

# ACT OF INCORPORATION

## AN ACT TO INCORPORATE "THE HOWARD UNIVERSITY," IN THE DISTRICT OF COLUMBIA.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress Assembled.*

SECTION 1. That there be established, and is hereby established, in the District of Columbia, a University for the education of youth in the liberal arts and sciences, under the name, style, and title of "The Howard University."

SECTION 2. *And be it further enacted*, That Samuel C. Pomeroy, Charles B. Boynton, Oliver O. Howard, Burton C. Cook, Charles H. Howard, James B. Hutchinson, Henry A. Brewster, Benjamin F. Morris, Danfort B. Nichols, William G. Finney, Roswell H. Stephens, E. M. Cushman, Hiram Barber, E. W. Robinson, W. F. Bascom, J. B. Johnson, and Silas L. Loomis be, and they are hereby declared to be a body politic and corporate, with perpetual succession in deed or in law to all intents and purposes whatsoever, by the name, style and title of "The Howard University," by which name and title they and their successors shall be competent, at law and in equity, to take to themselves and their successors, for the use of said University, any estate whatsoever in any messuage, land, tenements, hereditaments, goods, chattels, notes, bonds, stocks, moneys and other effects, by gifts, devise, grant, donation, bargain, sale, conveyance, assurance or will; and the same to grant, bargain, sell, transfer, assign, convey, assure, demise, declare to use and farm let, and to place out on interest, for the use of said University, in such manner as to them, or a majority of them, shall be deemed most beneficial to said institution; and to receive the same, their rents, issues and profits, income, dividends and interests, and to apply the same for the proper use and benefit of said University; and by the same name to sue and be sued, to implead and be impleaded, in any courts of law and equity, in all manner of suits, actions, and proceedings whatsoever, and generally by and in the same name to do and transact all and every the business touching or concerning the premises.

SECTION 3. *And be it further enacted*, That the first meeting of said corporation shall be holden at the time and place at which a majority of the persons herein above named shall assemble for that purpose; and six days' notice shall be given each of said corporators, at which meeting said corporators may enact By-Laws, not inconsistent with the laws of the United States, regulating the government of the corporation.

SECTION 4. *And be it further enacted*, That the government of the University shall be vested in a Board of Trustees of not less than thirteen members, who shall be elected by the corporators at their first meeting. Said Board of Trustees shall have perpetual succession in deed or in law, and in them shall be vested the power hereinbefore granted to the corporation. They shall adopt a common seal, which they may alter at pleasure, under and by which all deeds, diplomas, and acts of the University shall pass and be authenticated. They shall elect a president, a secretary and a treasurer. The treasurer shall give such bonds as the Board of Trustees may direct. The said Board shall also appoint the professors and tutors, prescribing the number and determining the amount of their respective salaries. They shall also appoint such other officers, agents, or employees, as the wants of the University may from time to time demand, in all cases fixing their compensation. All meetings of said Board may be called in such manner as the Trustees shall prescribe; and nine of them so assembled shall constitute a quorum to do business, and a less number may adjourn from time to time.

SECTION 5. *And be it further enacted*, That the University shall consist of the following departments, and such others as the Board of Trustees may establish—first, normal; second, collegiate; third, theological; fourth, law; fifth, medicine; sixth, agriculture.

SECTION 6. *And be it further enacted*, That the immediate government of the several departments, subject to the control of the Trustees, shall be entrusted to their respective faculties, but the Trustees shall regulate the course of instruction, prescribe, with the advice of the professors, the necessary text books, confer such degrees, and grant such diplomas, as are usually conferred and granted in other universities.

SECTION 7. *And be it further enacted*, That the Board of Trustees shall have the power to remove any professor or tutor, or other officers connected with the institution, when, in their judgment, the interests of the University shall require it.

SECTION 8. *And be it further enacted*, That the Board of Trustees shall publish an annual report, making an exhibit of the affairs of the University.

SECTION 9. *And be it further enacted*, That no misnomer of the said corporation shall defeat or annul any donation, gifts, grant, devise, or bequest, to or from the said corporation.

SECTION 10. *And be it further enacted*, That the said corporation shall not employ its funds or income, or any part thereof, in banking operations or for any purpose or object other than those expressed in the first section of this act; and that nothing in this act contained shall be so construed as to prevent Congress from altering, amending, or repealing the same.

Seventieth Congress of the United States of America;

At the Second Session,

Began and held at the City of Washington on Monday, the third day of December, one thousand nine hundred and twenty-eight.

AN ACT

To amend section 8 of an Act entitled "An Act to incorporate the Howard University in the District of Columbia," approved March 2, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of an Act entitled "An Act to incorporate the Howard University in the District of Columbia," approved March 2, 1867, be amended to read as follows:

"Sec. 8. Annual appropriations are hereby authorized to aid in the construction, development, improvement, and maintenance of the university, no part of which shall be used for religious instruction. The university shall at all times be open to inspection by the Bureau of Education and shall be inspected by the said bureau at least once each year. An annual report making a full exhibit of the affairs of the university shall be presented to Congress each year in the report of the Bureau of Education."

*Nicholas Longworth*

Speaker of the House of Representatives.

*Charles McNamara*

Vice President of the United States and President of the Senate.

*Approved, December 13, 1928.*

*William C. Coker*