

**AN ACT to incorporate the Trustees of the WOODWARD FREE GRAMMAR SCHOOL.**

Whereas, William Woodward, of the city of Cincinnati, to provide for the better instruction of the poor children living in the said city, in the rudiments of an English education, in order to fit them to become useful members of society, hath granted and conveyed by his deed of gift, bearing date the first day of November, in the year of our Lord, one thousand eight hundred and twenty-six, to certain trustees and their successors, a valuable tract of land, situate in said city, in trust for the purposes aforesaid, in furtherance of this benevolent design, and for the better securing the benefits of the said donation, to those for whom the same was originally intended by the donor: Therefore,

**Sec. 1. [Creation of the Woodward Free Grammar School; sale & banking prohibited]** *Be it enacted by the General Assembly of the state of Ohio.* That *Samuel Lewis, Osmond Cogswell and Jonathan Pancoast*, trustees of the said land, and their successors in office, (appointed as herein after mentioned) be, and they are hereby, created a corporation and body politic, by the name and style of "The Trustees of the Woodward Free Grammar School," by which name they are hereby made capable of holding, using and improving the said property, and all other property, which may hereafter be granted them, for a similar purpose, by any person or persons whomsoever, by which name also they may sue and be sued, contract and be contracted with, in relation to the said lands, and do and perform all other acts necessary for the receiving, safe keeping, using and disposing of the same: *Provided always*, That the said trustees shall have no power to grant, transfer or convey the said lands to vested in them, except as hereinafter provided; *Provided also*, That the funds of said corporation shall never be used in banking.

**Sec. 2. [Cincinnati children without parents may attend Woodward FGS for free, others at reasonable cost]** That such children residing in the city of Cincinnati, and such children only, as have attained the age of five years or upwards, and being under the age of sixteen years, and have no parents or other near relatives, living within the limits of the said city, of sufficient ability to provide for their instruction in the common and necessary branches of an English education or whose parents or other near relative, though being of sufficient ability, utterly neglects and refuses to provide such instruction for them, shall be admitted into the school or schools which may hereafter be established under this act: *Provided however*, That the trustees, may, at any and all times, admit other children into such school or schools, upon condition of receiving therefore, what to them shall seem a reasonable compensation.

**Sec. 3. [Basic education first unless funds allow higher; Trustees decide who will attend, but equally from all wards]** That the instruction afforded to children coming within the provisions of this act, shall be confined to the common and necessary branches of an English education, and shall not be extended to the higher branches of such an education, so long as the fund arising from said lands, is insufficient to provide to means of instruction, for all the poor children in the said city of Cincinnati; that the trustees shall have the power to decide upon the eligibility of applicants for admission; and if at any time it shall so happen, that the trustees from any cause, shall be unable to provide instruction for all the children, coming within the provisions of this act, it shall be their duty to receive an equal number from each ward of the city, and in case there shall not be a sufficient number of such children in one or more of the wards, then the trustees shall receive no many as there may be in such ward or wards and the deficiency shall be supplied in equal proportions, from the remaining wards of the said city.

**Sec. 4. [15-year leasing allowed, sale prohibited]** That the said lands, and all other lands, conveyed to the said trustees for the purposes aforesaid, (unless otherwise stipulated in the deeds of gift thereof) shall be and remain forever liable to the said trust, and that every deed, gift, grant, conveyance, lease or mortgage of the same, by the said trustees, or their successors, to any person or persons, body politic or corporate, shall be utterly void and of no effect; *Provided however*, That the said trustees and their successors, shall have power to make beneficial leases, of all or any part of the said lands, for the term of fifteen years each, or for a longer period, if the extended lease contain a clause of revaluation, every fifteen years.

**Sec. 5. [Appointment of Trustees]** That *Samuel Lewis and Osmond Cogswell*, two of the above mentioned trustees, shall have and hold the said trust, for and during their natural lives, and shall each of them by his deed duly executed, have full power to nominate and appoint his successor for life, in the said trust, who shall have the same power over the said land, as the other trustees shall or may have; together with the power of appointing his successor in office, by deed as aforesaid, which power of appointment shall be and continue in their successors forever: *Provided always*, That the person appointed successor, shall be a citizen of the city of Cincinnati, and a freeholder therein, when it becomes necessary for him to act as trustee; but in case either or both of the said trustees shall neglect to appoint, or their successors or the successors of either of them, shall neglect to appoint a person to succeed him or them, in the execution of the said trust, or in case the person so appointed, shall not be a citizen and freeholder as aforesaid, or in case either or both of the said trustees, or the successor or successors of either or both of them shall resign or abandon the said trust, or shall neglect to act therein from any cause, then in each and every of the above causes, the vacancy or vacancies shall be supplied by the appointment of the mayor and alderman of the city of Cincinnati, for the time being, and in case there shall be no such mayor and alderman, then a similar appointment may be made by the Court of Common Pleas, for the county of Hamilton, and the person or persons so appointed, shall have and hold the said office, for and during the term of seven years, and until his successor shall be appointed; and at the expiration of every seven years from such appointment,

the said mayor and alderman, or if there be no mayor or alderman, then the said Court of Common Pleas may and on application made, it shall be their duty to nominate and appoint the successor of such trustee, for the seven years next ensuing, which septennial appointment shall be continued forever;

*Jonathan Pancoast*, the trustee thirdly above mentioned, shall have and hold the said trust, until the first Tuesday of May next, and from that time forward there shall be an annual election, by the qualified electors of the said city of Cincinnati, on the aforesaid Tuesday of May in each of one of their number to fill the said office, and in case of the death, resignation or abandonment of the trustee so elected, before the expiration of his office, the mayor and alderman aforesaid, shall appoint a responsible person to hold the said office until the next annual election, when his successor shall be chosen.

**[Duties of Trustees]** It shall be the duty of the said trustees to lease the said lands, in the most beneficial manner, and as soon as a sufficient sum of money shall be raised thereby, to locate and erect a commodious building, to be used and occupied as a school house; to procure teachers of good morals and well qualified to instruct, and to receive so many of the above described children, as the said building will accommodate, and the state of the funds will allow; they shall keep the building in good repair, and on the first day in each year, shall render a full and true account to the mayor and alderman of the city of Cincinnati, and in case there be no mayor and alderman, to the aforesaid Court of Common Pleas, of all moneys received by them, and all dues and demands owing to them as such, together with an account of all their expenditures and disbursements, and also of all surplus moneys in their hands, or in the hands of any treasurer appointed by them, belonging to the said trust; and the said trustees shall have power to appoint, annually, some good and responsible person, resident within the city of Cincinnati, to be their treasurer, requiring of him such security, for the faithful discharge of his duties, as they shall deem sufficient. It shall be the duty of such treasurer, to receive and keep safely, all moneys delivered to him by the trustees on account of the said trust, and to enter the same in a book to be provided for that purpose, wherein he shall also keep an account of all disbursements made by him, to the order of the trustees or otherwise, which book shall always be open to the inspection of the said trustees, and he shall moreover render an account of the same, as well as of all his doings in respect to the said trust, to the trustees; at least ten days before the time appointed for them to account with the mayor and alderman, as aforesaid.

**Sec. 6. [Mayor & Alderman oversight, removal of failed trustee]** That the mayor and alderman of the city of Cincinnati, or in case there shall be no mayor and alderman, the Court of Common Pleas for Hamilton county, shall have power to call upon the said trustees for, and compel them to render, on the first day of January, in each year, an account of rents, issues and profits of the said lands, and of all expenditures on account of the said trust, and also of all surplus moneys, debts, dues and demands, in their hands, or in the hands of their treasurer, arising out of and belonging to the said trust, and such account audited and allowed by the said mayor and alderman, or said court, shall be good and effectual discharge to the said trustees; but in case the said trustees, or either of them, on application made as aforesaid, shall refuse to render his or their account as aforesaid, then he or they shall be considered as having abandoned the trust; and the said mayor and alderman, or the said Court of Common Pleas as aforesaid, may proceed to appoint his or their successor, as is provided in the fifth section of this act; and shall also have full power to compel the said trustee or trustees to account or the same, by an action at law or a suit in Chancery, and apply the proceeds of the said action or suit, to the purposes aforesaid.

**[Review Committee]** That the said mayor and alderman, by and with the advice and consent of the said trustees, may annually appoint a committee of five judicious persons, residents in the city of Cincinnati, to visit the school or schools which shall be established and supported, by the profits of the said lands whose duty it shall be to visit the said school or schools, and report any alterations which they may think advisable in the government of the same; and if the alterations so recommended, shall be adopted by a majority of the said trustees, at a meeting regularly called, then the same shall be obligatory upon each and every of them: *Provided however*, That no such alteration shall fundamentally change the course of instruction established in the third section of this act:

**[No Trustee compensation; no religious restriction]** *Provided also*, That the trustees above named, and their successors shall not receive from the funds of the institution, any compensation for their services as trustees thereof: *Provided also*, That the benefits of this Trust shall not be confined to any particular religions sect or sects, but shall be open to all the children coming within the provisions of this act, whatever may be or whatever have been the religious creed of their parents.

EDWARD KING,  
*Speaker of the House of Representatives*

A. SHEPHERD,  
*Speaker of the Senate*

January 21, 1827