

AUG 10 2009

LAWS

RESOLUTIONS AND MEMORIALS

OF THE

State of Montana

PASSED AT THE

THIRD REGULAR SESSION

OF THE

LEGISLATIVE ASSEMBLY.

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HELD AT HELENA, THE SEAT OF GOVERNMENT OF SAID  
STATE, COMMENCING JANUARY 2ND, 1893,  
AND ENDING MARCH 2ND, 1893.

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1893

to be selected by the State Board of Education, in connection with said Agricultural College, and under its direction an Agricultural Experimental Station, to aid in acquiring and diffusing among the people of the State of Montana useful and practical information on subjects connected with Agriculture, and to promote scientific investigation and experiments respecting the principles and application of agricultural science, which Experimental Station is established under and by virtue of the authority contained in the Act of Congress entitled "An Act to establish Experimental Stations in connection with the Colleges established in the several States, under the provisions of an act approved July 2d, 1862, and the said acts supplementary thereto" approved March 2d, 1887, and the provisions, donations and benefits contained in said Act of Congress, and in all other Acts of Congress relating to Agricultural Experimental Stations and Agricultural Colleges, now in force, and all acts supplementary thereto, or amendatory thereof, are by the State of Montana hereby accepted and adopted.

SECTION 8. Said Agricultural Experimental Station is hereby placed under the supervision and control of the State Board of Education, and the Executive or subordinate Board or authority who may be by the Governor, by and with the consent and advice of said State Board of Education, appointed.

SECTION 9. This Act shall take effect and be in force from and after its passage.

APPROVED Feby. 16, 1893.

*An Act to Establish, Locate, Maintain, and Govern the University of the State of Montana.*

*Be it enacted by the Legislative Assembly of the State of Montana:*

SECTION 1. There is hereby established in this State at the City of Missoula an institution of learning under the name and style of "The University of Montana."

SECTION 2. The government of the University shall be vested in the State Board of Education. The manner of their appointment, their powers, duties, compensation and terms of office shall be as prescribed by law. The State Treasurer shall be the Treasurer of said Board, and perform all the duties of such office, subject to such regulations as the State Board of Education may adopt, not inconsistent with his official duties; and he and his sureties shall be liable on his official bond as State Treasurer for the faithful discharge of such duties.

SECTION 3. The State Board of Education shall have power, and it shall be their duty, to enact by-laws for the government of the

University in all its departments; to elect a President of the University, and in their discretion a Vice-President, and the requisite number of Professors, instructors, officers and employes, and fix their salaries and terms of each; to determine the moral and educational qualifications of applicants for admission to the various courses of instruction; but no sectarian or partisan test shall ever be allowed or exercised in the appointment of professors, instructors, officers or employes of the University, or in the admission of students thereto, or for any purpose whatever. No instruction, either sectarian or religious or partisan in politics, shall ever be allowed in any department in the University. The State Board of Education shall have power to regulate the course of instruction and prescribe the text books and authorities to be used in all the departments, and may confer such degrees, and grant such diplomas as are usual in Universities; and may confer the usual honorary degrees upon other persons than graduates of the University in recognition of their learning, or devotion to literature, art or science, as may be recommended by the Faculty of the University.

SECTION 4. The immediate government of the several colleges of the University shall be intrusted to their respective Faculties; but the State Board of Education shall have the control of all books, records, buildings, grounds, and all other property of the University.

SECTION 5. The President of the University shall be the President of the General Faculty, and of the special Faculties of the several departments or colleges and the Executive head of the institution in all its departments. As such officer he shall have authority, subject to the State Board of Education to give general direction to the instruction, practical affairs and scientific investigations of the several colleges, and as long as the interests of the institution require it, he shall be charged with the duties of one of the Professorships. He shall perform the duties of a Corresponding Secretary for the University. He shall, annually, on or before the fifteenth day of December in each year, make a report to the State Board of Education, showing in detail the progress and condition of the University during the previous year, the number of professors and students in the several departments and classes, the nature and results of all important experiments and investigations, and such other matters, relating to the proper government, and educational work of the institution as he shall deem useful.

SECTION 6. The object of the University of Montana shall be to provide the best and most efficient manner of imparting to young men and women, on equal terms, a liberal education and thorough knowledge of the different branches of literature, science and the arts, with

the varied applications, at following colleges or departments.

First. A preparatory

Second. A department

Third. Such professions to time, be added thereto department may be dispersed may seem just and proper

SECTION 7. Such duties in the preparatory department enter any of the regular

The college or department embrace courses of instruction sciences, with their application of instruction in the languages such other branches as the

And, as soon as the income order as the demands of the instruction in the sciences into distinct colleges or own Faculty and appropriate

SECTION 8. The University sexes, under such regulations Education may deem proper University may receive the requisite arms of which

SECTION 9. Tuition have been residents of the mission, except in the Law studies. The State Board for any student in the Law have been a resident as a

SECTION 10. Any person thousand dollars shall have in the University, or any which shall be designated

SECTION 11. For the there is annually and perpetually

First, The University appropriated by law to the

Second. All tuition and

the varied applications, and to this end there shall be established the following colleges or departments, to-wit:

First. A preparatory department.

Second. A department of literature, science and the arts.

Third. Such professional and technical colleges as may, from time to time, be added thereto or connected therewith. The preparatory department may be dispensed with, at such rate and in such wise as may seem just and proper to the State Board of Education.

SECTION 7. Such duties or courses of instruction shall be pursued in the preparatory department as shall best prepare the student to enter any of the regular colleges or departments of the University. The college or department of Literature, Science and the Arts shall embrace courses of instruction in mathematical, physical and natural sciences, with their application to the industrial arts; a liberal course of instruction in the languages, literature, history and philosophy, and such other branches as the State Board of Education may prescribe. And, as soon as the income of the University will allow, and in such order as the demands of the public seem to require, the said courses of instruction in the sciences, literature and the arts shall be expanded into distinct colleges or departments of the University, each with its own Faculty and appropriate title.

SECTION 8. The University shall be open to students of both sexes, under such regulations and restrictions as the State Board of Education may deem proper. All able-bodied male students of the University may receive instruction and discipline in military tactics, the requisite arms of which shall be furnished by the State.

SECTION 9. Tuition shall ever be free to all students who shall have been residents of the State for one year next preceding their admission, except in the Law and Medical departments, and for extra studies. The State Board of Education may prescribe rates for tuition for any student in the Law or Medical Departments, or who shall not have been a resident as aforesaid, and for teaching such studies.

SECTION 10. Any person contributing a sum not less than fifteen thousand dollars shall have the privilege of endowing a professorship in the University, or any department thereof, the name and object of which shall be designated by the State Board of Education.

SECTION 11. For the support and endowment of the University there is annually and perpetually appropriated:

First. The University Fund Income, and all other sums of money appropriated by law to the University Fund Income.

Second. All tuition and matriculation fees.

Third. All such contributions as may be derived from public or private bounty.

The entire income of all such funds shall be placed at the disposal of the State Board of Education, by transfer to the Treasurer of said Board, and to be kept separate and distinct from the accounts of the State, and all other funds, and to be used solely for the support of the aforesaid colleges and departments of the University or connection therewith. But all means derived from other public or private bounty shall be exclusively devoted to the specific objects for which they shall have been designated by the donor.

SECTION 12. It shall be the duty of the State Board of Education within ninety (90) days from the date of the passage of this Act, if then organized, but if not organized then within ninety (90) days from the organization of the said Board, to select the site for the definite and permanent location of said University of Montana, which site shall be within three miles of the city limits of the City of Missoula; and they shall, at once, take steps or proceedings for procuring the title to the tract or tracts of land so selected by them, and they may, and are hereby empowered to enter into contracts, in the name of the State of Montana, for the purchase of said tract or tracts of land so selected, and may execute such obligations for the payment of the same as will mature when the probable income of the University Fund will pay for the same. The State Board of Education are hereby authorized and empowered to accept, in the name of the State of Montana, such gifts of land and moneys as may be tendered for a University site or to aid in the purchase of said site; and they shall take the proper and necessary conveyances of said tract or tracts of land in the name of the State, *Provided*, that if such gifts consist of money only or money and land, and the land be not sufficient in amount or not appropriate for a University site, then they shall appropriate such gifts to the payment of said site, and if there be a surplus the same to become a part of the University Fund. *Provided*, that said tract of land shall not be less than forty (40) acres in extent.

APPROVED Feby. 17, 1893.

*An Act to Provide for the Location, Incorporation, Establishment, Maintenance, Management and Support of the Montana School of Mines.*

*Be it enacted by the Legislative Assembly of the State of Montana:*

SECTION 1. The State School of Mines is hereby established and

declared to be a "School of Mines" and hold real or personal property from the State, as may be done by law.

SECTION 2. The State School of Mines, to be completed after provided, hereafter their successors and their Trustees shall and the said Board are hereinafter specified.

SECTION 3. Within (90) days of the organization, and if their organization is not completed within three of whom persons so appointed as the Trustees shall hold office until January 1st, 1894, by the State Board of Education.

SECTION 4. The State Board of Education, upon the duty of the State of Montana, and the State Board of Education shall be a Trustee to the Board of Education.

SECTION 5. The State Board of Education and management thereof shall be under the general control and management of the State Board of Education for the government of the State of this State.

SECTION 6. The State Board of Education shall furnish facilities for the State Board of Education to receive special Geology, Mining, and Drawing.

SECTION 7. The State Board of Education shall procure a suitable