

# **THE YALE CORPORATION**

CHARTER AND LEGISLATION

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THE PRESIDENT AND FELLOWS

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**CONNECTICUT LEGISLATION**



Rector or Master and officers appointed by them as shall according to their best discretion be most conducive to attaine 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 Pers

**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 ADDITI**

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 ColHE Truw(a)9(-6(gh3(n and GeneteDay -30.86EAS1.15



the most advantageous and beneficial manner for the promoting all good LITERATURE in the

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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>

*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 Stat



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 suivil

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.]





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 amen

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 tetion



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