

BYLAWS

Origin of the American Antiquarian Society

PETITION TO THE LEGISLATURE OF MASSACHUSETTS,
OCTOBER, 1812.

*To the Honourable SENATE and HOUSE OF REPRESENTATIVES of the Commonwealth of MASSACHUSETTS, in General Court assembled.**

THE subscribers, influenced by a desire to contribute to the advancement of the Arts and Sciences, and to aid, by their individual and united efforts, in collecting and preserving such materials as may be useful in marking their progress, not only in the United States, but in other parts of the globe, and wishing also to assist the researches of the future historians of our country, respectfully represent to the Legislature, that, in their opinion, the establishment of an Antiquarian Society, within this Commonwealth, would conduce essentially to the attainment of these objects. At present there is no publick association for such purposes within the United States. The rapid progress of science, and of the useful and ornamental arts, in our country, may be ascribed in a great degree to the numerous publick institutions originated by patriotick individuals, but deriving their countenance and support from legislative authority. Such a society as is now contemplated, as its objects are essentially distinct from any other in our country, it is believed, may advantageously co-operate with, without in the slightest degree impairing the utility of other institutions. Its immediate and peculiar design is, to discover the antiquities of our own continent; and, by providing a fixed and permanent

*Application for an Act to incorporate this National Institution was made to the Legislature of Massachusetts, from a belief, that the Congress of the United States has not a constitutional power to grant Charters to publick societies without the District of Columbia.

place of deposit, to preserve such relicks of American antiquity as are portable, as well as to collect and preserve those of other parts of the globe. By the long and successful labours of the College of Antiquaries in Ireland, their historians, it is said, have been enabled to trace the history of that country to an earlier period than that of any other nation of Europe. The researches of a similar society in England, established at a later period, at times discouraged, but now aided and fostered by the patronage of the government, have not merely furnished food for curiosity, but have provided many valuable materials for the benefit of history, the improvement of science, and the advancement of the arts of life. Almost every nation indeed of the European world bears witness to the utility of similar institutions. To the enlightened Legislature of Massachusetts, the Subscribers do not deem it necessary to exhibit more in detail the advantages which may be expected from such an establishment within this Commonwealth. They ask for no other aid from the Commonwealth, than the facilities which, in the pursuit of their objects, may accrue from an Act of Incorporation. As an inducement to the grant of these privileges, they beg leave to state that one of their number is, at this time, in possession of a valuable collection of books obtained with great labour and expense, the value of which may be fairly estimated at about five thousand dollars, some of them more ancient than are to be found in any other part of our country, and all of which he intends to transfer to the proposed Society, should their project receive the sanction and encouragement of the Legislature. This grant, which is designed as the foundation of a superstructure to be hereafter erected, with such other conditions as may be reasonably expected, the subscribers believe will ensure the future growth and prosperity of the Institution.

As no injury can at any rate be apprehended from such an experiment, even if it should prove unsuccessful, and as it may be productive of much publick advantage, the petitioners

flatter themselves their project will not be discountenanced by the Government of Massachusetts.

They therefore respectfully pray for leave to bring in a bill for the incorporation of themselves, and such persons as may hereafter associate with them, into a Society by the name of the AMERICAN ANTIQUARIAN SOCIETY, with the privilege of holding real estate in perpetuity of the annual value of fifteen hundred dollars, and with such other privileges and immunities as are usually granted by acts of incorporation to other publick societies established within this Commonwealth.

ISAIAH THOMAS,
NATH'L. PAINE,
WM. PAINE,
LEVI LINCOLN,
AARON BANCROFT,
EDW'D. BANGS.

Sec'ry's Office,
Dec. 3d, 1812.

A true copy of the petition
on file in this office.

Attest,

ALDEN BRADFORD, *Sec'ry Commonwealth.*

COMMONWEALTH OF MASSACHUSETTS.

In the year of our Lord one thousand eight hundred and twelve.

An Act to incorporate the

AMERICAN ANTIQUARIAN SOCIETY

WHEREAS the collection and preservation of the Antiquities of our country, and of curious and valuable productions in Art and Nature, have a tendency to enlarge the sphere of human knowledge, aid the progress of science, to perpetuate the history of moral and political events, and to improve and interest posterity—

Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Isaiah Thomas, Levi Lincoln, Harrison G. Otis, Timothy Bigelow, Nathaniel Paine, Edward Bangs, Esqrs. John T. Kirkland, LL.D. Aaron Bancroft, D. D. Jonathan H. Lyman, Elijah H. Mills, Elisha Hammond, Timothy Williams, William D. Peck, John Lowell, Edmund Dwight, Eleazer James, Josiah Quincy, William S. Shaw, Francis Blake, Levi Lincoln, jun. Samuel M. Burnside and Benjamin Russell, Esq's. Rev. Thaddeus M. Harris, Redford Webster, Thomas Walcut, Ebenezer T. Andrews, Isaiah Thomas, jun. William Wells, and such others as may associate with them for the purposes aforesaid, be, and hereby are, formed into and constituted a society, and body politick and corporate, by the name of the American Antiquarian Society; and that they and their successors, and such other persons as shall be legally elected by them, shall be and continue a body politick and corporate, by that name forever.

SECTION II. *Be it further enacted,* That the members of said Society shall have power to elect a President, Vicepresidents, and such other officers as they may determine to be necessary; and that the said Society shall have one common seal, and the same may break, change and renew at pleasure; and that the same Society, by the name aforesaid, as a body politick and corporate, may sue and be sued, prosecute and defend suits to final judgment and execution.

SECTION III. *Be it further enacted,* That the said Society shall have power to make orders and bylaws for governing its members and property, not repugnant to the laws of this Commonwealth; and may expel, disfranchise, or suspend any member who by misconduct shall be rendered unworthy.

SECTION IV. *Be it further enacted,* That said Society may, from time to time, establish rules for electing officers and members, and also times and places for holding meetings; and

shall be capable to take and hold real or personal estate by gift, grant, devise, or otherways, and the same, or any part thereof, to alien and convey: provided, that the annual income of any real estate by said Society holden, shall never exceed the sum of fifteen hundred dollars, and that the personal estate thereof, exclusive of books, papers and articles in the museum of said Society, shall never exceed the value of seven thousand dollars.

SECTION V. *Be it further enacted*, That said Society may elect honorary members residing in, and without, the limits of this Commonwealth. And that Isaiah Thomas, Esq. be, and hereby is, authorized and empowered to notify and warn the first meeting of said Society; and that the said Society, when met, shall agree upon a method for calling future meetings, and have power to adjourn, from time to time, as may be found necessary.

SECTION VI. *Be it further enacted*, That the Library and Museum of said Society shall be kept in the town of Worcester, in the county of Worcester.

In the HOUSE OF REPRESENTATIVES, October 23, 1812. This bill, having had three several readings, passed to be enacted.

TIMOTHY BIGELOW, *Speaker*.

In SENATE, October 24, 1812. This bill, having had two several readings, passed to be enacted.

SAMUEL DANA, *President*.

October 24th, 1812. Approved,
Secretary's Office, Nov. 2, 1812.

CALEB STRONG.

A true copy.

Attest,

ALDEN BRADFORD, *Sec'y Commonwealth*.

Bylaws

Voted at the Annual Meeting, 1968

ARTICLE I

Name and Location

The name of this Society is American Antiquarian Society. Its principal office shall be in the City of Worcester, Massachusetts.

ARTICLE II

Purpose

The purposes of this Society shall be those set forth in a Special Act of the Legislature of the Commonwealth of Massachusetts, passed October 24, 1812, namely:

The collection and preservation of the Antiquities of our country, and of curious and valuable productions in Art and Nature, hav[ing] a tendency to enlarge the sphere of human knowledge, [to] aid the progress of science, to perpetuate the history of moral and political events, and to improve and interest posterity—

ARTICLE III

Membership

SECTION 1. The members of the Society shall at no time exceed three hundred.

SECTION 2. No person shall be elected a member until his nomination for membership has been at least one (1) month before the Council, nor until he has been recommended to the Society by the Council, nor shall any person be elected a member at any other than a stated meeting of the Society and it shall require at least three-fourths ($\frac{3}{4}$) of all the ballots cast to elect a member.

SECTION 3. Nominations of persons deemed suitable for membership may be made by any member of the Society, in writing to the Director, who shall refer the same to the Membership Committee.

SECTION 4. All elections to membership shall be by written ballot on which shall be placed the names of all persons recommended to the Society for membership by the Council. The vote shall be made by each voter marking a cross opposite the name of the candidate in a column labeled 'yes' or 'no' which shall constitute a vote for or against the candidate, as the case may be.

SECTION 5. The Director shall send by mail a written notice of his election to every newly-elected member. If any person so elected and notified fails for four (4) months to signify in writing to the Director his acceptance of membership, the Director shall report such neglect to the Council at its next meeting and the Council shall then determine whether the name of such person shall be stricken from the list of members or what action, if any, shall be taken.

SECTION 6. Each member present at a meeting of the Society shall be entitled to one vote on each matter submitted to the vote of the membership.

SECTION 7. Any member may resign from membership by submitting a resignation in writing to the Director and his name shall thereafter be omitted from the roll of members.

ARTICLE IV

Meetings

SECTION 1. The annual meeting of the Society shall be held on the third Wednesday of October in Worcester, Massachusetts. The semi-annual meeting shall be held at such place as the Council may designate on the third Wednesday in April unless the third Wednesday in April falls on a legal holiday,

in which case the meeting shall be held on such day in April as the Council shall designate.

SECTION 2. All meetings of the Society shall be called by giving not less than seven (7) days' notice to each member by mail, so far as his address may be known.

SECTION 3. Special meetings of the Society may be called by the President, a majority of the Council, or upon the written request of fifteen (15) members of the Society, and shall be called by the Recording Secretary.

SECTION 4. Twenty-five (25) members of the Society shall constitute a quorum for the transaction of all business.

ARTICLE V

Officers

SECTION 1. The officers of the Society shall be a President, a First Vice President, a Second Vice President, a Treasurer, a Recording Secretary, a Secretary for Domestic Correspondence, a Secretary for Foreign Correspondence, a Director, the elected Councillors, and such other officers as the Council may deem necessary or advisable. The President, the Vice Presidents, the Treasurer, the Recording Secretary, the Secretary for Domestic Correspondence, and the Secretary for Foreign Correspondence shall be elected annually by ballot by the members at the annual meeting and shall hold office for one year and until their successors are elected. Vacancies in any office may be filled by the Council until the next annual meeting.

SECTION 2. The President and Vice Presidents shall discharge the usual duties of their respective offices and such other duties as may be assigned to them from time to time by the Council. The President shall be, *ex officio*, a member of all committees.

SECTION 3. The Treasurer shall have and may exercise the powers and duties commonly incident to his office. The Treas-

urer shall have custody of all securities of the Society, which he shall keep, manage, and invest under the direction and control of the Finance Committee. The Treasurer shall have the custody of all other funds and monies of the Society and shall deposit, pay out, and dispose of the same under the general control and direction of the Council and the Finance Committee. The securities of the Society may be held in the custody of such banks or trust companies within or without the City of Worcester as the Council may from time to time select. The Treasurer shall keep accurate books of account, which shall always be open to inspection by the Council. The Treasurer shall render to the members of the Society annually, and to the Council whenever it requires, a statement of the accounts and financial condition of the Society. If required by the Council, the Treasurer shall give bond for the faithful performance of the duties of the office, in such sum or sums and with such surety or sureties as the Council may direct.

SECTION 4. The Recording Secretary shall keep records of all business transacted at the meetings of the Society, of the Council, and of the admission of members. The Recording Secretary shall give notice of meetings of the Society and of the Council to the respective members thereof.

SECTION 5. The Director of the Society shall be appointed and his compensation fixed by the Council and shall serve at the pleasure of the Council. The Director shall be the administrative officer of the Society and, subject to the instructions of the Council, shall be responsible for the general operation of the Society. The Director shall supervise the services of all employees and shall supervise all expenditures. With the advice of the Finance Committee and the Treasurer, the Director shall prepare and present to the Council at the meeting of the Council next preceding the annual meeting of the Society a list of appropriations for the ensuing year. The Director shall perform such other duties as may be required

by the Council and shall furnish a report of his doings at each meeting of the Council and at the annual meeting of the members. The Director shall be, *ex officio*, a non-voting member of all committees.

ARTICLE VI
The Council

SECTION 1. The Council shall consist of the President, the Vice Presidents, the Treasurer, the Recording Secretary, the Secretary for Domestic Correspondence, the Secretary for Foreign Correspondence, the Director, and not less than ten (10) nor more than fifteen (15) other members of the Society who shall be elected annually at the annual meeting of the Society.

SECTION 2. The Council shall have the general control and supervision of all of the doings and all of the property of the Society not specifically reserved by these Bylaws to the members of the Society. The Council may, by a Finance Committee or other Committee duly authorized, take, release, or transfer securities for any portion of the funds of the Society, or for money due it, and may receive and execute receipts, and also deeds or leases of real estate on behalf of the Society and it may determine by what officer or officers such receipt, deeds, or leases of the Society shall be executed.

SECTION 3. The Council shall appoint the Director of the Society.

SECTION 4. The Council shall meet at such times and places as it may deem necessary. Special meetings may be called by the President or by written request of four (4) members of the Council, and shall be called by the Recording Secretary.

SECTION 5. Notice of all meetings of the Council shall be mailed by the Recording Secretary to each member of the Council at least seven (7) days prior to the date of any meeting.

SECTION 6. Five (5) members shall constitute a quorum of the Council.

SECTION 7. The Council shall, at the annual and semi-annual meetings of the Society, make a report to the members of its doings.

ARTICLE VII

Committees

SECTION 1. *Appointment*

The President shall annually appoint from the membership of the Society a Library Committee, a Finance Committee, a Committee on the Hall, a Publications Committee, a Membership Committee, and a Nominating Committee. The President may from time to time appoint such other committees as the Council may deem necessary or advisable.

SECTION 2. *Committee Chairmen*

Committee Chairmen of the standing committees shall be chosen from the membership of the Council.

SECTION 3. *Library Committee*

The Library Committee shall, with the advice of the Director and Librarian, determine the policies of the Society with regard to acquisition, preservation, and disposition of library and museum materials and the use thereof, subject to the control of the Council.

SECTION 4. *Finance Committee*

The Finance Committee shall direct the Treasurer in all matters connected with the investments of the Society and shall advise the Treasurer and the Director with regard to other financial matters, subject to the control of the Council.

SECTION 5. *The Committee on the Hall*

The Committee on the Hall shall, with the Director, have the care and oversight of the land and buildings of the Society, subject to the control of the Council.

SECTION 6. *Publications Committee*

The Publications Committee shall advise the Director in the

issue of all publications of the Society, subject to the control of the Council.

SECTION 7. *Membership Committee*

The Membership Committee shall consider for membership in the Society all nominations received from the Director and such other nominations as it deems advisable. The Director, on behalf of the Committee, shall mail to each member of the Council, at least seven (7) days prior to the date of each Council meeting at which the Council is to consider candidates for election, a list of the recommendations of the Membership Committee.

SECTION 8. *Nominating Committee*

The Nominating Committee shall nominate, at least one month before the annual meeting, one or more candidates for each office to be filled at the annual meeting of the Society. The Director shall, immediately upon receiving such nominations, post the same in some public place in the Society's Library. Nominations for any office to be filled at the annual meeting of the Society, in addition to those made by the Nominating Committee, may be made by papers filed by fifteen (15) or more members of the Society deposited with the Director at least two weeks before the annual meeting. The Director shall, immediately upon receiving such nominations, post the same in some public place in the Society's Library. Copies of the nominations by the Nominating Committee and copies of any other nominations shall be mailed to the members of the Society at least one week prior to the date of the annual meeting.

ARTICLE VIII

Finance

SECTION 1. *Fiscal Year*

The fiscal year shall begin on the first day of September in each year.

SECTION 2. The books of the Society shall be audited annually by a public accountant.

SECTION 3. No part of any earnings or assets of the Society may benefit any private person or individual other than by payment of reasonable compensation to employees and the normal carrying out of the educational purposes of the Society. In the event of dissolution of the Society, all assets remaining after the payment of all liabilities shall be paid over to one or more educational institutions, operating libraries, which are exempt under Section 501 (c) of the Internal Revenue Code of 1954, or the corresponding provisions of any future United States Internal Revenue law.

ARTICLE IX
Amendments

These Bylaws may be amended by a two-thirds vote of the members present at any meeting of the Society, provided that notice of the proposed amendments shall have been mailed or given to each member with the call of the meeting. No amendment may be made which affects the tax exempt status under Section 501 (c) of the Internal Revenue Code of 1954, or the corresponding provisions of any future United States Internal Revenue law, or which affects the distribution of assets under Section 3 of Article VIII of these Bylaws.

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