

CHARTER.

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.

Your Committee recommends the following amendments to the Charter of the Seminary:

First, That in Sec. 1, the clause reading:

"*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," be amended so as to read:

"*Provided*, That the yearly value or income of said real estate shall not at any time exceed the sum of twenty thousand dollars, and that the yearly value or income of said personal property shall not at any time exceed the sum of thirty thousand dollars."

Second, That the first part of Sec. 2, now reading:

"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;" be so amended as to read:

"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, the maximum number of whom shall be fifty and the minimum thirty, 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 an equitable number of Directors according to the provisions of the Constitution of the Seminary."

In Section 3, add after each year "at Gettysburg."

Also amend Section 3, in harmony with Article II., Sec. 4, of the Constitution.

PROPOSED CONSTITUTION,

WITH AMENDMENTS OFFERED IN MAY MEETING, 1905.

ARTICLE I.

NAME AND DESIGN.

SEC. 1. *Name*.—The name of this Institution shall be "The Theological Seminary of the General Synod of the Evangelical Lutheran Church in the United States."

SEC. 2. *Design*.—The design shall be to educate men for the Christian ministry and 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.

ARTICLE II.

BOARD OF DIRECTORS.

SEC. 1. *Number*.—This Institution shall be governed by a Board of Directors, consisting of an equal number of clergymen and laymen chosen by such Synods, in connection with the General Synod, as shall patronize it and contribute to its support. The term of service of the Director shall be determined by the respective Synods electing them.

The maximum number of Directors shall be fifty.*

The ratio of representation until the maximum is reached shall be as follows:

Each Synod consisting of fifty ministers or less shall be entitled to four Directors; of seventy-five and less than one hundred ministers, six Directors; of one hundred or more ministers, eight Directors.

Should this ratio yield more than the maximum, the ratio shall be readjusted by the Board.

The Directors now in office shall fill out their unexpired terms; but the Synods shall not elect new Directors until it becomes necessary to do so to meet the requirements of this Constitution.

SEC. 2. *Right to Seat*.—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, the members present shall decide the point by vote.

* Proposed amendment. The maximum number of Directors shall be eighty.

SEC. 3. *Obligation*.—Every Director, before taking 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. I. 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.

SEC. 4. *Quorum*.—Twenty members of the Board shall constitute a quorum.*

SEC. 5. *Meetings*.—The Board shall meet at least once a year at such a time as may be determined by resolution.†

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 President or Vice-President, when thus lawfully requested, shall notify 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.

SEC. 6. *Officers*.—The Board shall annually choose out of their own number a President, Vice-President, and Secretary, who shall always be re-eligible.

Should any of these officers die or become disqualified by reason of resignation, removal, failure to be re-elected as Director, or otherwise, the order of succession until the next annual meeting shall be as follows: In the case of the President, the Vice-President shall take his place. In the case of the Vice-President or the Secretary, the remaining two shall fill the vacancy from among the Directors. In case but one officer should remain, he shall appoint two other Directors to fill the vacancies, provided he obtain the approval of four other Directors, two of whom shall be laymen.

Should the term as Director of any officer expire in the interim between annual meetings he shall continue in office, provided he be re-elected as Director.

The Board shall elect some suitable person or Institution as Treasurer, who shall be required to give sufficient bond and security. He 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 at every annual meeting a faithful statement of his account. This statement is to be printed and mailed to each member two weeks in advance of the meeting. In case of the death or resignation of the Treasurer, or his inability to act, the President, or, in case of his inability, the Vice-President, shall have power to appoint as Treasurer

* Proposed amendment. Thirty members of the Board shall constitute a quorum, sixteen of whom shall be ministers.

† Insert after "once a year," at Gettysburg.

such person or Institution as may be approved in writing by four Directors, two of whom shall be laymen. Such person or Institution, 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.

SEC. 7. *Duties*.—*a.* The Board shall conduct the affairs of the Seminary directly, or through its officers, or other agents, in accordance with the design of the Institution.

b. The Board shall sacredly execute the intentions and directions of testators or donors in regard to funds or other property left to the Seminary.

c. The Board shall designate the time of opening and closing of the Seminary year.

d. The Board shall elect and inaugurate the Professors. It 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 its approval.

e. The Board 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. It shall require a two-thirds vote to impeach or remove any Professor. In the case of the impeachment of any Professor, notice must be served upon him by the Secretary, at least three weeks before his trial.

f. At every stated meeting of the General Synod, the Secretary of the Board shall forward to said body, in writing, a faithful account of the state of the Seminary.

ARTICLE III.

OF THE PROFESSORS.

SEC. 1. No person shall be eligible to the office of Professor 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 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 Board; and at any intermediate time, if required to do so by a vote of the Board. 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.

5. Three months' notice shall be given to the President of the Board by any Professor resigning his office.

6. The Board shall elect from among the Professors a President of the Seminary, who shall be *ex-officio* Chairman of the Faculty. He shall be the executive officer of the Board in the management of the business of the Seminary, and shall represent it before Churches and Synods, and shall endeavor to advance its interests, financial and otherwise.*

7. The Professors of the Seminary shall constitute a Faculty, in which each member shall be on a parity and shall have an equal vote. The Faculty shall convene at the request of any one of its members. It shall keep a record of its proceedings, which shall be laid before the Board at every regular meeting.

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

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

10. Every Professor, who shall hereafter be elected, shall be retired from active service at the age of seventy, upon such allowance as the Board may be able to provide.†

11. The Professors shall preach in Christ Church according to arrangements determined among themselves, on such Sundays as are open to them, by virtue of the Charter of said Church.‡

12. The actions of the Faculty shall always be subject to revision by the Board.

ARTICLE IV.

OF THE STUDENTS.

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

*Proposed amendment, Chairman of the Faculty. He shall be the executive officer of the Board in the management of the *business* of the Seminary, etc.

†Strike out.

‡Strike out.

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 college course, or, wanting this, he shall submit to an examination.

3. Every student before he takes his station in the Seminary shall make and subscribe 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 on 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 three 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 dismiss him from the Seminary.

ARTICLE V.

COURSE OF STUDY AND EXAMINATIONS.

SEC. 1. The regular course of study shall embrace the following branches: Propædeutic, Biblical Introduction and Criticism, Hebrew Archæology, Hebrew and Greek Exegesis, Hermeneutics, Sacred and Church History, Biblical Theology of the Old Testament and of the New Testament, History of Doctrine, Systematic Theology, Homiletics, Pastoral Theology, Church Polity, Catechetics, Symbolics, Liturgics, Missions, Sunday Schools, and such other branches as may be added from time to time.

SEC. 2. The time required to complete the regular course of study shall be three years.

SEC. 3. At the close of each year, or at the completion of any branch within the year, there shall be an examination of each class conducted in writing. The examination papers shall be submitted to the inspection of the Examining Committee of the Board.

SEC. 4. The Senior Class shall present these at the close of their course upon subjects which shall be assigned by the Faculty three months in advance.

SEC. 5. An average grade of 75 per cent. must be maintained through the entire course by the candidate for regular graduation.

SEC. 6. The degree of B. D. shall be conferred in the regular course upon the following basis:

a. The applicant must be a graduate in the classical course of a regular college.

b. At the end of each year candidates shall present a thesis on some subject approved by the Faculty.

c. An average grade of 90 per cent., and a grade of not less than 85 per

cent. in any branch, must be maintained by the candidate in order to continue the course and obtain the degree.

SEC. 7. The degree of B. D. shall also be conferred after a Post-graduate course upon the following basis :

a. The applicant must be a graduate of a regular College and also of an approved Theological Seminary.

b. The time required shall be three years or longer, at the option of the Faculty.

c. The curriculum shall embrace four departments, with twenty-two branches of study, of which each applicant shall be required to select nine from at least three departments.

d. Each one, on entering upon his course, shall submit to such direction as to his studies and examination for the degree as the Faculty may require.

e. At the end of the course the student shall pass the final examination, oral or written, or both, as the Faculty may determine, and also present a thesis upon one of the topics studied.

f. Each candidate for the degree shall annually pay a contingent fee of ten (10) dollars.

A list of the studies of the Post-graduate course may be had on application to the President or Secretary of the Faculty.

ARTICAL VI.

THE LIBRARY.

SEC. 1. The Board shall elect a Librarian to serve for such a period as they may think proper. *

2. The Librarian shall, with the sanction of the Faculty, make such regulations for the management of the Library as shall promote its usefulness.

3. No persons shall borrow books except the Professors and the students. Exceptions to this rule may be made by the Librarian in the case of ministers, or of scholars pursuing investigations.

4. As a rule, the Librarian shall purchase no books except as authorized by the Faculty.

5. The Librarian shall annually render to the Board a report of the Library, including the titles of books purchased and of money expended.

ARTICLE VII.

AMENDMENTS.

Any amendment of this Constitution must be proposed at an annual meeting of the Board, and, while it may be discussed, it cannot be finally adopted until the following annual meeting.

* Proposed amendment. The Board shall elect a Librarian to serve for five years. The Librarian shall be eligible to re-election. If the Board fails to elect or a vacancy occurs between Board meetings, the Faculty shall elect a Librarian to serve until the next meeting of the Board.