

# Transylvania & KY Academy Merger

## CHAPTER CLXVI.

### An ACT for the Union of the Transylvania Seminary and Kentucky Academy.

*Approved by the Kentucky General Assembly on December 22, 1798*

**WHEREAS** a majority of the trustees of the Transylvania Seminary and of the Kentucky Academy, have, by their joint petition, represented to this general assembly, that the boards of trustees of the said seminary and academy, have mutually agreed, that those institutions and their respective funds, shall be united, on the terms therein set forth; and requested that the said union may be confirmed by the legislature: **therefore**, in conformity to the said terms, and in compliance with the said request,

Section 1. **BE it enacted by the general assembly**, That from and after the first day of January next, the Transylvania Seminary and the Kentucky Academy shall be united, and become one general institution for the promotion of learning, to be stiled and known by the name of the Transylvania University; and that James Garrard, Samuel McDowell, Cornelius Beatty, Frederick Ridgeley, Robert Marshall, George Nicholas, James Crawford, Joseph Crockett, Bartlett Collins, Andrew McCalla, William Morton, Robert Steel, John McDowell, Alexander Parker, Caleb Wallace, James Trotter, Levi Todd, James Blythe, Thomas Lewis, John Bradford and Buckner Thruston, shall be the trustees of the said University, and shall hold their first session at the seat of the said Transylvania Seminary, in the town of Lexington, on the second Tuesday in January next.

Section 2. **And be it further enacted**, That the said twenty-one trustees, and their successors, by the name of the trustees of the Transylvania University, shall be a body politic and incorporate, and as such, possess, hold, or dispose of, for the use and benefit of the said university, all the lands, monies and property of every other kind which shall be in the occupation of, or in any wise accruing to the trustees of the said Transylvania seminary and the Kentucky academy, or either of them, under the several laws by which those trustees shall respectively be entitled thereto, on the said first day of January next; and that all contracts made by either of the said last mentioned boards of trustees, or their respective agent prior thereto, shall be fulfilled by, or accrue to the trustees of the said university.

Section 3. **And be it further enacted**, That the said seat of the Transylvania seminary shall be the seat of the said university until removed by a board of the trustees thereof, two-thirds of the whole number of the trustees at the time being, concurring in the expediency of the measure; and on the concurrence of the same number, they may, from time to time, establish at the seat of the said university, or elsewhere, one or more schools, as nurseries for the said university.

Section 4. **And be it further enacted**, That the trustees of the said university may, from time to time, expend so much of the funds thereof, as they shall think proper, to assist poor and promising youths in acquiring education therein, or in the schools belonging thereto; eleven of the trustees concurring in the election of each youth thus to be assisted, and in fixing the several sums of money to be advanced for the purpose.

Section V. **And be it further enacted**, That the several acts of the general assembly of the state of Virginia and Kentucky, now in force, prescribing the powers and directing the proceedings of the trustees of the said Transylvania seminary, shall be the laws of the trustees of the said university, until amended or repealed by the legislature, on petitions of the trustees of the said university, signed by at least eleven of them: except that no trustee of the said university shall continue in office after having absented himself from one stated session of the trustees thereof, and the first day of their stated session next following, and also from the intermediate session or sessions, if any, which shall be legally appointed or called, unless on the next day thereafter on which a board shall meet, and before it enters on any other business, it shall receive satisfactory information, that the causes of such absence were sufficient, and also that they are removed; otherwise, the seat of the trustee thus absenting himself, shall be considered as vacated, and a record be made thereof. Except, also, that in all those cases wherein by the last mentioned acts, the concurrence of thirteen trustees is made requisite, only eleven of the trustees of the said university shall be requisite to constitute a quorum to do such business, and the concurrence of eleven shall be sufficient. Except, also, that any board of the trustees of the said university may appoint and empower committees to determine any business during the recesses of the trustees, which might have been done by a board, consisting only of seven of the said trustees: and except, also that the trustees of the said university shall have power, as often as they shall think proper, to make temporary appointments of a president, treasurer and clerk, and professors and masters.

REF: "The Statute Law of Kentucky", Vol. II, by William Littell, 1810, pages 234-236.