An Act to amend the Act passed February seventeenth, eighteen hundred and fifty-seven, entitled "An Act to enable Peter Cooper to found a Scientific Institution in the City of New York," and also the Act passed March twenty-first, eighteen hundred and fifty-seven, entitled "An Act to amend the Act entitled "An Act to enable Peter Cooper to found a Scientific Institution in the City of New York," passed February seventeenth, eighteen hundred and fifty-seven."

Passed 1859.

The People of the State of New York, represented in Senate and Assembly do enact as follows:

Section 1. The Act passed February seventeenth, eighteen hundred and fifty-seven, entitled "An Act to enable Peter Cooper to found a Scientific Institution in the City of New York," and also the Act passed March twenty-first, eighteen hundred and fifty-seven, entitled "An Act to amend the Act entitled "An Act to enable Peter Cooper to found a Scientific Institution in the City of New York," passed February seventeenth, eighteen hundred and fifty-seven," are hereby amended so that the same shall read as follows:
§ 2. Peter Cooper, of the City of New York, is hereby authorized to convey to the body corporate hereinafter created, that certain block of land situate in the said City and bounded Northerly by Astor Place, Easterly by the Third Avenue, Southerly by Seventh Street, and Westerly by the Fourth Avenue, with the edifice thereon erected, and all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining for the purpose of founding and establishing a public Institution in said City for the advancement of science, art, philosophy and letters, for procuring and maintaining scientific and historical collections, collections of chemical and philosophical apparatus, mechanical and artistic models, books, drawings, pictures, and statues, and for cultivating other means of instruction, to, for and upon the uses, intents and purposes, and upon the trusts and subject to the conditions and restrictions contained in a deed, which shall correspond in form to the following:

This Indenture made and entered into the day of in the year one thousand eight hundred and fifty-nine, by and between Peter Cooper of the City, County and State of New York and Sarah his wife, parties hereto, of the
first part, and "The Peter Cooper Union for the advancement of Science and Art," a corporation created by and existing under the Laws of the state of New York, party hereto of the second part, Witnesseth, that the parties hereto of the first part, for and in consideration of the sum of One dollar lawful money of the United States to them in hand paid by the said party hereto of the second part at or before the ensaing and delivery of these presents, the receipt whereof is hereby acknowledged, and of other good considerations them thereunto moving, have granted, bargained, sold, aliened, remised, released, and for ever conveyed and confirmed, and by these presents do grant, bargain, sell, alien, remise, release, convey and confirm unto the said party of the second part, and to its successors forever, All and singular the block of ground, situate, lying and being in the city, county and state aforesaid, and bounded Northerly by Astor Place, Easterly by Third Avenue, Southerly by Seventh Street and Westerly by the Fourth Avenue, together with the building thereon erected and all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder,
and remainders, rents, issues, and profits thereof; and also all the estate, right, title, interest, dower and right of dower, property, possession, claim and demand whatsoever, as well in law as in equity of the said parties of the first part, of, in or to the above described premises, and every part and parcel thereof, with the appurtenances.

To Have and To Hold, all and singular the above mentioned and described premises, together with the appurtenances unto the said party of the second part and its successors for, Trust, nevertheless, and subject to the following conditions, and restrictions to, for, and upon the following uses, intents and purposes, and to, for, and upon such other uses, intents, and purposes, as are embraced in an Act Incorporating the party heirs of the second part, passed by the Legislature of the State of New York, the day of

in the year

and entitled "An Act to amend the Act passed February seventeenth, eighteen hundred and fifty seven, entitled "An Act to enable Peter Cooper to found a Scientific Institution in the City of New York", and also to
amend the act passed March twenty
first eighteen hundred and fifty seven,
entitled "An Act to amend the act entitled
An act to enable Peter Cooper to found a
scientific Institution in the city of
New York", passed February seventeenth
eighteen hundred and fifty seven.

or as shall be permitted thereby, and
by any acts amendatory thereof, provided
only that such other uses, intents and
purposes shall not contravene, or in any
way be inconsistent with or opposed to
the following specially enumerated restric-
tions and conditions, uses, intents and
purposes, to, for and upon which this
Conveyance is specially made; that is to
say:

First: that the above mentioned and
described premises, together with the ap-
parterances, and the rents, issues, income
and profits thereof, shall be forever de-
voted to the instruction and improvement
of the inhabitants of the city of New York
in practical science and art.
Second: That the management and
control of the aforesaid mentioned and de-
declared premises together with the appurten-
cances, and of any other property or
money at any time to belong to the party of the second part, and the receipt and expenditure of the rents, issues, income, and profits thereof, shall be forever committed, subject to the conditions and restrictions herein contained, and to such other conditions and restrictions as are or shall be contained in the aforesaid Act of Incorporation of the party or parties of the second part or in any Act amendatory thereof, to a Board of Trustees which shall consist at the first of the following persons, to wit: Peter Cooper, Edward Cooper, Abram S. Hewitt, Daniel T. Tieman, Wilson G. Hunt, and John E. Parsons; that upon the death of that one of the aforesaid Trustees who shall first die, the vacancy in the said Board occasioned by his death shall not be filled but that for ever after except as herein especially provided the said Board of Trustees hereinafore and in the said Act of Incorporation provided for, and to whom shall be committed the control and management of the above mentioned and described premises with the appurtenances and other property or money
and the receipt and expenditure of
the rents, issues, income and profits
thereof shall consist of five male per-
sons; that the five survivors of the said
six Trustees above named shall constitute
the first Board of Trustees consisting
of five members; that every succeeding
vacancy in said Board of Trustees
shall be filled by the surviving or re-
mainning Trustees by ballot; that to
elect any person a Trustee shall require
the vote of at least three Trustees for such
person, and that the oldest lineal male
descendant of Peter Cooper shall be a
Trustee ex gratia, unless he be a Trustee
by virtue of original appointment here-
in made, or by election as hereinafo-"ondaed.
if such oldest lineal male descendant of
said Peter Cooper be a Trustee by virtue
of original appointment made herein
or by election as such Trustee as herein
provided, the number of Trustees consti-
tuting said Board of Trustees shall be
five; but if such oldest lineal male de-
cendant of Peter Cooper be not a Trustee
by virtue of such original appointment
or subsequent election, then and in such
case and until another vacancy shall
occur in the said Board of Trustees
by the death or removal of a Trustee other than such oldest male lineal descendant of Peter Cooper, the number of such Trustees shall be six.

Third: The members of such Board of Trustees shall hold their offices as such Trustees for life, provided only that for any such member cause they may be removed by order of the Supreme Court of the State of New York on notice by the Secretary of the Trustees and such member may resign his office, and then upon such removal and such Trustees shall cease to be Trustees upon the election of their successors.

Fourth: The premises above mentioned and described and the appurtenances including all future endorsements made to the party hereto of the second part, the appropriation of which shall not be specially provided by the parties making the same, and all money and property which shall at any time belong to the party hereto of the second part, and all the rents, income, issues and profits thereof shall be devoted to and among the following objects and purposes: the division and appropriation of such rents, income, issues, and profits to and among
such objects and purposes being left discretionary with the Board of Trustees provided for as aforesaid, and it being left discretionary with such Board when, and to what extent they shall carry out any of such objects and purposes, accepting and adopting the

I. To regular courses of instruction at night free to all who shall attend the same under the general regulations of the Trustees on the application of science to the useful occupations of life, on social and political science, and on such other branches of knowledge as in the opinion of the Board of Trustees will tend to improve and elevate the working classes in the City of New York.

II. To the support and maintenance of a free reading room; of galleries of art; and of scientific collections designed in the opinion of the Board of Trustees to improve and instruct those classes of the inhabitants of the City of New York whose occupations are such as to be calculated in the opinion of the said Board of Trustees to deprive them of lives...
recreation and instruction.

III. To provide and maintain a school for the instruction of respectable females in the arts of design, and of other art or trade, or useful employment, for females.

IV. As soon as in the opinion of the Board of Trustees, the funds which shall from time to time be at their disposal will warrant such an expenditure, such funds shall be appropriated to the establishment and maintenance of a thorough polytechnic School, the requirements to admission to which shall be left to the discretion of the said Board of Trustees, and shall be specifically determined by them from time to time, and which School shall as far as possible and as soon as possible be made equal to the best technological Schools now established or hereafter to be established.

Until the funds at the disposal of the Board of Trustees shall be sufficient in the opinion of the said Board of Trustees for the establishment of such polytechnic
School, the said Board of Trustees may furnish with rooms and accommodation for such School, and may assist in the maintenance thereof, the Department of public instruction of the City of New York, the Trustees of any college or University, or any other body, individual or individuals.

V. To provide rooms in the judgment of the Board of Trustees suitable for the offices of a Society to be organized as provided in the Act hereinbefore specially referred to, and to be called "The Union for the Encouragement of Arts, Manufactures, and Commerce," and furnish to such Society for its general meetings on one evening of each week, the Great Hall of the Building, if the Council of the said Society shall require it so often.

Fifth: The above mentioned and described premises shall be forever subject to the visitation and examination at all reasonable hours of the Council of the said Society, so to be organized and to be called the "Union for the Advancement
of Arts, Manufactures, and Commerce.

The terms and conditions of membership of which shall from time to time be prescribed by the Board of Trustees of the party of the second part, which said society shall make all rules and regulations for its own conduct and government subject however to the approval of the Board of Trustees of the party hereto of the second part, and shall pay to the said Board of Trustees for the general uses, intents and purposes of the Corporation hereby created, hereby and in the said act and any acts amendatory thereof, provided or to be provided, all fees received on the initiation into said society of the members thereof. And the said Board of Trustees shall consider and adopt such suggestions of the Council of the said society as from time to time shall be communicated to them, and as in their judgment be practicable and calculated to increase the usefulness of the institution herein contemplated.

Sixth: Upon the happening of any vacancy in the Board of Trustees above provided for, which is above provided to be filled by election, unless
such vacancy shall be filled as hereinafter provided within one year of the time when such vacancy shall occur, the same may be filled at any time before it shall be actually filled, by the Board of Trustees by the said Council of the said "The Union for the Advancement of Arts, Manufactures, and Commerce" by election, in such manner as may be provided by the by laws of the said Society. Seventh: Whenever a vacancy shall occur in the said Board of Trustees to be filled by election as above provided, such election shall be held at a meeting of the said Board of Trustees on and only on previous notice given at and entered in the minutes of at least one preceding regular meeting of such Board, stating the meeting at which such election shall be held, and at such meeting, at any regularly adjourned meeting from that meeting, such election shall be held by ballot, and the person first having three of the votes cast shall be the Trustee to fill such vacancy provided that if such person so elected shall decline to act as such Trustee, by so declining the vacancy filled by his election shall be deemed to be again created.
Eighth: Neglect by a Trustee of his duties as such indicated by his absence without excuse or permission of the Board of Trustees from three successive regular meetings of the Board shall always be a sufficient cause among others for the removal of a Trustee.

Ninth: In the event of the partial destruction of the Building now erected upon the above mentioned and described premises, the injury thereby occasioned shall be repaired by the Board of Trustees. In the event of the entire destruction of said building, the Board of Trustees shall unless as next hereinafter provided re-erect a building suitable for the objects and purposes hereinabove enumerated with any funds at their disposal whenever such funds shall be sufficient in their opinion for that purpose, and until the funds at their disposal shall be sufficient for that purpose, such funds shall be securely invested in the name of the party hereto of the second part, and the above mentioned and described premises may be used or disposed of by the Board of Trustees for any temporary purpose calculated
The 5 the largest
to yield for income.

Tenth: In the event of the entire de
struction of the building erected upon
the above mentioned and described
premises, the Board of Trustees may
at their option with the consent of the
Supreme Court, sell and convey and
they are hereby empowered to sell and
convey the said premises, and with the
proceeds of such sale and conveyance
and any other funds at their disposal
the said party hereto of the second part
shall purchase such other premises as
shall in their judgment be suitable
and shall thereon erect a building
suitable for the objects and purposes
hereinabove enumerated, and to such
premises, all the restrictions, provisions,
and conditions hereto shall apply with
like effect as if said premises were the
premises herein granted and conveyed
as aforesaid.

Eleventh: The party hereto of the second
part is hereby expressly forbidden ever to
mortgage the above mentioned and de
scribed premises or any part thereof.
The Trustee shall have power to sell or otherwise dispose of the same or any part thereof, and to take such other steps in reference to the same as the Trustee shall think proper, and to give such security to the guarantees or other persons as the Trustee shall think fit in respect of any such property, and to institute and prosecute any action, suit, or proceeding in respect thereof as the Trustee shall think fit, and to recover from the party in whom such property may be vested, and also from the estate or property of such party, or any part thereof, such sum of money as the Trustee shall determine to be just and equitable in respect of any such property.
anytime before the contract is made by which the same is to be incurred.
Thirteenth: Every Trustee of the party of the second part shall be at all times at liberty in his discretion freely to publish any matter within his knowledge relating to the Institution herein contemplated or to its management in any respect including any discussions in the Board of Trustees, and shall fully disclose the same whenever required either by the Supreme Court or by either Branch of the Legislature. Full minutes shall be kept by the said Board of all their proceedings and the votes and polls shall be recorded on any vote on the request of any member. Neither the said Board of Trustees nor any member thereof shall in any way take into account any religious tenet or opinion of any professor or teacher or of any candidate for any office in said Institution or on any appointment or removal from such office, nor of any student applying for admission into said Institution or competing for any of the honors or advantages, nor shall they permit any professor or teacher in said Institution to make any discrimination among its students on account of their religious tenets or opinions. And the Board of Trustees and each member
thereof shall at all times furnish any information in respect to their funds, revenues and proceedings, which the Legislature (or the Regents of the University may require).

In Witness Whereof the said parties hereto of the second part have hereunto set their hands and seals the day and year first above written.

In presence of

and to for and upon such other uses, intents and purposes, and upon such other trusts and subject to such other conditions and restrictions as are hereinafter mentioned.

§3. Peter Cooper with Edward Cooper, Abram J. Hewitt, Daniel T. Force, Wilson G. Hunt and John E. Parsons and their successors shall be and hereby are created and constituted a body corporate by the name and title of "The Peter Cooper Union for the Advancement of Science and Art." The corporate existence of which shall commence when the said Peter Cooper shall convey to it the block of land and edifice above mentioned and shall continue for ever.
§ 4. The said body corporate shall possess all the powers and privileges of a corporation as conferred by the Laws of the State of New York, and as granted by this Act.

§ 5. The corporate powers and privileges conferred upon and granted and to be granted to the corporation hereby created shall be exercised by a Board of Trustees which shall consist at the first of the aforesaid Peter Cooper, Edward Cooper, Abram S. Hewitt, Daniel F. Tiemann and John E. Parsons. The term of Office of such Trustees, the manner of filling vacancies in the Board of Trustees, the manner and cause of removal and the resignation of Trustees, and the liability of Trustees shall be as provided in the aforesaid Deed mentioned in Section Two of this Act. No member of said Board shall receive any pecuniary compensation for his services.

§ 6. The corporation hereby created is hereby authorized and empowered to execute the Trusts and powers mentioned in and intended to be created by the aforesaid Deed set forth in Section Two of this
Act, to accept such deed, and to hold the premises and property therein mentioned, including all endorsements at any time to be made to the said Corporation subjected to the conditions and restrictions created in said Deed, and to, for and upon the uses, intents and purposes therein provided, and for the purposes and to the extent provided in the said Deed, the said trusts, powers, conditions, restrictions, uses, intents and purposes are and shall be valid, and effectual and shall attach to the said premises and property.

§ 7. The Corporation hereby created and the Board of Trustees thereof are hereby authorized and empowered to do and perform all and every act and thing whatever, and to carry out and accomplish all and every trust, intent and purpose provided to be done, carried out or accomplished in and by the aforesaid Deed, in respect to the said Corporation or Board of Trustees and the said Corporation is hereby alone authorized and empowered to receive all and every endorsements made to it, to appropriate the same to the uses, intents and purposes contemplated herein and in the said deed.
§ 8. The Trustees of the Corporation hereby created may at any time associate with themselves such persons as they shall see fit and with such persons organize a Society with the style and Title of "The Union for the encouragement of Arts, Manufactures and Commerce," the objects and purposes of which shall be the encouragement of Arts, Manufactures and Commerce, the bestowal of rewards for such productions, inventions and improvements as tend to the useful employment of the poor, the increase of trade, and the riches and honor of the Country, for meritorious works, in the various departments of the Fine Arts, for Discoveries, Inventions and Improvements, and generally to assist in the advancement, development and practical application of every department of Science in connection with the Arts, Manufactures and Commerce of the Country. The said Society shall consist of the said Trustees and of such other persons as from time to time shall be elected members thereof always including the members of the Board of Trustees of the several Arts and Sciences of the Corporation. The said Board of Trustees shall from time to time prescribe the conditions of membership of the said Society, which subject to the approval of said Board
of Trustees shall make all rules and regulations for its own conduct and govern-
ment, pass its own bye-laws and prescribe the duties and powers of its members and officers, and which said society shall elect its own mem-
ers and officers, shall from its members annually elect a Council consisting of at least twenty four members of said society, which said Council is hereby authorized and em-
powered to do and perform all and every act and thing whatever by it provided to be done and performed in and by the said Deed. The said society shall be inper-
parlably connected with the party heirs of the second part which shall be entitled to receive, and in which shall rest all property whatsoever which shall in any way be acquired by or at any time be granted, conveyed, assigned, devised or bequeathed to the said society, save only the current receipts thereof, which property shall be held by the party heirs of the second part but in trust however for the said society for as long as the same shall remain in said connection with the party heirs of the second part as shall be by the Board of Trustees thereof from time to time provided, and which said property so long as the same shall be held in Trust may at any time be sold or disposed of by
The said Corporation on the consent of the Council of the said society and of the said Corporation

§ 9. The Corporation hereby created may confer degrees and diplomas for proficiency in science, arts, philosophy or letters.

§ 10. The Trustees of the Corporation hereby created shall in the month of January render an annual account under oath of all their receipts and expenditures to the Common Council of the City of New York, the "Union for the Encouragement of Art Manufactures and Commerce," and to the Regents of the University, and to the Legislature of the State.

§ 11. The premises and property mentioned in the said Deed, and which shall at any time belong to, or be held in trust by the Corporation or the Trustees, hereby created, including all endowments made to it, shall not nor shall any part thereof be subject to taxation while the same shall be appropriated to the uses, intents and purposes hereby in the said Deed provided for.

§ 12. The Supreme Court shall possess and exercise a supervisory power over the Corporation hereby created and may at any time on reasonable notice of application to the Board of Trustees compel from the Trustees
Collectively or individually a full account of the execution of their Trust. And the Trustees shall at any time render a like full account of the execution of their Trust on the request of either branch of the Legislature, or any of the Board of Trustees of said Corporation. The copies and notes shall be recorded on the request of any Trustee.

§ 13. All provisions of the Act hereby amended not hereby re-enacted are hereby repealed.

§ 14. This Act shall take effect immediately.
- Am Act
- Incorporating
- The Boston
- Society
- Vincis for the advanc
- ment of Science, that.