

CHARTER OF 1784.

AN ACT FOR GRANTING CERTAIN PRIVILEGES TO THE COLLEGE HERETOFORE CALLED
KINGS COLLEGE, FOR ALTERING THE NAME AND CHARTER THEREOF, AND ERECTING AN
UNIVERSITY WITHIN

this state. passed may 1, 1784.

laws of 1784, chap. 51.

Whereas by letters patent under the great seal of the late colony of New York, bearing date the thirty-first day of October in the twenty-eighth year of the reign of George the second the king of Great Britain, a certain body politic and corporate, was created by the name of the Governors of the College of the Province of New York in the city of New York in America, with divers privileges, capacities and immunities, as in and by the said patent will more fully appear.

And whereas there are many vacancies in the said corporation, occasioned by the death or absence of a great number of the governors of the said college, whereby the succession is so greatly broke in upon as to require the interposition of the Legislature.

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And whereas the remaining governors of the said college, desirous to render the same extensively useful, have prayed, that the said college may be erected into an university, and that such other alterations may be made in the charter or letters of incorporation above recited, as may render them more conformable to the liberal principles of the Constitution of this State.

Be it therefore enacted by the People of the State of New York represented in Senate and Assembly and it is hereby enacted by the authority of the same, That all the rights privileges and immunities heretofore vested in the corporation, heretofore known by the name of the Governors of the College of the Province of New York, in the city of New York in America, so

far as they relate to the capacity of holding, or disposing of property either real or personal, of suing or being sued, of making laws or ordinances for their own government, or that of their servants, pupils and others, under their care and subject to their direction, of appointing, displacing and paying stewards and other inferior servants, of making, holding and having a common seal, of altering and changing the same at pleasure, be and they hereby are vested in the regents of the university of the State of New York, who are hereby erected into a corporation or body corporate and politic, and enabled to hold possess and enjoy the above mentioned rights, franchises, privileges and immunities, together with such others as are contained in this act, by the name and stile of the Regents of the University of the State of New York, of whom the Governor, the Lieutenant Governor, the President of the Senate for the time being, the Speaker of the Assembly, the mayor of the city of New York, and the mayor of the city of Albany, the Attorney General and the Secretary of the State respectively for the time being, be and they hereby are severally constituted perpetual regents, in virtue of their several and respective offices, places and stations, and together with other persons herein after named to the number of twenty-four, to wit, Henry Brockholst Livingston and Robert Harpur of the city of New York, Walter Livingston and Christopher Yates of the county of Albany, Anthony Hoffman and Cornelius Humfrey of the county of Dutchess, Lewis Morris and Philip Pell Junior of the county of Westchester, Henry

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Wisner and John Haring of the county of Orange, Christopher Tappen and James Clinton of the county of Ulster, Christopher P. Yates and James Livingston of the county of Montgomery, Abraham Bancker and John C. Dongan of the county of Richmond, Mathew Clarkson and Rutger Van Brunt of the county of Kings, James Townsend and Thomas Lawrence of the county of Queens, Ezra L'Hommedieu and Caleb Smith of the county of Suffolk, and John Williams and John McCrea of the county of Washington, be and they hereby are appointed regents of the said University and it shall and may be lawful to and for the clergy of the respective religious denominations in this State, to meet at such time and place, as they shall deem proper after the passing of this act, and being so met shall by a majority of voices of those who shall so meet, choose and appoint one of their body to be a regent in the said university and in case of death or resignation to chose and appoint another in the same manner and the regent so chosen and appointed shall have the like powers as any other regent appointed or to be appointed by virtue of this act. And to the end that a succession of regents be perpetually kept up.

Be it further enacted by the authority aforesaid. That whenever and so often as one or more of the regents of the said university, not being such in virtue of his or their office, place or station, shall remove his or their place of residence from within this State, shall resign or die, that the place or places of such regent or regents, so removing, resigning or dying shall be filled up by the governor or person administering the government of the State for the time being, by and with the advice and consent of the council of appointment, so that such appointments be of persons resident in the counties respectively wherein the former regents did reside, other than where such vacancy may happen of a regent appointed by the clergy as aforesaid.

And be it further enacted by the authority aforesaid, That as soon as may be after the passing of this act, the regents of the said university, shall by plurality of voices, choose a chancellor a vice chancellor a treasurer and a secretary, from among the said regents, the said chancellor or in his absence the vice chancellor to preside at all elections and other meetings to be held by the said regents, and to have the casting vote upon every division.

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And for the well ordering and directing of the said corporation.

Be it further enacted by the authority aforesaid. That the regents of the said university, or a majority of them shall be and hereby are vested with full power and authority to ordain and make ordinances and bye laws for the government of the several colleges, which may or shall compose the said university, and the several presidents, professors, tutors, fellows, pupils and servants thereof and for the management of such estate as they may an shall be invested with; that they shall have full power an authority to determine the salaries of the officers and servants of the said college to remove from office any such president professor tutor fellow or servant, as they conceive, after a full hearing to have abused their trust, or to be incompetent provided nevertheless, that no fine to be levied by virtue of the said laws or ordinances, shall exceed the value of one bushel of wheat for any one offence, and that no

pupil or student shall be suspended for a longer term than twenty days, or be rusticated or expelled, but upon a fair and full hearing of the parties, by the chancellor or vice chancellor of the said university, and at least ten of the regents not being president or professors of the college to which the person accused belongs, or under whose immediate direction the same may be, and the said regents are hereby further empowered and directed as soon as may be, to elect a president and professors for the college heretofore called Kings College, which president shall continue in place during the pleasure of the regents of the university. And that from and after the first election, the said president and all future presidents shall be elected, from out of the professors of in several colleges, that may or shall compose the said university and that no professor shall in any wise whatsoever be accounted ineligible, for or by reason of an religious tenet or tenets, that he may or shall profess, or be compelled by any bye law qj otherwise, to take any religious test-oath whatsoever. And to the end that the intention of the donors and benefactors of the said before mentioned college be not defeated.

Be it further enacted by the authority aforesaid, That all the estate whether real or personal, which the said governor of the corporation of Kings College held by virtue of the said before mentioned

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charter, be held and possessed by the said regents and applied solely to the use of the said college and that the said regents may and there hereby are empowered to receive and hold for the use of the said college, an estate of the annual value of three thousand five hundred pounds, in manner specified in the first above recited charter or letters patent of incorporation. And for the further promotion of learning and the extension of literature.

Be it further enacted by the authority aforesaid, That the said regents may hold, and possess estates, real and personal to the annual amount of forty thousand bushels of wheat, over and above all profits arising from room rent or tuition money, and that whenever any lands tenements or hereditaments, or other estate real or personal, shall be given, granted or conveyed to the regents of the university of the State without expressing any designation thereof, such estate shall be applied in such manner as to the said regents shall seem most advantageous to the said university provided always, that whenever any gift, grant, bequest, devise or conveyance shall express the particular use to which the same is to be applied if adequate thereto, it shall be so applied and not otherwise.

And be it further enacted by the authority aforesaid, That the said regents be and they hereby are empowered, to found schools and colleges in any such part of this State as may seem expedient to them, and to endow the same, vesting such colleges so endowed with full and ample powers to confer the degrees of bachelor of arts, and directing the manner in which such colleges are to be governed, always reserving to the chancellor and vice chancellor of the university, and a certain number of the regents, to be appointed by a majority of the said regents, a right to visit and examine into the state of literature in such college, and to report to the regents at large any deficiency in the laws of such college or neglect in the execution thereof, every such school or college being at all times to be deemed a part of the university, and as such, subject to the control and direction of the said regents; and if it should so happen, that any person or persons, or any body politic or corporate, should at his or their expense found any college or school, and endow the same with an estate, real or personal of the yearly value of one thousand bushels of wheat,

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that such school or college shall on the application of the founder or founders or their heirs or successors, be considered as composing a part of the said university, and the estate thereunto annexed shall be and hereby is vested in the said regents, of the university, to be applied according to the intention of the donor, and that the said founder and founders, and their heirs, or if a body corporate, their successors shall be and hereby are forever hereafter entitled to send a representative for such college or school, who together with the president (if the estate is applied to the use of a college) shall be and they hereby are at all times hereafter to be considered as regents of the said university, and vested with the like powers and authorities in all things, as in and by this act is given to the other regents of the said university and the said college or school shall in all things, not particularly restricted by the donor, conform to the general laws and regulations of the said university, provided that nothing in this act contained shall be construed to deprive any person or persons of the right to erect such schools and colleges as to him or them may deem proper, independent of the said university.

And be it further enacted by the authority aforesaid, That whenever any religious body or society of men shall deem it proper to institute a professorship in the said university for the promotion of their particular religious tenets, or for any other purpose not inconsistent with

religion, morality and the laws of this State, and shall appropriate a fund for that purpose, not being less than two hundred bushel of wheat per annum, that the regents of the said university shall cause the same to be applied as the donors shall direct, for the purposes above mentioned, the said professors so to be appointed to be subject to the like rules, laws and ordinances, as other the professors of the said university, and entitled to the like immunities and privileges.

And be it further enacted by the authority aforesaid, That the said regents and their successors forever, shall and may have full power and authority by the chancellor or vice chancellor of the said university, or any other person or persons by them authorized or appointed, to give and grant to any of the students of the said university, or to any person or persons thought worthy thereof all such degrees as well in divinity, philosophy, civil and municipal laws, as in every other art, science and faculty what-

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soever as are or may be conferred by all or any of the universities in Europe, and that the chancellor or in his absence the vice chancellor of the said university for the time being, do sign and seal with the seal of the said corporation diplomas or certificates of such degrees having been given, other than the degree of bachelor of arts, which shall and may be granted by the president of the college in which the person taking the same shall have been graduated, and the diploma's shall be signed by the said president That the persons to be elected fellows professors or tutors as aforesaid, be also regents of the said university, ex officiis and capable of voting in every case relative only to the respective colleges to which they shall belong, excepting in such cases wherein they shall respectively be personally concerned or interested.

And be it further enacted by the authority aforesaid. That the college within the city of New York heretofore called Kings College, be forever here after called and known by the name of Columbia College.

Source: John B. Pine, compiler, Charters, Acts and Official Documents of Columbia College (June, 1895), pp. 29 – 35.