

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 532
SENATE BILL 201

AN ACT TO AMEND THE CHARTER OF MARS HILL COLLEGE PASSED BY THE GENERAL ASSEMBLY IN 1905 AND 1923, AND BEING CHAPTER 326 OF THE PRIVATE LAWS OF 1905, AND CHAPTER 43 OF THE PRIVATE LAWS OF 1923.

The General Assembly of North Carolina do enact:

Section 1. Amend Section 1 of Chapter 326 of the Private Laws of 1905 by striking out in lines 10 and 11 of said Section the words: "a term of 99 years." and substitute in lieu thereof the words: "an unlimited term of years."

Sec. 2. That Section 2 of said Chapter 326 of the Private Laws of 1905 be, and the same is hereby repealed and the following subsections designated as Subsections 2.1, 2.2, 2.3, 2.4, and 2.5, be substituted in lieu thereof.

Sec. 2.1. The Baptist State Convention of North Carolina shall elect the trustees of Mars Hill College, and shall designate the term of said trustees. The Convention may stagger the term of said trustees in such way or manner as it sees fit, and at subsequent regular annual sessions of the Convention shall elect a sufficient number of trustees to succeed those retiring from said board.

Sec. 2.2. The trustees of Mars Hill College shall be responsible to the Baptist State Convention for the operation of said college in accordance with Baptist principles and shall make a report of the work done and undertaken annually to the Convention. Any change in the Charter of Mars Hill College which would materially affect or change the purpose of the college, or the relationship of the college, or its Board of Trustees to the State Convention, shall have the prior approval of the Convention. No program shall be inaugurated which might involve the Convention directly or indirectly in a debt, without securing the prior approval of the entire Convention,

Sec. 2.3. The members of the Board of Trustees of said college shall be residents of the State of North Carolina and members of churches co-operating with the Convention.

Sec. 2.4. If for any reason a member of the Board of Trustees shall cease to be a member of a church co-operating with the Baptist State Convention, or shall remove his residence from the State, his membership on the Board of Trustees shall be thereby terminated. Any vacancy on the Board of Trustees shall be filled by the remaining members until the next regular annual session of the Baptist State Convention, and the Convention shall at its next regular annual session fill any vacancies for the unexpired term. The Board of Trustees of said college, by affirmative

vote of three-fourths of the entire membership given in regular annual meetings, or in a special meeting called for the purpose, shall have the power to remove from office any trustee of said college for cause considered sufficient by the said board, but only after reasonable notice to such trustee and opportunity to be heard by the board.

The Baptist State Convention shall have the right to remove any trustee for cause considered sufficient by the Convention, but only after reasonable notice to such trustee and opportunity for him to be heard by the Convention. Notice of such contemplated action and hearing by the Convention may be given by the Executive Committee of the General Board of the Convention.

Sec. 2.5. The trustees of said college shall be elected by the Baptist State Convention after receiving nomination from the Convention's Nominating Committee.

The trustees of said college shall annually report to the Nominating Committee of the Baptist State Convention the number of vacancies of the Board of Trustees to be filled by said Convention.

Sec. 3. That Section 5 of Chapter 326 of the Private Laws of 1905, and Section I of Chapter 43 of the Private Laws of 1923 be, and they are hereby, repealed and in lieu thereof the following is inserted: "That the value of the real and personal property owned and belonging to said college shall be unlimited."

Sec. 4. That Section 9 of Chapter 326 of the Private Laws of 1905 be amended by striking out therefrom in lines 7 and 8 thereof, the following words: "but no voucher shall be paid until it is countersigned by the chairman of the board;"

Sec. 5. That the faculty of said college, consisting of the president, professors, and teachers, by and with the consent and approval of the trustees, shall have the power, privilege and authority of conferring degrees or marks of literary distinction upon such persons as they deem entitled thereto in accordance with the normal practice and usage of colleges and seminaries of learning and distinction in other parts of the country.

Sec. 6. That if any part or parts of this Act shall for any reason be held invalid, then that shall not affect or invalidate the remaining portions of this Act.

Sec. 7. That this Act shall be in full force and take effect from and after its ratification.

In the General Assembly read three times and ratified, this the 30th day of May, 1961.