

## VII. Miscellaneous acts.

An act regulating lettings in cases where no definite term is fixed.

P. L. 1884, p. 178.

Approved April 14, 1884.

36. SEC. 1. [Amended by Sec. 37, *post.*]

## Supplement.

P. L. 1888, p. 426.

Approved April 16, 1888.

37. SEC. 1. That the act entitled "An act regulating lettings in cases where no definite term is fixed," approved April fourteenth, one thousand eight hundred and eighty-four, be and the same is hereby amended so as to read as follows :

When landlord may dispossess tenant in case no term is agreed upon, and the rent is payable monthly.  
Proviso.

[That in any letting where no term is agreed upon and the rent is payable monthly, so long as the tenant pays the rent as agreed, it shall be unlawful for the landlord to dispossess the tenant before the first day of April succeeding the commencement of such letting, without giving the tenant three months' notice in writing to quit ; *provided, however,* that in case any such tenant shall be so disorderly as to destroy the peace and quiet of the other tenants living in said house or the neighborhood, or shall willfully destroy, damage or injure the premises, or shall constantly violate the said landlord's rules and regulations governing said premises, and a copy of which regulations said landlord has caused to be conspicuously posted on said premises ; in any such case the said landlord may cause a written notice of the termination of such tenancy to be served upon said tenant and a demand that said tenant remove from the premises so occupied by him within three days from the service of such notice, and in case said tenant shall not so remove, it shall be lawful for said landlord or his agent, after the expiration of said three days, to make and file with any justice of the peace, an affidavit setting forth either or any of the causes for removal above set forth and of the service of such notice, and thereupon it shall be lawful for such justice to issue his summons in ejectment such as now provided under the act entitled "An act concerning landlords and tenants," for the summary removal of tenants holding over after the expiration of of his or her term, and on proof before said justice, on the return of said summons, of any one of the causes for removal aforesaid, it shall be lawful for said justice to give judgment for said landlord and issue his warrant for such removal and take such other proceedings as is now provided by law for summary removal of tenants.] (a)

(a) This act does not apply where the letting is for a definite term, for "one month and a monthly term thereafter." The monthly term commenced on the 10th of November ; a notice to quit on the 1st day of April following is insufficient. *Finkelstein v. Herson*, 26 Vr. 217. See *Shaw v. Schietinger*, 22 Vr. 152.

A justice of the peace in a city where there is a district court, has no color of jurisdiction to hear a summary ejectment case between landlord and tenant, under this act, when the defendant lives in the city. *Stearns v. Klein & Cook*, 14 N. J. L. J. 42.

## Learning, Societies to Promote.

1. Amended by section 30.
2. Corporate name and powers of societies for promotion of learning.
3. Election of officers.
4. Amended by section 32.
5. Annual report by trustees.
6. By-laws.
7. Record of proceedings to be kept.
8. Corporation not dissolved for failure to elect.
9. Property to continue vested.
10. Act to extend to library companies.
11. By-laws of library companies.
12. Power to create capital stock.
13. Consent to be attested.
14. Methodist or other educational institutions authorized.
15. Duty of trustees, &c.
16. Conferences, &c., subject to this act.
17. How certain religious denominations may incorporate societies.
18. Deed of conveyance to be executed.
19. Vacancies, how filled.
20. Institutions may give diplomas and confer degrees.
21. Baptist societies may become incorporated.
22. When incorporation effected, &c.
23. Business to be managed by a board of managers. Election of officers.
24. Societies to establish high schools, &c. Form of certificate.
25. Declaration to be annexed to certificate.
26. Upon filing certificate, incorporation effected.
27. Management to be vested in board of trustees.
28. Corporation may hold real and personal property.
29. When three or more members of association may call meeting thereof.
30. Associations for promotion of learning, how incorporated.

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| 31. Powers of associations heretofore incorporated.   | 42. Repealer.  |
| 32. Trustees, when to be elected.   | 43. Methodist Episcopal institutions for learning, how incorporated.   |
| 33. How number of trustees may be increased or reduced.   | 44. Duty of trustees.  |
| 34. Societies authorized to assist young women of Baptist churches in preparing for mission work. | 45. Colleges authorized to give diplomas and confer degrees.   |
| 35. Trustees of any seminary, &c., may consist of either ministers or laymen, or both.            | 46. Associations for the care, nurture or education of children, how organized.  |
| 36. Associations authorized to increase number of trustees or directors.                          | 47. Certificate, what to contain.  |
| 37. Majority of trustees to be residents of state.  | 48. To be recorded.  |
| 38. Repealer.   | 49. Rights and privileges of association.  |
| 39. Trustees authorized to purchase, &c., lands, also receive goods, &c., granted, devised, &c.   | 50. To make by-laws.   |
| 40. Incorporated institutions of learning may change corporate name.                              | 51. Any body of representatives from churches, &c., having power to elect trustees, may surrender or abandon such power, &c.                               |
| 41. No change of name shall be effectual until all the conditions are complied with.              | 52. Any private incorporated school society, holding real estate for school purposes, may convey the same free from every trust upon which it may be held. |

**An act to incorporate societies for the promotion of learning.**

Revision—Approved April 9, 1875.

R. S. 393.  
P. L. 1850, p. 158.  
" 1859, p. 255.

1. [Amended by Sec. 30, *post.*]

2. That the trustees of any association, elected as aforesaid, upon taking on themselves any name, and certifying the same under their hands and seals, and causing such certificate to be recorded in the clerk's office of the county in which such association shall be formed, such trustees, and their successors forever, shall be known and distinguished in law, in all cases whatsoever, by the name they shall have so taken and recorded, as fully, to all intents and purposes whatsoever, as though they were herein particularly named and constituted; and by such name they respectively shall, forever thereafter, be authorized, in law, to purchase, take, hold, receive and enjoy, any lands, tenement or hereditaments, in fee-simple or otherwise, by the gift, alienation or devise of any person or persons able to grant or devise the same; and also goods, chattels, legacies and donations granted and given to the said association, of which they shall be trustees as aforesaid, of what kind or quality soever, so that the yearly value of the same doth not exceed four thousand dollars; and also, that the said trustees of each respective association as aforesaid, and their successors by the name assumed and recorded as aforesaid, shall and may grant, convey, assign and sell, or otherwise dispose of, all or any of their lands, tenements or hereditaments, goods, chattels and personal estate whatsoever, as to them shall seem meet; and also, that the said trustees of each respective association as aforesaid, and their successors, by the name to be taken and recorded as aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in all courts of judicature whatsoever; and also, that the said trustees of each respective association as aforesaid, and their successors, shall and may make, and forever thereafter have and use a common seal, with such device or devices, as they shall think proper, for sealing all and singular deeds, contracts and other writings, touching and concerning the said corporation, and may, as often as they shall think fit, alter and new make the same or any other their common seal.

Corporate name and powers of societies for promotion of learning.  
R. S. 393, § 2.

Power to hold land.

3. That it shall and may be lawful for the trustees, elected for each respective association as aforesaid, and their successors, from time to time, as they may find it necessary or expedient, to choose a president, being one of the said trustees, and such other officers and assistants as may be requisite for the keeping and preserving of the goods and chattels, moneys, books, charters, deeds, writings and accounts of the said corporation; which said president shall keep in his custody the common seal, and shall have power from time to time, and at all times hereafter as occasion may require, to call a meeting of the said trustees, at such convenient place in the neighborhood of the association as he shall think proper, for the execution of all or any of the powers hereby given them; and in case of sickness, absence or death of the president, all the powers hereby in him vested shall vest and remain in the senior trustee on record, until the recovery or return of the president, or until a new president shall be chosen as aforesaid.

Election of officers.  
Ib., § 3.

4. [Amended by Sec. 32, *post.*]

Annual report  
by trustees.  
Ib., § 5.

5. That it shall be the duty of the board of trustees to lay before the associates, at each and every annual meeting, the state of the institution, the situation of the funds, and the accounts and transactions of the preceding year, previous to the election of trustees.

By-laws.  
Ib., § 8.

6. That the said trustees of each respective association as aforesaid, and their successors, shall have full power and authority to make all such necessary and useful orders and regulations (not inconsistent with the laws of the state) as to them may seem meet and proper, for promoting the cause of learning in the seminary under their superintendence, as well with respect to discipline, as to the different branches of education to be used therein; *provided, nevertheless*, that there be a majority of the whole number of the said trustees present and agreeing, in order to make valid any such order, regulation, vote or proceeding.

Record of proceedings to be kept.  
Ib., § 9.

7. That all the proceedings of the trustees of each and every association as aforesaid, shall from time to time be fairly entered in a book or books to be provided and kept for that purpose; which book or books, together with the common seal, and all moneys, charters, deeds, accounts and writings whatsoever, appertaining to the association, shall, upon the decease, resignation, or removal of the former president, or other person having the custody of them, or any of them, be delivered to or go over unto the next successor in office, to be kept and preserved for the use and benefit of the said association.

Corporation not dissolved for failure to elect.  
Ib., § 10.

8. No association of persons in this state, for the promotion of learning, which has heretofore or shall hereafter become a body politic and corporate in law, under the provisions of this act, shall be considered as dissolved, for or by reason of its neglecting or failing, or having neglected or failed, to elect trustees yearly and every year, on the day designated by law; and any trustees that may heretofore have been, or that may hereafter be duly elected trustees of any such association, shall continue in office until others shall be duly elected in their place, with all the rights, powers, privileges and duties vested in and devolving upon trustees duly elected, yearly and every year, on the day designated by law.

And property to continue vested.  
Ib., § 11.

9. Any property, whether real or personal, which any association, incorporated as aforesaid, may have lawfully acquired by gift, alienation, devise or otherwise, shall continue to be vested in and held by such association in their corporate name, notwithstanding such association may have neglected or failed to elect, annually, trustees as provided for by law, on the day when by law they ought to have been elected, as fully to all intents and purposes, as if such association had elected trustees yearly and every year, on the day appointed by law, from the time of its incorporation. (a)

Act to extend to library companies.  
Ib., § 6.

10. That this act and every article and clause, the sixth section thereof excepted, shall extend unto and operate as an incorporating act for all library companies that now are or shall hereafter be formed in any of the counties in this state, and which have not been already incorporated, previous to the eleventh day of November, one thousand seven hundred and ninety-nine.

By-laws of library companies.  
Ib., § 7.

11. That the trustees or heads of each associated library company as aforesaid, and their successors, shall have full power and authority to make all such necessary and useful orders and regulations, not inconsistent with the laws of this state, for the well ordering and governing the said library companies, and for promoting the interest thereof, as to them may seem proper; *provided always*, that there be a majority of the whole number of trustees present and agreeing, in order to make valid any such order, regulation, vote or proceeding.

Power to create capital stock.  
Ib., § 12.

12. That it shall and may be lawful for any association incorporated under and by virtue of this act, with the consent in writing of a majority of the members thereof, by their articles of association, to create a capital stock of not more than thirty thousand dollars, divided into shares of not more than fifty dollars each, and to provide that such shares shall be per-

(a) Such real estate is not exempt from tax. *Society, &c., v. New Brunswick*, 26 Vr. 65.

sonal estate, and assignable and transferable in such manner, and according to such rules as the said association shall adopt; and that the owner or holder of each share shall be a member of such association, and entitled at all meetings thereof to give one vote, either in person or by proxy, for every such share by him or her owned or held; and that no person other than the owners or holders of such shares shall be admitted as members of such association, or entitled to vote at the meetings thereof; *provided*, that if the legislature shall at any time hereafter alter or repeal this section, any association which shall have been incorporated, or shall have acted under and by virtue of the same, shall be subject to and bound by such alteration or repeal.

**13.** That the signature of each member of the association to such agreement shall be attested by at least one subscribing witness, and it shall be the duty of the trustees of the association to have the same recorded in the clerk's office of the county in which such association shall be formed; *provided*, that it shall be first duly acknowledged before some officer authorized by law to take the acknowledgments and proofs of deeds by the several members so consenting, or proved by the subscribing witness or witnesses thereto,

Consent to be attested.  
P. L. 1859, p. 255.

**14.** That the members of the New Jersey annual conference of the Methodist Episcopal church or of any religious denomination, church or sect in this state, are hereby authorized and empowered, when in conference, assembly, convention, synod or other legislative meeting according to the rules of such denomination, church or sect assembled, to found any institution or institutions in this state whose object shall be the promotion of learning, and for that purpose, when assembled as aforesaid, they are hereby further authorized and empowered from time to time to elect, from their own body or otherwise (with power at any time to fill vacancies), any number of persons, not exceeding eighteen nor less than nine, as trustees of such institution or institutions, who shall be divided into three classes, of which the first shall remain in office one year, the second two years, and the third three years, so that one class may be elected every year; which said trustees and their successors are hereby constituted a body politic and corporate, in fact, name and law, to all intents and purposes forever, by whatever name the trustees elected as aforesaid shall take and assume in the manner specified in the second section of this act, and by that name they shall have perpetual succession. [See Sec. 43, *post.*]

Methodist or other educational institutions authorized.  
P. L. 1850, p. 158.  
Amended.

**15.** That it shall be the duty of the aforesaid trustees and their successors to lay before such conference, synod, or other legislative assembly aforesaid, respectively, who shall have founded such institutions, at each and every annual meeting thereof, the state of the institutions so founded, the situation of the funds, and the accounts and transactions of the preceding year, previous to the election of trustees. [See Sec. 44, *post.*]

Duty of trustees, &c.  
Ib., § 2.

**16.** That such conferences, conventions, synods and other legislative assemblies aforesaid, and the said trustees and their successors, shall be subject to the provisions of the act, so far as the same may be applicable and not inconsistent herewith.

Conferences, &c., subject to this act.  
Ib., § 3.

#### Supplement.

Approved March 14, 1879.

P. L. 1879, p. 265.

**17. SEC. 1.** That whenever any of the members of any religious denomination, church or sect in this state which has no conference, assembly, synod or other legislative meeting, desire to found any institution in this state, the object of which shall be the promotion of learning, or to conduct and maintain any such institution already founded, the present owners and managers of which shall desire the same to be so conducted and maintained, any number of such members of such denomination, church or sect, not less than nine and not exceeding twenty-seven in number, shall meet at a time and place previously agreed upon, and when so met the said members, or not less than nine of them, may proceed to adopt a corporate name and to sign a certificate, which certificate shall contain a statement as to the following particulars:

How certain religious denominations may incorporate societies.

Contents of  
certificate.

- I. The name and residence of each signer ;
- II. The name or appellation of the church, sect or denomination with which the signers are connected ;
- III. The location of the institution proposed to be founded, or if already founded, a statement of that fact and its location ;
- IV. The general purposes of the institution ;
- V. The proposed name of said institution ;
- VI. The proposed name of the corporation ;

Certificate to be  
acknowledged  
and recorded in  
office of county  
clerk.

And after the said certificate is so signed, the execution thereof shall be acknowledged before some person or persons authorized by the laws of the state of New Jersey to take the acknowledgments of deeds, and after being so acknowledged, shall be recorded in the office of the clerk of the county wherein such institution is, or is proposed to be located, for which such clerk shall be entitled to the sum of one dollar, and after being so recorded by him, shall be filed in the office of the secretary of state, for which such secretary shall be entitled to charge the sum of fifty cents, and thereupon the said persons so signing such certificate shall be and are hereby constituted a body corporate with powers to sue and be sued, to adopt a common seal, to make by-laws for their government and regulation, and shall have all the rights and powers, and be subject to all the liabilities of the corporations created by the act to which this is a supplement, so far as the same do not contravene the provisions of this act.

General powers.

Deed of conveyance to be executed.

**18. SEC. 2.** That the present owners of any such institution who shall desire the same to pass under the management and control of any corporation created under this act, may, by deed of conveyance, convey the same to such corporation, who shall hold the same in accordance with the terms of such deed of conveyance.

Vacancies, how filled.

**19. SEC. 3.** That for perpetuating a line of succession in said corporation, whenever any vacancy shall happen by reason of the death, resignation or removal from the state of any of the members of said corporation, the remaining members may, by a majority vote of the whole number of members, elect any member of such church, sect or denomination, residing in this state, to fill the place of such member so deceased, resigned or removed from the state.

P. L. 1880, p. 313.

Certain institutions may give diplomas and confer degrees, &c.

#### Supplement.

Approved March 12, 1880.

**20. SEC. 1.** That any institution of learning in this state, founded or hereafter to be founded under and by virtue of the provisions of an act of the legislature of the state of New Jersey entitled "A supplement to the act entitled 'An act to incorporate societies for the promotion of learning [Revision], approved April the ninth, one thousand eight hundred and seventy-five,'" which supplement was approved March fourteenth, one thousand eight hundred and seventy-nine, shall, in addition to the powers, rights and privileges conferred upon said institution by the said supplement and the act to which the same is a supplement, have the right, power and privilege as, from time to time, shall seem to the trustees and faculty thereof to be expedient and proper, to give diplomas and confer degrees upon those who shall successfully complete the prescribed course of study in such institution, and to confer honorary degrees upon such others as shall be recommended for that purpose by the board of trustees of such institution ; *provided*, that nothing in this act shall be construed to authorize any such institution to confer any degree or diploma authorizing the practice of medicine, dentistry or law.

Proviso.

#### Supplement.

Approved March 2, 1881.

P. L. 1881, p. 56.

Baptist societies may become incorporated by certificate.

**21. SEC. 1.** That whenever any society now existing in this state, composed of delegates from Baptist churches in this state, and organized for the purpose of assisting indigent young men in prosecuting their studies, preparatory to entering upon the work of gospel ministry, shall desire to become an incorporation under the laws of this state, and shall, by a majority vote of the delegates assembled at any regular meeting of such

society, resolve to become thus incorporated, such society shall thereupon proceed to adopt a corporate name, shall elect a president, one or more vice presidents, a secretary and a treasurer, and a board of managers of not less than ten nor more than thirty-five persons, and a certificate of such vote shall be prepared containing in addition thereto the following particulars :

- I. The name of such corporation ;
- II. The name and residence of each member of the board of managers of said corporation ;
- III. The name and residence of each officer of the corporation ;
- IV. The general purpose of said corporation ;

What certificate shall set forth.

Which certificate shall be signed by the aforesaid officers and managers, and the execution thereof shall be acknowledged before some person or persons authorized by the laws of the state of New Jersey to take the acknowledgments of deeds, and after being so acknowledged shall be filed and recorded in the office of the secretary of state, for which such secretary shall be entitled to charge the sum of one dollar. [See Sec. 34, *post.*]

Certificate to be filed and recorded.

**22. SEC. 2.** That upon the filing of such certificate the said society shall be and is hereby constituted a body corporate, with powers to sue and be sued, to adopt and use a common seal, to make by-laws for its government and regulation, and shall have all the rights and powers and be subject to all the liabilities of the corporations created by the act to which this is a supplement, so far as the same do not contravene the provisions of this act.

When incorporation effected, &c.

**23. SEC. 3.** That the executive and routine business of said corporation shall be managed by a board of managers consisting of not less than ten nor more than thirty-five persons, of which the president, vice president or vice presidents, secretary and treasurer shall be ex-officio members, the persons signing the above-mentioned certificate shall be the officers and managers for the first year, and shall hold office until their successors are chosen ; at each annual meeting thereafter of said society there shall be chosen, in such manner as the society may determine, a president, one or more vice presidents, a secretary and treasurer and members of the board of managers, who shall hold their office for one year and until their successors are elected ; any vacancy in the board of managers occasioned by death, resignation or removal from the state may be filled by a majority of the remaining members of the board.

Business to be managed by a board of managers.

Annual election of officers, &c.

#### Supplement.

Approved February 24, 1882.

P. L. 1882, p. 31.

**24. SEC. 1.** That any number of persons, not less than five, desirous of founding and establishing an academy, high school or other institution for the promotion of learning in this state, may associate themselves together for that purpose, adopt a corporate name and make a certificate in writing of their organization, which shall state and set forth the following particulars :

Societies may be formed to establish high schools, &c.

- I. The names and residences of the persons making the certificate ;
- II. The corporate name adopted by them ;
- III. The location where the institution is proposed to be established ;
- IV. The proposed name of the institution ;
- V. The general purposes of the institution ;
- VI. The number of trustees for managing its affairs, and the names and residences of the persons who shall constitute the first board of trustees ;

Form of certificate.

Which certificate shall be signed by the persons making the same, and the execution thereof acknowledged before some person or persons authorized by the laws of this state to take the acknowledgment of deeds ; and being so signed and acknowledged shall be filed and recorded in the office of the secretary of state, for which said secretary shall be entitled to receive the sum of one dollar.

**25. SEC. 2.** That there shall be annexed to said certificate and filed and recorded therewith a declaration, signed by each person named as a member of the first board of trustees of the said institution, that he will accept the responsibilities and faithfully discharge the duties of a trustee of said institution according to law.

Declaration to be annexed to certificate.

Upon filing certificate, persons constituted a body corporate.

**26. SEC. 3.** That upon the filing of the said certificate, with such declaration annexed thereto, the persons therein named as the first trustees of the said institution, and their successors, shall be and they are hereby constituted a body politic and corporate in law by the name specified in said certificate, with power to sue and be sued, to adopt and use a common seal, and to make by-laws and regulations for their government and the management of the said institution; and such corporation shall have, possess and enjoy all the rights, powers and privileges and be subject to all the liabilities of corporations created by or organized under the act to which this is a supplement, so far as the same do not contravene the provisions of this act.

Management to be vested in board of trustees.

**27. SEC. 4.** That the management of the affairs of any such corporation, and the regulation and government of such institution, shall be vested in a board of trustees, consisting of not less than seven nor more than fifteen members, all of whom shall be residents of this state, and a majority of the whole number shall be a quorum for the transaction of business; the persons named for that purpose in the certificate of organization shall be the first trustees, and for perpetuating a line of succession in such corporation, whenever any vacancy shall happen in the board of trustees by reason of the death, resignation or removal from the state of any trustee, the remaining trustees may, by a majority vote of the whole number of members, elect a new trustee to fill such vacancy.

Corporation may hold real and personal property.

**28. SEC. 5.** That for the purpose of maintaining such institution and carrying out the objects of its foundation, the corporation shall have power to receive, take and hold, by gift, grant or devise, all such real and personal estate as may be given to or bestowed upon it by its founders and other persons interested in said institution.

#### Supplement.

Approved February 8, 1883

P. L. 1883, p. 28.

Three or more members of association may call meeting in certain cases.

**29. SEC. 1.** That whenever for want of sufficient by-laws for the purpose, or of officers duly authorized, or from the improper neglect or refusal of such officers, or from other legal impediment, a legal meeting of any association of persons in this state for the promotion of learning, which now or hereafter may be, cannot be otherwise called, three or more members of such association may call a meeting thereof, by giving such notice as is required by the act to which this is a supplement, and such meeting so called shall be a legal meeting of the association, and if there be no officers of the association present whose duty it is to preside at meetings, the members present may elect such officers of the association as is required by law, and it shall be the duty of the secretary of such association to record the proceedings of such meeting in the book of minutes of the association.

#### Supplement.

Approved March 25, 1885.

P. L. 1885, p. 172.

Associations for promotion of learning, how incorporated.

**30. SEC. 1.** That the first section of an act entitled "An act to incorporate societies for the promotion of learning," approved April ninth, one thousand eight hundred and seventy-five, be and the same is hereby amended so that the said section shall hereafter read as follows:

[That each and every association of persons in this state for the promotion of learning, which now exists or may hereafter be created, are hereby authorized and empowered respectively to meet together, at their usual place of meeting, at any time hereinafter by them to be agreed upon, giving at least ten days' notice of the time, place and purpose of their meeting by an advertisement set up in some conspicuous place in the neighborhood where the said association may have been or may be formed, and being so met, shall, by plurality of voices of the persons so associated and met, elect any number of their said association, not exceeding thirteen, to be trustees of the same, which said trustees and their successors are hereby constituted a body politic and corporate in fact, name and law, to all

intents and purposes, forever, by whatever name the said trustees elected shall take and assume in the manner hereinafter directed, and by that name they shall have perpetual succession.]

**31. SEC. 2.** That any and every such association of persons for the promotion of learning, which has heretofore been incorporated under any act of the legislature of this state, bearing the title of the act to which this is a supplement, may hereafter at any annual meeting of such corporation elect any number of their said association, not exceeding thirteen, to be trustees of the same; and such trustees when so elected, and their successors, shall have, hold and exercise the same powers and authority as such trustees and their successors have, hold and exercise under the act to which this act is a supplement.

Powers of associations heretofore incorporated.

#### Amendatory act.

Approved February 15, 1888.

P. L. 1888, p. 48.

**32. SEC. 1.** That section four of the act of which this is amendatory be and the same is hereby amended to read as follows:

[That the trustees of each and every association incorporated under this act, and all such as shall be hereafter incorporated under said act, shall be elected annually on the third Tuesday of April of each and every year, by the members of the said association, at the usual place of meeting of said association, or such other time or place as the board of trustees shall from time to time order and direct; six days' notice of the time, place and purpose of the meeting shall be given by the board of trustees by an advertisement set up in some conspicuous place in the neighborhood of said association; but vacancies happening during the year, that is, between the annual elections, by death, resignation or otherwise, may be filled by the remaining trustees at a regular meeting of the board; *provided*, that no person shall be admitted to vote for trustees unless he or she shall have been duly admitted a member of said association by a majority of the trustees for the time being, and shall have paid to the said trustees, for the use of the association, at least one dollar, and that a majority of the members present at each and every annual meeting shall choose the trustees.]

Trustees, when to be elected.

Notice of meeting to be given.

Proviso.

#### Supplement.

Approved March 11, 1890.

P. L. 1890, p. 54.

**33. SEC. 1.** That the number of trustees of any seminary, institute, school or college, now or hereafter organized under the act to which this is a supplement, or any other act now in force in this state, may be increased or reduced by the association, conference, synod or other legislative assembly owning or controlling such institution by the vote of a majority of the members thereof present at the annual meeting or conference thereof, who at the same time shall fix the number of said trustees required to constitute a quorum for business thereof; *provided*, that no such board of trustees shall consist of less than five members.

How number of trustees may be increased or reduced.

Proviso.

A supplement to an act entitled "A further supplement to the act entitled 'An act to incorporate societies for the promotion of learning' [Revision], approved April ninth, one thousand eight hundred and seventy-five," which further supplement was approved March second, one thousand eight hundred and eighty-one.

Approved May 23, 1890.

P. L. 1890, p. 347.

**34. SEC. 1.** That any society incorporated under the act to which this is a supplement, desiring to extend its operations by assisting young women of Baptist churches in their preparation for home and foreign mission work, and shall pass a resolution to that effect at any of the regular meetings of the board of managers of said society, shall have such additional right and privilege upon filing a certificate in the office of the secretary of state, containing a copy of said resolution with the date when adopted, which certificate shall be signed by the officers and managers of

Societies for the promotion of learning authorized to assist young women of Baptist churches in preparing for mission work.

said society and acknowledged before some person or persons authorized by the laws of the state of New Jersey to take acknowledgments of deeds. [See Sec. 21, *ante*.]

## Supplement.

Approved March 10, 1893.

P. L. 1893, p. 169.

Trustees of any seminary, &c., may consist of either ministers or laymen, or both.

**35. SEC. 1.** That the trustees of any seminary, institute or school now or hereafter organized under the act to which this is a supplement, or any other act now in force in this state, may consist of either ministers or laymen or both, in such proportion as the conference, synod or other owners may determine, and may be classified into classes of one, two, three, or more years, as said conference or other owners may elect at the annual meeting or conference thereof, by the vote of a majority of the members present.

## Supplement.

Approved March 11, 1893.

P. L. 1893, p. 231.

Associations authorized to increase number of trustees or directors.

**36. SEC. 1.** That it shall and may be lawful for any corporation heretofore or hereafter to be incorporated under or by virtue and in pursuance of the act entitled "An act to incorporate societies for the promotion of learning" [Revision], approved April ninth, one thousand eight hundred and seventy-five, or under or by virtue and in pursuance of any act supplementary thereto or amendatory thereof, to increase from time to time the number of trustees or directors of such corporation to any number not exceeding twenty-one in all, by filing or causing to be filed in the office of the secretary of state of this state a certificate, under the corporate seal of said corporation and signed by the president thereof, setting forth the number of trustees or directors who shall thereafter have the management of the affairs of such corporation, and the regulation and government thereof.

Certificate to be filed.

Majority of trustees to be residents of the state.

Repealer.

**37. SEC. 2.** That a majority of the members so constituting the board of trustees or directors shall be residents or citizens of the state of New Jersey.

**38. SEC. 3.** That all acts or parts of acts inconsistent with or repugnant to this act, be and the same are hereby repealed, and that this act shall take effect immediately.

## Supplement.

Approved March 16, 1893.

P. L. 1893, p. 338.

Trustees authorized to purchase, &c., lands, also receive goods, &c., granted, devised, &c.

**39. SEC. 1.** That the trustees of any seminary, college, school or other institution now or hereafter organized under the act to which this is the supplement, or any other act now in force in this state, may purchase, take, hold, receive and enjoy all lands, tenements and hereditaments, in fee-simple or otherwise, and also all goods, chattels, legacies and donations, in money or otherwise, of what kind or nature soever, that may be granted and conveyed or given and devised to the seminary or other institution of which they shall be trustees as aforesaid, by the grant, gift, alienation or devise of any person or persons able to grant, give or devise the same for the support, endowment or otherwise, of said seminary or school, whether in general or for particular chairs or departments thereof, or for special objects or subjects taught therein; and also that the said trustees and their successors shall and may grant, assign and sell, or otherwise dispose of all or any of their said lands, tenements or hereditaments, goods, chattels and personal estate whatsoever, received and held by them as aforesaid, as to them shall seem meet for the best interests of their said seminary or other institution, unless otherwise provided and limited by the deeds, wills, or other instruments in writing by which they received and hold the same; *provided, nevertheless*, that the proceeds of the sale or other disposition of any real or personal estate so received and held by such trustees for said endowment objects or purposes shall be duly re-invested in other good real or personal estate, as soon thereafter as practicable, and the annual income therefrom only used for such endowment and educational purposes.

Trustees authorized to dispose of lands, goods, &c., unless otherwise provided, &c.

Proviso.

Supplement.

Approved April 12, 1894.

P. L. 1894, p. 62.

**40. SEC. 1.** That it shall be lawful for any association, seminary, college or other institution of learning now or hereafter organized under and by virtue of the act to which this is a supplement, or any other act now in force in this state, whether created by special charter or otherwise, to change its corporate name by a two-thirds vote of the board of trustees or managers of such association, seminary, college or other institution of learning who shall be present at a regular or special meeting of the same, called for that purpose; *provided*, that said corporation cause to be made and filed a certificate in writing, in manner hereinafter mentioned; such certificate shall set forth, first, the name of said association, seminary, college or other institution of learning in use immediately preceding said vote and making and filing of said certificate; second, the new name assumed to designate such corporation and to be used in its business and dealings in the place and stead of that referred to in the last preceding paragraph, and which said certificate shall be signed by said board of trustees or managers, or a majority thereof, and filed and recorded in the office of the clerk of the county where the principal office or place of business of such corporation in this state shall be established; and after being so recorded shall be filed in the office of the secretary of state, without fee or costs; and to which said certificates shall be affixed the official seal of said board of trustees or managers, and the affidavit of the secretary or acting secretary of said board, that the said certificate is made by the authority of the board of trustees or managers of such corporation, as expressed by a two-thirds vote of the members present at a regular or special meeting of said board called for that purpose.

Incorporated institutions of learning may change corporate name.

Proviso.

Certificate shall set forth name, &c., and be filed and recorded in county clerk's office.

And also secretary of state's office.

Shall be verified by official seal and affidavit.

**41. SEC. 2.** That no change in the name of any corporation, under the provisions of this act, shall be deemed effected until the said certificate, made and recorded as aforesaid, shall be actually filed in the office of the secretary of state, as herein directed; but no such change shall in any manner lessen or impair any liability of such corporation incurred or existing at the time such change of name shall be made, which liability shall continue and be capable of being enforced against such corporation by its name as so changed, or by its original name; and no suit pending at the time of such change of name shall abate by reason thereof, but the same may be prosecuted to judgment and execution in the original name of such corporation, and under such execution the property of said corporation, whether held by its original or amended name, may be levied on and sold to satisfy such judgment.

No change of name shall be effectual until conditions are complied with.

Existing liabilities not to be impaired.

No pending suit shall abate.

Executions in either name to be valid.

**42. SEC. 3.** That all acts and parts of acts inconsistent with this act be and the same are hereby repealed, and that this act shall take effect immediately.

Repealer.

A further supplement to an act entitled "An act to incorporate societies for the promotion of learning," approved April sixteenth, one thousand eight hundred and forty-six.

Approved March 4, 1879.

P. L. 1879, p. 69.

**43. SEC. 1.** That the first section to the supplement to the act above mentioned, approved March first, one thousand eight hundred and fifty, and which is in these words [see P. L. 1879, p. 69], shall be amended so that the same shall read as follows:

[That the members of the New Jersey conference of the Methodist Episcopal church may as heretofore authorized, or together with the members of the Philadelphia conference of the Methodist Episcopal church, and they are hereby authorized and empowered, when in their respective conferences assembled, to found any institution, or organize any institutions already founded in this state, whose object shall be the promotion of learning, and for that purpose, when assembled as aforesaid, they, and each of them, are hereby authorized and empowered, from time to time, to elect from their respective bodies, or otherwise (with power at any time to fill

Methodist Episcopal institutions for learning, how incorporated.

vacancies), any number of persons, not exceeding eighteen from each conference, nor less than nine from each conference, as trustees of such institution or institutions, which said trustees shall be divided in three classes, of which the first shall remain in office one year, the second two years, and the third three years, so that one class may be elected by their respective conferences every year; which said trustees and their successors are hereby constituted a body politic and corporate, in fact, name and law, to all intents and purposes, forever, by whatever name the trustees elected by the two conferences aforesaid shall take and assume, in the manner specified in the second section of the act to which this is a supplement, and by that name they shall have perpetual succession.] [See Sec. 14, *ante*.]

**44. SEC. 2.** That the second section to the supplement to the act above mentioned, which is in these words [see P. L. 1879, p. 69], shall be amended so that the same shall read as follows:

Duty of trustees.

[That it shall be the duty of the aforesaid trustees and their successors, to lay before the New Jersey annual conference of the Methodist Episcopal church, and the Philadelphia annual conference of the Methodist Episcopal church, respectively, at each and every annual meeting thereof, the state of the institution, the situation of the funds, and the accounts and transactions of the preceding year, previous to the election of trustees.] [See Sec. 15, *ante*.]

#### An act concerning colleges.

Approved April 4, 1889.

P. L. 1889, p. 168.

Colleges authorized to give diplomas and confer degrees.

**45. SEC. 1.** That any college in this state founded or hereafter to be founded under and by virtue of the provisions of any general act of the legislature of the state of New Jersey shall, in addition to the powers, rights and privileges conferred upon said college, have the right, power and privilege, as from time to time shall seem to the trustees and faculty thereof to be expedient and proper, to give diplomas and confer degrees upon those who shall successfully complete the prescribed course of study in such college, and to confer honorary degrees upon such others as shall be recommended for that purpose by the board of trustees of such college; *provided*, that nothing in this act shall be construed to authorize any such college to confer any degree or diploma authorizing the practice of medicine, dentistry or law.

Proviso.

An act to provide for the incorporation of associations for the erection and maintenance of schools and institutions for educational purposes.

Approved June 8, 1890.

P. L. 1890, p. 413.

Associations for the care, nurture or education of children, how organized.

**46. SEC. 1.** That any three or more persons of full age, a majority of whom shall be residents within this state, who shall desire to associate themselves together for the purpose of the care, nurture, education or instruction of children, may make, record and file a certificate in writing, in manner hereinafter mentioned.

Certificate, what to contain.

**47. SEC. 2.** That such certificate in writing shall set forth, first, the name or title assumed to designate such association; second, the place or places in this state where the purposes of such association are to be carried out; third, the purposes for which the association shall be formed; and fourth, the names of the governors or directors who shall manage its affairs for the first year of its existence.

To be recorded.

**48. SEC. 3.** That such certificate shall be proved, or acknowledged and recorded, as required of deeds of real estate, in a book to be kept for the recording of certificates of incorporation in the office of the clerk of the county where the principal purposes of such association are to be carried out, and after being so recorded shall be filed in the office of the secretary of state; the said certificate or a copy thereof, duly certified by said clerk or secretary, shall be evidence in all courts and places.

And be evidence.

Rights and privileges of association.

**49. SEC. 4.** That upon making such certificate and causing the same to be recorded and filed as aforesaid, the said persons so associating, their successors and assigns, shall, by virtue of this act, be a body politic and

corporate, in fact and in law, by the name stated in such certificate, and by that name they and their successors shall have perpetual succession, and power to sue and be sued, plead and be impleaded, answer and be answered unto, in all courts and places whatsoever, to make and use a common seal, and the same to alter at pleasure, and to purchase and take, have, hold, receive and enjoy any lands, tenements or hereditaments, in fee-simple or otherwise, and any goods, chattels or property of any description, real or personal, and whether acquired by gift, grant, devise, bequest or otherwise, and the same to grant, convey, assign, sell, or otherwise dispose of, for the purposes of said association.

**50. SEC. 5.** That the governors or directors of such association shall have power, from time to time, to make, alter and amend by-laws, not inconsistent with the constitution or laws of the United States or of this state, fixing and altering the number of its governors or directors for the management of its property and the regulation and government of its affairs, and providing for the classification of and the mode of increasing or perpetuating the governors or directors of the association, and the mode of filling vacancies in and removing any member from their number, and prescribing qualifications for membership of the association, and to appoint one or more superintendents or managers, and such other agents and officers as shall in their judgment tend to promote or advance any purpose of the association, and to prescribe their expected duties.

To make by-laws.

**An act to provide for the election of trustees of institutions of learning.**

Approved June 9, 1890.

P. L. 1890, p. 419.

**51. SEC. 1.** That it shall and may be lawful for any body composed of representatives from churches or religious societies now having power to elect trustees of institutions of learning by the charter of such institutions, by resolution of such body duly adopted at a regular meeting thereof to abandon or surrender such power, and to provide for the election of such trustees by the members of the board of trustees, in a manner to be provided in such resolution; *provided*, that a certificate of such action be made and signed by the presiding officer and clerk or secretary of such body, duly verified by their oaths or affirmations, recorded and filed in the office of the clerk of the county wherever such institution is located; and thereafter such trustees shall be elected in the manner provided in such resolutions, the same as if such power had been contained in the said charter.

Any body of representatives from churches, &c., having power to elect trustees may surrender or abandon such power, &c., to board of trustees.

Proviso.

**An act to authorize any private, incorporated school society or association holding real estate for school purposes, to donate, lease or sell and convey the same free and discharged of and from any and every trust upon which it may be held.**

Approved March 24, 1892.

P. L. 1892, p. 244.

**52. SEC. 1.** That it shall and may be lawful for any private, incorporated school society or association, owning real estate for school purposes and desiring to discontinue its use for such purposes, to donate the said real estate or any part thereof for charitable, educational or public uses, or to lease or sell and convey the same, the proceeds of such lease, sale or conveyance to be used for such charitable, educational or public purposes as it may be deemed expedient, free and discharged of and from any and every trust upon which it may have been donated, conveyed to or vested in the said society or association, and without any liability or obligation on the part of its donees or grantees to maintain such school or to execute such trust as aforesaid.

Any private incorporated school society, holding real estate for school purposes, may convey the same free from any trust upon which it may be held.