An Executive Session of the Executive Board of the Trustees of the University of Pennsylvania was held at 2:00 p.m. on Friday, January 16, 1970 in the Council Room of the Furness Building.

Present were: Gustave G. Amsterdam, Esq., Mr. Julian S. Bers, Mr. I. W. Burnham, II, Mr. Orville H. Bullitt, Mr. Henry B. Bryans, Mr. Henry M. Chance, II, Dr. George A. Coleman, Windsor F. Cousins, Esq., Mr. Paul J. Cupp, Milton T. Davis, Esq., Mr. William T. Day (presiding), Robert Dechert, Esq., Mr. Robert G. Dunlop, Mr. John W. Eckman, Mr. Marcus A. Foster, Mr. Thomas S. Gates, Judge Higginbotham, Mr. Reginald H. Jones, Dr. Carl Kaye, Mr. John A. Mayer, Mr. C. B. McCoy, Mr. Walter F. O'Malley, Mr. William D. Patterson, Dr. D. Sergeant Pepper, Mr. James A. Salinger, Mr. Wesley A. Stanger, Jr., Mr. Sarkes Tarzian, Robert L. Trescher, Esq., Senator Ware, Morton H. Wilner, Esq., and Mr. Charles S. Wolf; Drs. David R. Goddard and Gaylord P. Harnwell (guests) and Mr. William G. Owen (Secretary).

The Chairman reflected upon particular problems which have been encountered in receiving a definite answer from Mr. Martin Meyerson regarding the University presidency in time for his election at this meeting. He then requested the Secretary to read on behalf of the Chairman, the following resolution prepared by University Counsel:

WHEREAS, Section 2 of Article XIII of the Statutes provides that a rule or statute relating to the election of a President, whose election requires a two-thirds vote of Trustees, may be suspended by unanimous consent at a meeting at which there are present not less than two-thirds of the Trustees at the time in office, and

WHEREAS, the Secretary has reported to the Chairman that there are present at this meeting not less than two-thirds of the Trustees at the time in office and that the notice and nomination requirements of the Statutes concerning the election of a President have been duly complied with in connection with this meeting.

NOW, THEREFORE, I request unanimous consent to the suspension of the provisions of Section 13 of Article I and the provisions of Section 4 of Article II to the extent necessary to permit the election of one of the persons who has been duly nominated by the Executive Board as President by a majority of the Trustees present -- such suspension to be applicable when this meeting is reassembled following a recess, which it is contemplated will be voted at the close of today's session.

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Mr. Ballard commented briefly upon the proposed course of action; the Chairman then asked whether anyone was opposed to the suspension of the rules as indicated. No indication being given, it is assumed there was unanimous consent to the proposed course of action.

William G. Owen
Secretary