

THE CHARTER
OF
LINCOLN UNIVERSITY

Original Act, April 29, 1854
Supplements
April 4, 1866, and February 18, 1871
And Amendments
Provided For By The New Constitution
of the State, Granted By The Court
November 30, 1896, and January 4, 1897

(Pages 1 - 10)

Amendments of 1939

(Pages 11 - 14)

Amendments of 1953

(Pages 14 - 20)

Amendments of 1972

(Pages 20 - 22)

AN ACT

To Incorporate The Ashmun Institute

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That there shall be and hereby is established at or near a place called Hinsonville, in the County of Chester, an institution of learning for the scientific, classical and theological education of colored youth of the male sex, by the name, style and title of the "Ashmun Institute", under the care and direction of a board of trustees, not exceeding nine in number, who with their successors in office shall be and hereby are declared to be one body politic and corporate, in deed and in law, to be known by the name, style and title of the "Ashmun Institute", and by the same shall have perpetual succession, and shall be able to sue and be sued, to plead and be impleaded in all courts of law and equity, and shall be capable in law and equity to take, hold and purchase for the use and benefit of said institute, lands, goods, chattels and monies of any kind whatever, by gift, grant, conveyance, devise or bequest from any person or persons whomsoever capable of making the same, and the same from time to time to sell, convey, mortgage or dispose of for the use and benefit of said institute, and they shall have power to have a common seal; to erect such buildings as may be necessary for the purposes of said institute, and to provide libraries, apparatus and all other needful means of imparting a full and thorough course of instruction in any or all the departments of science, literature, the liberal arts, classics, and theology, and to do all and singular the matters and things for the purposes of this act, which any corporation or body politic may or can do for the well being of said institute, and for the due management and ordering of the affairs thereof, which may not be contrary to the constitution and laws of this State or of the United States: AND PROVIDED, That the clear yearly value and income of said estates shall not exceed in value the sum of six thousand dollars.

SECTION 2. That for the present the trustees of the said institute shall be John M. Dickey, Alfred Hamilton, Robert P. Du Bois, James Latta, John B. Spottswood, James M. Crowell, Samuel J. Dickey, John M. Kelton and William Wilson, who, or any five of them, on and after the passage of this act, shall have power to organize the said board of trustees, and after such organization, three members of the said board shall constitute a quorum to do business at any meeting called in due form according to the by-laws established by the said board.

SECTION 3. That the board of trustees aforesaid, at the meeting in which they are organized, shall arrange themselves in three classes of three each by lot, of which classes the first shall serve one year, the second shall serve two years, and the third shall serve three years; when vacancies occur, and ever afterwards, they shall be filled by persons elected by the Presbytery of New Castle, who shall choose three trustees annually to serve for three years, as well as fill all vacancies made by death, resignation or otherwise: PROVIDED HOWEVER, That if the said Presbytery shall at any time fail to elect successors to those whose term of office has expired, the same shall continue to act as members of the board until others shall have been chosen in their place.

SECTION 4. That the board of trustees, under the general instructions from the Presbytery of Newcastle, shall have power to purchase, put up or procure suitable buildings and improvements only as they may have the necessary means, in no case ever involving the said Presbytery in pecuniary obligations; they shall have power to appoint and remove the necessary professors and teachers, and name their salaries; to establish rules and regulations for the government of the institution; to appoint such officers and agents for their own body as may be deemed expedient, and to adopt and establish their own by-laws and regulations: PROVIDED, That none of the said by-laws and regulations shall extend to an alienation of the lands and tenements or other capital stock of the institute, or to a dissolution thereof, except by the consent of the said Presbytery; they shall have power to procure the endowment of the institute, not exceeding the sum of one hundred thousand dollars, and when required by the aforesaid Presbytery they shall report to it the state of the institute, the state of the funds, and of all the interests committed to their trust.

SECTION 5. That the trustees shall have power to confer such literary degrees and academic honors as are usually granted by colleges upon such pupils as shall have completed in a satisfactory manner the prescribed course of study.

SECTION 6. That the trustees shall faithfully appropriate all monies and other effects that may come into their hands for the sole benefit of the said institution, nor shall any bequest or donation made to and accepted by the said board for specific educational objects ever be diverted from the purposes designated by the donor.

SECTION 7. That the institute shall be open to the admission of colored pupils of the male sex of all religious denominations, who exhibit a fair moral character, and are willing to yield a ready obedience to the general regulations prescribed for the conduct of the pupils and the government of the institution.

SECTION 8. That no misnomer of said corporation shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: PROVIDED, That the intent of the parties shall sufficiently appear upon the face of the gift, will or writing whereby any estate or interest was intended to be passed to or from said corporation.

E. B. Chase,

Speaker of the House of Representatives

M. M'Caslin,
Speaker of the Senate.

Approved - The twenty-ninth day of April, one thousand eight hundred and fifty-four.

Wm. Bigler

A SUPPLEMENT

To an act to incorporate the Ashmun Institute, approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and fifty-four, changing the name of said institute, enlarging the board of trustees, increasing their right to hold property, and authorizing the conferring of degrees.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the name, style and title of the Ashmun Institute shall be changed to that of the Lincoln University.

SECTION 2. That the Presbytery of New Castle shall, at their next meeting, elect a board of trustees, consisting of twenty-one members, five of whom shall constitute a quorum, which board, at the meeting at which they shall organize, shall arrange themselves in three classes, of seven each, by lot, of which classes the first shall serve one year, the second shall serve two years, and the third shall serve three years; when vacancies occur, and ever afterwards, they shall be filled by persons elected by said Presbytery, who shall choose seven trustees, annually, to serve for three years, as well as fill all vacancies, made by death, resignation, or otherwise: PROVIDED, That if the said Presbytery, shall, at any time, fail to elect successors to those whose term of office has expired, the members of the said board, continuing in office, shall elect proper persons to succeed those whose term of office has expired.

SECTION 3. That the said corporation, or their successors, by the name, style and title aforesaid, shall be able and capable in law and equity, to take and hold, for themselves and their successors, for the use and objects of said corporation, lands, tenements, goods and chattels, of whatever kind, nature and quality, real, personal and mixed, which now is, or shall hereafter become, the property of said corporation, by gift, grant, bargain, sale, conveyance, demise, bequest, or otherwise, from any person, or persons, whatsoever, capable of making the same, and the same to grant, bargain, sell, or otherwise dispose of, for the use of said university: PROVIDED, That the yearly value, or income, of said estate shall not, at any time, exceed thirty thousand dollars.

SECTION 4. That the trustees of said university shall have full power to confer all such literary degrees, and academic honors, and titles, as are usually conferred by university corporations.

James R. Kelley,
Speaker of the House of Representatives
David Fleming,
Speaker of the Senate.

Approved - The fourth day of April, Anno Domini one thousand eight hundred and sixty-six.

A. G. Curtin.

A SUPPLEMENT

To An Act To Incorporate The Ashmun Institute.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same, That so much of the charter of Ashmun Institute, approved the twenty-ninth day of April, one thousand eight hundred and fifty-four, and of the supplement approved the fourth day of April, one thousand eight hundred and sixty-six, as refers to the supervision of the Presbytery of New Castle in affairs of the said Ashmun Institute, now known by the corporate title of Lincoln University, be and the same is hereby repealed; and all powers and authority in the affairs of Lincoln University, heretofore held by the Presbytery of New Castle, be and is hereby conferred upon the board of trustees of said Lincoln University; and that the term of office of members of said board, to be hereafter elected, be extended from three to seven years, and that three trustees be elected each year by the board, at their annual meeting; and in case of the failure of the board to elect trustees, the existing members shall continue in office until their successors shall be elected; and that hereafter the General Assembly of the Presbyterian Church in the United States shall hold a veto power in the election of professors in the theological department in the said Lincoln University.

James H. Webb,
Speaker of the House of Representatives
William A. Wallace,
Speaker of the Senate

Approved - the eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

John W. Geary.

The above is a certified copy of the Charter of Lincoln University and its amendments made June 12, 1889, by

Charles W. Stone,
Sec'y of Com. of Penna.

An AMENDMENT

November 30, 1896

To the Honorable the Judges of the Court of Common Pleas of Chester County.

The Petition of Lincoln University respectfully represents:

That it is a corporation or body politic incorporated for the purpose of establishing and maintaining within the County aforesaid, "an Institution of learning for the scientific, classical and theological education of colored youth of the male sex," under and by virtue of the following Acts of Assembly: namely, an Act entitled, "An Act to incorporate the Ashmun Institute, approved April 29th, 1854, and a supplement thereto, entitled, "a supplement to an Act to incorporate the Ashmun Institute, approved the 4th day of April, A. D. 1866, changing the name of said Institute, enlarging the Board of Trustees, increasing their right to hold property and authorizing the conferring of degrees," approved April 14th, 1856, and a further supplement thereto entitled, "a supplement to an act to incorporate the Ashmun Institute," approved February 18, 1871, and is embraced within the corporations of the first class, specified in section 2, of the Act of General Assembly of this Commonwealth, entitled, "an Act to provide for the incorporation and regulation of certain corporations, approved April 29th, 1874, and its supplements. That the said corporation is situate in the said County of Chester, and transacts its principal business therein. That its principal place of business is at Lincoln University, in Lower Oxford township, in said County.

That by virtue of the supplement to its charter as aforesaid, approved April 4, 1857, it is provided that the income of said Estate Corporation shall not at any time exceed thirty thousand dollars. That the amount of property, real and personal which said corporation by law is authorized to hold as aforesaid, is insufficient to enable it to fully and properly accomplish the scientific, classical and theological education of the colored youth of the male sex for which it was formed.

That the real estate owned by the said corporation consists of about 80 acres of land situate in Lower Oxford township, in said county, on which there are erected nine houses for residences for the Professors in said institution, each costing about five thousand dollars; also Lincoln Hall and Ashmun Hall, which cost about Thirty-five thousand dollars; Houston Hall, which cost about eleven thousand dollars; Cresson Hall, which cost about seventeen thousand dollars; the Chapel which cost about twenty-two thousand dollars; University Hall, which cost about twenty-three thousand dollars; Livingston Hall, which cost about three thousand dollars, and the Harriet W. Jones Hospital, which cost about two thousand dollars, all of which buildings are erected upon the real estate above described and are used for the purpose of said institution exclusively, and no income is derived from the same.

That said corporation holds endowment funds as follows: Scholarship Fund, Ninety-five Thousand Dollars; Professorship Fund, One Hundred and Seventy-two Thousand Dollars; Fayerweather Fund, Ninety Thousand Dollars; that said corporation is entitled to about One Hundred and Fifty Thousand Dollars to One Hundred and Eighty Thousand Dollars additional funds from the Fayerweather estate, which have not yet been received.

That it receives income from the Pierce Estate, the value of which Estate is about Two Hundred Thousand Dollars, but which has not yet come into possession of said corporation. That its income from its invested funds above stated is annually about Twenty-five Thousand Dollars: That in addition thereto it receives from Students about Five Thousand Dollars annually: That its present number of students is about One Hundred and Seventy-five: That with its present buildings and facilities it could accommodate about Two Hundred and Fifty students, if it had the means to support them: That it has constant application from students desiring the benefits of education at the Institution, but is unable to receive them because of want of funds for their support.

That the needs of the institution are, a library building, which will cost about Twenty-five Thousand Dollars, a Dormitory, which will cost about Twenty-five Thousand Dollars; additional buildings, machinery and appliances to light and supply with water the buildings on said premises and which will cost about Ten Thousand Dollars: That it has now, class rooms and professors sufficient to accommodate and educate four hundred to five hundred students; that it is constantly seeking gifts to increase the endowment fund and for the purpose of erecting new buildings needed as above set out.

That the property above mentioned, it now owns, is insufficient for its purposes and designs: That the income it now enjoys is about equal to the amount it is allowed by its charter to hold: it therefore prays the Court to make inquiry into the truth of the matters herein alleged and if satisfied of the truth of the same, to make a decree, authorizing the said Lincoln University to hold real estate and personal property, the annual income of which shall be one hundred and fifty thousand dollars, in accordance with the provisions of the Act of Assembly, entitled, "An Act relating to corporations re-organized for religious, educational, literary, scientific or charitable purposes", approved June 6th, 1893.

W.R. Bingham, President
John M. Galbreath, Secretary.

Chester County, S.S.:

Before me, a justice of the Peace, in and for said County, personally appeared W. R. Bingham, President, J.E. Ramsey, Treasurer, and John M. Galbreath, Secretary, of the Board of Trustees of "Lincoln University", who being duly sworn, declare and say that the facts set forth in the foregoing petition are true and that this application is made pursuant to the following preamble and resolution of the Board of Trustees of said Lincoln University adopted at a meeting held on the 2nd day of June, A.D. 1896.

Whereas, the amount of property, real and personal, which "Lincoln University" by law is authorized to hold is insufficient to enable it to fully and properly accomplish the religious and educational work for which it was formed.

And whereas, in the judgment of this Board to accomplish said work it should have authority to hold property, the income of which should be at least \$150,000.

Resolved: That the President and Secretary of the Board of Trustees be authorized on behalf of the corporation to apply by petition to the Court of Common Pleas of Chester County for a decree, extending and defining the amount of property, real and personal, which said corporation shall be permitted to hold; pursuant to and in accordance with the Act of Assembly, approved June 6, 1893, entitled, "An Act relating to corporations organized for religious, educational, literary, scientific and charitable purposes."

W.R. Bingham,
J.E. Ramsey,
John M. Galbreath.

Affirmed and subscribed this ninth day of November, A.D. 1896, before me,

B. F. Taylor
Justice of the Peace

STATE OF PENNSYLVANIA .
COUNTY OF CHESTER S.S.

THE COMMON PLEAS COURT
IN RE THE PETITION OF THE LINCOLN
UNIVERSITY

DECREE

November 30, 1896, the Court being satisfied after due inquiry of the truth of the matter alleged in the said petition that the prayer of the petition can be allowed without injury to the public welfare, orders and decrees that the said "The Lincoln University", shall be authorized to hold real estate and personal property, the annual income of which shall not exceed the sum of one hundred and fifty thousand dollars.

Jos. Hemphill, A.L.J.

From the Record

Harry C. Graham,
Prothonotary
Per John R. Schall,
Deputy Prothonotary

AN AMENDMENT

Approved January 4, 1897

To The Honorable the Judges of the Court of Common Pleas of Chester County.

The Petition of Lincoln University respectfully represents:

That it is a corporation or body politic incorporated for the purpose of establishing and maintaining within the County aforesaid, "an Institution of learning for the scientific, classical and theological education of colored youth of the male sex," under and by virtue of the following Acts of Assembly: namely, an Act entitled, "An Act to incorporate the Ashmun Institute," approved April 29th, 1854, and a supplement thereto, entitled, "a supplement to an Act to incorporate Ashmun Institute, approved the 4th day of April, A.D. 1866, changing the name of said Institute, enlarging the Board of Trustees, increasing their right to hold property and authorizing the conferring of degrees," approved April 14th, 1856, and a further supplement thereto, entitled, "a supplement to an act to incorporate the Ashmun Institute", approved February 18, 1871, and is embraced within the corporations of the first class, specified in section 2, of the Act of General Assembly of this Commonwealth entitled, "an Act to provide for the incorporation and regulation of certain corporations," approved April 29th, 1874, and its supplements. That the said corporation is situated in the said County of Chester, and transacts its principal business therein. That in pursuance of the provisions of the said general act providing for the incorporation and regulation of certain corporations last above quoted and its supplements the said Corporation is desirous of improving, amending and altering the articles and conditions of its Charter, and at a meeting of said corporation duly convened, the following improvements, amendments and alterations of said Charter was duly adopted, viz:

Amendment 1. Hereafter the General Assembly of the Presbyterian Church in the United States of America shall hold a veto power in the election of Professors in the Theological department in the said Lincoln University.

Amendment 2. Nothing shall be done or taught in the Theological department of said Institution contrary to the constitution and government of the Presbyterian Church of the United States of America.

Amendment 3. All property and funds of whatever kind henceforth given to said Institution for theological education therein shall be held by said Corporation in trust for the said The Presbyterian Church in the United States of America for the purpose of theological education in said Institution, unless the donor or donors of said property or funds shall designate otherwise.

Amendment 4. In the event of the violation of any of the terms of these amendments, or of the misuse or diversion by said corporation of the property or funds so held in trust, then the said General Assembly of said Church shall have power to enforce the same and to protect the trust on which such property and funds are held in any Civil Court having jurisdiction over said corporation, in such manner and in the name of such person or corporation as the General Assembly may by resolution direct.

Your petitioner therefore prays the Court to peruse and examine the alterations and amendments to said Charter herein set out, and if the same is lawful and beneficial and does not conflict with the requirements of the statute aforesaid, approved April 29, 1874, and its supplements, or of the constitution to direct notice to be given as is directed by the Act of Assembly in such case made and provided, and if no sufficient reason be shown to the contrary to decree that the said alterations and amendments shall be made and become a part of the Charter of the said corporation of "Lincoln University".

W.R. BINGHAM, President
J.M. Galbreath, Secretary

Chester County, S.S.:

John M. Galbreath, being duly sworn according to law, says that the seal affixed to the foregoing petition is the common and corporate seal of "Lincoln University", and that the same was affixed thereto by the President of said Corporation; that William R. Bingham, whose name is signed to the foregoing petition, is the President of the Board of Trustees of "Lincoln University", and that this deponent is the Secretary thereof; that the names signed to said petition are respectively in the handwriting of William R. Bingham and this deponent; that the alterations and amendments to the Charter of the said "Lincoln university", contained in said petition were adopted as therein set forth at a meeting of the Board of Trustees of said Corporation, held June 2d, 1896, and that the said William R. Bingham and this deponent were directed by the said Board of Trustees, at said meeting to execute the said petition on behalf of the said Corporation.

John M. Galbreath.

Sworn to and subscribed this 9th day of November A.D. 1896, before me.

B. F. Taylor,
Justice of the Peace.

In the Court of Common Pleas of Chester County. In Re, The Petition of "The Lincoln University", for Amendments to its Charter.

November 30, 1896, the Court being of opinion that the improvements, amendments and alterations specified in the above named petition are lawful and beneficial and are not in conflict with the requirements of the statutes or of the Constitution of the State of Pennsylvania, direct notice to be given of the application for such amendments for three weeks in the Daily Local News and Village Record, two newspapers published and printed in said County setting forth the character and objects of said amendments and the intention to make application therefor.

Jos. Hemphill,
A.L.J.

In the Court of Common Pleas of Chester County. Chester County, s.s.:

Alfred P. Reid, being duly affirmed says that the advertisement of which the above slips were true copies, were published for three weeks, in the Village Record and Daily Local News, two newspapers of general circulation, printed and published in the County of Chester, as directed by the Court.

Alfred P. Reid.

Affirmed and subscribed before me, this 1st day of January, 1897.

E.G. Cloud,
Prothonotary

In the Court of Common Pleas of Chester County. In the matter of the application of the Lincoln University for amendments to its Charter.

And now this 4th day of January, A.D. 1897, the within amendments, alterations and improvements, having been presented to this Court accompanied by due proof of publication of notice thereof, and no cause having been shown to the contrary, it is on motion of E.D. Bingham and Alfred P. Reid, Esquires. ordered and decreed that upon the recording of the same, the said amendments, alterations and improvements shall be deemed and taken to be part of the Charter of the said Corporation.

Jos. Hemphill,
A.L.J.

I, J. A. Johnson, Recorder of Deeds, &c., in and for Chester County, Pa., do hereby certify that the within is a true Copy of the "Amendments to Charter of Lincoln University", left for record in the office at West Chester, the Sixth (6th) day of January, A.D. 1897, and recorded in Corporation Book No. 4, Page 207.

Witness my hand and seal of Office, this Twenty-third (23rd) day of February, A.D., 1907.

J.A. Johnson
Recorder.

IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY

TERM, 1939

NO.

PETITION TO AMEND CHARTER OF
LINCOLN UNIVERSITY

TO THE HONORABLE THE JUDGES OF THE COURT OF COMMON PLEAS OF CHESTER COUNTY:

The petition of Lincoln University respectfully represents;-

1. That the name of the corporation is Lincoln University and that its registered office is located in Chester County, Pennsylvania.
2. That it is a corporation incorporated for the purpose of establishing and maintaining within the County aforesaid, "An Institution of learning for the scientific, classical and theological education of colored youth of the male sex," under and by virtue of the following Acts of Assembly; namely, an Act entitled "An Act to incorporate the Ashmun Institute", approved April 29, 1854, and a supplement thereto entitled "Supplement to an Act to incorporate the Ashmun Institute, approved the 4th day of April A.D. 1866, changing the name of said Institute, enlarging the Board of Trustees, increasing their right to hold property, and authorizing the conferring of degrees," approved April 14, 1856, and a further supplement thereto, entitled, "A Supplement to an Act to Incorporate the Ashmun Institute," approved February 18, 1871 and is embraced within the provisions of the Act of Assembly of this Commonwealth, approved May 5, 1933, P.L. 289, known as the Non-Profit Corporation Law.
3. That at a meeting of the Board of Trustees of said corporation held on June 6, 1939, pursuant to written notice mailed to all the Trustees on March 10, 1939, containing proper notice of the nature of the amendments to the Charter of the corporation which would be considered at said meeting, the following resolutions were adopted by the vote of Trustees, constituting a majority of the 21 Trustees then holding office and entitled to vote thereon;

RESOLVED, that the first paragraph of the Articles of Incorporation of Lincoln University be amended so as to read as follows:-

BE IT ENACTED, AND IT IS HEREBY ENACTED, That there shall be and hereby is established in Lower Oxford, in the County of Chester, an institution of learning for the SCIENTIFIC, CLASSICAL and THEOLOGICAL education of colored youth of the male sex, by the name, style and title of "Lincoln University", under the care and direction of a Board of Trustees, not exceeding twenty-eight in number, who, with their successors in office, shall be and hereby are declared to be one body politic and corporate, in deed and in law, to be known by the name, style, and title of "Lincoln University", and by the same shall have perpetual succession, and shall be able to sue and be sued, to plead and be impleaded in all courts of law and equity, and shall be capable in law and equity to take, hold, and purchase, for the use and benefit of said university, lands, goods, chattels, and moneys of any kind whatever, by gift, grant, conveyance, devise, of bequest from any person or persons whomsoever

capable of making the same, and the same from time to time to sell, convey, mortgage, or dispose of for the use and benefit of said University; and they shall have power to have a common seal; to erect such buildings as may be necessary for the purposes of said University, and to provide libraries, apparatus, and other needful means of imparting a full and thorough course of instruction in any or all the departments of science, literature, the liberal arts, classics, theology, law, and medicine, and to do all and singular the matters and things for the purposes of this Act which any corporation or body politic may or can do for the well-being of said University, and for the due management and ordering of the affairs thereof, which may not be contrary to the Constitution and laws of this State or of the United States. and,

FURTHER RESOLVED, That the third paragraph of the Articles of Incorporation of Lincoln University, governing the number of Trustees which shall constitute the Board and the election thereof, be amended so as to read as follows:

That the Board of Trustees of Lincoln University shall consist of twenty eight members, including the Governor of the Commonwealth of Pennsylvania who shall be ex officio a member of the Board, three of which the Board shall elect each year at its annual meeting for terms of eight years, as well as fill all vacancies made by death, resignation or otherwise, and one of which the Board shall elect each year at its annual meeting for a term of three years upon nomination of the Alumni Association of the University, as well as fill all vacancies made by death, resignation or otherwise of such a member upon nomination of the Alumni Association of the University, PROVIDED, HOWEVER, that the terms of office of the twenty one members presently constituting the Board of Trustees shall be extended from seven to eight years so that three new members may be elected to the Board at the annual meeting to be held June 6, 1939, or as soon thereafter as they may be obtained, in which latter event their terms of office of eight years shall be deemed to have commenced on June 6, 1939; PROVIDED FURTHER, That if the Board shall at any time fail to elect successors to those whose term of office has expired, the same shall continue to act as members of the Board until others shall have been chosen in their place.

Your petitioner therefore prays the Court to peruse and examine the amendments to said charter herein set out and if the same is lawful and beneficial and does not conflict with the requirements of the Non-Profit Corporation Law or of the Constitution of the Commonwealth of Pennsylvania, to decree that the said amendments shall be made and become a part of the Charter of the said corporation of Lincoln University.

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: SEAL :
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William P. Finney
President
H. F. Grim
Secretary

Commonwealth of Pennsylvania :

County of Chester : ss:

H. F. Grim, being duly sworn according to law says that the seal affixed to the foregoing petition is the common and corporate seal of Lincoln University, and that the same was affixed thereto by the President of said corporation; that William P. Finney, whose name is affixed to the foregoing petition, is the President of the Board of Trustees of Lincoln University, and that this deponent is the Secretary thereof; that the names signed to said petition are respectively in the handwriting of William P. Finney, and this deponent; that the amendments to the Charter of the said Lincoln University, contained in said petition, were adopted as therein set forth at a meeting of the Board of Trustees of said corporation, held June 6, 1939, and that the said William P. Finney and this deponent were directed by said Board of Trustees, at said meeting to execute the said petition on behalf of the said corporation.

H. F. Grim

Sworn to and subscribed before me this 1 day of August A.D. 1939.

Albert E. Townsend, Notary Public
My commission expires Feb. 3, 1943

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: NOTARIAL :
: SEAL :
:.....: V.....

IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY

TERM, 1939

NO.

DECREE

AND NOW, this 16th day of October, 1939, the within amendments have been presented to this Court, accompanied by due proof of publication and notice thereof, and no cause having been shown to the contrary, it is, on motion of W. Perry Tyson, Esq., ordered and decreed that upon the recording of the same, the said amendments shall be deemed and taken to be part of the Charter of the said corporation.

W. Butler Windle, P. J.

Recorded in the Office for Recording of Deeds, &c, in and for Chester County, Pennsylvania, in Corporation Book No. 9, Page 445 &c.
Witness my hand and Seal of Office this 16th day of October Anno Domini, 1939.

Harry M. Ford, Recorder
Samuel W. Dengler, Deputy

(SEAL)

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CHESTER, SS:

.....
:
: SEAL :
:.....

I, J. Ira Woodward, Prothonotary of the court of Common Pleas, in and for the County of Chester, in the State aforesaid, do certify that the above and foregoing is a true and correct copy of Petition to Amend Charter, Affidavit, and Decree, in the hereinbefore stated case as the same remains filed and of Record in the said Court.

In testimony whereof, I have set my hand and the seal of the said Court, at West Chester, this 28th day of October A.D. 1942.

/s/ J. Ira Woodward, Prothonotary

IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY, PENNSYLVANIA

ARTICLES OF AMENDMENT &c., : IN THE MATTER OF : MIS NO. 1952
OF LINCOLN UNIVERSITY : LINCOLN UNIVERSITY : AMENDMENT OF ARTICLES
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:
:

ARTICLES OF AMENDMENT

1. The name of the corporation is Lincoln University, and its registered office is Lincoln University, Lower Oxford, Chester County, Pennsylvania.

2. Lincoln University is a non-profit corporation, duly incorporated under and by virtue of the following Act of Assembly; namely, an Act entitled "An Act to incorporate the Ashmun Institute", approved April 29, 1854, P.L. 531 (Act No. 525), and a supplement thereto entitled "A supplement to an Act to incorporate the Ashmun Institute, approved the 29th day of April A.D. 1854, changing the name of said Institute, enlarging the Board of Trustees, increasing their right to hold property, and authorizing the conferring of degrees" approved April 4th, 1866, P.L. 452 (Act No. 413), and a further supplement thereto, entitled "A supplement to an Act to incorporate the Ashmun Institute", approved February 18, 1871, P.L. 106 (Act No. 116) and is embraced within the provisions of the Act of Assembly of this Commonwealth, approved May 5, 1933, P.L. 289 (Act No. 105), known as the Non-Profit Corporation Law.

3. At a meeting of the Board of Trustees of Lincoln University held on November 14th, 1952, at Lincoln University, pursuant to ten days' written notice thereof mailed to all the Trustees prior thereto, containing specific notice of the nature of the amendments to the charter of Lincoln University to be considered at said meeting, a resolution authorizing an application to the Court for the proposed amendments was adopted by the unanimous vote of the Trustees attending said meeting, being a quorum of the Board of Trustees and being in number 20 Trustees.

4. The proposed amendments, alterations and additions to the existing Articles as follows:

A. To amend the purpose for which Lincoln University was established as set forth in Section 1 of the Act of Assembly of April 29, 1854, as subsequently restated and amended by the Court of Common Pleas of Chester County, Pennsylvania, on October 16, 1939, and recorded in Chester County, Pa., Corporation Book 9, page 445, which reads - "An institution of learning for the scientific, classical and theological education of colored youth of the male sex", be amended and altered so that as amended and altered, the same shall read "An institution of learning for scientific, classical and theological education".

B. To amend Section 7 of the Act of Assembly of April 29, 1854, which reads - "That the institute shall be open to the admission of colored pupils of the male sex of all religious denominations, who exhibit a fair moral character, and are willing to yield a ready obedience to the general regulations prescribed for the conduct of the pupils and the government of the institution", be amended and altered so that, as amended and altered, the same shall read - "That the institute shall be open to the admission of pupils of all religious denominations who meet the entrance requirements as set by the Board of Trustees".

C. To amend Sections 2 and 3 of the Articles of Incorporation of Lincoln University adopted April 29th, 1854, governing the number of trustees which shall constitute the Board, and the election thereof, as amended by decree of the Court of Common Pleas of Chester County, Pennsylvania, dated October 16th, 1939, and recorded in Chester County Corporation Book 9, page 445, which read -

"That the Board of Trustees of Lincoln University shall consist of twenty eight members, including the Governor of the Commonwealth of Pennsylvania who shall be ex officio a member of the Board, three of which the Board shall elect each year at its annual meeting for terms of eight years, as well as fill vacancies made by death, resignation or otherwise, and one of which the Board shall elect each year at its annual meeting for a term of three years upon nomination of the Alumni Association of the University, as well as fill all vacancies made by death, resignation or otherwise of such a member upon nomination of the Alumni Association of the University: Provided, However; That the terms of office of the twenty one members presently constituting the Board of Trustees shall be extended from seven to eight years so that three new members may be elected to the Board at the annual meeting to be held June 6th, 1939, or as soon thereafter as they may be obtained, in which latter event their terms of office of eight years shall be deemed to have commenced on June 6th, 1939; Provided Further, That if the Board shall at any time fail to elect successors to those whose terms of

office has expired, the same shall continue to act as members of the Board until others shall have been chosen in their place", be amended and altered so that the same, as amended and altered, shall read - "The Board of Trustees of Lincoln University shall consist of thirty one members, including the Governor of the Commonwealth of Pennsylvania who shall be ex officio a member of the Board; twenty four of whom shall be elected by the Board for initial terms of one to six years, four members in each class, and thereafter for terms of six years for each such class; three of whom shall be elected by the Board upon nomination of the Alumni Association for initial terms of three years; two of whom shall be elected by the Board upon nomination of the faculty of the University for initial terms of one and two years, and thereafter for terms of two years; and the President of the University shall hold office as trustee during his tenure of office."

Lincoln University
By: Lewis M. Stevens, President : SEAL :
Attest: Harold M. Grim Secretary :.....

IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY PENNSYLVANIA

IN THE MATTER OF
LINCOLN UNIVERSITY

DECREE

Mis. No. 1952

And NOW, to wit: January 10, 1953, the Articles of Amendment as filed by Lincoln University in the above matter having been presented to the Court for approval together with proof of publication and a certified copy of the resolutions authorizing the proposed amendments, and the same having been examined by the Court they are found to be in proper form in conformity with the Provisions of the Non-profit Corporation Act, and the said Amendments appearing to the Court to be lawful and not injurious to the community, and the Prothonotary of the Court of Common Pleas is hereby directed to transmit the said Articles to the Superintendent of Public Instruction under the Provisions of Section 211 Article 2 of the Act of May 5, 1933, P.L., 289.

By THE COURT
W. Butler Windle P.J.

Commonwealth of Pennsylvania, County of Chester, SS:-

Harold F. Grim, being duly affirmed according to law, says that the seal affixed to the foregoing Articles of Amendment is the common or corporate seal of Lincoln University, and that the same was affixed thereto by the President of said corporation; that Lewis M. Stevens, whose name is affixed to the foregoing Articles of Amendment, is the President of the Board of Trustees of Lincoln University, and that this affiant is the Secretary thereof; that the names signed to said Articles are respectively in the handwriting of Lewis M. Stevens and this deponent; that the amendments to the Charter of the said Lincoln University, contained in said articles of amendment, were adopted as therein set forth at a meeting of the Board of Trustees of said

corporation held November 14th, 1952, and that the said Lewis M. Stevens and this affiant were directed by the said Board of Trustees, at said meeting to execute the said petition on behalf of the said corporation.

Harold F. Grim

Affirmed to and subscribed before me this 17 day of December, A.D. 1952.

Velma D. McNutt Notary Public
My Commission expires Jan. 4, 1953.

.....
:.. NOTARIAL :
: SEAL :
:.....

Certificate

AND NOW, January 10, 1953,
the within Articles of Amendment to the Charter of Lincoln University having been presented to the Court for approval and having been examined by the Court, it is certified that they are found to be in proper form and in conformity with the provisions of the Act of Assembly of May 5, 1933 P.L. 289 and are lawful and not injurious to the community.

By the Court:
W. Butler Windle P.J.

IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY, PENNSYLVANIA

In Re: Articles of Amendment to the
Charter of Lincoln University,
Lincoln University, Pennsylvania

TO THE HONORABLE THE JUDGES OF THE SAID COURT:

The petition of Lincoln University, Lincoln University, Pennsylvania for amendment to its charter having been duly considered by the State Council of Education, this Council finds:

1. That the courses of instruction and standards of admission to said institution, and the composition of the faculty appear to be sufficient,
2. That the educational needs of the particular locality in which the institution is situated and of the Commonwealth at large are likely to be met by the granting of said application upon the conditions stated in the resolution of the said Council below.

WHEREFORE, the said Council at its meeting held in Harrisburg, Pennsylvania, on March 6, 1953 passed a resolution authorizing Lincoln University to amend its charter as set forth in the petition presented to your Honorable Court on January 5, 1953 and approved by the Preliminary Decree issued under date of January 10, 1953.

WHEREFORE, finally the State Council of Education approves the said petition of Lincoln University and recommends to the Court of Common Pleas of Chester County that a Final Decree be entered granting the petition.

Given under my hand and seal this Thirteenth day of March, Nineteen Hundred Fifty three.

STATE COUNCIL OF EDUCATION
: SEAL OF :
COMMONWEALTH OF PENNSYLVANIA : THE :
: COMMONWEALTH:
Francis B. Haas, President

ATTEST

Margaret Sultzaberger, Secretary

IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY, PENNSYLVANIA

IN THE MATTER OF : MIS. NO. 1952.
LINCOLN UNIVERSITY :
:

TO THE HONORABLE, THE JUDGES OF SAID COURT:
THE Petition of Lincoln University

Respectfully Represents:-

1. That on December 29th, 1952, through its proper officers it caused to be filed in the office of the Prothonotary of Chester County, Pennsylvania articles of amendment to its charter.

2. That it caused its intention to make this application for amendment to its charter to be advertised in accordance with the provisions of the Non-Profit Corporation Law of 1933, and proof of said advertisement is submitted herewith.

3. The Articles of Amendment as filed in the Office of the Prothonotary are submitted herewith.

WHEREFORE, Your petitioners pray your Honorable Court to enter a decree allowing the said amendments.

LINCOLN UNIVERSITY

By: Lewis M. Stevens, President : CORPORATE :
: SEAL :
Attest: Harold F. Grim, Secretary

Commonwealth of Pennsylvania
County of Chester,

SS:

On the third day of January, A.D. 1953, before me, the subscriber, a Notary Public, duly commissioned and residing in Oxford, Penna., personally appeared Harold F. Grim, Secretary of the said Lincoln University who being duly affirmed according to law, says that he was personally present at the execution of the above Indenture and saw the common or corporate seal of the said Corporation duly affixed thereto; that the seal so affixed thereto is the common or corporate seal of the said Corporation; that the said Indenture was duly delivered by Lewis M. Stevens, President of said Corporation, as and for the act and deed of the said Corporation, for the uses and purposes therein mentioned, and that the names of this affiant as Secretary and of Lewis M. Stevens as President of the said Corporation, subscribed to the above Indenture in attestation of its due execution and delivery, are of their and each of their respective handwritings.

Harold F. Grim _____

Affirmed and subscribed before me the day and year aforesaid, Witness my hand and notarial seal.

Velma D. McNutt Notary Public
My Commission expires Jan. 4, 1953.

.....
: NOTARIAL :
: SEAL :
:
.....

IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY, PA.

IN THE MATTER OF :
LINCOLN UNIVERSITY :

Miscellaneous No. 10877
AMENDMENT OF ARTICLES

And Now, to wit, April 1, 1953, Articles of Amendment of the Charter of Lincoln University, as filed, and as certified by this Court to be in proper form and in conformity with the provisions of the Non-Profit Corporation Act and not injurious to the Community, having been transmitted to the Superintendent of Public Instruction by the Prothonotary of the Court by direction of the Court, and the same having been acted on by the State Council of Education of the Commonwealth of Pennsylvania, as required by law, and the said Articles of Amendment having been found by said Council to be sufficient and to conform to the requirements prescribed for institutions such as Lincoln University and to be likely to further and meet the educational needs of the particular locality in which the institution is located and of the Commonwealth at large, all of which findings and approval of said Articles of Amendment were endorsed thereon with the approval of the Council of the same together with a recommendation to the said Court that the application for said Articles of Amendment be granted.

NOW THEREFORE, the Court, after giving consideration to the approval of the Council, being satisfied with the propriety of the application for said Articles of Amendment, and in view of all the facts, the application for the allowance of said Amendments is approved.

By the Court

W. Butler Windle P.J.

Transcribed by: Owens

Compared by: Ramsey and Krauser

Recorded April 16, 1953 at 2:02 p.m.

Approved and filed in the
Department of State on
September 5, 1972

C. DeLores Tucker
Secretary of the Commonwealth

3-1-72.49

ARTICLES OF AMENDMENT

1. The name of the corporation prior to the effective date of the within amendments which change, inter alia, the name of the said corporation, is Lincoln University, and its registered office is located at Lower Oxford, Chester County, Pennsylvania.

2. Lincoln University is a non-profit corporation, duly incorporated under and by virtue of an Act of Assembly entitled "An Act to incorporate the Ashmun Institute" approved April 29, 1854 P.L. 531 (Act No. 525), and a supplement thereto entitled "A supplement to an Act to incorporate the Ashmun Institute approved the 29th day of April A. D. 1854, changing the name of said institute, enlarging the board of trustees, increasing their right to hold property, and authorizing the conferring of degrees" approved April 4th, 1866, P.L. 452 (Act No. 413), and a further supplement thereto, entitled "A supple-

ment to an Act to incorporate the Ashmun Institute, " approved February 18, 1871, P.L. 106 (Act No. 116) and is embraced within the provisions of the Act of Assembly of this Commonwealth, approved May 5, 1933, P.L. 289 (Act No. 105), known as the Non-Profit Corporation Law.

3. At a special meeting of the Board of Trustees of Lincoln University held on August 19, 1972, in Philadelphia, pursuant to ten days' written notice mailed to all the Trustees prior thereto, which notice contained specific notice of the nature of the amendments to the charter of Lincoln University to be considered at said meeting, a resolution containing a proposed amendment of Section 1 of the Articles of Incorporation to change the name of the University to Lincoln University - of the Commonwealth System of Higher Education was adopted by all of the 14 Trustees attending said meeting and a resolution containing a proposed amendment of Sections 2 and 3 of the Articles of Incorporation was adopted by all of the 14 Trustees attending said meeting, being a quorum of the Board of Trustees.

4. Pursuant to adoption of the aforesaid resolutions -

(a) Section 1 of the Articles of Incorporation of the University has been amended to read as follows:

BE IT ENACTED, AND IT IS HEREBY ENACTED. That there shall be and hereby is established in Lower Oxford, in the County of Chester, an institution of learning for scientific, classical and theological education by the name, style and title of "Lincoln University - of the Commonwealth System of Higher Education" under the care and direction of a Board of Trustees, not exceeding thirty-nine in number, who, with their successors in office, shall be and hereby are declared to be one body politic and corporate, in deed and in law, to be known by the name, style, and title of "Lincoln University - of the Commonwealth System of Higher Education," and by the same shall have perpetual succession, and shall be able to sue and be sued, to plead and be impleaded in all courts of law and equity, and shall be capable in law and equity to take, hold, and purchase, for the use and benefit of said University, lands, goods, chattels, and moneys of any kind whatever, by gift, grant, conveyance, devise, or bequest from any person or persons whomsoever capable of making the same, and the same from time to time to sell, convey, mortgage, or dispose of for the use and benefit of said University; and they shall have power to have a common seal; to erect such buildings as may be necessary for the purpose of said University, and to provide libraries, apparatus, and other needful means of imparting a full and thorough course of instruction in any or all the departments of science, literature, the liberal arts, classics, theology, law, and medicine, and to do all and singular the matters and things for the purposes of this Act which any corporation or body politic may or

can do for the well-being of said University, and for the due management and ordering of the affairs thereof, which may not be contrary to the Constitution and laws of this State or of the United States;

(b) Sections 2 and 3 of the Articles of Incorporation of the University have been amended to read as follows:

"The number of Trustees of the University, the method of their election and appointment, and their terms of office shall be fixed by the By-Laws of the University and shall be consistent with the Lincoln University-Commonwealth Act of 1972 while in force, and any other applicable laws of the Commonwealth of Pennsylvania."

IN TESTIMONY WHEREOF, the applicant has caused these Articles of Amendment to be signed by its president and its treasurer and its corporate seal to be hereunto affixed this 31st day of August, 1972.

BY: Herman R. Branson
President

Donald L. Mullett
Business Manager & Treasurer
formerly Business and Financial
Officer

Attest: Leroy D. Johnson

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. Corporate .
. Seal .
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