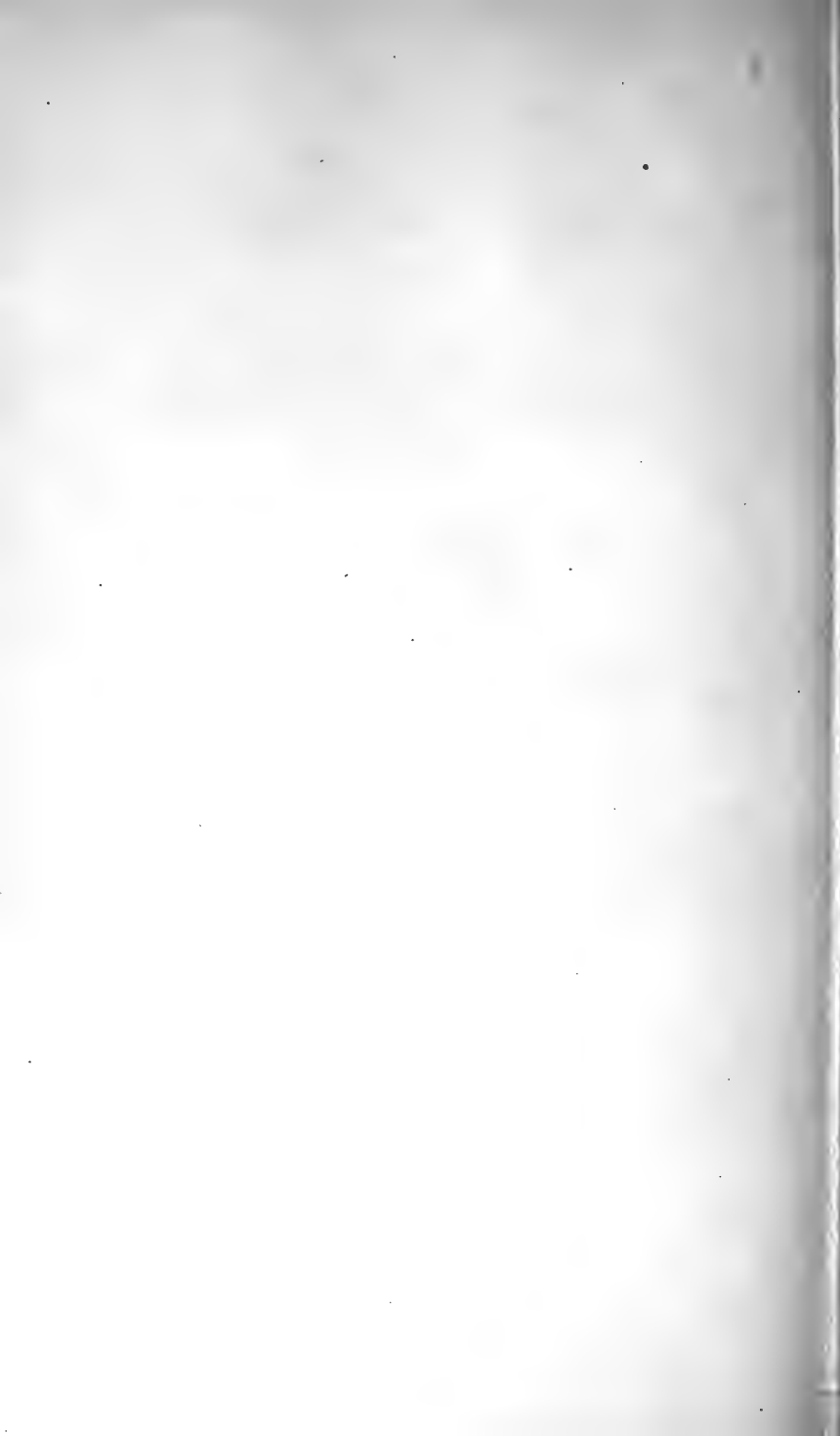
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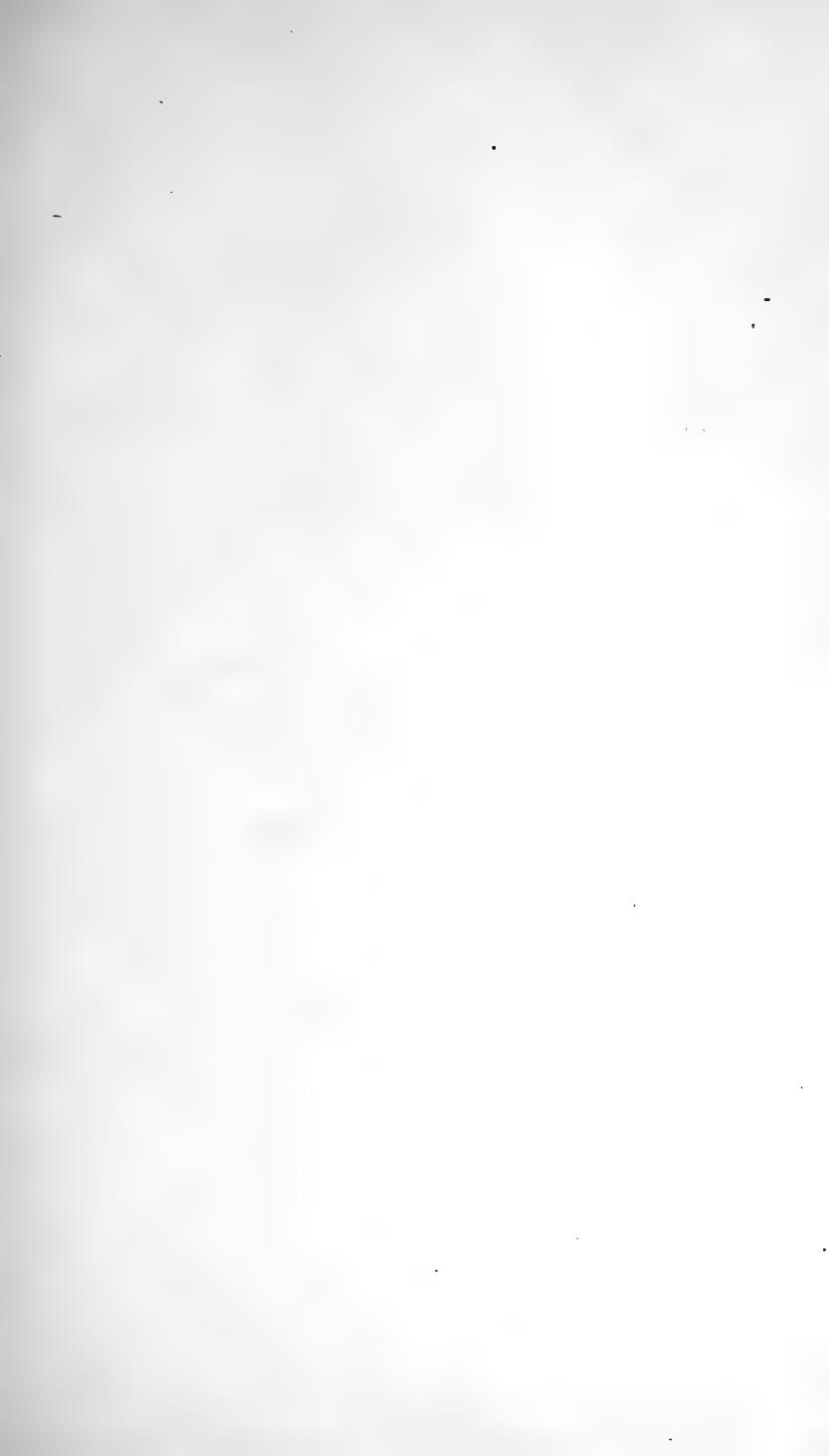
BY-LAWS OF THE TRUSTEES,	1
LAWS OF THE UNITED STATES—	
Donating lands; act of 1862,	21
Extension of time; act of 1866,	23
Establishing Experiment Station; act of 1887,	24
Appropriations for same, 1888-1893,	26
Morrill College Aid act, 1890,	28
Concerning detail of army officers,	30
Officers on retired list,	31
Engineers from the navy,	32
Concerning duty free importations,	32
Alcohol free of tax,	33
Post-Office Regulations,	34
Treasury Rulings,	35
LAWS OF THE STATE OF NEW HAMPSHIRE—	
New Hampshire acceptance of United States Land Grant, etc., 1863,	39
Act of Incorporation, 1866,	40
Legislative Assent to Hatch Bill, 1887,	41
Legislative Assent to Morrill Bill, 1891,	42
Act in Acceptance of Thompson Will, 1891,	42
Act providing for removal to Durham, 1891,	45
Act providing for completion of College in Durham, and other purposes,	46
Public Statutes, The State Agricultural College,	48
Public Statutes, 1891, Reports of Colleges,	49
Public Statutes, Fertilizer Analyses,	49
Public Statutes, Literary Contracts,	49
Benjamin Thompson's Will,	50
List of Experiment Stations, United States,	56
List of Agricultural Colleges, United States,	59

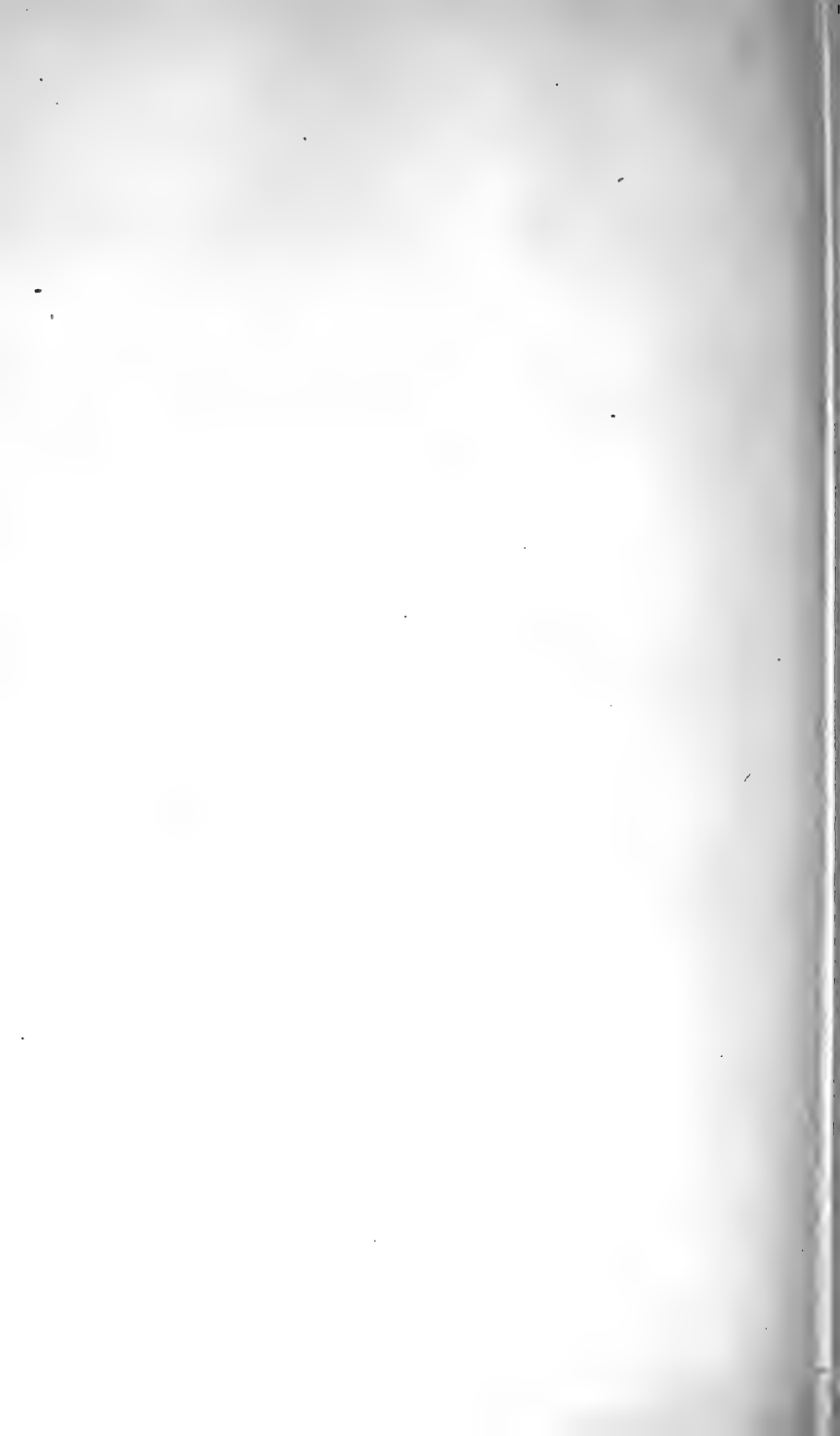
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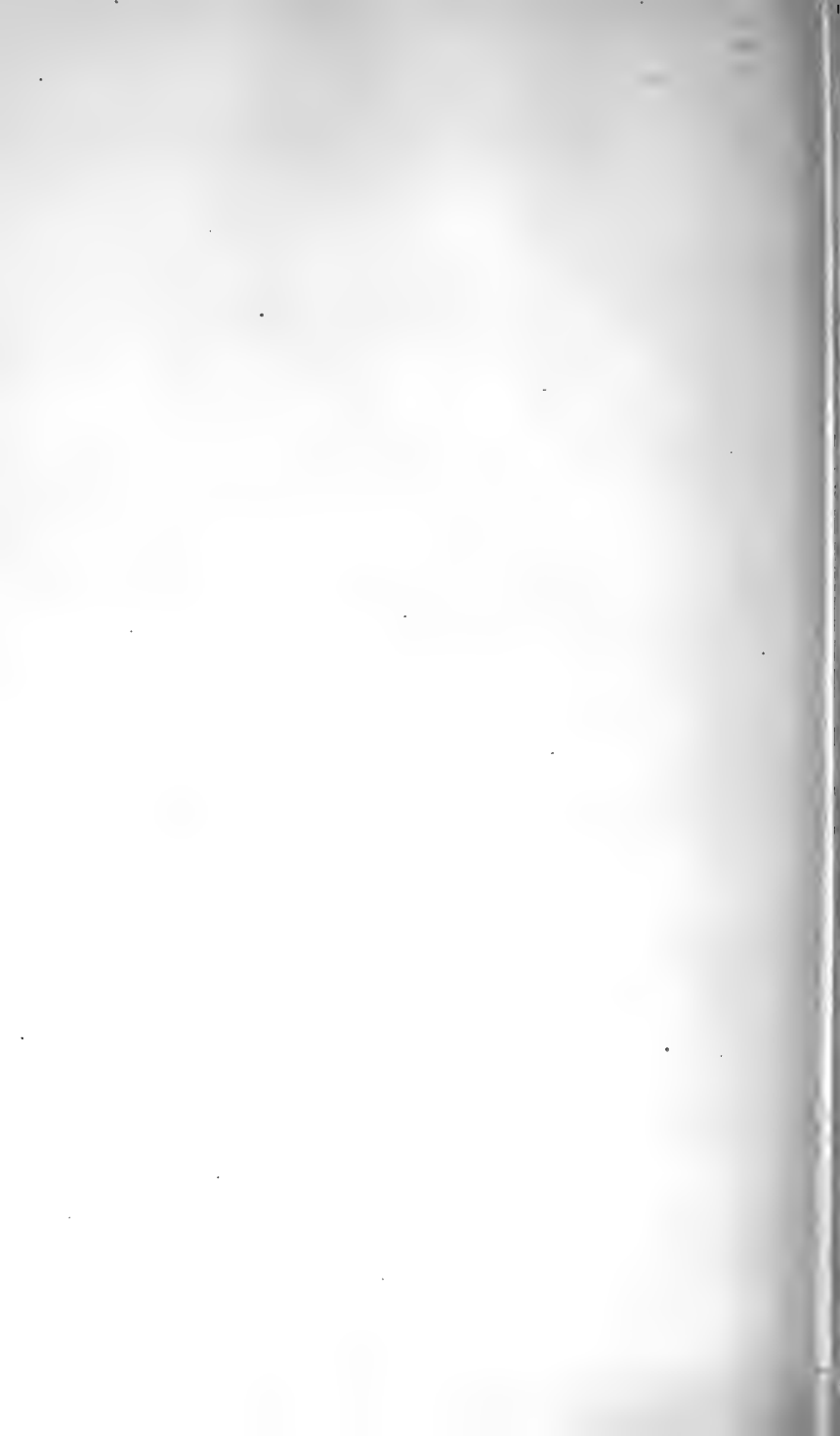




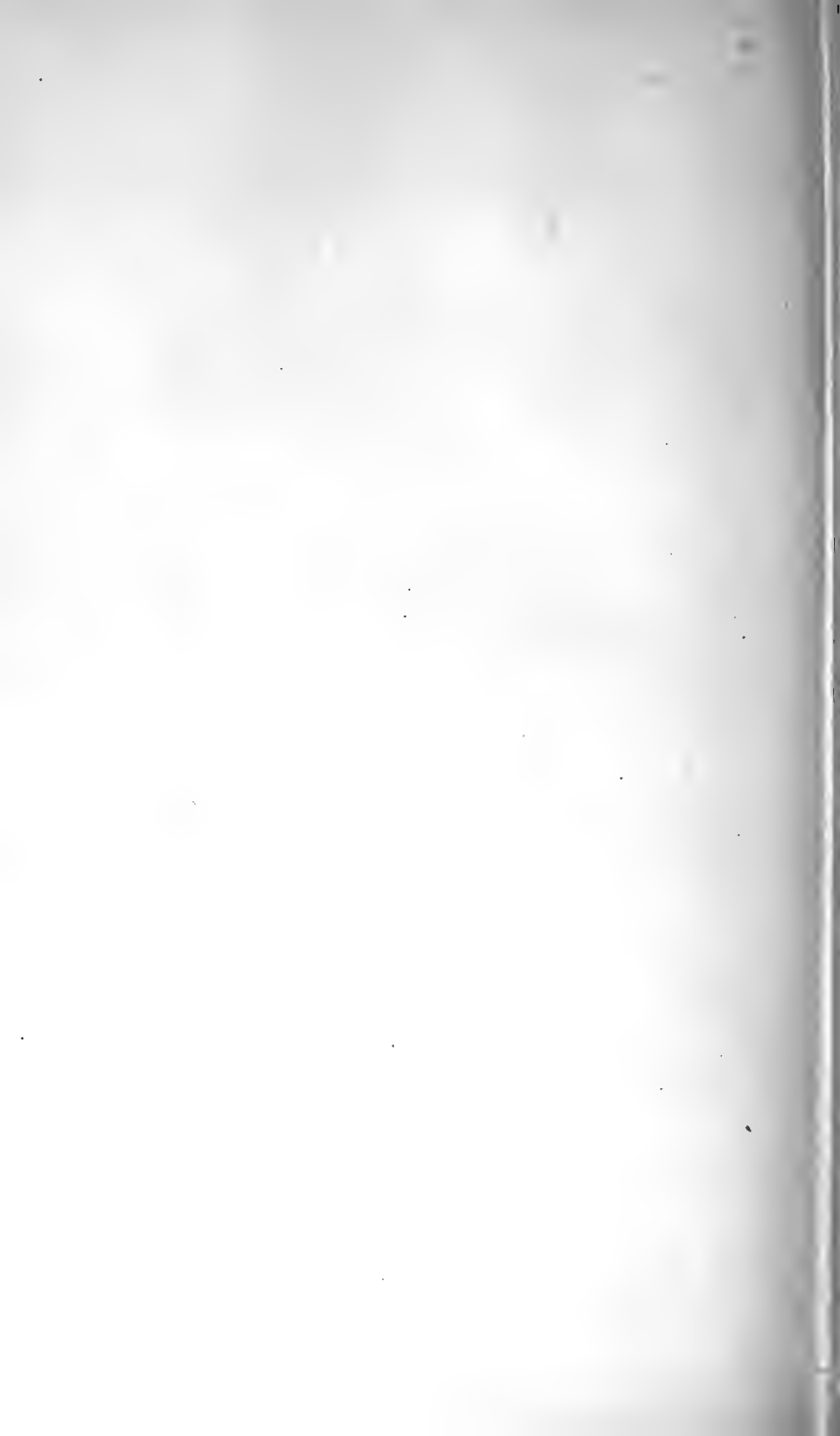




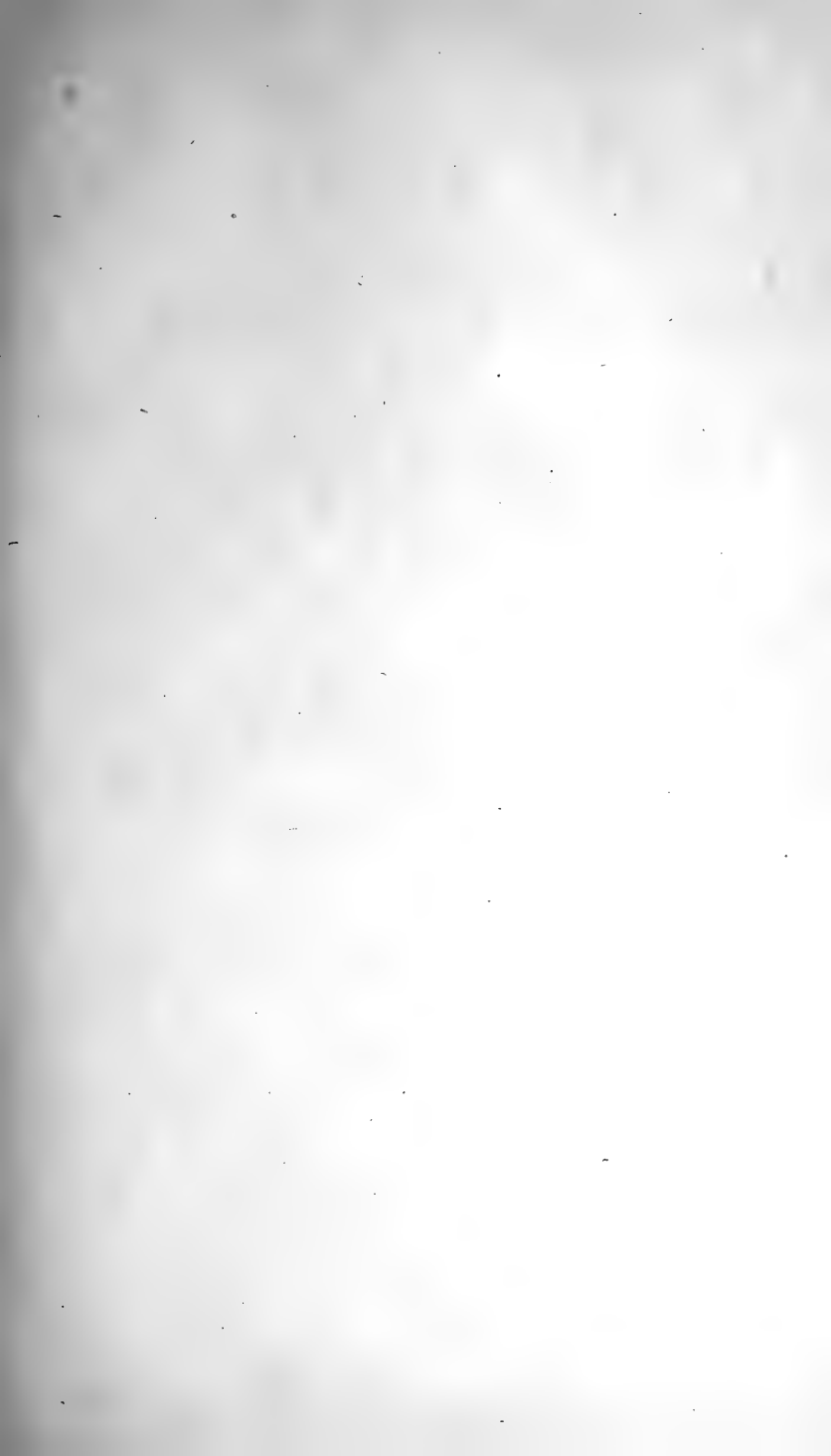


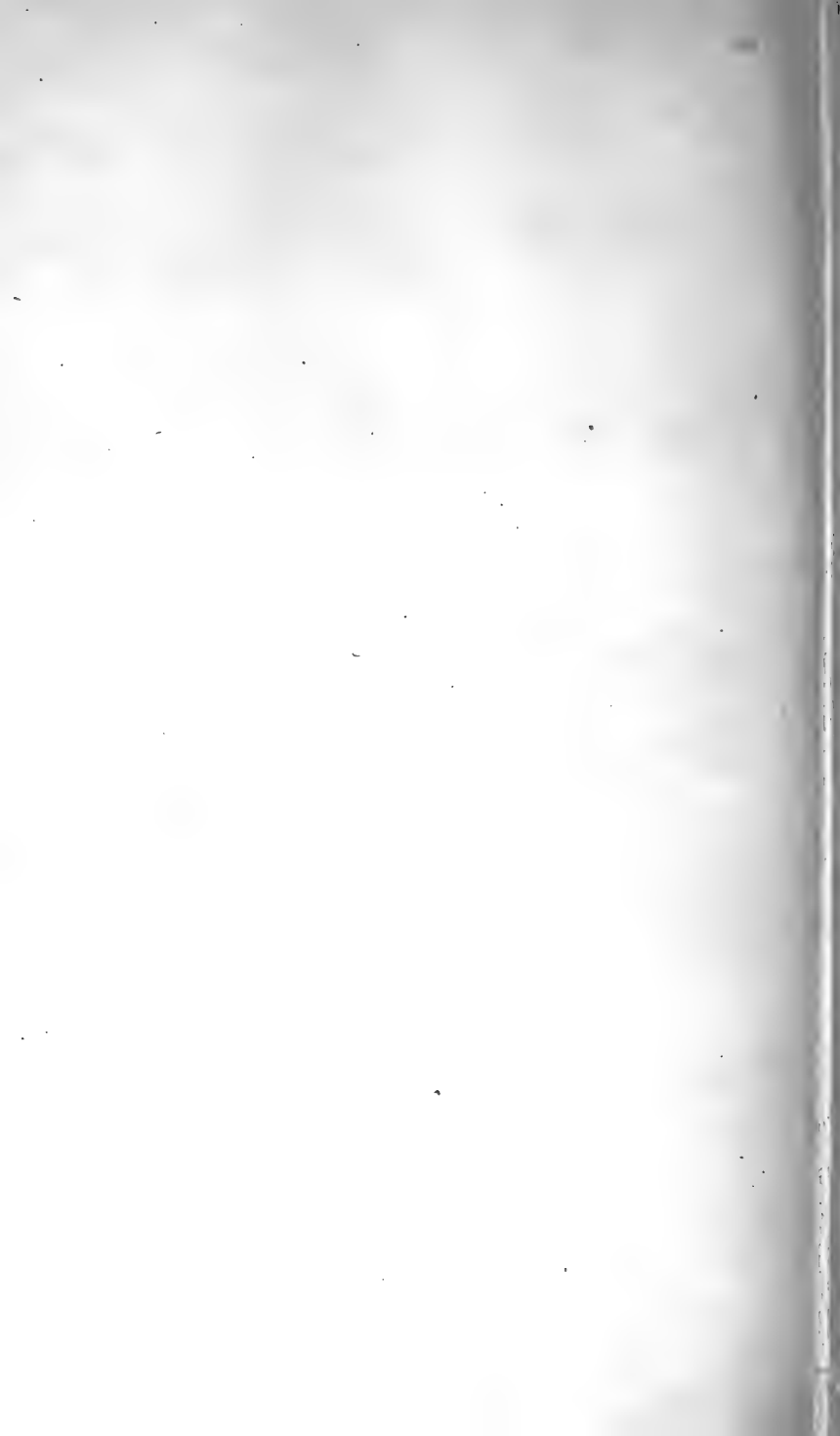


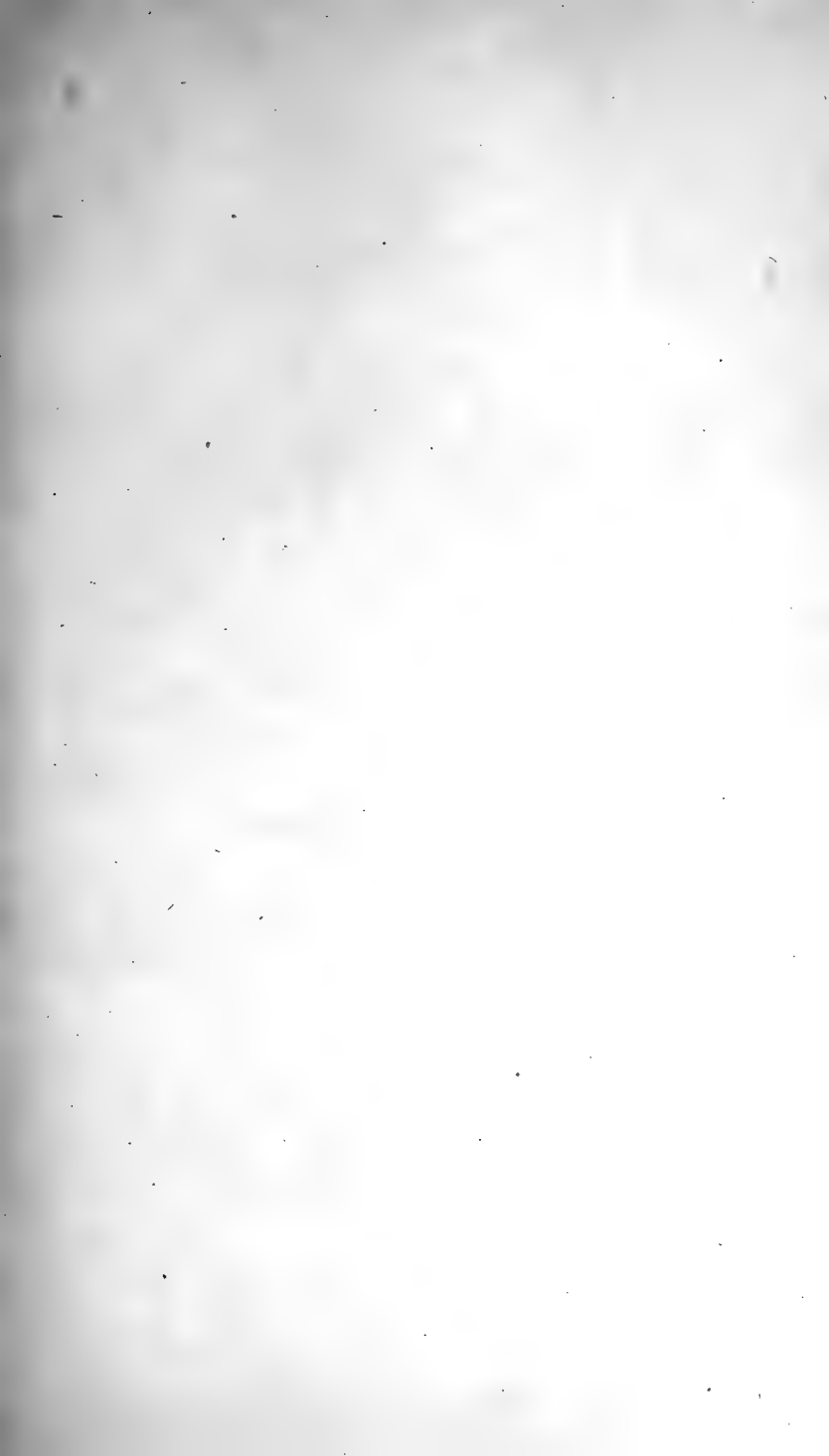


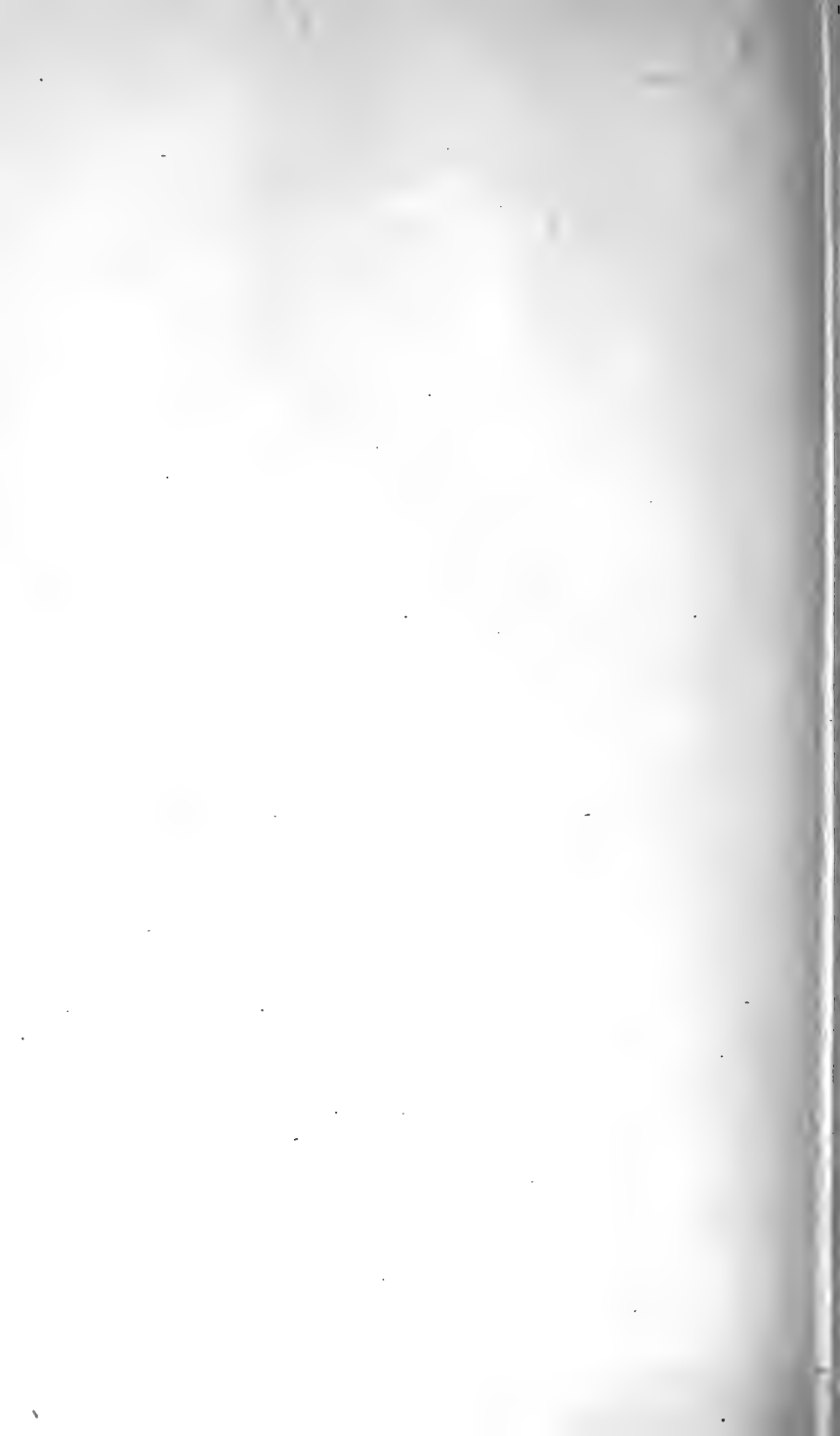


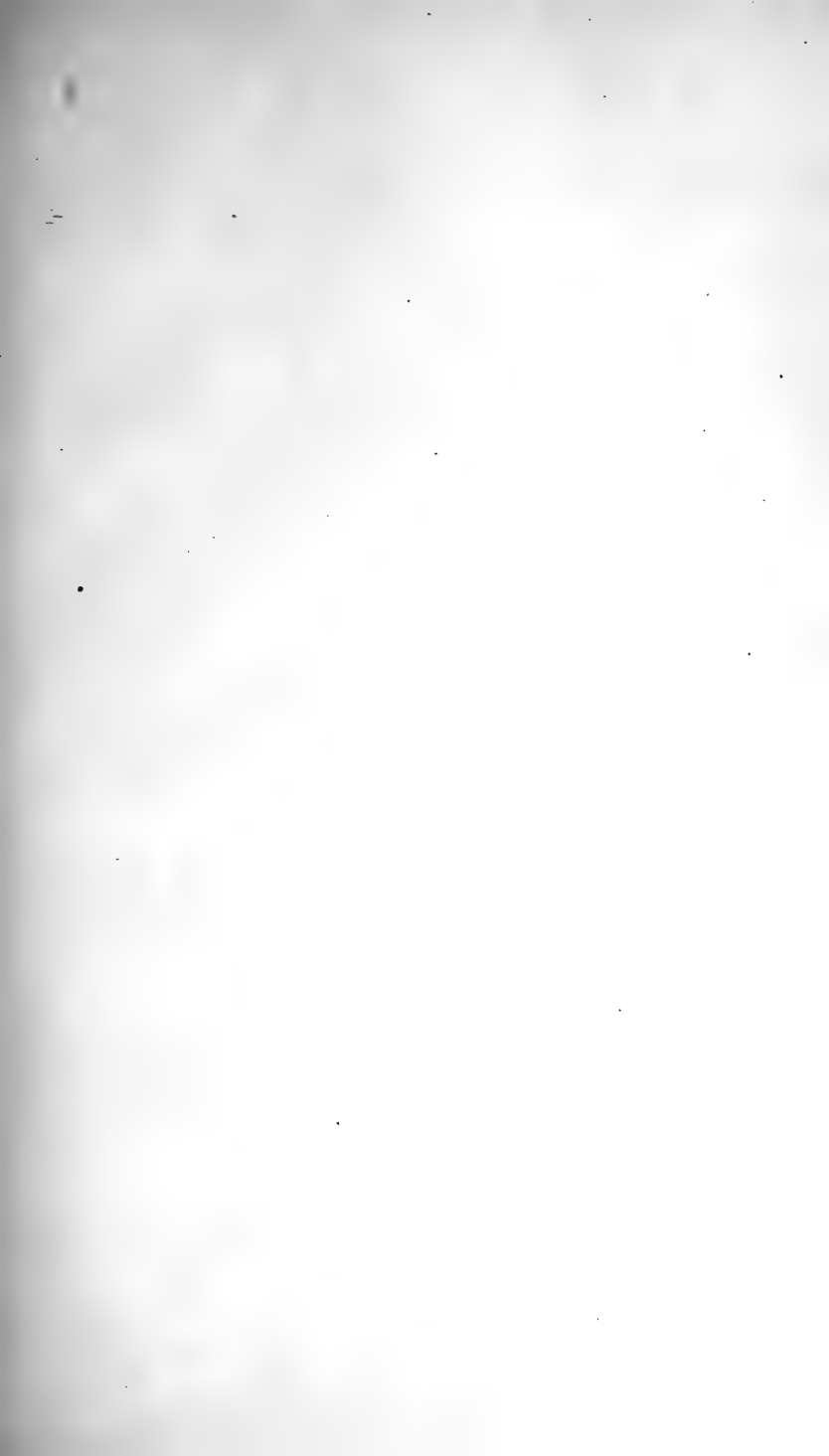


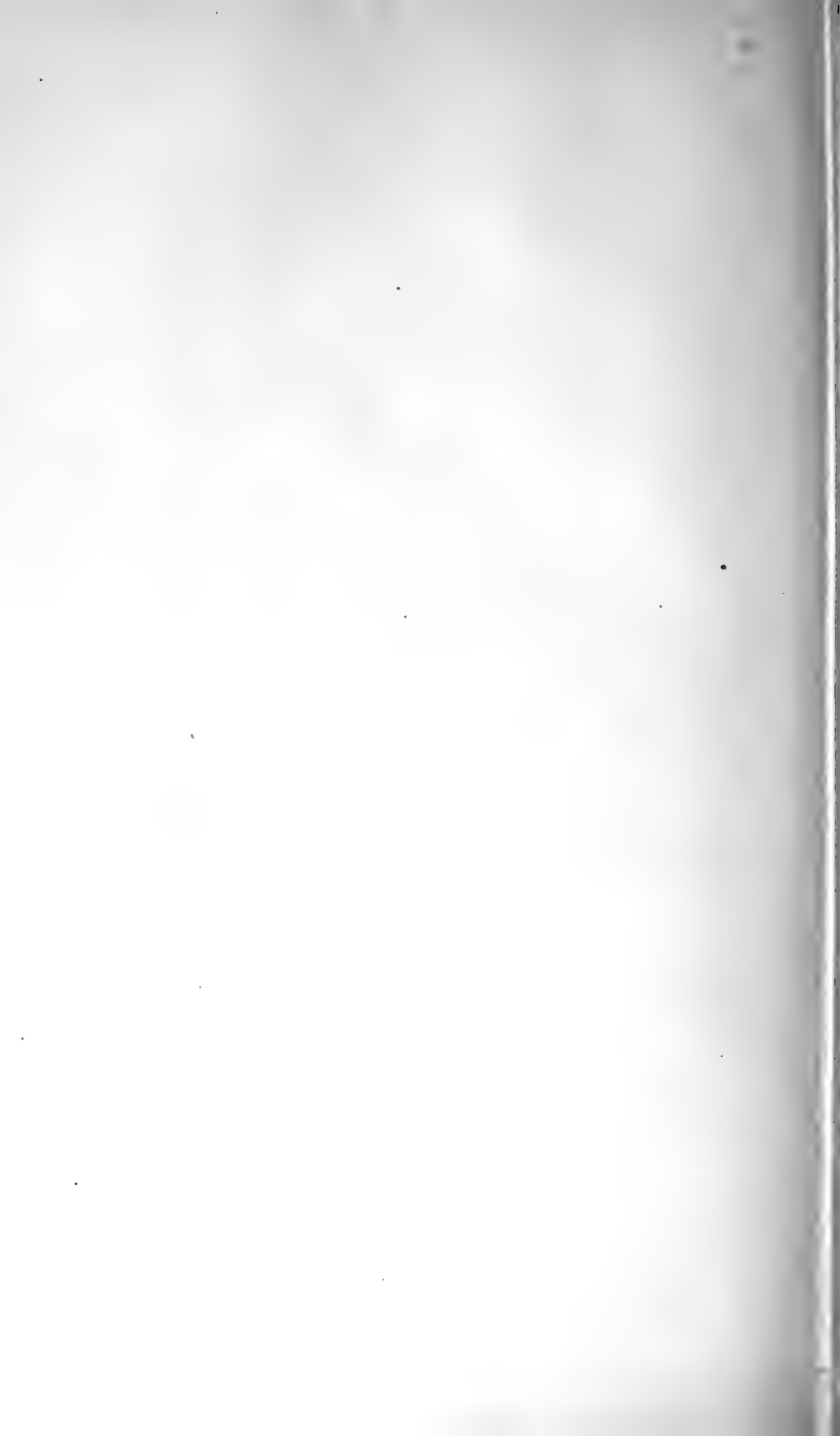




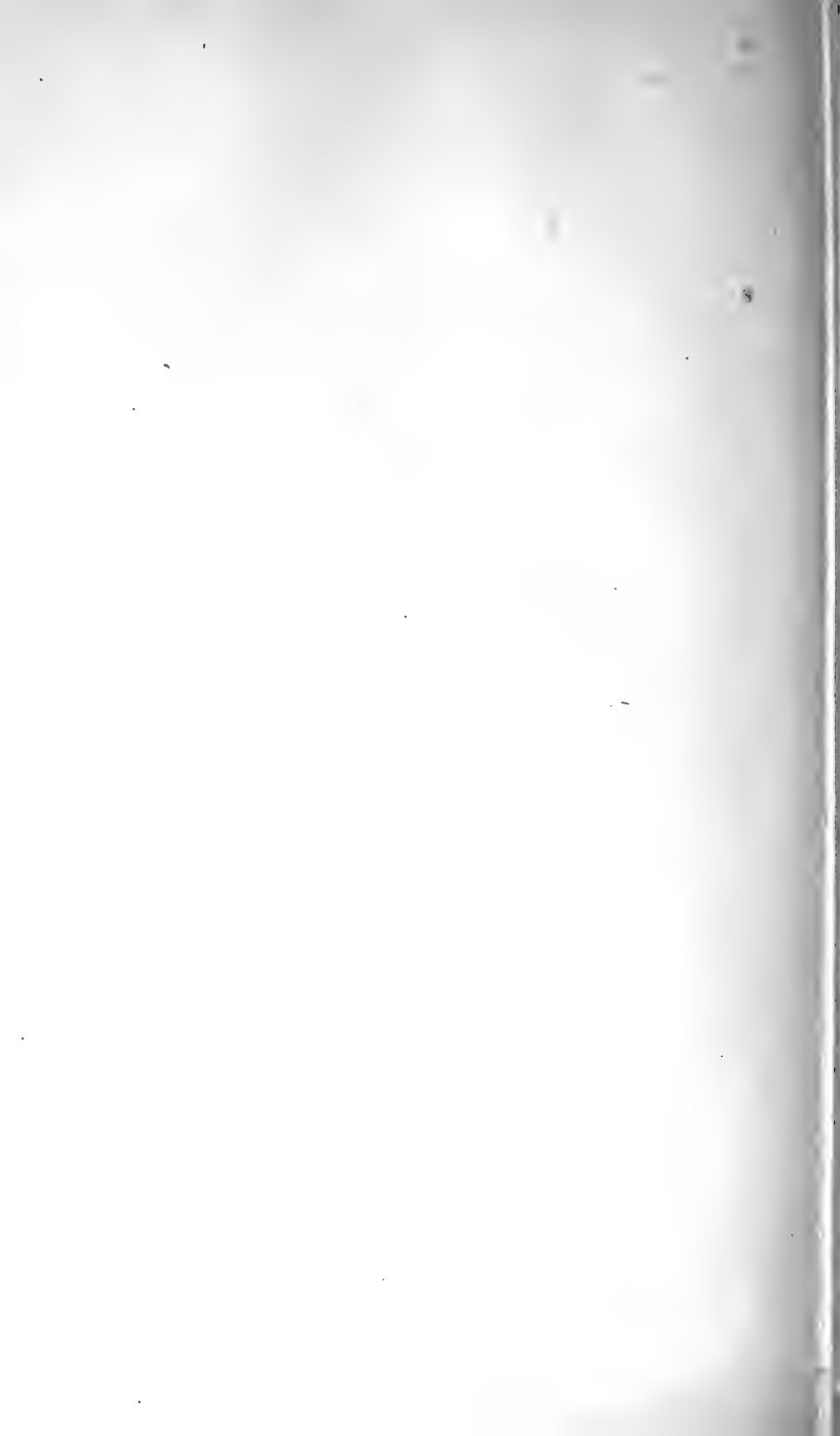






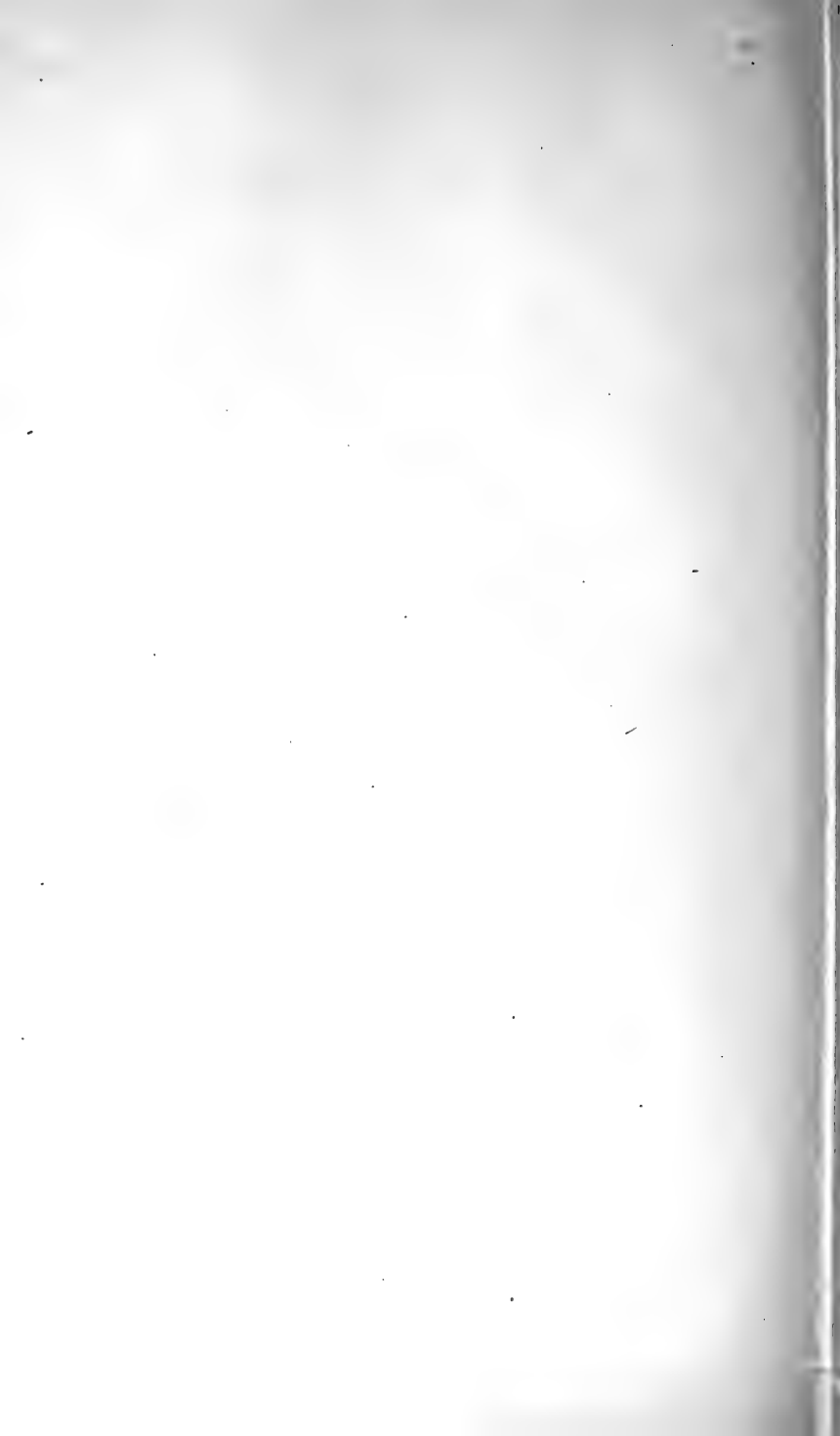


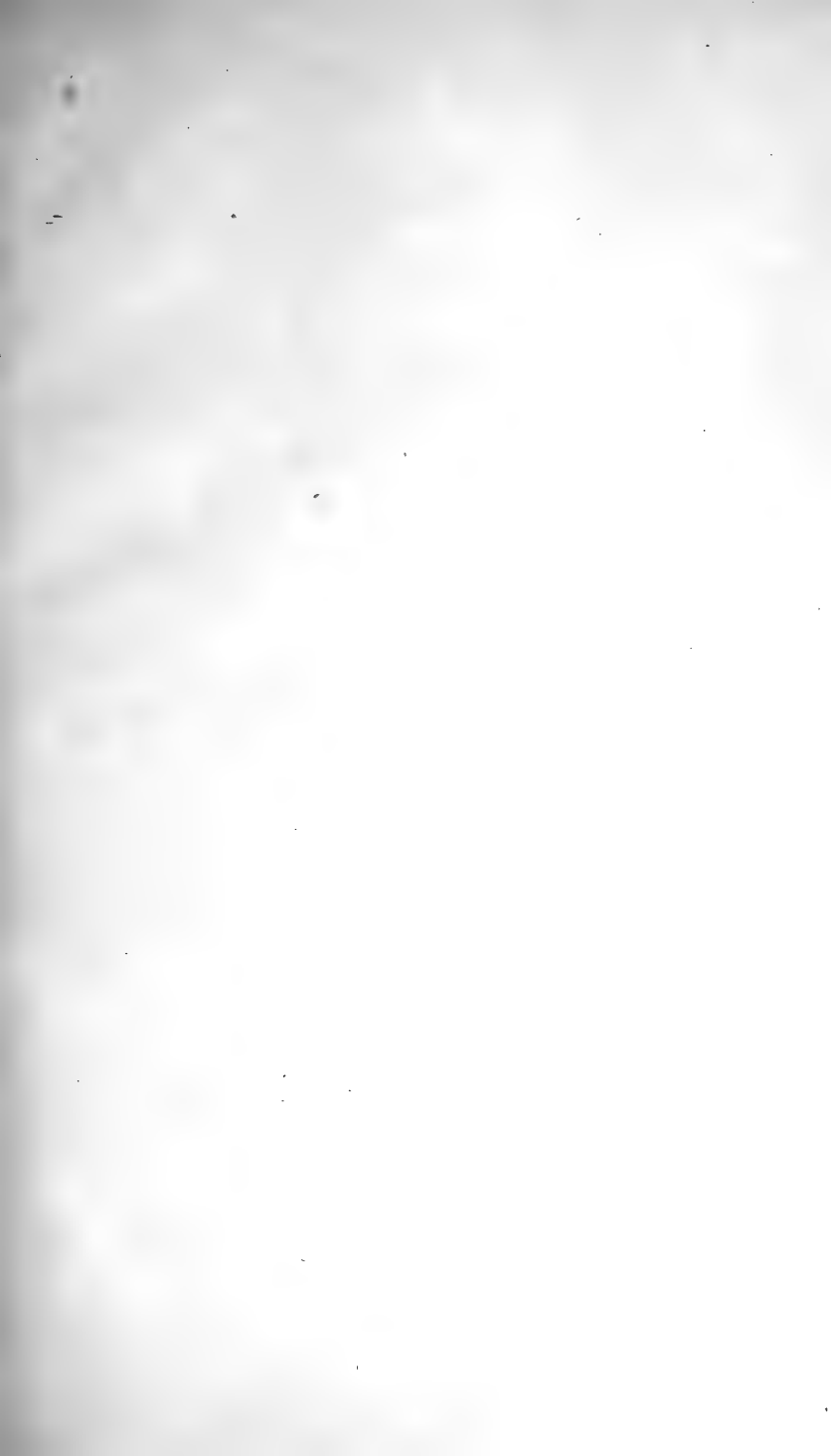


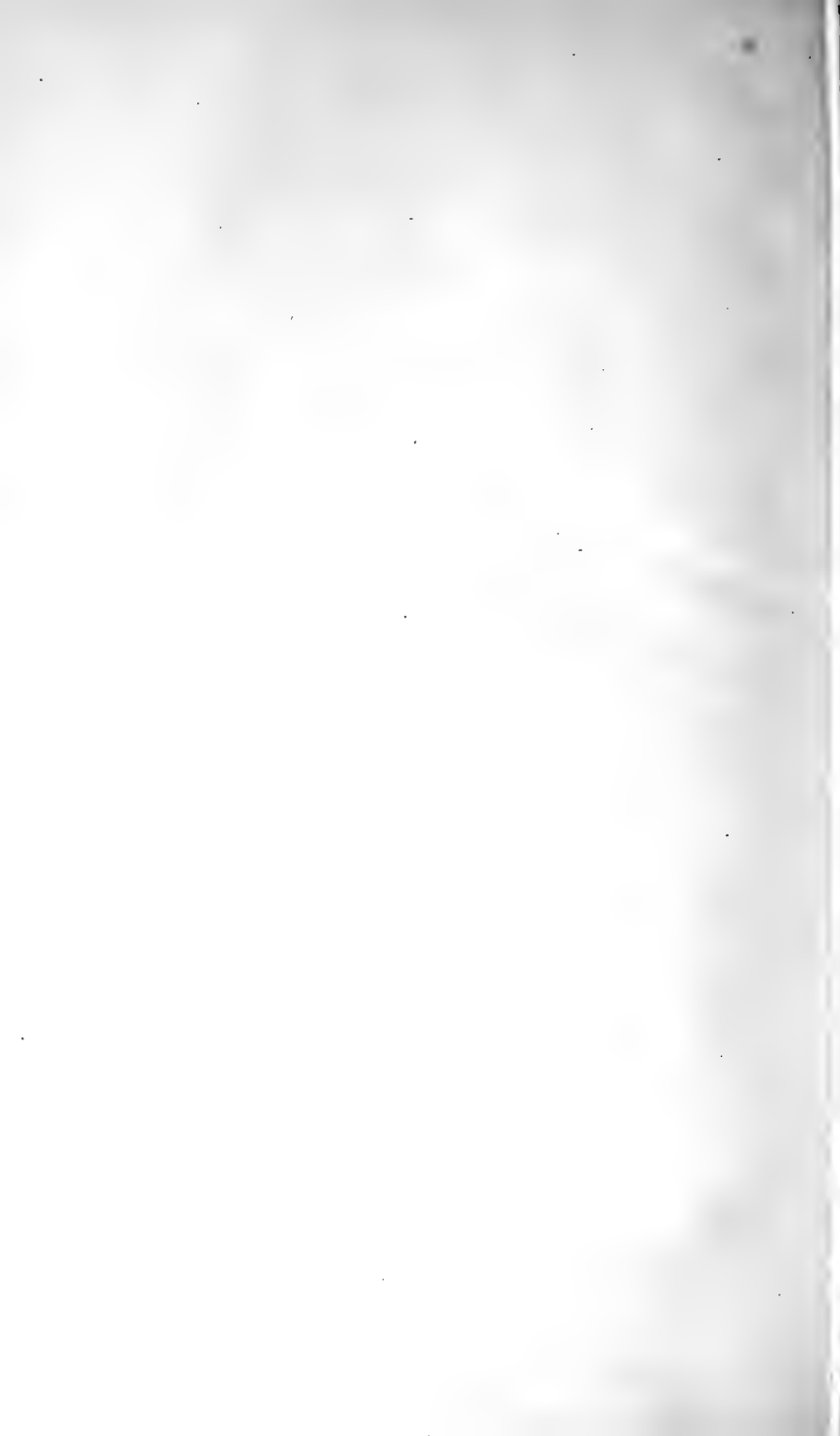




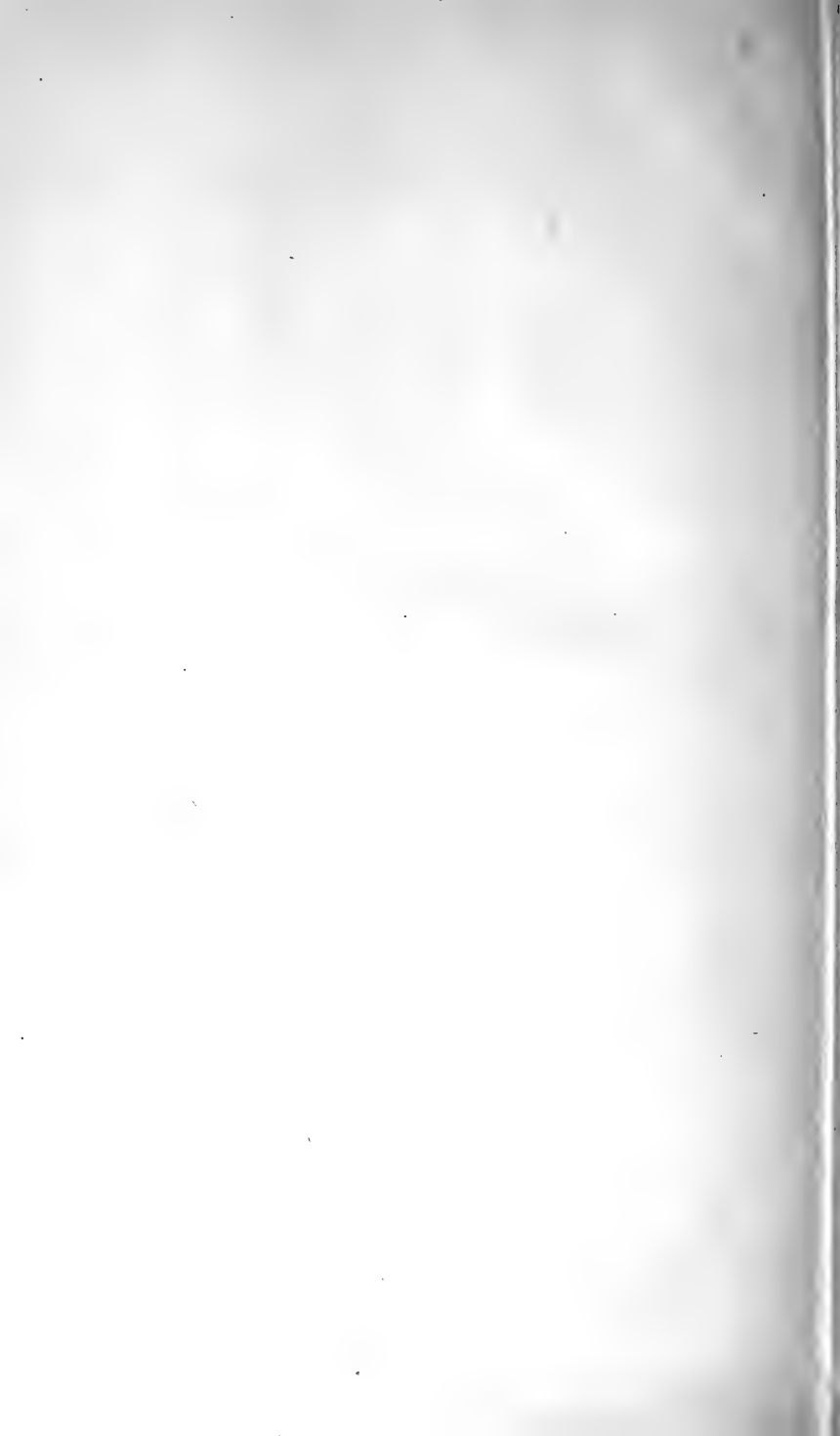




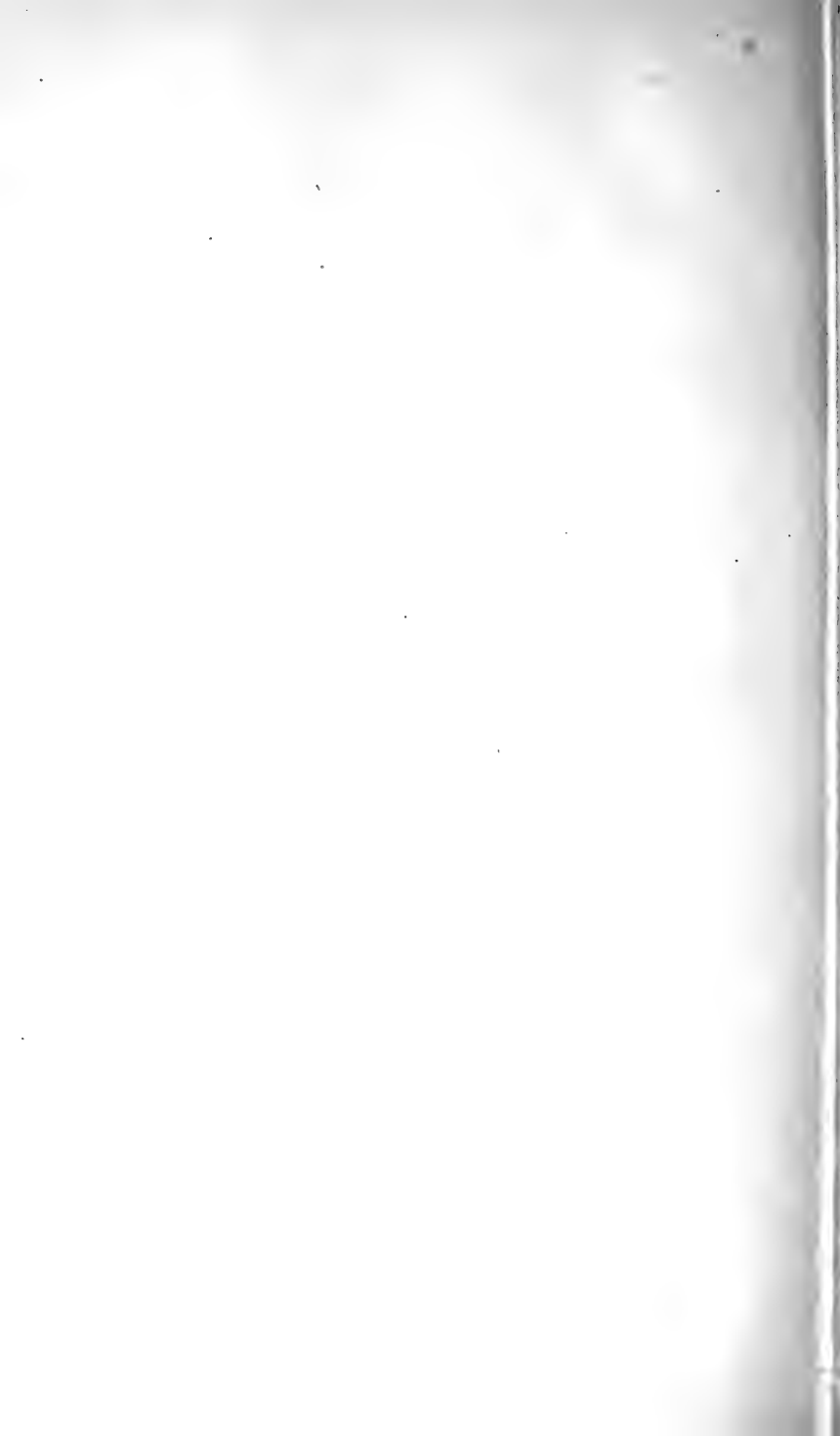




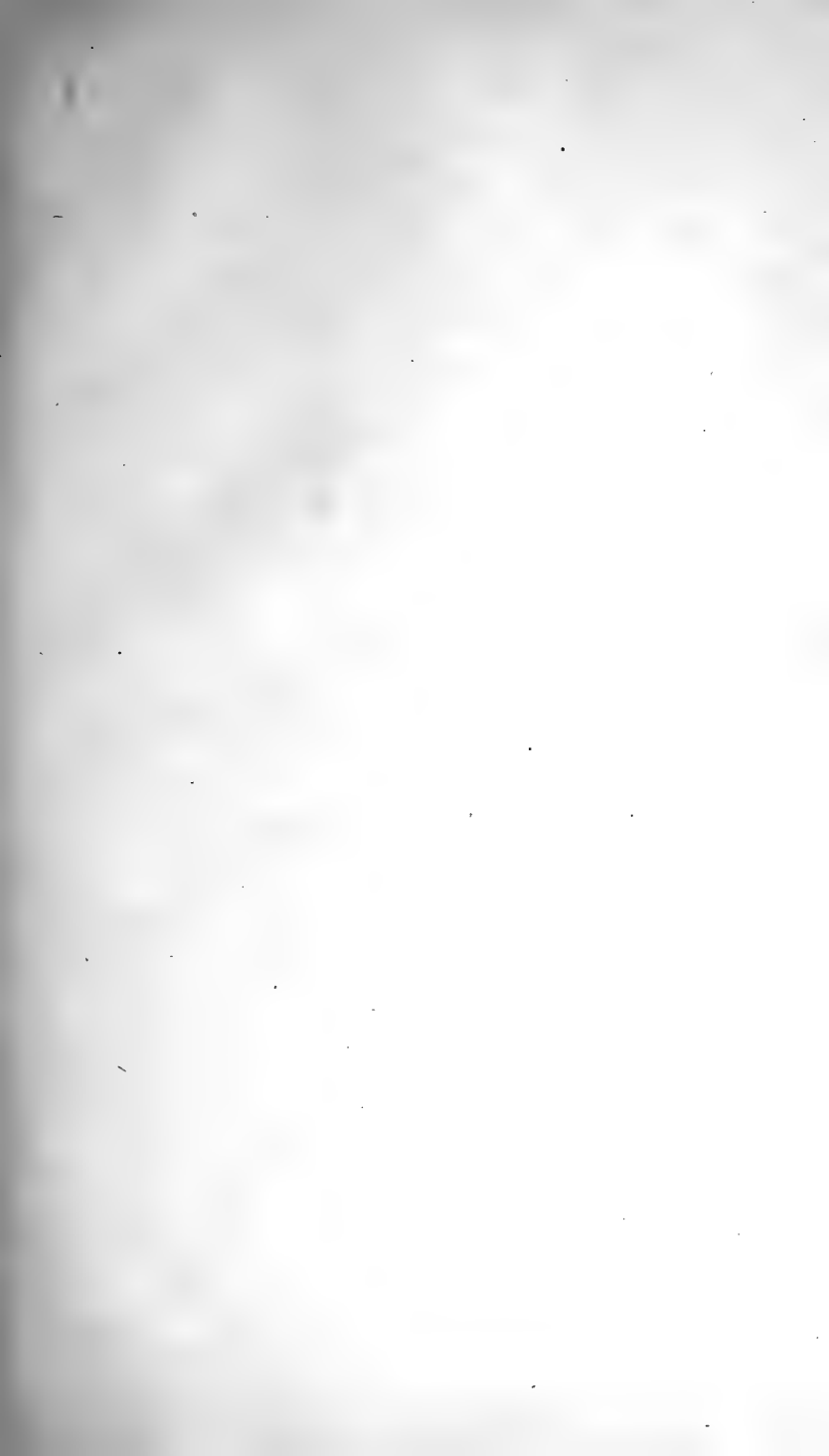


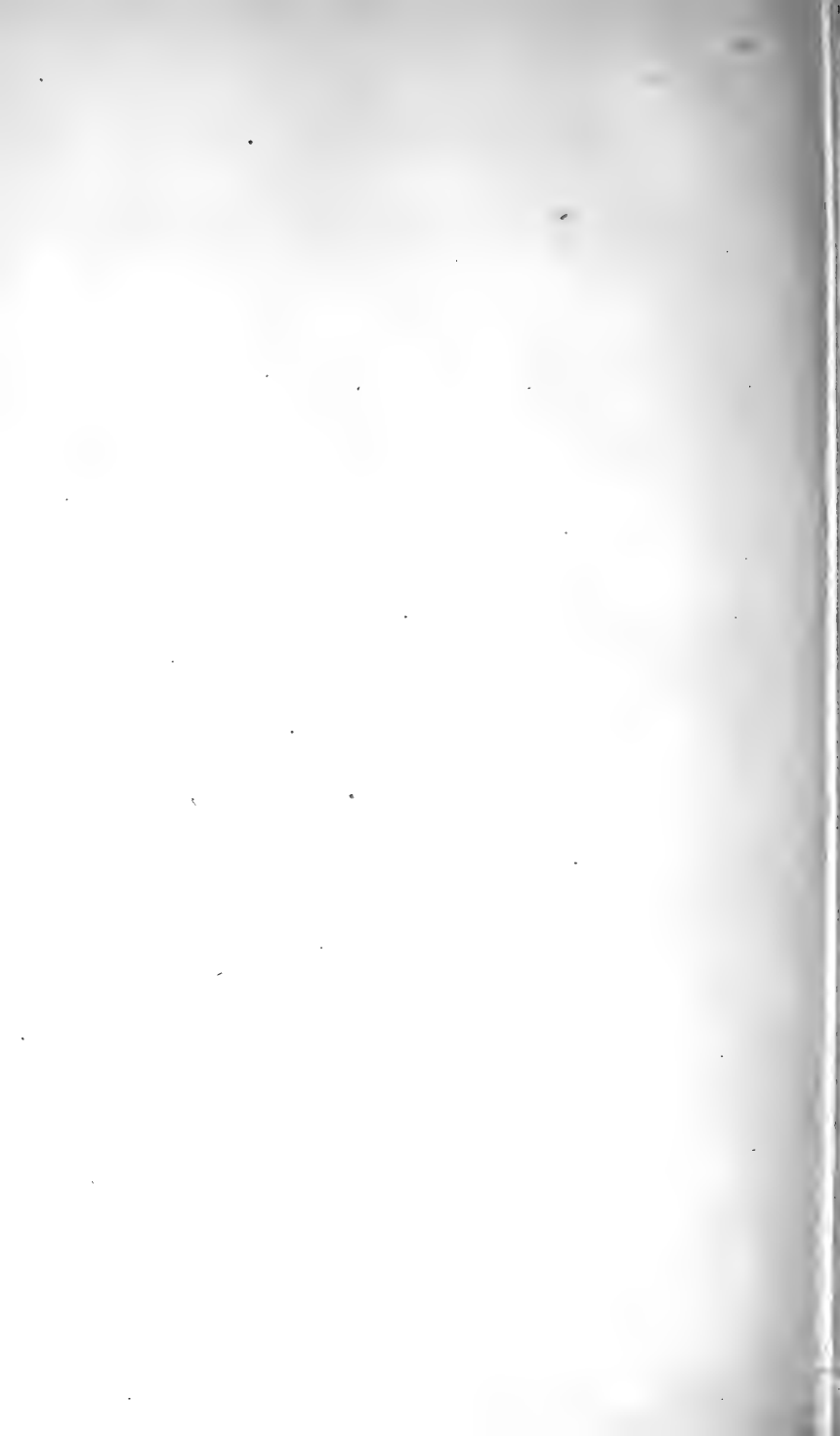




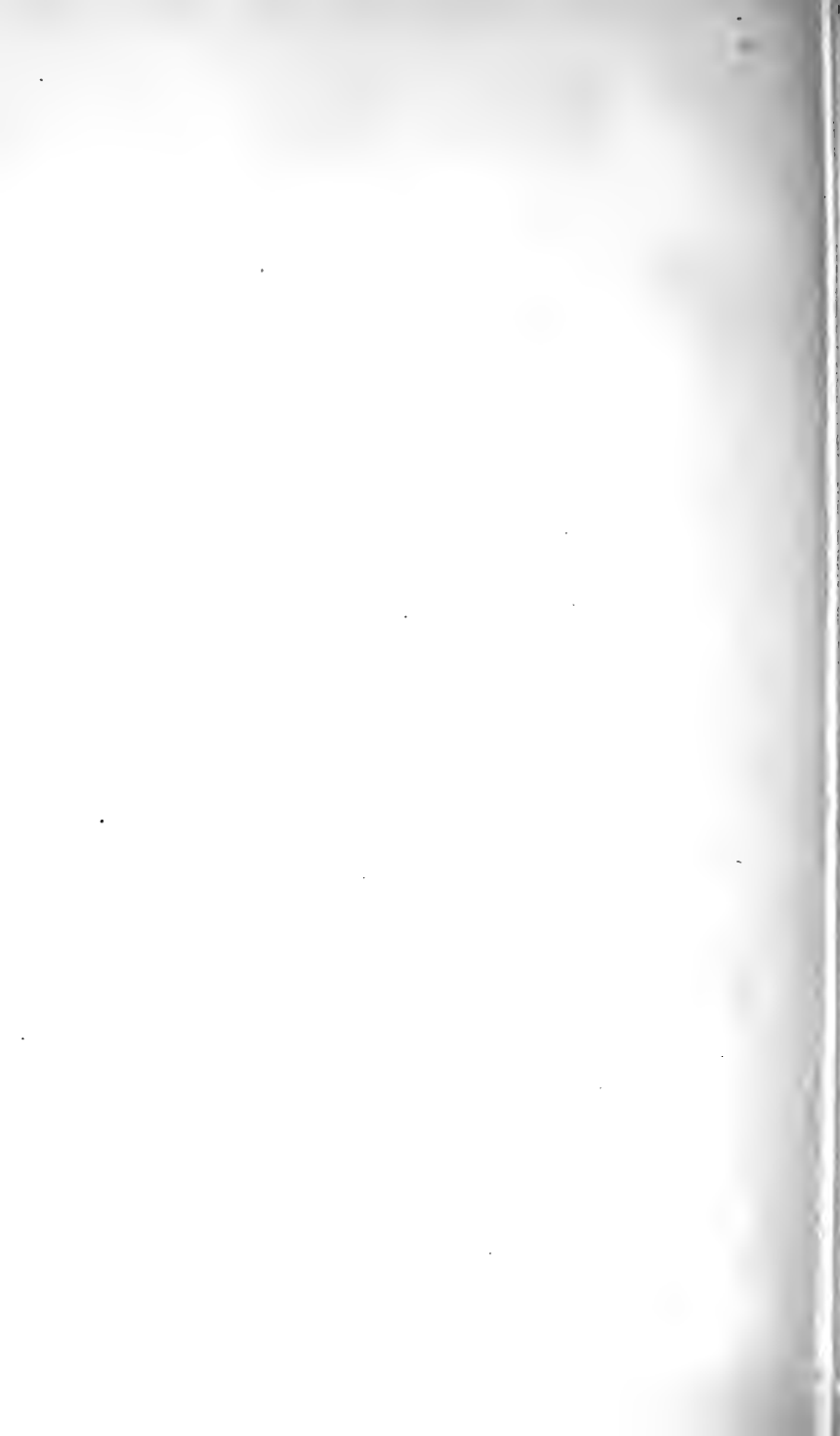




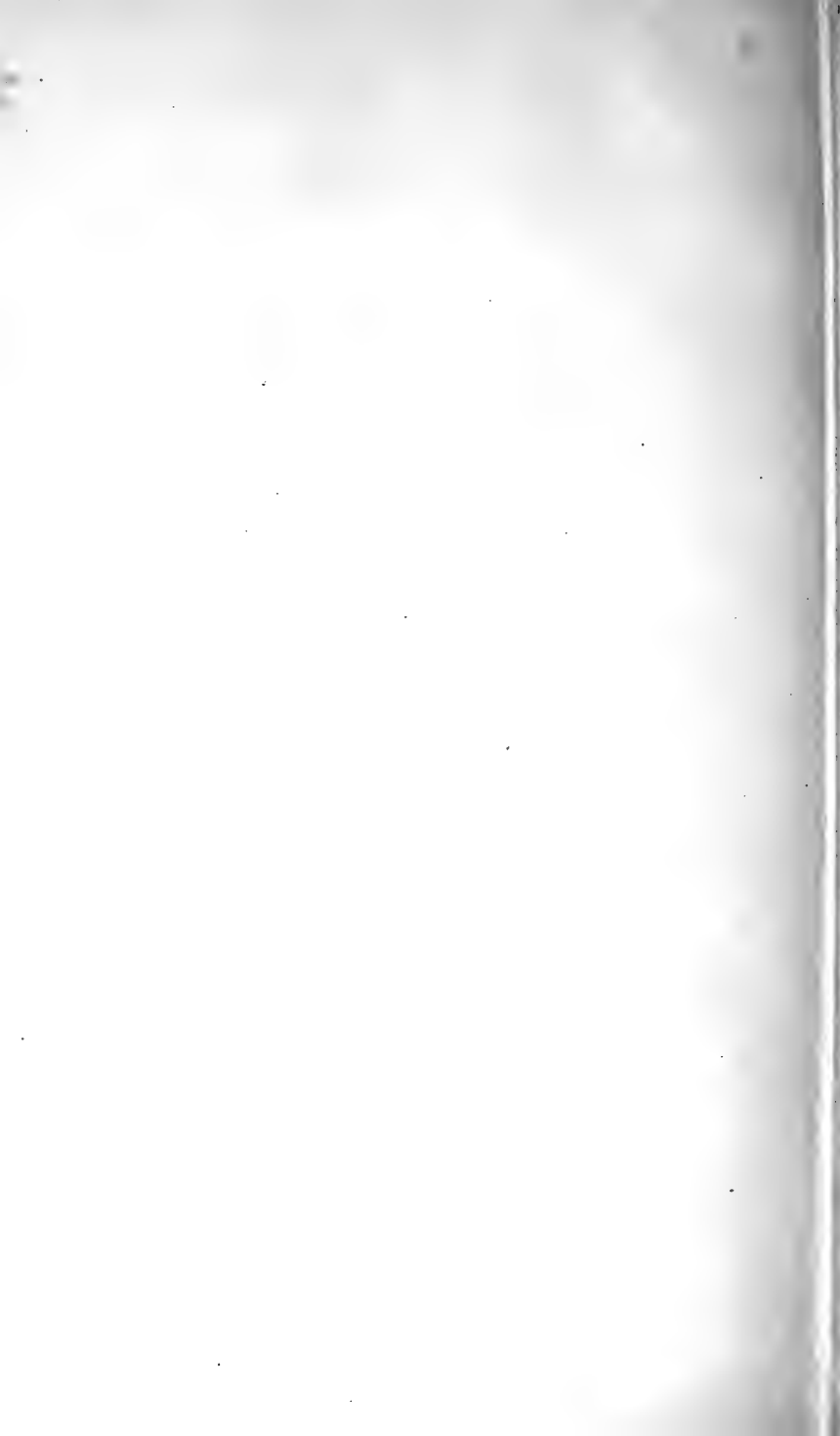


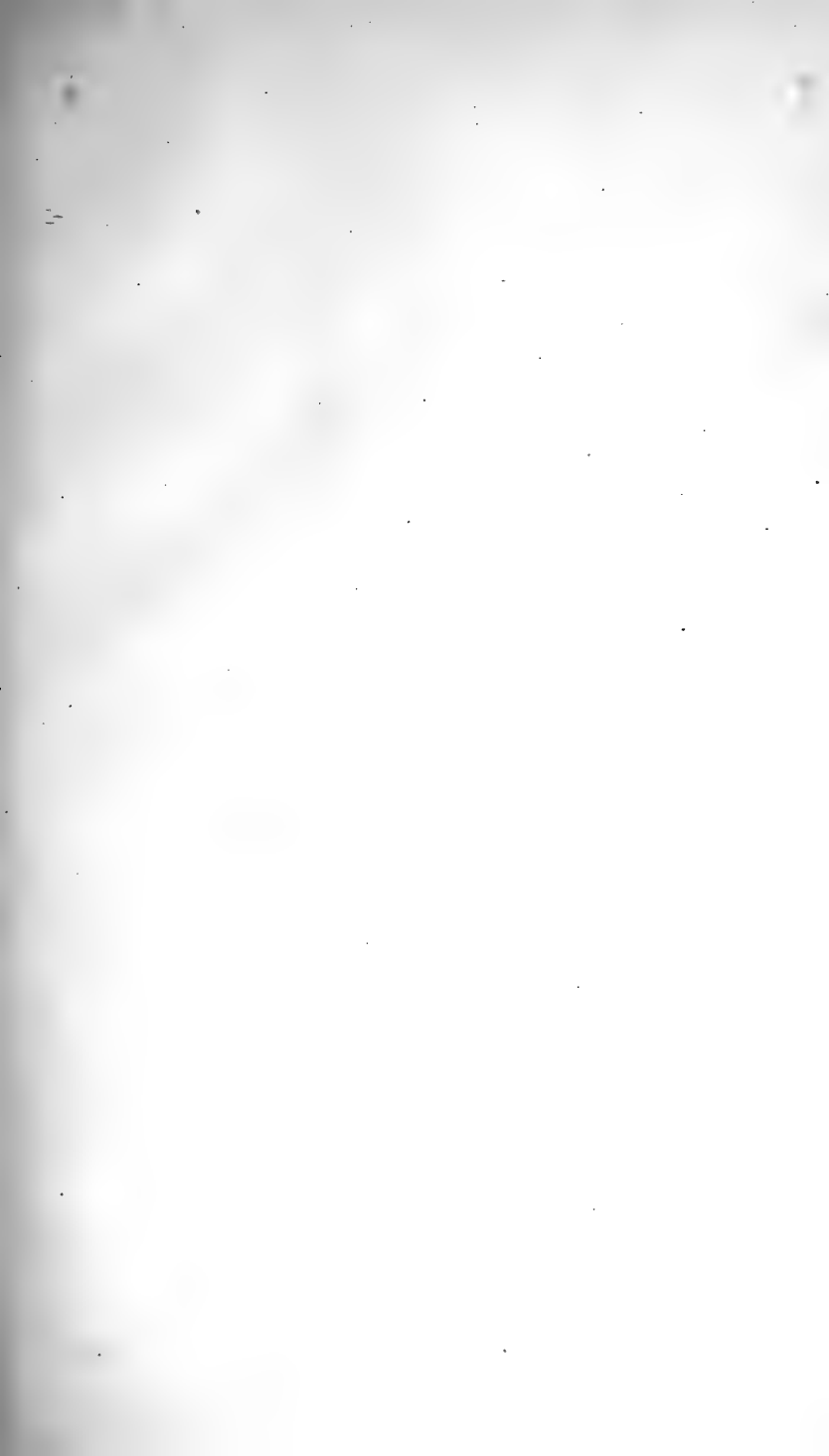


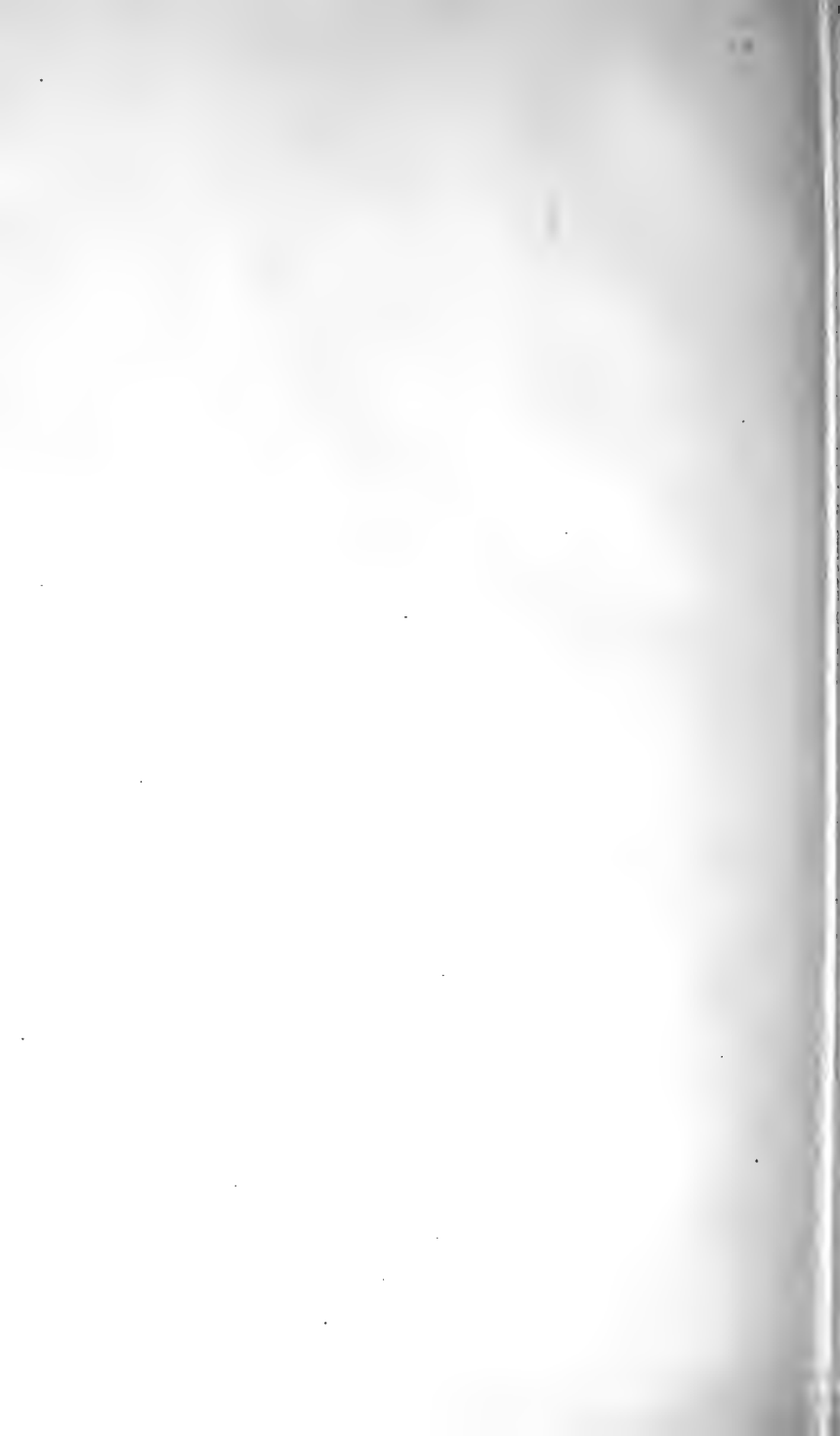




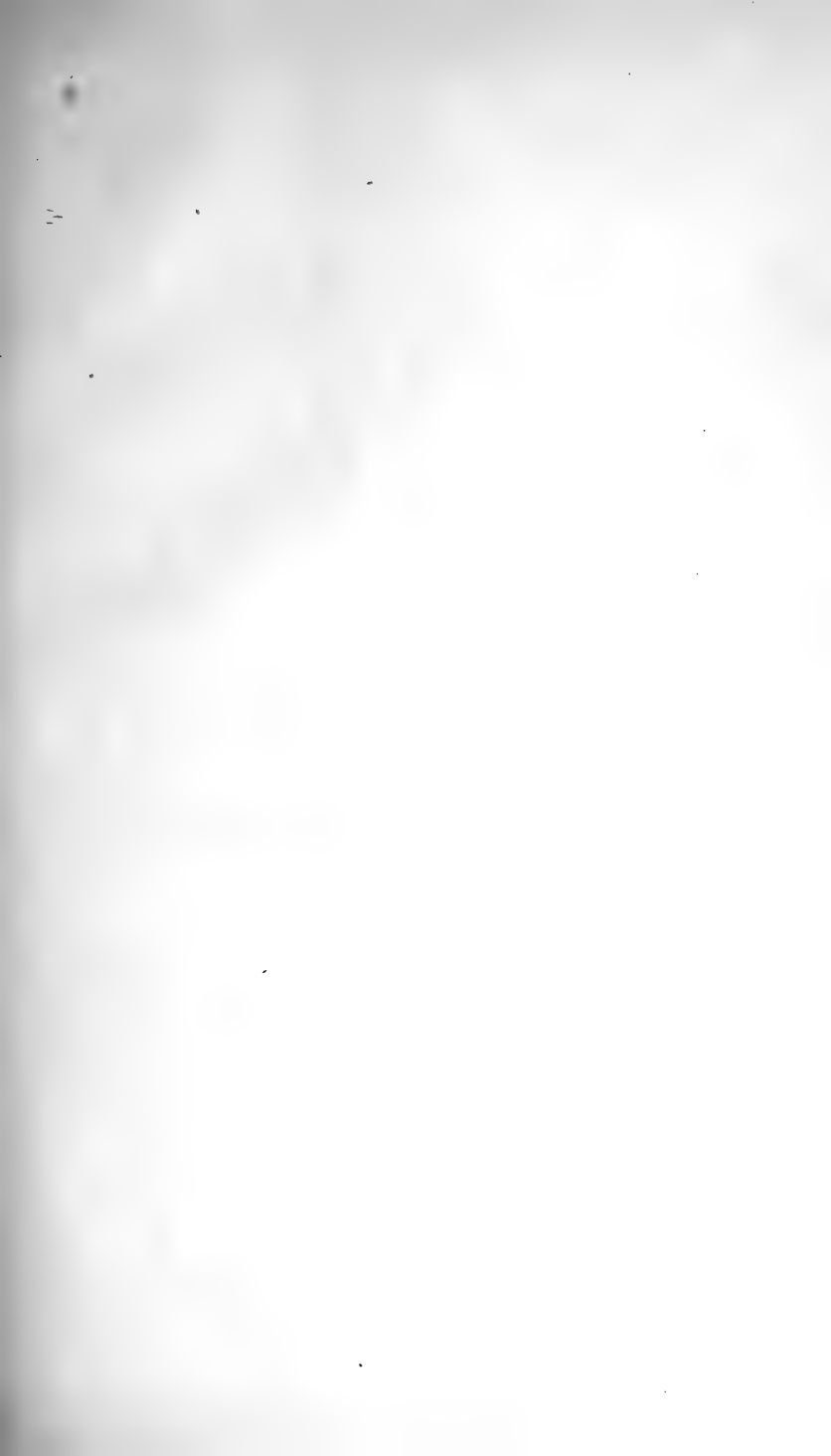


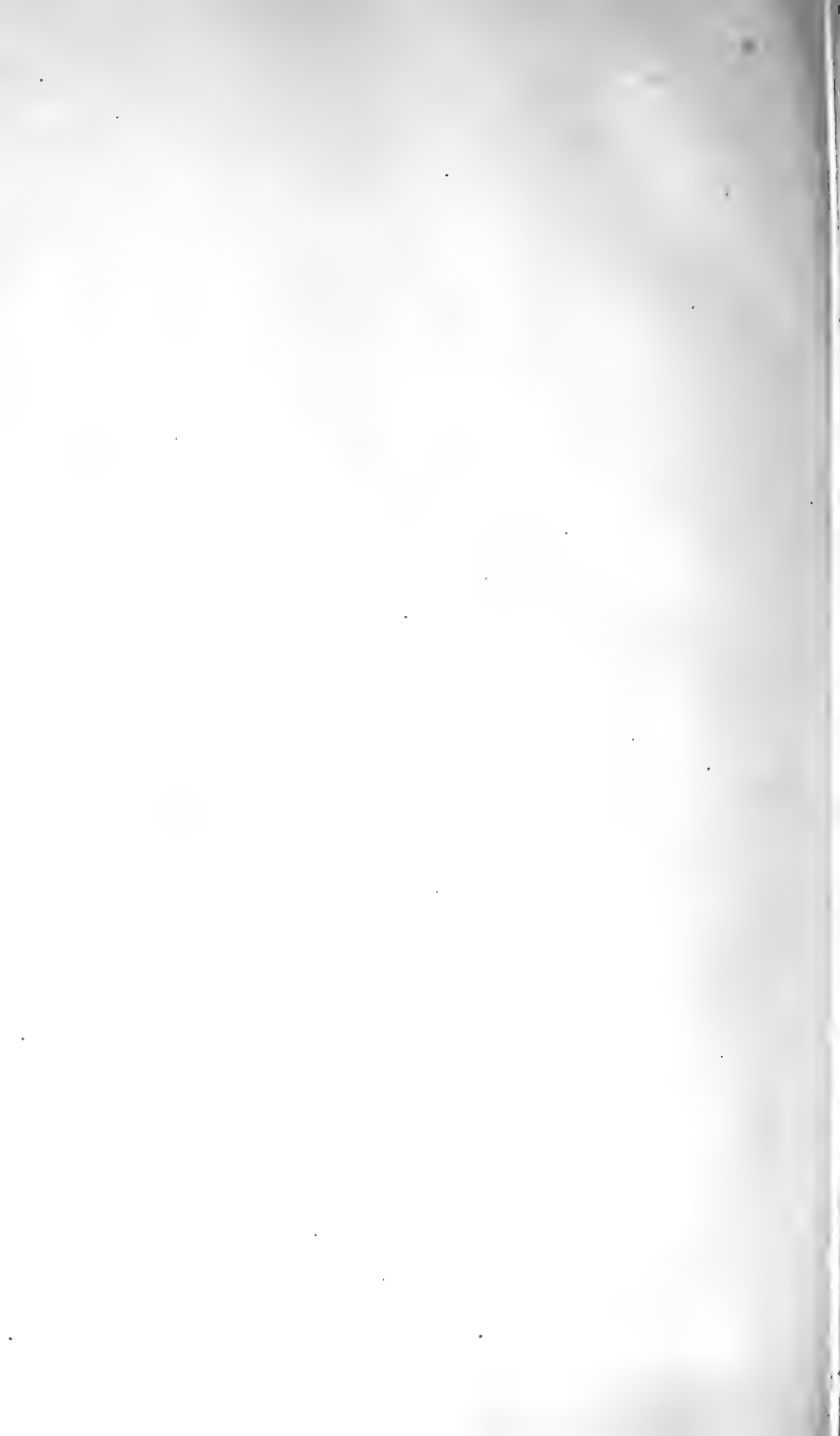




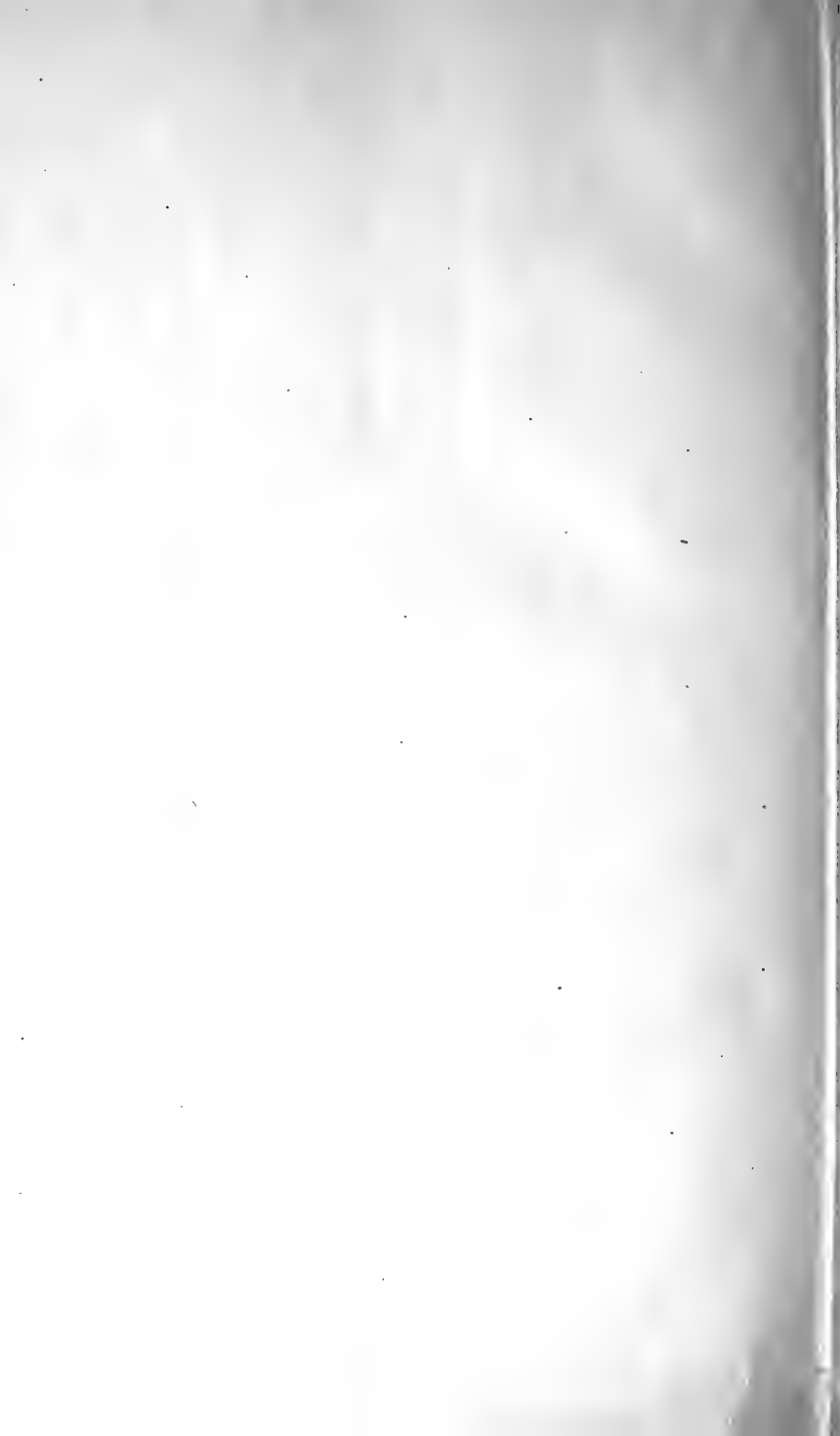


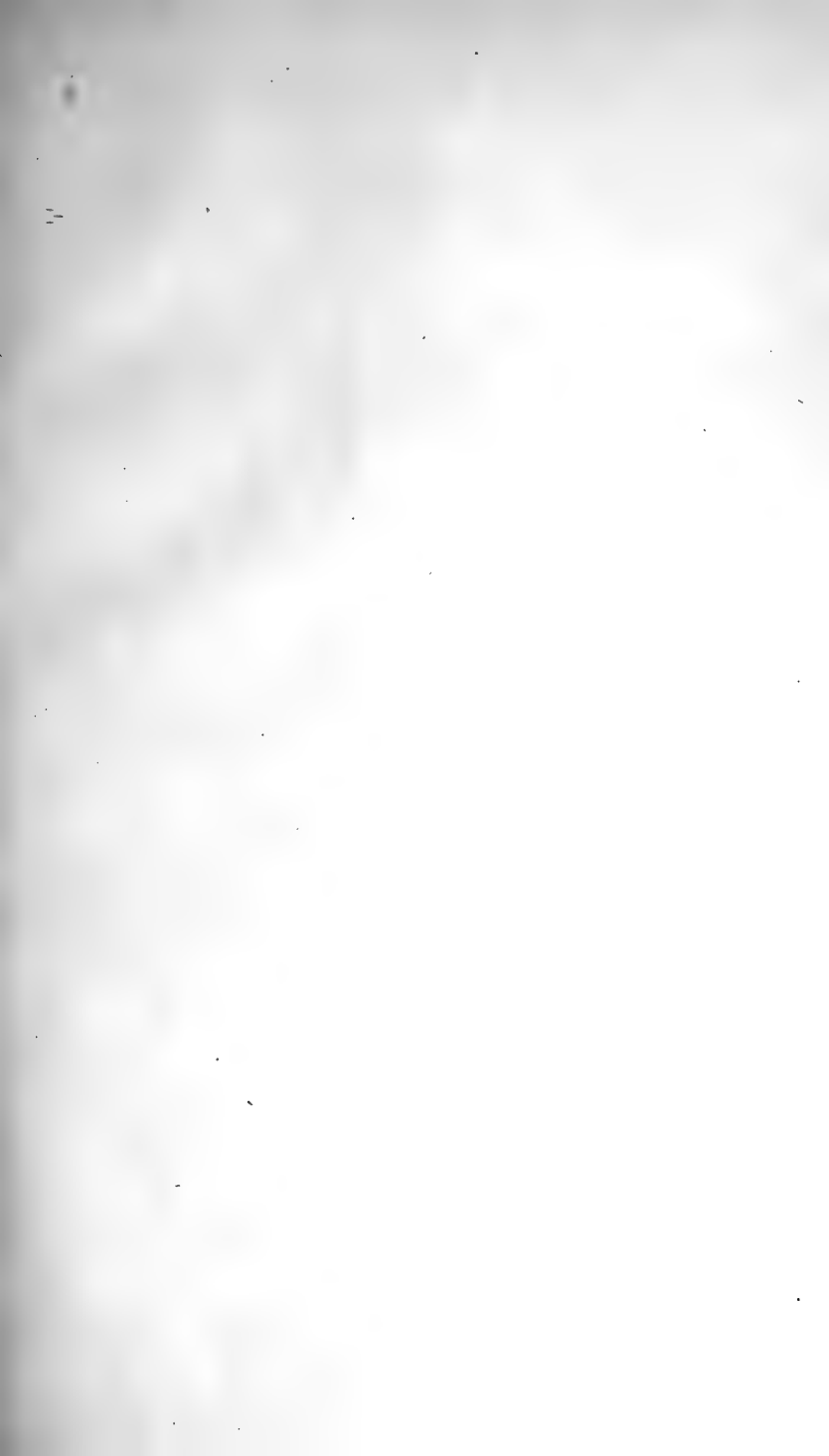


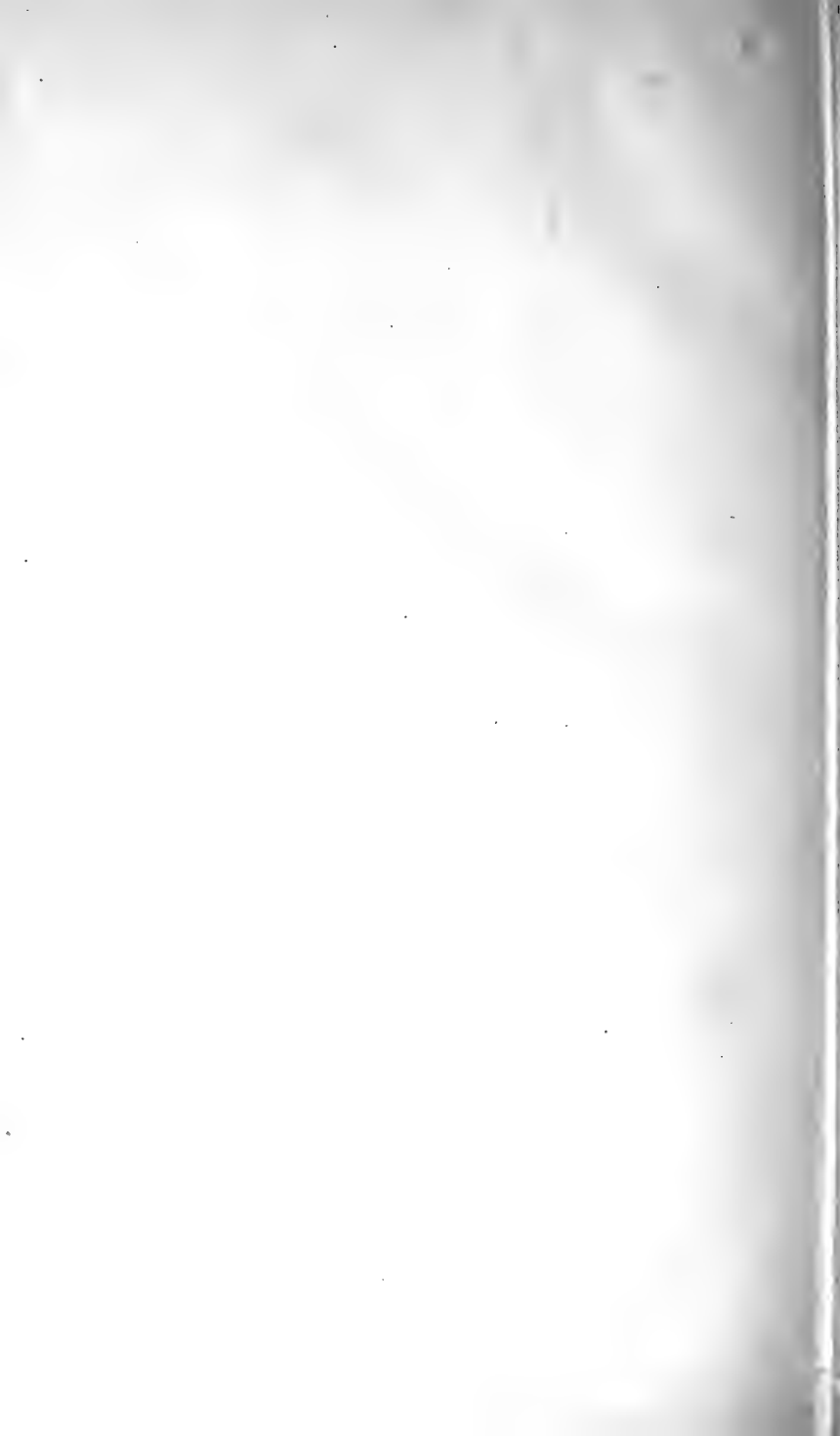




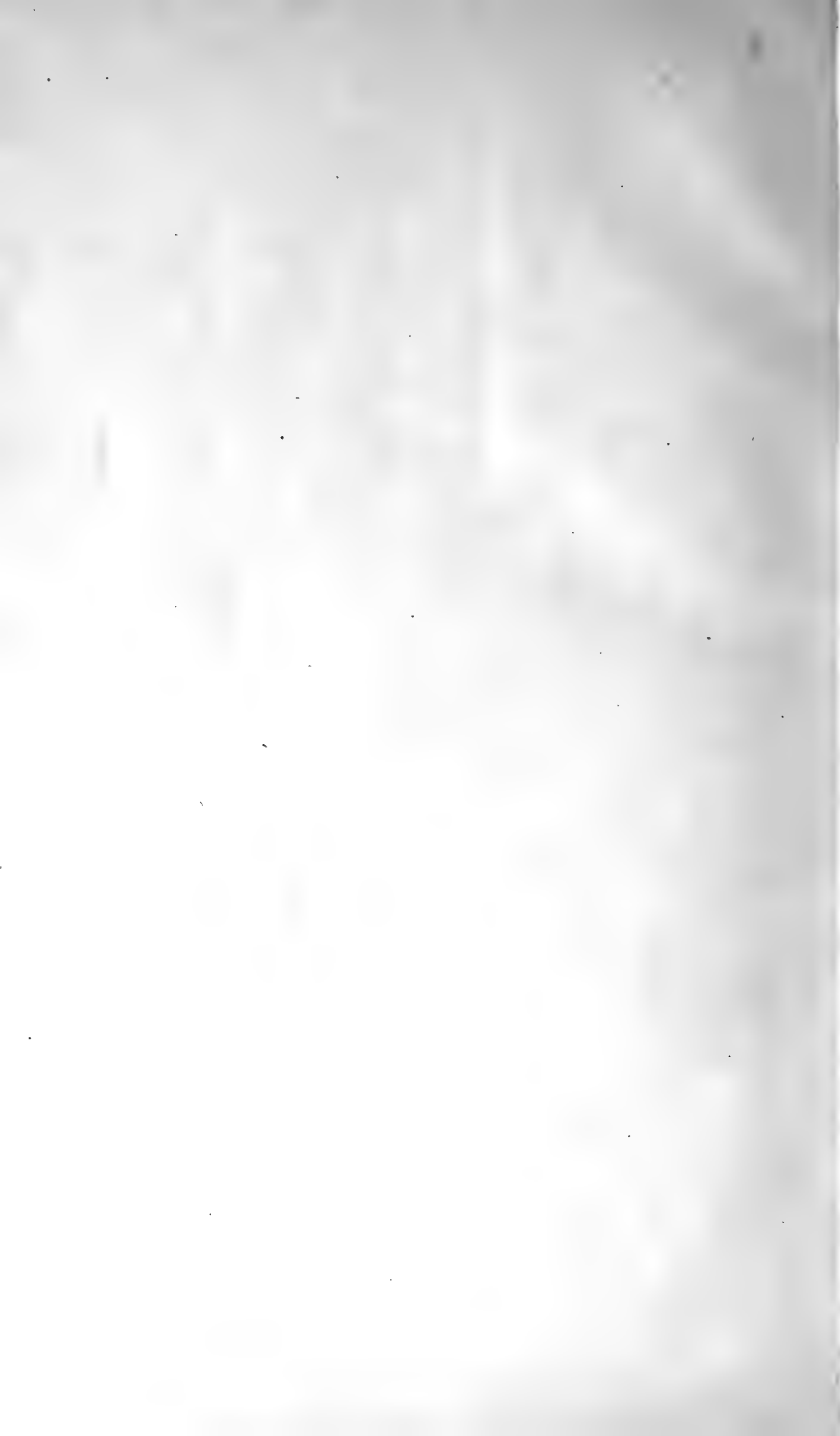
























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