

BY-LAWS

of the

BOARD OF TRUSTEES OF THE RUSH MEDICAL COLLEGE  
(Adopted November 26, 1887; and amended May 21, 1898;  
June 8, 1905; June 14, 1912; April 24, 1915; June 10, 1915.) Aug 29, 1921

I.

The Officers of the Board of Trustees shall be a President, a Vice-President, a Secretary, an Assistant Secretary, and a Treasurer. They shall be elected annually by ballot at the annual meeting and shall hold office until the election of their successors.

II.

The Annual Meeting of the trustees shall be held on the second Monday in June. The fiscal year shall extend from July 1 to July 1.

III.

In addition to the annual meeting, regular quarterly meetings of the trustees shall be held on the Monday between August 26 and September 1, inclusive; on December 19 except when this falls on Saturday or Sunday, when the meeting shall be on the preceding Friday; on Monday between March 16 and March 22, inclusive, of each year at 12:30 p.m.

IV.

Special Meetings of the Trustees may, at any time and place designated by proper authority, be held. No special meetings of the trustees shall be held without previous notification as to the time, place and object to the meeting, furnished to each member of the Board over the signature of one of the officers or of at least three other members of the Board.

V.

Five members of the Board shall constitute a quorum.

VI.

All meetings shall be called to order by the President, or in his absence by the Vice-President, who shall be authorized and empowered to perform all the functions of the President during the absence or disability of that officer, or by a temporary chairman, elected by a majority of the members who may be present. The deliberations of the Board shall be controlled by the ordinary rules of parliamentary practice.

It shall be the duty of the Secretary to keep a record of all papers and documents of the Board of Trustees of the Rush Medical College.

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VII.

It shall be the duty of the Secretary and of the Assistant Secretary to keep in a suitable volume a record of all the meetings of the trustees and to provide for the preservation of all papers which may be presented at such meetings.

VIII.

It shall be the duty of the Treasurer to receive all moneys, paid into the college treasury, to keep a full account of all receipts and disbursements in behalf of the Board of Trustees, and to preserve all vouchers in suitable order. He shall make an annual report of the receipts and expenditures and general financial condition of the college. He shall keep the funds of the college as Treasurer on deposit in such bank as may be approved by the trustees and shall pay all bills as they become due only by checks drawn on said bank. He shall give a bond satisfactory to the trustees in the penal sum of not less than ten thousand dollars. It shall be the duty of the Treasurer to invest the funds of the college not otherwise appropriated, including donations and bequests, in such bonds, mortgages and securities as the trustees shall determine. Such bonds, mortgages and securities shall be deposited in such place as the trustees shall decide.

IX.

There shall be appointed annually a Comptroller who shall have the custody of the buildings and grounds, and who shall employ and discharge all non-professional employees. He shall also be responsible for the collection of moneys and payment of bills, subject to such rules as the Board may provide. The Comptroller shall sign all checks, which shall be countersigned by the Treasurer and also by one other member of the Council of Administration designated by the Council. In case of inability of the Comptroller to act by reason of illness or absence from the city the Executive Committee of the Board of Trustees shall designate some one to sign the checks in his stead. He shall be authorized to employ a Registrar who shall, under the supervision of the Comptroller, act as superintendent of buildings and grounds, purchasing agent, collector and bookkeeper.

X.

The faculty shall comprise those officers of instruction of the rank of professor, associate professor and assistant professor (but not clinical assistant professors) who shall have been nominated by the President of the college, approved by the official representatives of the University of Chicago, and elected by the trustees of the college. Officers of instruction of lower rank shall be nominated, approved and elected in the same manner and with the permission of the President of the college may take part in the deliberations of the faculty without the privilege of voting. The faculty shall appoint such standing committees as may be needed.

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There shall be a Council of Administration which shall consist of the representative of the University of Chicago, the heads of departments and the administrative officers. This Council shall be authorized to administer the enactments of the Board of Trustees and the faculty.

XII.

The Executive Committee of the trustees shall consist of the President and Vice-President, the Secretary and Treasurer of the trustees together with two other members of the Board. The President of the college, the representative of the University of Chicago and the Comptroller shall be present at meetings of this Committee. The Committee shall be authorized to conduct the affairs of the college in the intervals of meetings of the Board. It shall meet monthly and its minutes when approved shall be the minutes of the Board. But the Committee may not elect any officer of instruction of professorial rank, or authorize any expenditure of money not provided for in the budget. Three members of this Committee shall constitute a quorum.

XIII.

There shall be appointed an Auditing Committee consisting of three members. It shall at the close of each college year examine the accounts of the Treasurer and vouchers and report the condition of the same at the annual meeting of the trustees. It shall further be the duty of the Auditing Committee to examine and count the money, bonds, mortgages and other securities in the custody of the Treasurer and to report the result of their examination at the annual meeting of the trustees.

XIV.

Voting by proxy is illegal.

XV.

The order of Business shall be as follows-

1. The reading of the minutes of the preceding meeting.
2. The report of Committees.
3. Unfinished or other business.

XVI.

Alteration of these by-laws may be made at any meeting of the trustees provided a notification of the proposed alteration shall have been made at the preceding meeting in writing.

XVII.

These by-laws shall supersede all by-laws which have been previously adopted.

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CHARTER OF RUSH MEDICAL COLLEGE

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly:

That Theophilus W. Smith, Thomas Ford, E.D. Taylor, Josiah C. Goodhue, Isaac T. Hinton, John T. Temple, Justin Butterfield, Edmund S. Kimberly, James H. Collins, Henry Moore, S.S. Whitman, John Wright, William B. Ogden, Ebenezer Peck, John H. Kinzie, John D. Caton and Grant Goodrich be, and they are hereby created a body politic and corporate to be styled and known by the name of the "Trustees of the Rush Medical College" and by that style and name to remain and have perpetual succession. The College shall be located in or near Chicago in Cook County. The number of Trustees shall not exceed seventeen, exclusive of the Governor and Lieutenant Governor of this State, the Speaker of the House of Representatives and the President of the College, all of whom shall be ex-officio members of the Board of Trustees.

Section 2. The object of incorporation shall be to promote the general interests of medical education, and to qualify young men to engage usefully and honorably in the professions of medicine and surgery.

Section 3. The corporate powers hereby bestowed shall be such only as are essential or useful in the attainment of said objects, and such as are usually conferred on similar bodies corporate, namely: In their corporate name to have perpetual succession; to make contracts; to sue and be sued; to plead and be impleaded; to grant and receive, by its corporate name; and to do all other acts as natural persons may; to accept and acquire, purchase and sell property, real, personal or mixed; in all lawful ways to use, employ, manage, dispose of such property, and all money belonging to said corporation in such manner as shall seem to the Trustees best adapted to promote the objects aforesaid; to have a common seal, and to alter and change the same; to make such by-laws as are not inconsistent with the Constitution and laws of the United States and this State; and to confer on such persons as may be considered worthy such academical or honorary degrees as are usually conferred by such institutions.

Section 4. The Trustees of said College shall have authority, from time to time, to prescribe and regulate the course of studies to be pursued in said College; to fix the rate of tuition, lecture fees and other College expenses; to appoint instructors, professors, and such other officers and agents as may be needed in managing the concerns of the institution; to define their



powers, duties and employments, and to fix their compensation; to displace and remove either of the instructors, officers or agents or all of them, whenever the said Trustees shall deem it for the interest of the College to do so; to fill all vacancies among said instructors, professors, officers or agents; to erect all necessary and suitable buildings; to purchase books and philosophical and chemical apparatus, and procure the necessary and suitable means of instruction in all the different departments of medicine and surgery, to make rules for the general management of the affairs of the College.

Section 5. The Board of Trustees shall have power to remove any Trustee from office for dishonorable or criminal conduct; Provided, That no such removal shall take place without giving to such Trustee notice of the charges preferred against him, and an opportunity to defend himself before the Board, nor unless two-thirds of the whole number of Trustees for the time being shall concur in such removal. The Board of Trustees shall have power, whenever a vacancy shall occur, by removal from office, death, resignation, or removal out of the State, to appoint some citizen of the State to fill such vacancy. The majority of the Trustees for the time being, shall constitute a quorum to transact business.

Section 6. The Trustees shall faithfully apply all funds by them collected in erecting suitable buildings; in supporting the necessary instructors, professors, officers and agents, and procuring books, philosophical and chemical apparatus, and specimens in natural history, mineralogy, geology and botany, and such other means as may be necessary or useful for teaching thoroughly the different branches of medicine and surgery; Provided, That in case any donation, devise or bequest shall be made for particular purposes, accordant with the object of the institution, and the Trustees shall accept the same, every such donation, devise or bequest, shall be applied in conformity with the express condition of the donor or deviser; Provided, also, That lands donated or devised as aforesaid, shall be sold or disposed of as required by the last section of this act.

Section 7. The Treasurer of said College always, and all other agents, when required by the Trustees, before entering upon the duties of their office, shall give bonds respectively for the security of the corporation, in such penal sum and with such sureties as the Board of Trustees approve; and all process against said corporation shall be by summons, and service of the



same shall be by leaving an attested copy with the Treasurer of the College, at least thirty days before the return day thereof.

Section 8. The lands, tenements and hereditaments to be held in perpetuity in virtue of this act by said institution, shall not exceed six hundred and forty acres; Provided, however, That if donations, grants or devises of land shall from time to time be made to said corporation, over and above six hundred and forty acres, which may be held in perpetuity as aforesaid, the same may be received and held by said corporation for the period of six years from the date of any such donation, grant or devise, at the end of which time if the said lands over and above the six hundred and forty acres, shall not have been sold, then, and in that case, the lands so donated, granted or devised, shall revert to the said donor, grantor, or to their heirs.

Approved 2nd March 1837.

#### AMENDMENTS TO CHARTER

An Act to Amend an Act Entitled "An Act to Incorporate Rush Medical College."

Section 1. Be it enacted by the People of the State of Illinois represented in the General Assembly;

That the number of Trustees of said College shall not exceed fourteen, exclusive of the Governor and Lieutenant Governor of the State, and Speaker of the House of Representatives and the President of the College, all of whom shall be ex-officio members of the Board of Trustees, and a majority of said Trustees for the time being, exclusive of such ex-officio members, shall constitute a quorum to transact business.

Section 2. Any part of the Act to which this is an amendment, which may conflict with this Act is hereby repealed.

Approved December 23rd, 1844.

An Act to Authorize the Trustees of Rush Medical College to make a loan.

WHEREAS, The Trustees of Rush Medical College of the City of Chicago, in this State, have contracted a considerable indebtedness, in erection of additions to their College buildings, in said city, and con-



template the necessity of the erection of other buildings and improvements upon their College grounds; therefore

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the said Trustees shall, in their corporate capacity have full power and authority to borrow, from time to time, any sum of money, not exceeding in all the sum of fifty thousand dollars, for such period of time as they may elect at a rate of interest not exceeding ten per centum per annum, payable annually, or semi-annually, at such place or places as they may contract, for the purpose of liquidating their present indebtedness, and for any other uses of the said College.

Section 2. In case of any loan or loans under the provisions of this Act, the said Trustees shall have full and ample power to execute all such bonds or other obligations, and also securities by way of mortgage or otherwise, upon the property of said College, as may be requisite and proper for such purpose. This Act be in force from and after its passage.

Approved Feb. 10, 1857.

An Act to enable the Rush Medical College of Chicago to Fund its present Indebtedness, and to Borrow Money.

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the Trustees of the Rush Medical College of Chicago, have, and the power is hereby conferred upon them, or a majority of them, to liquidate all of the present indebtedness of said College, and to that end the said Trustees are hereby authorized to issue bonds in sums of not less than one hundred dollars, in the usual form, payable to the holders of said indebtedness, or order, or to bearer at their option, payable at such day and at such rate of interest, not to exceed ten per cent, per annum, as to said Trustees shall seem expedient, and to pay such indebtedness with such bonds, or to negotiate and sell the same in the market, and with the proceeds pay such indebtedness. And the said Trustees are hereby further authorized to execute a mortgage or deed of trust upon all the real estate and property of said College, in the usual form, for the better securing the payment of said bonds, with the interest to accrue thereon.



Section 2. The said Trustees are hereby authorized and empowered, from time to time, to borrow money, not exceeding in all the sum of one hundred thousand dollars, for the purpose of erecting additions to or rebuilding said College buildings; and for that purpose to issue bonds and secure the payment of the same upon the College property, in all respects as provided in the preceding section.

Approved February 13th, 1865.

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Approved February 13th, 1865.

*No signature or date  
probably in connection  
with 1917 contract*

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MEMORANDUM

IN RE UNIVERSITY OF CHICAGO RUSH MEDICAL COLLEGE MERGER

1: The following are the principal provisions of the Charter of Rush Medical College bearing on this question:

Section 2: "The object of incorporation shall be to promote the general interests of medical education and to qualify young men to engage usefully in the professions of medicine and surgery."

Section 3: "The corporate powers hereby bestowed shall be such only as are essential or useful in the attainment of such objects, and such as are usually conferred on similar bodies corporate, namely \*\*\*\*\* to accept and acquire, purchase and sell property, real, personal or mixed; in all lawful ways to use, employ, manage, dispose of such property, and all money belonging to said corporation, in such manner as shall seem to the Trustees best adapted to promote the objects aforesaid."

Section 6: "The Trustees shall faithfully apply all funds by them collected in \*\*\*\*\* such \*\*\*\*\* means as may be necessary or useful for teaching thoroughly the different branches of medicine and surgery, provided that in case any donation, devise or bequest shall be made for practical purposes accordant with the object of the institution and the Trustees shall accept the same, every such donation, devise or bequest shall be applied in conformity with the expressed condition of the donor or deviser."

2: The general rule of law is that a Trustee of a charitable trust cannot transfer or give away the trust property without receiving therefor adequate consideration, which consideration shall in turn be employed in furthering the objects of the trust.

*Handwritten notes:*  
No signature  
for the  
with 8/17/17  
Graham in  
Chicago  
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2: The general rule of law is that a Trustee of a charitable trust cannot transfer or give away the trust property without receiving therefor adequate consideration, which consideration shall in turn be employed in furthering the objects of the trust.

It is unnecessary to cite cases in support of this proposition.

Although all courts interpret liberally gifts and bequests for charitable purposes, and endeavor where possible to carry out and effectuate the purposes of the donor, and to sustain where possible the validity of charitable gifts, the interpretation of the law differs widely in different jurisdictions. In some states it would appear that a complete transfer by a corporation of all of its property does not, of itself, necessarily work a dissolution of the corporation, nor is its existence necessarily terminated by a failure for a period of years to exercise its functions.

In other states, however, such a cessation of activity has been held to work a dissolution.

The legal effect of dissolution differs in different jurisdictions; the property in some States reverting to the donors or their heirs, and in others being applied under the direction of the court to the purposes as nearly as possible to the intent of the donors.

The power of a corporation to contract with reference to its trust property has been less frequently the subject of judicial determination, but the general rule is that the Trustees may make no contracts inconsistent with the scheme of the donors, and it has been held that even the legislature, while it may change the administration of a trust, may do so only if such change does not work a diversion of the trust.

The cases we have examined in various jurisdictions show such a wide divergence of views on closely similar facts that no good purpose would be served by a discussion of them here.

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We limit ourselves therefore to a consideration of the Illinois cases, and from examination of these we conclude that the Trustees of Rush Medical College cannot safely transfer its property to the University of Chicago, but that the same result can be reached by means of contractual arrangements between the two Boards of Trustees.

The case in Illinois most nearly touching the subject is Mott vs. Danville Seminary, 129 Ill.403; 136 Ill.289.

In this case a Mrs. Lamont and her husband conveyed as a gift certain property to "the Board of Trustees of Danville Seminary" an Illinois corporation, "for the building and maintaining on said grounds an institution of learning \*\*\*\*\*."

The institution operated the Danville Seminary on the property until 1858, and then ceased to conduct any institution of learning. In 1877 a proceeding was begun to dissolve the corporation and in 1880 a decree of dissolution was entered. Prior to the decree of dissolution, however, the corporation transferred its property to certain individuals, who in turn transferred it to "the Danville Seminary" a new corporation organized in 1879.

In 1888 Mrs. Lamont conveyed the property to the plaintiff, who brought this suit. The contention of the plaintiff was that on the dissolution of the corporation the property reverted to Mrs. Lamont, the conveyance by the corporation before its dissolution being void as beyond its corporate powers.

The court sustained the plaintiff's contention, holding the deed void on formal grounds.

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The court sustained the plaintiff's contention, holding the deed void on formal grounds. In a discussion of the larger questions involved, however, which seem to us merely dictum, the court held that land held

by the corporation at the time of its dissolution reverted back to its original donor.

The court recognized the modification of this rule in favor of creditors and stockholders of a corporation organized for profit, but did not recognize the rule applied in some States, that the property will be applied by the court to carry out as nearly as possible the purposes of the donor, instead of having the property revert to the heirs.

The conveyance by the old corporation was held to violate the express conditions of the gift as not being made for the use of an institution of learning conducted on the land. The court found that the purpose of the transfer was to have the individuals hold the property until the new corporation was formed, and then transfer it, and that the new corporation was to succeed the old one.

The old corporation had power under the statute "to dispose of its property for the use of the institution in such manner as shall seem most beneficial thereto," which language is probably as broad as the language in Section 3 of the Rush Charter quoted above, although there is a distinction in that the Danville Seminary had to dispose of its property for its use and benefit, whereas the Trustees of Rush may dispose of its property in such way as shall be best adapted to promote its general objects, not necessarily through the agency of Rush College itself.

The earliest attitude of the court is expressed in *Gilman vs. Hamilton*, 16 Ill. 235.

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In that case the court in discussing the so called Cy Pres doctrine said "It is not the province of the Trustees to inquiry into or determine whether the plan and object of the charter are the most

judicious, but only into the intention and means designated\*\*\*\*\*.

I have seen no authority upon the doctrine or principal Cy Pres or otherwise authorizing the court or Trustees to change the object or place because the fund could be more efficiently or judiciously administered in another place or applied to a different object\*\*\*\*\*."

While the case just cited has no direct bearing upon the question we are considering, the language is indicative of the general attitude of the earlier courts.

There can be no doubt that the attitude of the courts has changed greatly in the last two decades, and that they have responded and are increasingly responding to the humanizing and socializing spirit of the age, and unquestionably a very strong appeal could be made to a court in favor of sustaining a merger such as we are considering on grounds of broad public policy.

If this were decided upon, it would be advisable to safeguard the proceeding by judicial sanction, that is, to have a friendly suit instituted to determine the validity of the proposed merger. In the present state of the authorities, however, it is at least possible that a court would feel bound by previous decisions to refuse its sanction to such a merger, and the legality of such a proceeding is open to sufficient doubt to make it inadvisable, particularly as the same result can be obtained with equal effectiveness by means of contractual arrangements.

While in some states, notably Massachusetts, the right of Trustees to make agreements of this kind has been restricted and limited, yet there is nothing in the Illinois law which would prevent a corporation, either by means of contracts between the present Boards of the two institutions, or if a more complete merger is desirable, as seems to be the case, by having the present Board of

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changed greatly in the last two decades, and that they have responded  
and are increasingly responding to the humanizing and socializing  
spirit of the age, and unquestionably a very strong appeal could be  
made to a court in favor of sustaining a merger such as we are con-  
sidering on grounds of broad public policy.

If this were decided upon, it would be advisable to safe-  
guard the proceeding by judicial sanction, that is, to have a friendly  
suit instituted to determine the validity of the proposed merger.  
In the present state of the authorities, however, it is at least  
possible that a court would feel bound by previous decisions to  
refuse its sanction to such a merger, and the legality of such a  
proceeding is open to sufficient doubt to make it inadvisable, par-  
ticularly as the same result can be obtained with equal effective-  
ness by means of contractual arrangements.

While in some states, notably Massachusetts, the right of  
Trustees to make agreements of this kind has been restricted and  
limited, yet there is nothing in the Illinois law which would pre-  
vent a corporation, either by means of contracts between the present  
Boards of the two institutions, or if a more complete merger is  
desirable, as seems to be the case, by having the present Board of

Rush resign, and a new Board chosen from the Board of the University of Chicago, so that while the two corporations would maintain their separate existence, their Boards of Trustees would be composed of the same individuals.

The only restriction on this arrangement in the charter of Rush Medical College is found in Section One of the amendment of the charter approved December 23, 1844, which provides " that the Board of Trustees of said college shall not exceed 14 exclusive of the Governor and Lieutenant Governor of the State and Speaker of the House of Representatives and the President of the College, all of whom shall be ex-officio members of the Board of Trustees."

While under this provision the complete membership of the two Boards can not be identical, yet for all practical purposes the membership of so large a majority of the two Boards can be identical, that the difference will not substantially affect the practical working out of the joint work of the two institutions in a virtual unity.

It may be found desirable if this plan is adopted, to safe guard it also by judicial sanction, by having one of the Trustees institute a friendly injunction suit to determine its validity before it is put into effect. We do not however, believe that such a step is either necessary or advisable, as there is no legal objection to carry out the desired purpose in the way indicated.

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CHARTER OF RUSH MEDICAL COLLEGE

Copied February 1896.

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly.

That Theophilus W. Smith, Thomas Ford, E. D. Taylor, Josiah C. Goodhue, Isaac T. Hinton, John T. Temple, Justin Butterfield, Edmund S. Kimberly, James H. Collins, Henry Moore, S. S. Whitman, John Wright, William B. Ogden, Ebenezer Peck, John H. Kinzie, John D. Caton and Grant Goodrich be, and they are hereby created a body politic and corporate to be styled and known by the name of the "Trustees of the Rush Medical College" and by that style and name to remain and have perpetual succession. The College shall be located in or near Chicago in Cook County. The number of Trustees shall not exceed seventeen, exclusive of the Governor and Lieutenant Governor of this State, the Speaker of the House of Representatives and the President of the College, all of whom shall be ex-officio members of the Board of Trustees.

Sec. 2. The object of incorporation shall be to promote the general interests of medical education, and to qualify young men to engage usefully and honorably in the professions of medicine and surgery.

Sec. 3. The corporate powers hereby bestowed shall be such only as are essential or useful in the attainment of said objects, and such as are usually conferred on similar bodies corporate, namely: In their corporate name to have perpetual succession; to make contracts; to sue and be sued; to plead and be impleaded; to grant and receive, by its corporate name; and to do all other acts as natural persons may; to accept and acquire, purchase and sell property, real, personal or mixed; in all lawful ways to use, employ, manage, dispose of such property, and all money belonging to said corporation in such manner as shall seem to the Trustees best adapted to promote the objects aforesaid; to have a common seal, and to alter and change the same; to make such by-laws as are not inconsistent with the Constitution and laws of the United States and this State; and to confer on such persons as may be considered worthy such academical or honorary degrees as are usually conferred by such institutions.

Sec. 4. The Trustees of said College shall have authority, from time to time, to prescribe and regulate the course of studies to be pursued in said College; to fix the rate of tuition, lecture fees and other College expenses; to appoint instructors, professors, and such other officers and agents as may be needed in managing the concerns of the institution; to define their powers, duties and employments, and to fix their compensation; to displace and remove either of the instructors, officers or agents or all of them, whenever the said Trustees shall deem it for the interest of the College to do so; to fill all vacancies among said instructors, professors, officers or agents; to erect all necessary and suitable buildings; to purchase books and philosophical and chemical apparatus, and procure the necessary and suitable means of instruction in all the different departments of medicine and surgery, to make rules for the general management of the affairs of the College.

Sec. 5. The Board of Trustees shall have power to remove any Trustee from office for dishonorable or criminal conduct; Provided, That no such removal shall take place without giving to such Trustee notice of the charges preferred against him, and an opportunity to defend himself before the Board, nor unless

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two-thirds of the whole number of Trustees for the time being shall concur in such removal. The Board of Trustees shall have power, whenever a vacancy shall occur, by removal from office, death, resignation, or removal out of the State, to appoint some citizen of the State to fill such vacancy. The majority of the Trustees for the time being, shall constitute a quorum to transact business.

Sec. 6. The Trustees shall faithfully apply all funds by them collected in erecting suitable buildings; in supporting the necessary instructors, professors, officers and agents, and procuring books, philosophical and chemical apparatus, and specimens in natural history, mineralogy, geology and botany, and such other means as may be necessary or useful for teaching thoroughly the different branches of medicine and surgery; Provided, That in case any donation, devise or bequest shall be made for particular purposes, accordant with the object of the institution, and the Trustees shall accept the same, every such donation, devise or bequest, shall be applied in conformity with the express condition of the donor or devisor; Provided also, That lands donated or devised as aforesaid, shall be sold or disposed of as required by the last section of this act.

Sec. 7. The Treasurer of said College always, and all other agents, when required by the Trustees, before entering upon the duties of their office, shall give bonds respectively for the security of the corporation, in such penal sum and with such sureties as the Board of Trustees approve; and all process against said corporation shall be by summons, and service of the same shall be by leaving an attested copy with the Treasurer of the College, at least thirty days before the return day thereof.

Sec. 8. The lands, tenements and hereditaments to be held in perpetuity in virtue of this act by said institution, shall not exceed six hundred and forty acres; Provided, however, That if donations, grants or devises of land shall from time to time be made to said corporation, over and above six hundred and forty acres, which may be held in perpetuity as aforesaid, the same may be received and held by said corporation for the period of six years from the date of any such donation, grant or devise, at the end of which time if the said lands over and above the six hundred and forty acres, shall not have been sold, then, and in that case, the lands so donated, granted or devised, shall revert to the said donor grantor, or to their heirs.

Approved 2nd March 1837.

#### AMENDMENTS TO CHARTER

An Act to Amend an Act Entitled "An Act to Incorporate Rush Medical College."

Sec. 1. Be it enacted by the People of the State of Illinois represented in the General Assembly;

That the number of Trustees of said College shall not exceed fourteen, exclusive of the Governor and Lieutenant Governor of the State, and Speaker of the House of Representatives and the President of the College, all of whom shall be ex-officio members of the Board of Trustees, and a majority of said Trustees for the time being, exclusive of such ex-officio members, shall constitute a quorum to transact business.

two-thirds of the whole number of Trustees for the time being shall consent in such removal. The Board of Trustees shall have power, whenever a vacancy shall occur, by removal from office, death, resignation, or removal out of the State, to appoint some citizen of the State to fill such vacancy. The majority of the Trustees for the time being, shall constitute a quorum to transact business.

The Trustees shall faithfully apply all funds by them collected in erecting suitable buildings; in supporting the necessary instructors, professors, officers and agents, and procuring books, philosophical and chemical apparatus, and specimens in natural history, mineralogy, geology and botany, and such other means as may be necessary or useful for teaching thoroughly the different branches of medicine and surgery. Provided, That in case any donation, device or bequest shall be made for particular purposes, accordant with the object of the institution, and the Trustees shall accept the same, every such donation, device or bequest, shall be applied in conformity with the express condition of the donor or donor; Provided also, That lands donated or devised as aforesaid, shall be sold or disposed of as required by the last section of this act.

The Treasurer of said College always, and all other agents, when required by the Trustees, before entering upon the duties of their office, shall give bonds respectively for the security of the corporation, in such penal sum and with such sureties as the Board of Trustees approve; and all process against said corporation shall be by summons, and service of the same shall be by leaving an attested copy with the Treasurer of the College, at least thirty days before the return day thereof.

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Sec. 2. Any part of the Act to which this is an amendment, which may conflict with this Act is hereby repealed.

Approved December 23rd, 1844.

An Act to Authorize the Trustees of Rush Medical College to make a Loan.

WHEREAS, The Trustees of Rush Medical College of the City of Chicago, in this State, have contracted a considerable indebtedness, in erection of additions to their College buildings, in said city, and contemplate the necessity of the erection of other buildings and improvements upon their College grounds; therefore

Sec. 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the said Trustees shall, in their corporate capacity have full power and authority to borrow, from time to time, any sum of money, not exceeding in all the sum of fifty thousand dollars, for such period of time as they may elect at a rate of interest not exceeding ten per centum per annum, payable annually, or semi-annually, at such place or places as they may contract, for the purpose of liquidating their present indebtedness, and for any other uses of the said College.

Sec. 2. In case of any loan or loans under the provisions of this Act, the said Trustees shall have full and ample power to execute all such bonds or other obligations, and also securities by way of mortgage or otherwise, upon the property of said College, as may be requisite and proper for such purpose. This Act be in force from and after its passage.

Approved Feb. 10, 1857.

An Act to enable the Rush Medical College of Chicago to Fund its present Indebtedness, and to Borrow Money.

Sec. 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the Trustees of the Rush Medical College of Chicago, have, and the power is hereby conferred upon them, or a majority of them, to liquidate all of the present indebtedness of said College, and to that end the said Trustees are hereby authorized to issue bonds in sums of not less than one hundred dollars, in the usual form, payable to the holders of said indebtedness, or order, or to bearer at their option, payable at such day and at such rate of interest, not to exceed ten per cent. per annum, as to said Trustees shall seem expedient, and to pay such indebtedness with such bonds, or to negotiate and sell the same in the market, and with the proceeds pay such indebtedness. And the said Trustees are hereby further authorized to execute a mortgage or deed of trust upon all the real estate and property of said College, in the usual form, for the better securing the payment of said bonds, with the interest to accrue thereon.

Sec. 2. The said Trustees are hereby authorized and empowered, from time to time, to borrow money, not exceeding in all the sum of one hundred thousand dollars, for the purpose of erecting additions to or rebuilding said College buildings; and for that purpose to issue bonds and secure the payment of the same upon the College property, in all respects as provided in the preceding section.

Approved February 13th, 1865.

Any part of the Act to which this is an amendment, which may conflict with this Act is hereby repealed.

Sec. 2.

Approved December 23rd, 1844.

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Section 8.

The lands, tenements and hereditaments to be held in perpetuity in virtue of this act by said institution, shall not exceed six hundred and forty acres; Provided, however, That if donations, grants, or devises of land shall from time to time be made to said corporation, over and above six hundred and forty acres, which may be held in perpetuity as aforesaid,

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Approved 2nd March 1837.

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Approved December 23rd, 1844.

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Section 2. In case of any loan or loans under the provisions of this Act, the said Trustees shall have full and ample power to execute all such bonds or other obligations, and also securities by way of mortgage or otherwise, upon the property of said College, as may be requisite and proper for such purpose. This act be in force from and after its passage.

Approved Feb. 10, 1857

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An Act to Amend an Act Entitled "An Act to Incorporate Rush Medical College."

Section 1. Be it enacted by the People of the State of Illinois represented in the General Assembly;

That the number of Trustees of said College shall not exceed fourteen, exclusive of the Governor and Lieutenant Governor of the State, and Speaker of the House of Representatives and the President of the College, all of whom shall be ex-officio members of the Board of Trustees, and a majority of said Trustees for the time being, exclusive of such ex-officio members, shall constitute a quorum to transact business.

Section 2. Any part of the Act to which this is an amendment, which may conflict with this Act is hereby repealed.

Approved December 23rd, 1844.

An Act to Authorize the Trustees of Rush Medical College to make a loan.

WHEREAS, The Trustees of Rush Medical College of the City of Chicago, in this State, have contracted a considerable indebtedness, in erection of additions to their College buildings in said city, and contemplate the necessity of the erection of buildings and improvements upon their College grounds; therefore

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the said Trustees shall, in their corporate capacity have full power and authority to borrow, from time to time, any sum of money, not exceeding in all the sum of fifty thousand dollars, for such period of time as they may elect at a rate of interest not exceeding ten per centum per annum payable annually, or semi-annually, at such place or places as they may contract, for the purpose of liquidating their present indebtedness, and for any other uses of the said College.

Section 2. In case of any loan or loans under the provisions of this Act, the said Trustees shall have full and ample power to execute all such bonds or other obligations, and also securities by way of mortgage or otherwise, upon the property of said College, as may be requisite and proper for such purpose. This act be in force from and after its passage.

An Act to enable the Rush Medical College of Chicago to Fund its present Indebtedness, and to Borrow Money.

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the Trustees of the Rush Medical College of Chicago, have, and the power is hereby conferred upon them, or a majority of them, to liquidate all of the present indebtedness of said College, and to that end the said Trustees are hereby authorized to issue bonds in sums of not less than one hundred dollars, in the usual form, payable to the holders of said indebtedness, or order, or to bearer at their option, payable at such day and at such rate of interest, not to exceed ten per cent per annum, as to said Trustees shall seem expedient, and to pay such indebtedness with such bonds, or to negotiate and sell the same in the market, and with the proceeds pay such indebtedness. And the said Trustees are hereby further authorized to execute a mortgage or deed of trust upon all the real estate and property of said College, in the usual form, for the better securing the payment of said bonds, with the interest to accrue thereon.

Section 2. The said Trustees are hereby authorized and empowered, from time to time, to borrow money, not exceeding in all the sum of one hundred thousand dollars, for the purpose of erecting additions to or rebuilding said College buildings; and for that purpose to issue bonds and secure the payment of the same upon the College property, in all respects as provided in the preceding section.

Approved February 13th, 1865.

An Act to enable the Rush Medical College of Chicago to fund its present indebtedness, and to borrow money.

Section 1.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the Trustees of the Rush Medical College of Chicago, have, and the power is hereby conferred upon them, or a majority of them, to liquidate all of the present indebtedness of said College, and to that end the said Trustees are hereby authorized to issue bonds in sums of not less than one hundred dollars, in the usual form, payable to the holders of said indebtedness, or order, or to bearer at their option, payable at such day and at such rate of interest, not to exceed ten per cent per annum, as to said Trustees shall seem expedient, and to pay such indebtedness with such bonds, or to negotiate and sell the same in the market, and with the proceeds pay such indebtedness. And the said Trustees are hereby further authorized to execute a mortgage or deed of trust upon all the real estate and property of said College, in the usual form, for the better securing the payment of said bonds, with the interest to accrue thereon.

Section 2.

The said Trustees are hereby authorized and empowered, from time to time, to borrow money, not exceeding in all the sum of one hundred thousand dollars, for the purpose of erecting additions to or rebuilding said College buildings; and for that purpose to issue bonds and secure the payment of the same upon the College property, in all respects as provided in the preceding section.