

Old

CHARTER.

*adopted 1787*

AN ACT INCORPORATING THE THEOLOGICAL SEMINARY OF THE  
GENERAL SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN  
THE UNITED STATES, AND FOR OTHER PURPOSES.

SEC. 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 Theological Seminary of the General Synod of the Evangelical Lutheran Church in the United States, located at Gettysburg, in the county of Adams, is hereby erected into a body politic and corporate, in deed and in law, by the name, style and title of "The Theological Seminary of the General Synod of the Evangelical Lutheran Church in the United States," and by the same name shall have perpetual succession, and be able to sue and be sued in all courts of law and elsewhere, and shall be able and capable in law and equity to take and hold lands, tenements, goods, chattels, of whatever kind or nature or quality, real, personal and mixed, which are now or hereafter shall become the property of the said Seminary, by gift, grant, bargain, sale, conveyance, assurance, will, devise, bequest or otherwise, from any person or persons capable of making the same, and the same to grant, bargain, sell or dispose of, and to have and use a common seal, *Provided,* That the yearly value or income of said real and personal estate shall not at any time exceed the sum of twenty thousand dollars.

SEC. 2. *And be it further enacted by the authority aforesaid,*  
That the affairs of the corporation shall be managed and superintended by a board of directors to be elected by the several

contributing synods constituting or which may constitute the General Synod aforesaid, in such manner and at such times as the several synods may prescribe; and the persons who are now directors shall be directors until others are elected by such several synods, according to their respective regulations; "and each synod shall be entitled to as many Directors as it elects Delegates to the General Synod," and their seats shall be vacated according to the provisions contained in said statutes; and said Directors shall annually elect from among their number, a President, Vice-President and Secretary, who shall always be re-eligible; in the absence of the President and Vice-President, a President pro tempore shall be elected by the Board; they shall also elect a Treasurer from time to time, who shall give security as the Directors may require for the trust reposed in him.

SEC. 3. *And be it further enacted by the authority aforesaid,* That there shall be at least one meeting of the Board in each year, and special meetings as the by-laws may prescribe; and when met twenty members shall constitute a quorum, twelve being ministers and eight lay members; and they shall have power to enact the necessary by-laws, rules and regulations for the well ordering and government of said Seminary, the same being not inconsistent with the constitution and laws of this State, of the United States, or of the constitution calculated for the government of said Seminary; and a record of the transactions of the Board shall be kept in a book provided for that purpose and the funds shall be applied to promote the objects of the institution, as the Directors may deem expedient from time to time.

SEC. 4. *And be it further enacted by the authority aforesaid,* That it shall not be lawful for the said corporation to appropriate any of its surplus funds, if any it may have or acquire over and above defraying the usual and necessary expenses

thereof, to any other objects than those of a charitable or religious purpose, and which shall be necessary or proper for the well-being of the said Seminary.

SEC. 5. The Theological Seminary of the General Synod of the Evangelical Lutheran Church in the United States, acting under such statutes, by-laws, and regulations as it may establish, is authorized and empowered to confer the ordinary degree in Divinity upon such persons as may be judged worthy, with as full power and authority as any University may confer the same.

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## CONSTITUTION.

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### ARTICLE I.

*adopted 1867*

#### INTRODUCTION—DESIGN OF THIS INSTITUTION.

SEC. 1. It is proper to make a summary statement of the objects aimed at by the founders of this Institution, and of the benefits expected from it, in order that its design may be made known to the public, and that it may always be sacredly kept in view by its Directors, Professors and Pupils. It is designed:

2. To provide our churches with pastors who sincerely believe the Word of God as contained in the canonical Scriptures of the Old and New Testaments to be the only infallible rule of faith and practice, and who hold the Augsburg Confession to be a correct exhibition of the fundamental doctrines of the Divine Word, and who will therefore teach them in opposition to Deists, Unitarians, Arians, Antinomians, and all other fundamental errorists;

3. To meet the exigencies of our churches, many of which require ministers capable of preaching in both the German and English languages;

4. To educate for the ministry poor young men of piety and talents, by affording them gratuitous instruction, and as far as the funds will admit, and their necessity requires, defraying also their other necessary expenses;

5. To make the future ministers of the Church devoted and deeply pious men, by educating a number of them amid circumstances most favorable to the growth of genuine godliness and affording the most powerful stimulus to its attainment;

6. To promote unanimity of views and harmony of feelings among the ministers of our Church, by having a large number educated by the same teachers, and in the same course of study; and thus to enable them to coöperate more effectually in promoting the Kingdom of the Redeemer;

7. To increase the number of ministers, and make it commensurate with the increasing wants of the Church.

## ARTICLE II.

### BOARD OF DIRECTORS.

SEC. 1. This Institution shall be governed by a Board of Directors, chosen by such Synods, in connection with the General Synod, as shall patronize it and contribute to its support, and each shall be entitled to as many clerical and lay Directors as it elects delegates to the General Synod. The Board shall meet at least once a year, at such time as may be determined by resolution, and as often in intermediate times as will be provided for in a subsequent article. Their terms of service shall be determined by the respective Synods electing them.

2. Every Director, before he takes his seat as a member of this Board, shall solemnly subscribe the following formula, viz: "Sincerely approving of the design of the Seminary of the General Synod of the Evangelical Lutheran Church in the United States, as detailed in Art. 1. of its Constitution, and of the provisions of the Constitution and the Statutes of said

Seminary, I do solemnly declare and promise, in the presence of God and this Board, that I will faithfully endeavor to carry into effect all the provisions of said Constitution and Statutes, and thus promote the great design of said Seminary."

3. The Board of Directors shall have the power to designate the number of sessions and the time of opening and closing the Seminary year.

4. Twenty members of the Board shall constitute a quorum, *Provided always*, that twelve of this number be ministers of the gospel, and eight laymen.

5. The Board shall annually choose, out of their own number, a President, Vice-President and Secretary, who shall always be re-eligible. In the absence of the President, the Vice-President shall preside, and in his absence, the Board shall elect a President *pro tempore*.

6. A special meeting of the Board shall be called by the President, or, in case of his death or inability to act, by the Vice-President, whenever a written request for such a meeting is presented to him, signed by one clerical and one lay Director for each synod in connection with the Seminary. The mode of calling a special meeting by the President or Vice-President, when thus lawfully requested, shall be by a circular or a telegram, addressed to each Director, specifying the time of meeting, and the business to be transacted. This notice shall be sent at least fifteen days before the time of said meeting, and no business can be transacted, except that specified in the notice.

7. The Board of Directors shall elect some suitable person as the Treasurer of the Board, who shall be required to give sufficient bond and security. The Treasurer shall receive all moneys to be paid into the Treasury, and shall hold them and his office subject to the exclusive direction of the Board. He shall, in no case whatever, pay out any money, except, when

ordered by a vote of the Board, and shall render to them at every annual meeting a faithful statement of his account. In case of the death or resignation of the Treasurer, or in his inability to act, the President, or, in case of his inability, the Vice-President, shall have power to appoint as Treasurer such person as may be approved in writing by four Directors, two of whom shall be laymen. Such person, having first given good and sufficient security for the faithful discharge of his duties, shall act as Treasurer until the next regular or special meeting of the Board.

8. Every meeting of the Board shall be opened and closed with prayer. And at every stated meeting the Constitution shall be read before the Board of Directors, if called for by a majority, in order that they may distinctly keep in mind the design of the institution, and the duties incumbent upon them.

9. The Board shall inaugurate the Professors, and give direction what exercises shall be performed on such occasions. They shall prescribe the course of instruction to be pursued by the Professors; and any Professor, wishing to introduce any important change in his department of the course, shall first submit it to the Board for their approbation.

10. The Board of Directors shall inspect the fidelity of the Professors, as well with regard to the doctrines actually taught, as to the manner of teaching them. If any just reason be given them to suspect either the orthodoxy, or piety, or habitual diligence, or capacity of a Professor, or his devotedness to the Lutheran Church, it shall be their sacred duty to institute an investigation at the next regular meeting; or, if deemed necessary by the officers, at a special meeting called agreeable to SEC. 5. Notice of an impeachment of any Professor must be served upon him by the Secretary, at least three weeks before his trial.

11. It shall be the duty of the Board of Directors to keep a

watch over the conduct and interests of the students, to redress their grievances, to review and sanction or reverse the decisions of the Faculty.

12. At every stated meeting of the General Synod, the Board shall forward to said body in writing, a detailed and faithful account of the state of the Seminary. The General Synod may recommend to the Board any measures which they deem conducive to the welfare of the institution; and every such recommendation shall be considered at the next regular meeting of the Board, and may be accepted or rejected as the majority of the Directors present shall see fit.

13. If there should, at any time, be a doubt with regard to an applicant for a seat in this Board, whether he is lawfully entitled to such according to the Constitution of this Seminary, the members present of the Board shall decide the point by vote.

14. In their effort to promote the grand designs of this Seminary and, in short, in all their official acts, the Directors shall conform to the Constitution of the Seminary, and the statutes on which it was founded; and if at any time they should act contrary thereto, or transcend the powers therein granted them, the party deeming itself aggrieved may have redress by appeal to the Judges of the Supreme Court of Pennsylvania, who are hereby constituted and authorized to judge in such cases, and a majority of whom may declare null and void any decision of this Board from which an appeal is made to them, and which, after mature deliberation, they believe to be contrary to the Constitution of the Seminary, or the Statutes on which it is founded, and with which it must ever harmonize.

### ARTICLE III.

#### OF THE PROFESSORS.

SEC. 1. No person shall be eligible to the office of Pro-

fessor, who is not an ordained minister of the Evangelical Lutheran Church, of high repute for piety and talents.

2. Every Professor-elect of this institution shall, on the day of his inauguration, publicly pronounce and subscribe the oath of office required of the Directors, and also the following declaration: "I solemnly declare in the presence of God and the Directors of this Seminary, that I do *ex animo* believe the Scriptures of the Old and New Testaments to be the inspired Word of God, and the only perfect rule of faith and practice. I believe the Augsburg Confession and the Smaller Catechism of Luther to be a correct exhibition of the fundamental doctrines of the Word of God, I declare that I approve of the general principles of church government adopted by the Lutheran Church in this country, and I believe them to be consistent with the Word of God. And I solemnly promise not to teach anything, either directly or by insinuation, which shall appear to me to contradict, or to be in any degree, more or less remote, inconsistent with the doctrines or principles avowed in this declaration. On the contrary, I promise, by the aid of God, to vindicate and inculcate these doctrines and principles, in opposition to the views of Atheists, Deists, Jews, Socinians, Unitarians, Arians, Universalists, Pelagians, Antinomians and all errorists, while I remain a Professor in the Seminary."

3. The preceding declaration shall be repeated by each Professor at the expiration of every term of five years, in the presence of the Directors; and at any intermediate time, if required to do so by a vote of the Board of Directors. And no man shall be retained as Professor who shall refuse to make and repeat this declaration, in the manner and at the times above specified.

4. The salary of the Professors shall be fixed by the Board, and shall be equal to a comfortable support and provision for a family.

5. Should any Professor wish to resign his office, he shall give the Directors three months' previous notice of his intention.

6. The Professors of the Seminary shall constitute a Faculty, of which each member shall have an equal vote, and of which the Professor of Didactic and Polemic Divinity shall, when present, be *ex-officio* Chairman. The Faculty shall convene at the request of any of its members. They shall keep a record of their proceedings, which shall be laid before the Directors at every meeting.

7. If a vacancy in a Professorship should occur by death, or otherwise, the officers of the Board shall have authority to make temporary provision for instruction.

8. The Faculty shall have power to determine the hours of recitation, to examine and decide on all cases of discipline and questions of order; to admit students; to determine rules of decorum and duty, which rules shall be publicly read to the students at the commencement of each session; to admonish and dismiss any student who shall prove immoral, or disobedient, or unsound in his religious views, or whom they shall judge on any account a dangerous or unprofitable member of the institution.

9. The student shall stately worship, under the direction of the Faculty, with the Lutheran Church established in the place in which the Seminary is located; and the Professors shall preach according to arrangements determined among themselves.

#### ARTICLE IV.

##### COURSE OF STUDY, EXAMINATION AND VACATIONS.

SEC 1. The regular course of instruction and study in the Seminary shall embrace the following branches: Greek and Hebrew Philology, Biblical Archæology, Biblical and Profane History connected, Philosophy of the Mind, Evidences of Christianity, Biblical Criticism, Exegetical Theology, Systematic

Divinity, Ecclesiastical History, Polemic Theology, Church Government, Composition and Delivery of Sermons, and Pastoral Theology.

2. The time requisite for a complete course of study shall be three years.

3. At the close of each session, there shall be a regular examination of all the classes on the studies of that session, conducted by the Professors, in the presence of such Directors and other literary gentlemen as may be present. And at the close of their course, the Senior Class shall in like manner be examined on all the studies of the whole course. The theses of the Senior Class shall be assigned them by the Faculty, three months before the time when they are to be publicly defended.

4. Particular attention shall be paid to the German language, and the course of studies shall be regulated, that a due portion of them may be pursued in the German language by all the students who wish.

#### ARTICLE V.

##### OF THE STUDENTS.

SEC. 1. This Seminary shall be open for the reception of students of all Christian denominations, possessing the qualifications herein-after specified.

2. Every applicant for admission shall produce satisfactory testimonials that he possesses good natural talents, is of prudent and discreet deportment, and in full communion with some Evangelical Church; that he has passed through a regular course of academical study, or, wanting this, he shall submit to an examination of his preparatory attainments.

3. Every student before he takes his station in the Seminary shall make and subscribe to the following declaration: "I declare it to be my serious intention to devote myself to the work of the Gospel ministry; and I solemnly promise that, so long as I remain a member of the Theological Seminary, I will, in

reliance and divine grace, faithfully and diligently attend on all the instructions of this institution, and that I will conscientiously and vigilantly observe all the regulations of the Constitution and By-Laws, and that I will pay due respect and obedience to the Professors, treat my fellow-students as brethren, and all other men as becomes the Gospel of Christ."

4. Each student shall be considered a probationer during the first six months, after his matriculation. If after the lapse of this time he shall have proved himself, in the opinion of the Professors, unfit to proceed, they shall report the fact to the Directors, who, if they are of the same opinion, shall dismiss him from the Seminary.

#### ARTICLE VI.

##### OF THE LIBRARY.

SEC. 1. The acquisition of a select and comprehensive Theological Library shall be considered as an object of the highest importance to the Seminary.

2. The Directors shall, therefore, from time to time make such arrangements as they may deem best calculated to attain the object in view; and, as soon as the state of funds will admit it, they make some appropriations for the purchase of the most necessary works.

3. A Librarian may be appointed by the Professors for such times as they may think proper.

4. A suitable room shall be appointed for the Library; and shelves shall be erected and divided into alcoves. If any Synod or individual shall nearly or entirely fill one of the compartments, the name of the donor shall be conspicuously placed over it.

5. The Librarian shall keep a correct catalogue of all the books belonging to the Library, and all the donors who have made contributions to it.

6. No person shall have a right to borrow books except the Professors and students of the Seminary.

7. The Librarian shall form a detailed system of regulations, embracing the items specified in this constitution for the management of the Library; which, after having been sanctioned by the Professors, shall remain in force subject to amendment or revisal by the Board.

#### ARTICLE VII.

SEC. 1. The Steward shall be employed by the Directors, and shall hold his station under such stipulations as may be agreed on by them.

#### ARTICLE VIII.

##### OF THE STEWARDS AND COMMONS.

SEC. 1. The funds of this institution shall at all times be kept entirely separate and distinct from all other funds or moneys whatever; and the Directors shall deposit them into the hands of such corporation, or dispose of them in such other manner for safe-keeping and improvement, as they may see proper.

2. The Directors shall endeavor, from time to time, to devise means for the gradual enlargement of the funds, until they become adequate to the necessities of the institution.

3. It shall be the duty of the Directors sacredly to execute the intention and directions of testators or donors in regard to moneys, or other property, left or given to the Seminary.

4. All moneys collected, or funds obtained, shall be paid into the general fund, until provision is made for the support of the Professors and the erection of the necessary buildings.

#### ARTICLE IX.

Any alteration in this Constitution must be proposed at one annual meeting of the Board and cannot be acted on before the next annual meeting.

#### ARTICLE X.

The Faculty shall have power from time to time to enact By-laws for the internal government of the Seminary, not inconsistent with the provisions of the Constitution—provided that all such By-laws shall be first approved by the Board of Directors.