

# **THE YALE CORPORATION**

CHARTER AND LEGISLATION

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**CONNECTICUT LEGISLATION**

## CONNECTICUT LEGISLATION

### ACT FOR LIBERTY TO ERECT A COLLEGIATE SCHOOL, 1701

By the Gov<sup>rn</sup>, in Council & Representatives of his Maj<sup>ties</sup> Colony of Connecticut in Gen<sup>rl</sup> Court Assembled, New-Haven, Oct<sup>r</sup> 9: 1701:

*An act for Liberty to erect a Collegiate School:*

WHEREAS several well disposed, and Publick spirited Persons of their sincere Regard to & Zeal for upholding & Propagating of the Christian Protestant Religion by a succession of Learned & Orthodox men have expressed by Petition their earnest desires that fully Liberty and Priveledge be granted unto Certain Undertakers for the founding, suitably endowing & ordering a Collegiate School within his Maj<sup>ties</sup> Colony of Connecticut wherein Youth may be instructed in the Arts & Sciences who thorough the blessing of Almighty God may be fitted for Publick employment both in Church & Civil State.

To the intent therefore that all due incouragement by Given to such Pious Resolutions and that so necessary & Religious an undertaking may be sett forward supported & well managed.

BE IT ENACTED BY THE Govern<sup>r</sup> & Company of the s<sup>d</sup> Colony of Connecticut, in General Court now Assembled, And it is enacted & ordained by the Authority of the same that there be & hereby is full Liberty Right and Priveledge Granted unto the Reverend M<sup>r</sup> James Noyes of Stonnington, M<sup>r</sup> Israel Chauncey of Stratford, M<sup>r</sup> Thomas Buckingham of Saybrook M<sup>r</sup> Abraham Pierson of Kennelworth M<sup>r</sup> Samuel Mather of Windsor M<sup>r</sup> Samuel Andrew of Millford M<sup>r</sup> Timothy Woodbridge of Hartford M<sup>r</sup> James Pierpont of New Haven M<sup>r</sup> Noadiah Russel of Middletown M<sup>r</sup> Joseph Webb of Fairfield being Rev<sup>rd</sup> Ministers of the Gospel & inhabitants within y<sup>e</sup> s<sup>d</sup> Colony Proposed to stand as Trustees Partners or Undertakers for the s<sup>d</sup> School to them and their successors, TO ERECT form direct, order establish improve and att all times in all suitable wayes for the future to Encourage the s<sup>d</sup> School in such convenient place or Places, & in such form & mann<sup>r</sup> & und<sup>r</sup> such order & Rules as to them shall seem meet & most conducive to the afores<sup>d</sup> end thereof so as such Rules or Orders be not Repugnant to the Laws of the Civil Governm<sup>t</sup> as also to employ the moneys or any other estate which shall be Granted by this Court or otherwise Contributed to that use according to their discretion for the benefit of the s<sup>d</sup> Collegiate School from time to time & att all times henceforward.

And be it further ENACTED by the Authority afores<sup>d</sup> that the before named Trustees Partners or undertakers together with such others as they shall associate to themselves (not exceeding the number of Eleven, or att any time being less than Seven), Provided also that Persons nominated or associated from time to time to fill up s<sup>d</sup> number be minist<sup>rn</sup> of the gospel inhabiting within this Colony & above the Age of forty years ) or the major Part of them the s<sup>d</sup> Mr James Noyes, Israel Chauncey, Thomas Buckingham, Abraham Pierson, Samuel Mather, Samuel Andrew, Timothy Woodbridge, James Pierpont Noadiah Russel, & Joseph Webb undertakers & of such Persons so chosen & associated as aboves<sup>d</sup> att any time hereafter, HAVE and Shall have henceforward the oversight full & compleat right Liberty power & Priveledge to furnish direct manage order improve & encourage from time to time & in all times hereaft<sup>r</sup> the s<sup>d</sup> Collegiate School so Erected & formed by them in such ways orders & mann<sup>r</sup> & by such Persons

Rector or Master and officers appointed by them as shall according to their best discretion be most conducive to attain the afores<sup>d</sup> mentioned end thereof.

And Moreover it is ENACTED & ordered by the Govern<sup>r</sup> Council & Representatives of y<sup>e</sup> Colony afores<sup>d</sup> met in General Assembly That the s<sup>d</sup> M<sup>r</sup> James Noyes, Israel Chauncey, Thomas Buckingham, Abraham Pierson, Samuel Mather, Samuel Andrew, Timothy Woodbridge, James Pierpont, Noadiah Russel & Joseph Webb, Undertakers Trustees or Partners & y<sup>e</sup> s<sup>d</sup> Persons taken from time to time into Partnership, or associated as afores<sup>d</sup> with themselves, Shall Have & receive & is hereby GIVEN & GRANTED unto them, the full & just sum of one hundred & twenty pounds in Country Pay to be paid Annually & att all times hereafter until this Court order otherwise TO them & to such Person or Persons only as they shall appoint & impower to Receiv the same to be faithfully disposed of by y<sup>e</sup> s<sup>d</sup> Trustees Partners or Und<sup>r</sup>takers for the end afores<sup>d</sup> according to their discretion which s<sup>d</sup> sum shall be raised & Paid in such ways & mann<sup>rs</sup> & att such a value as y<sup>e</sup> Country Rates of s<sup>d</sup> Colony are & have been usually raised & Paid:

It is also further ENACTED by the Authority afores<sup>d</sup> that the s<sup>d</sup> undertakers & Partners & their success<sup>rs</sup> be & hereby are further impowered to have accept acquire purchase or otherwise lawfully enter upon Any Lands Tenements & Hereditam<sup>ts</sup> to the use of the s<sup>d</sup> School not exceeding the value of five hundred Pounds p<sup>r</sup> Ann, & any Goods Chattels sum or sums of money whatsoever as have heretofore already been Granted bestowed bequeathed or Given or as from time to time shall be freely Given bequeathed devised or settled by any Person or Persons whatsoever upon & to & for the use of y<sup>e</sup> s<sup>d</sup> School towards the founding erecting or endowing the same & to sue for Recover & receiv all such Gifts Legacies bequests annuities Rents issues & profits arising therefrom & to imploy the same accordingly & out of y<sup>e</sup> estate Revenues Rents profits incoms accruing & belonging to s<sup>d</sup> School to support & pay as the s<sup>d</sup> Undertakers shall agree & see cause the s<sup>d</sup> Rector or Master Tutors Ushers or other officers their Respective annual Salaries or Allowances. As also for the encouragem<sup>t</sup> of the Students to grant degrees or Licences as they or those deputed by them shall see cause to order & appoint.

**ACT RESPECTING A COLLEGE SEAL  
OCTOBER, 1722**

WHEREAS the Trustees of Yale College have moved to this Assembly that they may be granted a Common Seal, to be improved in and about the Affairs of that College, whereby the Trustees of s<sup>d</sup>. College from time to time, may confirm & ratify, what they act & do in y<sup>e</sup> capacity of Trustees. Be it enacted by the Gov<sup>r</sup>. Assistants & Deputies, that the s<sup>d</sup>. Trustees shall and may forever hereafter have a Common Seal, to serve & use for all Causes Matters things and affairs whatsoever, relating to the s<sup>d</sup>. College & unto the Trust reposed in them, with respect to the same, and the same to alter change break & make New from time to time at their Wills & Pleasures as They shall think fitt.

**ACT IN EXPLANATION OF AND ADDITION TO THE ACT FOR ERECTING A  
COLLEGIATE SCHOOL IN THE COLONY, 1723**

Att a General Assembly held at New-Haven Octob.<sup>th</sup>, 1723.

*An Act in Explanation of and Addition to the Act for Erecting a Collegiate School in this Colony:*

WHEREAS Pursuant to the Powers and Priviledges granted to Certain Trustees for Erecting a Collegiate School in this Colony Entituled an Act for a Collegiate School The Said Trustees have Erected the S<sup>d</sup> School in the Town of New Haven which School is now known by the Name of Yale Colledge; And Whereas it appears to this assembly that an Explanation and Enlargement of the Powers and Priviledges granted by S<sup>d</sup> Act is Necessary for the Carrying on the affairs of the Said Colledge; for Want of which It has Laboured under great difficulties Very much to the prevention of that Order and good Education which is to be desired there.

Bee it therefore Enacted &c That the Said act which provides that the Number of the Said Trustees be not under Seven, nor above Eleven is not to be Understood or Taken So as to be restrictive of the power of the Said Trustees, Never to Choose any person to be a Trustee when there is of Such persons as have been Chosen and Acted as Trustees Eleven persons Living in the Colony of Elsewhere, But that in Case any person So Chosen be by Providence Incapacitated from attending that Service or Shall himself decline the Same thro' the Necessity of his own Affairs or for any other Such Reason as he Shall Judge requisite The Trustees in any of their Meetings Lawfully Called may be Understood to have and It is hereby Enacted and declared that they Shall be Taken to have full power by the Majority of Such Meeting to proceed to the Choice of Another Trustee in the Room of any Such person.

And It is hereby further declared and Enacted to be the True Intent and meaning of the Act afores<sup>d</sup> that the Said Trustees Shall be Impowered and they are hereby declared to have power to Meet Together for Considering advising about and Resolving upon all Matter<sup>s</sup> belonging to the Trust of the Said Colledge Comitted to them as afores<sup>d</sup>: and to Agree and Conclude Order and determine Concerning them by the Majority of the Said Meeting and by the Same Majority to Choose and Appoint a Clerk who Shall in a fair Book prepared for that End register and Carefully preserve the Acts of all Such Meetings.

And WHEREAS it has been doubted what Number of the Said Trustees may be Lookt upon as a Sufficient or full Meeting, Inasmuch as there is not in the afores<sup>d</sup> Act any Express mention made of any meeting of the Said Trustees it is therefore to prevent all Scruple of that kind of the future hereby provided and declared that due Notice being given to the Trustees by Consent of any three of them, of a Meeting of the Trustees desired at any Time or place any Seven or more of the Trustees present at Such Time and place Shall be Esteemed a full Meeting And It is hereby declared an Enacted, that in all Such Meetings, So Called, or otherwise as the Said Trustees in any Such full Meeting Shall agree, all affairs und<sup>r</sup> the Care of the Said Trustees Shall be determined by the Majority of Such Meeting.

And WHEREAS it has been found Inconvenient that in the Election of Persons to be Trustees, the Trustees Election by the afores<sup>d</sup> Act Should be Limited and Restrained So as that the person who Shall be Chosen must Necessarily be fourty years of Age; It is hereby declared and Enacted that for the future the S<sup>d</sup> Trustees in any Election of a Person into that Trust Shall not be Esteemed or held Obliged by Said Act to Choose Such Persons as shall be above 40 Years

of Age, but may choose Such Persons otherwise qualified according S<sup>d</sup> Act, provided he is 30 years of Age.

And it is further hereby allowed Enacted granted and provided, that whosoever Shall be Chosen and made a Rector of the S<sup>d</sup> Colledge Shall be Vertue thereof become a Trustee of the Same; and be So Esteemed and Taken during his Continuance in the S<sup>d</sup> Rectorship.

*Connecticut Legislation*

**CHARTER OF YALE COLLEGE  
MAY [1745]**

**BY THE GOVERNOR AND COMPANY** of his Majesties  
Colony of Connecticut in New England in America.

*AN ACT for the more full and compleat Establishment of YALE COLLEGE in New-Haven and  
for enlarging the Powers and Privileges thereof.*

WHEREAS upon the Petition of several well-disposed and publick-Spirited Persons expressing their Desire that full Liberty and Privilege might be granted unto certain Undertakers for the founding, suitably endowing, and ordering a COLLEGIATE SCHOOL within this Colony wherin Youth might be instructed in the Arts and Sciences, the Governour and Company of the S<sup>d</sup> Colony in General Court assembled at New-Haven on the Ninth Day of October in the Year of our Lord One Thousand seven Hundred and one, Granted unto the Rev'd Messr's James Noyers, Israel Chauncey, Thomas Buckingham, Abraham Pierson Samuel Mather, Samuel Andrew, Timothy Woodbridge, James Pierpont, Noadiah Russel, & Joseph Webb (who were proposed to Stand as Trustees, Partners or Undertakers the said Society) and to form, Direct, Order, Establish Improve, and at all Times in all Suitable ways to encourage the Said School in some convenient Place in this Colony, and granted Sundry Powers and Privileges for the attaining the End afores<sup>d</sup>.

AND WHEREAS the S<sup>d</sup> Trustees Partners or Undertakers, in pursuance of the afores<sup>d</sup> Grant Liberty and Licence founded a COLLEGIATE SCHOOL at NEW HAVEN known by the Name of YALE COLLEGE which has received the favourable Benefactions of many Liberal and Piously Disposed persons, and under the Blessing of Almighty God has trained up many worthy Persons for the Service of God in the State as well as In the Church.

AND WHEREAS the General Court of this Colony assembled at New-Haven the tenth Day of October in the Year of our Lord one Thousand seven Hundred and Twenty three did explain and enlarge the afores<sup>d</sup> Powers and Privileges granted to the Aforesaid Partners Trustees or Undertakers and their Successors for the Purpose aforesaid as by the Respective Acts Reference thereto being had more fully and at large may appear.

AND WHEREAS the Rev'd Mes<sup>rs</sup> THOMAS CLAP SAMUEL WHITMAN JARED ELIOT, EBENEZER WILLIAMS, JONATHAN MARSH SAM<sup>l</sup> COOKE SAM<sup>l</sup> WHITTELSEY, JOSEPH NOYES ANTHONY STODDARD BENJ<sup>n</sup> LORD AND DAN<sup>l</sup> WADSWORTH the present Trustees Partners and Undertakers of the S<sup>d</sup> School, and Successors of those before mentioned have Petitioned that the S<sup>d</sup> School with all the rights, Powers Privileges and Intrests thereof may be confirmed and that such other additional Powers & Privileges may be granted as shall be necessary for the ordering and managing the S<sup>d</sup> School in



the most advantageous and beneficial manner for the promoting all good LITERATURE in the present and Succeeding Generations.

Therefore the GOVERNOUR and COMPANY of his MAJESTIES S<sup>d</sup> ENGLISH COLONY of CONNECTICUT in General Court assembled this 9<sup>th</sup> night Day of May, in the Year of our Lord one Thousand Seven Hundred and Forty five ENACT ORDAIN AND DECLARE and by these Presents it is Enacted Ordained and Declared

1. THAT y<sup>e</sup> s<sup>d</sup> THO. CLAP, SAM<sup>l</sup> WHITMAN, JARED ELIOT EBENEZER WILLIAMS JONATHAN MARSH SAM<sup>l</sup> COOKE, SAM<sup>l</sup> WHITTELSEY JOSEPH NOYES ANTHONY STODDARD BENJ<sup>n</sup> LORD, and DAN<sup>l</sup> WADSWORTH shall be an INCORPORATE SOCIETY or BODY CORPORATE AND POLITICK and shall hereafter be called and known by the NAME of the PRESIDENT AND FELLOWS OF YALE COLLEGE in NEW HAVEN, and that by the same Name they and their Successors shall and may have perpetual Succession, and shall and may be Persons capable in the Law to plead and be impleaded, Defend and be Defended and answer and be answered unto, and also to have take possess acquire purchase or otherwise Receive Lands Teneaments or Hereditaments Goods Chattels or other Estates and the Same Lands Teneaments Hereditaments Goods Chattels or other Estates to grant Demise Lease Use Manage or Improve for y<sup>e</sup> Good and Benefit of y<sup>e</sup> S<sup>d</sup> COLLEGE according to the Tenor of y<sup>e</sup> Donation & their Discretion.
2. THAT all Gifts Grants Bequests and Donations of Lands Teneaments or Hereditaments of Goods and Chattels heretofore made to or for the Use Benefit and Advantage of the Collegiate School aforesaid, whether the same be express'd to be made to the PRESIDENT or RECTOR and to the Rest of the Incorporate Society of YALE COLLEGE or to the TRUSTEES or UNDERTAKERS of the COLLEGIATE SCHOOL in NEW-HAVEN or to the Trustees by any other Names, Stile or Title whatsoever whereby it may be clearly known and understood that the true Intent and Design of such Gifts Grants Bequests And Donations was to or for the Use Benefit and Advantage of the COLLEGIATE SCHOOL afores<sup>d</sup>, and to be under y<sup>e</sup> Care and Disposal of the Governours thereof Shall be confirmed and the same hereby are CONFIRMED and shall be and Remain to and be vested in THE PRESIDENT AND FELLOWS of the COLLEGE afores<sup>d</sup> and their Successors as to the true and Lawfull Successors of the Original Grantees.
3. THAT y<sup>e</sup> s<sup>d</sup> PRESIDENT AND FELLOWS and their Successors shall and may hereafter have a Common Seal to serve and Use for all Causes Matters and Affairs of Them and their Successor and the Same Seal to alter break and make New as they shall think fit.
4. THAT y<sup>e</sup> s<sup>d</sup> THO. CLAP shall be and he is hereby Established the present PRESIDENT and the Said SAM<sup>l</sup> WHITMAN JARED EILLOT EBENEZER WILLIAMS, JONATHAN MARSH SAM<sup>l</sup> COOKE SAM<sup>l</sup> WHITTELSEY JOSEPH NOYES, ANTHONY STODDARD BENJA<sup>n</sup> LORD and DAN<sup>l</sup> WADSWORTH shall be and they are hereby Established the present Fellows of y<sup>e</sup> S<sup>d</sup> COLLEGE and that they and their Successors shall continue in their respective Places During Life or until they or either of them shall Resign or be removed or Displaced as in this Act is hereafter expressed.

5. THAT there shall be a GENERAL MEETING of the PRESIDENT & FELLOWS of S<sup>d</sup> College in y<sup>e</sup> College Library on the Second Wednesday of Septemb<sup>r</sup> annually or at any other Time and Place which they shall see Cause to appoint, to consult Advise and Act in and about the Affairs and Business of y<sup>e</sup> s<sup>d</sup> College & that on any Special Emergency the PRESIDENT & two of y<sup>e</sup> Fellows or any four of the Fellows may Appoint a Meeting at y<sup>e</sup> S<sup>d</sup> College provided they give Notice thereof to y<sup>e</sup> Rest by Letters sent and Left with them or at y<sup>e</sup> Places of their Respective Abode five Days before such meeting, and that the PRESIDENT and Six Fellows, or in Case of y<sup>e</sup> Death Absence or Incapacity of y<sup>e</sup> PRESIDENT, Seven Fellows Conveen<sup>d</sup> as afores<sup>d</sup> (In which Case y<sup>e</sup> Eldest Fellow shall preside) Shall be Deemed a Meeting of y<sup>e</sup> PRESIDENT AND FELLOWS OF S<sup>d</sup> College, and that in all ye S<sup>d</sup> Meetings y<sup>e</sup> Maj<sup>y</sup> Vote of y<sup>e</sup> Memn<sup>brs</sup> present shall be Deemed y<sup>e</sup> Act of the whole, and where an Equivote happens y<sup>e</sup> PRESIDENT shall have a Casting Vote.
6. That y<sup>e</sup> PRESIDENT & FELLOWS of y<sup>e</sup> S<sup>d</sup> College and their Successors in any of their Meetings assembled as afores<sup>d</sup>, shall and may from time to time as Occasion shall require Elect and appoint a PRESIDENT or FELLOW in y<sup>e</sup> Room and Place of any PRESIDENT or FELLOW in y<sup>e</sup> Room and Place of any PRESIDENT or FELLOW who shall Die, Resign or be remov<sup>d</sup> from his Office Place or Trust (whom y<sup>e</sup> s<sup>d</sup> GOVERNOUR AND COMPANY hereby Declare for any Misdemenour, Unfaithfullness, Default or Incapacity, shall be removeable by y<sup>e</sup> PRESIDENT AND FELLOWS of y<sup>e</sup> S<sup>d</sup> College Six of them at least concurring in such Act), and Shall have Power to Appoint a SCRIBE or REGISTER A TREASURER, TUTORS PROFESSOR STEWARD and all such other Officers & Servants usually appointed in Colleges or Universities as they shall find necessary & think fit to appoint for y<sup>e</sup> Promoting good Literature & y<sup>e</sup> well Ordering and managing y<sup>e</sup> Affairs of S<sup>d</sup> College and them or any of them at their Discretion to Remove, and to prescribe & Administer such Forms of Oaths (not being Contrary to y<sup>e</sup> Laws of England or this Colony) as they shall think proper to be administered to all the Officers & Instructors of y<sup>e</sup> S<sup>d</sup> College or to such and So many of them as they shall think proper for y<sup>e</sup> faithfull Execution of their respective places Offices and Trusts.
7. THAT y<sup>e</sup> present PRESIDENT and FELLOWS of S<sup>d</sup> COLLEGE and their Successors & all Such TUTORS PROFESSORS & other Officers as shall be Appointed for y<sup>e</sup> Publick Instruction and Government of S<sup>d</sup> College before they Undertake y<sup>e</sup> Execution of their respective Offices and Trusts or within three Months after shall Publicky in y<sup>e</sup> COLLEGE HALL take y<sup>e</sup> Oaths and subscribe y<sup>e</sup> Declaration appointed by an Act of PARLIAMENT made in y<sup>e</sup> first Year of KING GEORGE y<sup>e</sup> first Entituled AN ACT FOR Y<sup>e</sup> FURTHER SECURITY OF HIS MAJESTIE'S PERSON AND GOVERNMENT, AND THE SUCCESSION OF Y<sup>e</sup> CROWN IN Y<sup>e</sup> Heirs of Y<sup>e</sup> HEIRS OF Y<sup>e</sup> LATE PRINCESS SOPHIA BEING PROTESTANTS AND FOR EXTINGUISHING Y<sup>e</sup> HOPES OF Y<sup>e</sup> PRETENDED PRINCE OF WALES & HIS OPEN AND SECRET ABETTORS, That is to Say y<sup>e</sup> PRESIDENT before y<sup>e</sup> GOVERNOR DEPUTY GOVERNOUR or any two of y<sup>e</sup> ASSISTANTS of this Collony for y<sup>e</sup> time being & y<sup>e</sup> FELLOWS TUTORS and other Officers before y<sup>e</sup> PRESIDENT, for y<sup>e</sup> time being who is hereby Impowered to Administer y<sup>e</sup> Same an Entry of all which shall be made in y<sup>e</sup> Records of S<sup>d</sup> College.

8. THAT y<sup>e</sup> PRESIDENT AND FELLOWS shall have y<sup>e</sup> Government Care and Management of y<sup>e</sup> COLLEGE and all y<sup>e</sup> Matters and Affairs thereunto belonging, and shall have Power from Time to Time as occasion shall Require to make ordain and Establish all such wholesome & Reasonable Laws Rules & Ordinances Not Repugnant to y<sup>e</sup> Laws of England nor y<sup>e</sup> Laws of this Colony as they shall think fit and proper for y<sup>e</sup> Instruction and Education of y<sup>e</sup> Students and Ordering Governing Ruling & Managing y<sup>e</sup> S<sup>d</sup> College and all Matters Affairs and things thereunto belonging, and y<sup>e</sup> same to Repeal and alter as they shall think fit which Shall be Laid before this Assembly as often as required and may also be Repealed or Disallowed by this Assembly when they shall think proper.
9. THAT y<sup>e</sup> PRESIDENT OF S<sup>d</sup> COLLEGE with y<sup>e</sup> Consent of y<sup>e</sup> FELLOWS shall have Power to give and confer all such Honours Degrees or Licenses as are usually given in Colleges or Universities upon such as they shall think worthy thereof.
10. THAT all y<sup>e</sup> Lands and Ratable Estate belonging to y<sup>e</sup> S<sup>d</sup> College not Exceeding y<sup>e</sup> Yearly Vallue of five Hundred Pound Sterling lying in any town in this Government, and the Persons Families an Estates of y<sup>e</sup> PRESIDENT and PROFESSORS Lying and being in y<sup>e</sup> Town of New-Haven and y<sup>e</sup> Persons of y<sup>e</sup> TUTORS STUDENTS & Such and so many of y<sup>e</sup> Servants of S<sup>d</sup> College as give their Constant attendance on y<sup>e</sup> Business of it shall be freed and Exempted from all Rates Taxes Military Service Working Service Working at High Ways & other such like Duties and Services.
11. AND for y<sup>e</sup> Special Encouragement and Support of S<sup>d</sup> College this Assembly Do hereby grant unto y<sup>e</sup> s<sup>d</sup> PRESIDENT AND FELLOWS and their Successors for y<sup>e</sup> Use of the S<sup>d</sup> College in Lieu of all former Grants, one Hundred Pound Silver Money at y<sup>e</sup> Rate of Six Shillings and Eight pence p<sup>r</sup> Ounce To be paid in Bills of Publick Credit or other Currency equivalent to y<sup>e</sup> Said Hundred Pounds (the Rate or vallue thereof to be Stated from time to time by this Assembly) in two Equal Payments in October and May Annually, This Payment to Continue During y<sup>e</sup> Pleasure of this Assembly.

IN FULL TESTIMONY AND CONFIRMATION of this Grant and all y<sup>e</sup> Articles and Matters therein contained the S<sup>d</sup> GOVERNOUR AND COMPANY Do hereby Order that this Act Shall be Sign<sup>d</sup> by the GOVERNOUR AND SECRETARY and Seald with the Public SEAL of the Colony and that the same or a Duplicate or Exemplification thereof Shall be a Sufficient Warrant to y<sup>e</sup> Said PRESIDENT AND FELLOWS to hold Use and Exercise all ye Powers and Privileges therein mentioned and Contained.

By Order of the said Governor and Company,  
in General Court Assembled.  
GEORGE WYLLYS, *Secretary*.

JON<sup>th</sup> LAW *Govr*

*Connecticut Legislation*

**ADDITIONAL LEGISLATION**

In 1792 a further amendment to the charter was by agreement with Yale College passed in May by the General Court and accepted by the Corporation June 26, 1792, as follows:

In Addition--Passed, May 1792.

SEC. 1. *Be it enacted by the Governor and Council and House of Representatives, in General Court assembled,* That Mr. William Hart, Mr. John Trumbull, and Mr. Andrew Kingsbury, be, and they are hereby appointed, commissioners, with full power and authority, to receive the balances now due, and payable, on all the taxes heretofore laid, for the payment and discharge of the principal and interest of the public debt of this State, and all other balances due, and receivable, at the treasury, on any public paper of this State, in trust, and for the purposes in this act hereafter mentioned; who shall give bonds to the Treasurer of this State, in trust, and for the purposes in this act hereafter mentioned; who shall give bonds to the Treasurer of this State, with two sufficient sureties, to the acceptance of the Treasurer, in the sum of twenty thousand pounds lawful money, conditioned for faithful discharge of said trust: and that the receipts of any one, or more of said commissioners, shall be received by the Treasurer of this State, and credited in satisfaction, and discharge of the aforesaid balances: And that after the passing the Treasury, any part of said balances, but shall not receive into the Treasury, any part of said balances, but shall proceed to enforce the collection thereof, for the purposes of this act, in manner as by law is already provided.

SEC. 2. Said balances, which shall come into the hands of said commissioners, be, and the same are hereby appropriated to, and for the use and benefit of Yale College in New-Haven, to be applied in manner following, viz. The sum of two thousand five hundred pounds lawful money, out of the avails thereof, for the purpose of erecting anew building or college for the reception and accommodation of the students; and the residue shall be, and hereby is established, as a fund for raising an annual revenue, forever hereafter, to be applied to, for the support of, necessary professors in the various arts and sciences, for the benefit of said college.

Provided nevertheless, that the said commissioners shall not pay and deliver the said balances, or any part thereof, to the President and Fellows of said College, until the said President and Fellows shall have paid, or transferred to the Treasurer of this State, in legal form, the amount of fifty percent on the sum collected on said balances, in some kind and denomination of the public stock of the United States, which now is or hereafter may be issued; or shall have given good and sufficient security to the satisfaction of said commissioners, conditioned for the payment, or transfer of the same, in such reasonable time as said commissioners shall judge proper.

SEC. 3. In case this grant shall be accepted, in manner as herein after provided, the Governor, Lieutenant Governor, and six senior assistants in the Council of this State, for the time being, shall ever hereafter, by virtue of their said offices, be trustees or fellows of said college; and shall together with the present President and Fellows of said college, and their successors, constitute one corporation, by the name, and style mentioned in the charter of said college, and their successors, constitute one corporation, by the name, and style mentioned in the charter of

said college; and shall have and enjoy the same powers, privileges and authority, in as full and ample a manner, as though they had been expressly named and included in said charter: And that in case of vacancy, by the death, or resignation, or in any other way, of any of the present fellows of said college, and their successors, every such vacancy shall forever hereafter be supplied by them, and their successors, by election, in the same manner as though this act had never passed: and that the said Governor, Lieutenant Governor, and senior assistants, or any four of them, together, with the present fellows of said college, and their successors, or any six of them, shall, at all future meetings of said corporation, be a quorum for the transaction of business.

SEC. 4. This act shall not have any force or effect, so far as the same respects the appropriating said balances to the use of said college, or in any respect adding to, or varying the charter and constitution thereof, unless the same shall be accepted, and approved, by the present corporation of said college, in legal meeting assembled: And that as soon as a certified copy of such, their acceptance and approbation, in legal form, shall be lodged with the Secretary of this State for record, the said commissioners shall proceed to pay over and deliver said balances for the use of said college, according to the directions of this act. But in case the said president and fellows shall neglect or refuse to accept of said grant, upon the terms and conditions aforesaid, for the term of one year, from and after the rising of this Assembly, in that case, the said commissioners shall hold and retain the sums they shall receive on said balances, subject to the future orders of the Assembly.

Provided also, that nothing in this act shall be construed to prevent the General Assembly of this State, from abating or remitting any part of said balances, in favor of any person, or town, from whom the same may be due, whenever, on application, they shall judge reasonable.

*(Private Laws of Connecticut, 1789-1836, pp. 477, 478.)*

[Note: The governor and lieutenant governor *ex officio*s have ever since the acceptance of this act been Fellows of Yale University and in that capacity members of the Corporation of Yale University.]

In May, 1796, a further act was passed in pursuance of an agreement made between Yale College and the State officials, as indicated in the act. The act is as follows:

In Addition--Passed, May 1796.

SEC. I. *Be it enacted by the Governor and Council and House of Representatives, in General Court assembled,* That the claim of the State to the fifty per cent reserved in said act, and therein provided to be transferred by the said President and Fellows to the Treasurer of this State, in legal forms, in some kind and denomination of the public stock of the United States, be, and the same is hereby relinquished to the said President and Fellows, for the use and benefit of said Yale College.

Provided nevertheless, that nothing shall be held or claimed under this act, unless said President and Fellows, shall, within thirty days from the rising of this Assembly, transfer to the Treasurer of this State, in legal form, thirteen thousand, seven hundred and twenty-six dollars, and thirty-nine cents, in the deferred stock of the United States; and upon the said President and Fellows procuring a receipt from said Treasurer, for said sum of deferred stock, transferred as aforesaid, any bond or security, which may have been given for the transfer of said fifty per cent mentioned in said former act, shall be cancelled and delivered up.

SEC. 2. Said President and fellows, shall annually render to the General Assembly, during their session in October, an account of the receipts and expenditures, of the monies belonging to said college.

*(Private Laws of Connecticut, 1789-1836, p. 479.)*

[NOTE: In the Statutes of Connecticut, Revision of 1808, the said acts of May, 1792, and May, 1796, are reenacted. (See pp. 694-696.)]

The Constitution of the State adopted in 1818 became effective on October 12 of that year, and the first section of Article Eighth\* is as follows:

## **ARTICLE EIGHTH**

### *Of Education*

SEC. 1. The charter of Yale College, as modified by agreement with the corporation thereof, in pursuance of an act of the General Assembly, passed in May, 1792, is hereby confirmed.

In May, 1819, a further act was passed as follows:

In Addition--Passed, May 1819.

Whereas, the General Assembly, at their session in May, A.D. 1792, passed an act entitled "An Act for enlarging the powers and increasing the funds of Yale College," in any by which the Governor, Lieutenant Governor, and six senior assistants, were made, by virtue of their office, trustees or fellows of said College, with the assent of the corporation, upon certain conditions therein contained: And whereas said corporation afterwards, at a legal meeting held at New-Haven on the 26<sup>th</sup> day of June, A.D. 1792, passed a vote complying with said conditions, and accepted the alterations proposed by said act, in the words following, viz. "This board having taken into consideration, and paid a respectful attention to the act of the honorable General Assembly of the State of Connecticut, holden at Hartford on the second Thursday of May, A.D. 1792, entitled an act for enlarging the powers and increasing the funds of Yale College:

"Voted, that this board do approve, and accept said act, and the same is hereby approved and accepted.

"Voted, that a copy of this acceptance and approbation, signed by the President, and attested by the scribe, and sealed with the public seal of the College, be lodged with the Secretary of this State, for record, agreeable to said act.

EZRA STILES, President"

Of which votes, the said President and Fellows of said corporation, lodged with the Secretary of this State, a certified copy, in compliance with, and in conformity to the provisions of said act.

And whereas by the eighth article of the constitution of this State, the charter of Yale College, s modified by agreement with the corporation thereof, in pursuance of the act aforesaid, is confirmed.

And whereas at a meeting of said corporation, held at Hartford, on the 4<sup>th</sup> day of May, A.D. 1819, a vote was passed in the words following viz. "At a meeting of the corporation of Yale College, in Hartford, May 4<sup>th</sup> 1819, the following vote was submitted for consideration:

"Whereas doubts are entertained respecting the construction of the 8<sup>th</sup> article of the constitution of this State, respecting the right, or power of any part other senators to act as members of the corporation of Yale College, without some further provision of the legislature:

"Voted, that it is the desire of this corporation, that the object of said article of the constitution be carried into effect, and they request the legislature to adopt such measures as shall be found expedient to authorize his excellency the Governor, the Lieutenant Governor, and six of the senators, to act as members of said corporation, in the same manner, and with the same power, as has been possessed by the Governor, Lieutenant Governor, and six of the senior assistants.

The vote passed in the affirmative. Attest. John Elliot, scribe of said corporation."

And that all doubts on said subject may be removed, and the charter of Yale College confirmed, agreeable to the constitution, and vote aforesaid, according to the request of said corporation.

*Be it enacted by the Senate and House of Representatives, in General Assembly convened*, that the Governor, Lieutenant Governor, and six senior senators, for the time being, shall ever hereafter, by virtue of their said offices, be trustees or fellows of said college; and shall, together with the President and Fellows of said college, and their successors, constitute one corporation, by the name and style mentioned in the charter of said college, with all the powers and privileges, thereunto pertaining, by virtue of their charter, as modified by said act of the legislature.

*(Private Laws of Connecticut , 1789-1836, pp. 480, 481.)*

In the General Statutes of Connecticut, Revision of 1821, the following act was passed:

### **TITLE III. Yale College**

#### *An Act concerning the Corporation of Yale College.*

Whereas the corporation of Yale-College, in consideration of a grant made to them, by the general assembly, in the year 1792, agreed, that the governor, lieutenant-governor, and six senior assistants, should be trustees or fellows of said College: and whereas by the eighth article of the constitution of this state, the charter, so modified, was confirmed, and the said corporation have since agreed, consented and requested, that the governor, lieutenant-governor, and six senior senators, should be members of said corporation:

SECT. 1. *Be it enacted by the Senate and House of Representatives, in General Assembly convened*, That the Governor, lieutenant-governor, and six senior senators, for the time being, shall ever hereafter, in virtue of their said offices, be trustees, or fellows of said college, and shall, together with the president and fellows of said college, and their successors, constitute one corporation, by the name and style mentioned in the charter of said college; and shall have and enjoy the same power, privileges and authority, in as full and ample a manner, as though they had been expressly named and included in said charter. And in case of vacancy, by the death or resignation, or in any other way, of any of the other fellows of said college, and their successors, such vacancy shall forever hereafter, be supplied, by them and their successors, by election, in the same manner as though this act had not been passed. And the governor, lieutenant-governor, and six senior senators, or any four of them, together with the other fellows of said college, or any six of them, shall, at all future meetings of the corporation, constitute a quorum to transact business.

SECT. 2. And the president and fellows shall annually render to the general assembly, an account o the receipts and expenditures of the monies belonging to said College.  
(General Statutes of Connecticut, Revision of 1821, pp. 483, 484.)

In May, 1830, an additional act was passed, as follows:

Whereas, by an agreement with the corporation of Yale College, made in the year 1792, the six senior assistants were to be trustees or fellows of said corporation, and by a further agreement made in the year 1821, the six senior senators, instead of said assistants, were to be trustees or fellows of said corporation, as aforesaid; and whereas by reason of the change in the mode of electing senators, prescribed in the late amendment of the constitution, there may not be the required number of senior senators at one time in the senate, according to the long established method of determining the seniority of assistants and senators: Therefore--

*Be it enacted by the Senate and House of Representatives in General Assembly convened,* That for the purposes of fulfilling said agreement according to the original meaning and intention of the parties thereto, the seniority of the senators, from and after the passing of this act, shall be ascertained and determined as follows, viz.: Such senators as shall have been previously members of the senate, shall be considered senior senators, for the purpose aforesaid, and shall be arranged in the order of their official seniority, as previously ascertained; and those senators who, for the first time, are or shall be elected senators, shall take their seniority, for said purpose, by lot, to be ascertained by the senate: Provided however, that this act shall not be in force after the first Wednesday in May, 1831, unless the corporation of Yale College shall previously thereto give its assent to this act, and transmit the evidence of such assent to the Secretary of this State, to be by him recorded.

*(Private Laws of Connecticut, 1789-1837, p. 481.)*

[This act was accepted by the Corporation Sept. 8, 1830.]

In May, 1834, the following act was passed:

In Addition--Passed, May 1834.

*Be it enacted by the Senate and House of Representatives, in General Assembly convened,* That the funds which have been, or may hereafter be, granted, provided by the State of Connecticut, or given by any persons or persons, to the corporation of the President and Fellows of Yale College in New-Haven, and by them invested and held for the use of that institution, shall with the interest thereof, be and remain exempt from taxation, Provided, however, that the said corporation shall never hold in this State, real estate free from taxation affording an annual income of more than six thousand dollars; and provided also, that the private property of the officers of the institution, shall not be exempt from taxation; and that the said corporation shall, on or before the first day of September, A.D. 1834 give its assent to this act, and transmit the evidence thereof to the Secretary of the State, to be by him recorded.

*(Private Laws of Connecticut, 1789-1836, pp. 481, 482.)*

[This act was accepted by the Corporation August 19, 1834.]

In 1838 the following act was passed by the General Assembly:



*An Act in addition to the Act, entitled " An Act concerning the Corporation of Yale College."*

*Be it enacted by the Senate and House of Representatives, in General Assembly convened,* SEC. 1. That whenever there shall be present at any future meetings of the corporation of Yale College, a majority of the fellows thereof, such majority shall constitute a quorum for the transaction of business, provided there be present a majority of those who are by election, successors of the original trustees thereof, and provided due notice of such meeting shall have been given to all the members of said corporation.

*Be it further enacted,* SEC. 2. That the proceedings of all meetings of the president and fellows of said corporation, duly notified as aforesaid, at which a majority shall have been present, as provided in the first section of this act, be and the same are hereby confirmed and made valid, in the same manner, and to the same extent as they would have been, had a quorum been present, as required by the act to which this is an addition.

*Be it further enacted,* SEC. 3. That this act shall not be in force unless the assent of said corporation shall be given thereto, and the evidence thereof transmitted to the secretary of state, on or before the first day of September, 1838, to be by him recorded.

[This act was accepted by the Corporation August 15, 1838.]

In 1871 the following act was passed by the General Assembly:

An Act Relating to Yale College.

*Be it enacted by the Senate and House of Representatives in General Assembly convened:*  
Section 1. All persons who have been for five years graduated as bachelors in any of the departments of Yale College, and all persons who have been admitted to any higher degree in Yale College, whether honorary or in course, may on the public commencement day of said college in the year of our Lord eighteen hundred and seventy-two, cast their votes, under such regulations as the president and fellows of Yale College may prescribe, for six persons to be chosen from among such graduates of Yale College: and the six persons who shall be found to be elected by a majority of the votes cast, shall be fellows of Yale College in the stead of the six senior senators of the state; and shall have all the rights, duties, and privileges as fellows which are now by law conferred upon said senators.

SEC. 2. The fellows thus elected shall enrol themselves by lot in six classes, one holding office for six years, another for five years, another for four years, another for three years, another for two years and another for one year, eligible for re-election; and every year, as a vacancy occurs, all persons who have been for five years graduated as bachelors in any of the departments of Yale College, and all persons who have been admitted to any higher degree in Yale College, whether honorary or in course, shall, upon commencement day in the manner heretofore prescribed, elect a person to fill the vacancy and hold the office of fellow for a period off six years, eligible for re-election; and so whenever a vacancy shall occur from death, resignation, or any other cause, such graduates may elect a person at the next commencement to fill the office of fellow for the remainder of the term in which a vacancy has occurred.

SEC. 3. This act shall not take effect until the president and fellows of Yale College, by a vote communicated to the governor of the state, shall have signified their acceptance and consent to the provisions of this act.

SEC. 4. The acceptance of this act by said corporation shall not operate to make the charter of said corporation, as heretofore amended, subject to repeal, alteration, or amendment without the consent of said corporation.

Approved, July 6, 1871.

(Special Laws of Connecticut, 1871-1875, pp. 204, 205.)

[This act\* was accepted by the Corporation July 11, 1871.]

In 1872 the next preceding act was revised and repassed by an act approved June 12, 1872, and accepted by the Corporation on July 9, 1872, and is as follows:

*An Act amending An Act relating to Yale College (being an amendment of Charter).*

*Be it enacted by the Senate and House of Representatives in General Assembly convened:* SECTION 1. All graduates of the first degree, of five or more years' standing, in any of the departments of Yale college, and all persons who have been admitted to any degree higher than the first in Yale college, whether honorary or in course, may, on the day next preceding the public commencement day of said college, in the year or our Lord eighteen hundred and seventy-two, cast their votes, under such regulations as the president and fellows may prescribe, for six persons to be chosen from among such graduates; and the six persons who shall be found to be elected by a plurality of the vote cast, shall be fellows of Yale college in the stead of the six senior senators of the state, and shall have all rights, duties, and privileges as fellows which are now by law conferred upon said senators. In case of an equality of votes between two or more candidates, the person who shall hold the said office of fellow shall be designated by lot from among the persons receiving such equality of votes.

SEC. 2. The fellows thus elected shall enroll themselves by lot in six classes, one holding office for six years, another for five years, another for four years, another for three years, another for two years, and another for one year, eligible for reelection; and every year, as a vacancy occurs, all graduates of the first degree, of five or more years' standing, in any of the departments of Yale college, and all persons who have been admitted to any degree higher than the first in Yale college, and all persons who have been admitted to any degree higher than the first in Yale college, whether honorary or in course, may, upon the day next preceding commencement day, in the manner heretofore prescribed, elect by a plurality of votes a person to fill the vacancy and hold the office of fellow for a period of six years, eligible for reelection; and so whenever a vacancy shall occur from death, resignation, or any other cause, such graduates may elect a person at the next commencement to fill the office of fellow for the remainder of the term in which a vacancy has occurred. The official year of such Fellows shall end with the day next preceding each commencement day.

SEC. 3. This act shall not take effect until the President and Fellows of Yale College, by a vote communicated to the governor of the state, shall have signified their acceptance of and consent to the provisions of this act.

SEC. 4. The acceptance of this act by said corporation shall not operate to make the charter of said corporation, as heretofore amended, subject to repeal, alteration, or amendment, without the consent of said corporation.

SEC. 5. Sections one and two of an Act relating to Yale College, approved July 6, 1871, are hereby repealed.

Approved, June 12, 1872.

*(Special Laws of Connecticut, 1871-1875, pp. 270, 271.)*

This act was in substance repassed in 1872, Chapter 77 entitled "An Act concerning Education" and appearing in the Public Acts of 1872, pp. 43-76; with this substantial difference that Section 138 of said Chapter 77, appearing on pp. 73 and 74 of the Public Acts of that year is as follows:

Section 138. The funds and estate which have been or may be granted, provided by this state, or given by any person or persons, to the President and Fellows of Yale College and by them invested and held for the use of that institution shall, with the income thereof, remain exempt from taxation: but the private property of the officers of said college shall not be exempt from taxation.

This statute law continued in force by express provisions of the Revision of 1875 until 1882, when the following act was passed, being Chapter 98 of the Public Acts of 1882:

(House Bill No. 10)

### **CHAPTER XCVIII**

#### *An Act concerning Taxation of the Property of Colleges.*

*Be it enacted by the Senate and House of Representatives in General Assembly convened:*

SECTION 1. The funds and estate which have been or may be granted, provided by this state, or given by any person or persons to the president and fellows of Yale College, and by them invested and held for the use of that institution, shall, with the income thereof, remain exempt from taxation; provided, however, that the said corporation shall never hold in this state real estate free from taxation, affording an income of more than six thousand dollars.

SEC. 2. Trinity College and Wesleyan University shall have the same exemption, subject to the same restriction, as is provided in the preceding section for the president and fellows of Yale College.

SEC. 3. All acts and parts of acts inconsistent herewith are hereby repealed, and particularly so much of section one hundred and thirty-eight of chapter seventy-seven of the public acts of 1872 as pertains to the taxation of the estate, funds, or property of said corporation of Yale College.

*(Public Acts of 1882, pp. 171, 172.)*

[This act was not accepted by the Corporation.]

This Chapter 98 of the Public Act of 1882 has been continued since that date and through the Revision of the Statutes until the present time, and now appears as Section 1173 of the General Statutes of Connecticut, Revision of 1930, which read as follows:

*Exemption of college property.* The funds and estate which have been or may be granted, provided by the state, or given by any person or persons to the Trustees of the Berkeley Divinity School, the board of trustees of Connecticut College for Women, the Hartford Seminary Foundation, Sheffield Scientific School, Trinity College, Wesleyan University or The President and Fellows of Yale College in New Haven, and by them respectively invested and held for the use of such institutions, shall, with the income thereof, remain exempt from taxation; provided none of said corporations shall hold in this state real estate free from taxation affording an annual income of more than six thousand dollars. Such exemption shall not apply to any real estate which said Trustees of the Berkeley Divinity School may own, control or hold in trust, and which is situated in the city of Middletown. No provision of section 1163 concerning exemption of property used for educational purposes shall be construed to affect any provision of this section.

In 1887 the following act was passed by the General Assembly:

RESOLVED by this Assembly: That the use of the title "Yale University" by the corporation existing under the name of "The President and Fellows of Yale College, in New Haven," is hereby authorized, and all gifts to, contracts with, conveyances to or by, or other acts affecting said corporation, by either of said names shall be valid; and the acceptance of this act by said corporation, shall not operate to subject its charter to repeal, alteration, or amendment, without its consent.

*(Special Laws of Connecticut, 1885-1889, p. 467.)*

[This act was accepted by the Corporation May 25, 1887.]

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