

# Middlebury College

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## The Middlebury College Charter

*State of Vermont*

*Isaac Tichenor Esquire  
Governor and Commander in Chief in, and over the State of Vermont.*

*To All To Whom These Presents Shall Come, Greeting.*

**KNOW YE,** That I the said Isaac Tichenor by virtue of Authority in me vested, and in pursuance of a certain Act of the Legislature of said State passed the first day of November in the Year of our Lord eighteen hundred, entitled An Act incorporating and establishing a College at Middlebury in the County of Addison- do, by these Presents will, ordain, and grant, that there be, and there hereby is granted, instituted, and established, a College in the Town of Middlebury in the County of Addison in said State:-And that Mess; Jeremiah Atwater, Nathaniel Chipman, Heman Ball, Elijah Paine, Gamaliel Painter, Israel Smith, Stephen R. Bradley, Seth Storrs, Stephen Jacob, Daniel Chipman, Lot Hall, Aaron Leeland, Gersham C. Lyman, Samuel Miller, Jedediah P. Buckingham, and Darius Matthews, shall be an incorporate Society, or Body corporate and politic, and shall hereafter be called and known by the Name of the President and Fellows of MIDDLEBURY COLLEGE-and that by the same name they and their successors shall, and may have perpetual succession; and shall and may be persons capable in Law to be impleaded, defend, and be defended; answer and be answered unto; and also to have, take, possess, acquire, purchase, or otherwise receive Lands, tenements, hereditaments, goods, chattels, or estate; to grant, demise, lease, use, manage, or improve for the good and benefit of the said College according to the tenor of the donations.

**Sec. 2.**>(\*Paragraph as amended October 15, 1932.) And that the 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 theirs, and their successors, and the same seal to alter, break, and make anew, as they shall think fit.

**Sec. 3.** And I the said Isaac Tichenor do by these presents further will, ordain, constitute, and appoint that the said Jeremiah Atwater be, and he hereby is established the present President; and the said Nathaniel Chipman, Heman Ball, Elijah Payne, Gamaliel Painter, Israel Smith, Stephen R. Bradley, Seth Storrs, Stephen Jacob, Daniel Chipman, Lot Hall, Aaron Leeland, Gersham C. Lyman, Samuel Miller, Jedediah P. Buckingham, and Darius Matthews, shall be and they are hereby established the present Fellows of the said College; and that the President, and his successors, shall continue in their places at the pleasure of the Fellows, and that the Fellows, and their successors, shall continue in their respective places during life, or until they or either of them shall resign, be removed, or displaced, as in this Act is hereafter expressed; but the President and Fellows may, if they choose, elect a part of said Fellows, not exceeding one-half thereof for the time being, for a fixed term of years, subject to removal as aforesaid.

**Sec. 4.**>(\*Paragraph as amended October 15, 1932.) And I the said Isaac Tichenor do further will, ordain, and grant, that there shall be a general meeting of the President, and Fellows of the said College, in the said College House on the first Tuesday of November 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 said College: and that on any special emergency, the President and two of the Fellows, or any four of the fellows may appoint a meeting: provided they give notice thereof to the rest by letters sent and left with them, or at the places of their respective abodes, ten days before such meeting, and that the President and six Fellows, or in case of the death, absence, or incapacity, of the President, seven Fellows convened as aforesaid shall be deemed a meeting of the President and Fellows of said College: and that in all the said Meetings a major vote of the members present shall be deemed the act of the whole. That the President and Fellows of the said College, and their successors, in any of their meetings assembled as aforesaid, may, from time to time, as occasion shall require, elect and appoint a President or Fellows, and a President or other chief executive officer of the corporation, who may, or may not, be the President of the College, and such other corporate officers as they shall find necessary; and also the same remove, from time to time, for any misdemeanor, unfaithfulness, default, or incapacity, six of the said Corporation, at least, concurring therein; and shall have power to appoint a scribe, or register, a treasurer, tutors,

professors, steward, and butler, and such other officers, and servants as are usually appointed in Colleges and Universities, as they shall find necessary and think fit to appoint for promoting good Literature, and well ordering and managing the affairs of said College; and them, or any of them, at their discretion, to remove-And to prescribe and administer such forms of Oaths, not being contrary to the Constitution and laws of this State, or of the United States, as they shall think proper to be administered, to all those Officers and Instructors of the said College, or to such, and so many of them as they shall think proper, for the faithful execution of their respective places, offices, and trusts.

**Sec. 5.** And that the said President and Fellows shall have the government, care and management of the said College, and of all matters and affairs thereto belonging; and shall have power from time to time, as occasion may require, to make, ordain, and establish all such wholesome and reasonable Laws, rules, and ordinances, not repugnant to the Constitution, and Laws of this State, or the United States, as they shall think fit and proper for the instruction and education of the Students, and ordering, governing, ruling, and managing the said College, and all matters, affairs, and thing thereto belonging; and the same to repeal and alter as they shall think fit, which shall be laid before the LEGISLATURE of this State as often as required, and may also be repealed or disallowed by the said LEGISLATURE when they shall think proper.

**Sec. 6.** And that the President of said College with the consent of the Fellows, shall have power to give and confer all such honors, degrees, or licenses, as are usually given in Colleges or Universities, upon such as they shall think worthy thereof.

**Sec. 7.** And I the said Isaac Tichenor do further will and grant that all the lands and rateable estate, that does, or shall belong to the said College, not exceeding the yearly value of Two Thousand Dollars, lying in this State; and the persons, families, and estates of the Presidents and Professors, lying and being in the Town of Middlebury, of the value of One Thousand Dollars, to each of said Officers, and the persons of the Tutors, Students, and such and so many of the servants of said College as give their constant attendance on the business of it, shall be freed and exempted from all rates, taxes, military service, working at highways, or other such like duties and services.

IN TESTIMONY WHEREOF I HAVE CAUSED THE PUBLIC SEAL OF THE STATE OF VERMONT TO BE HEREUNTO AFFIXED.

DONE AT MIDDLEBURY THIS FIRST DAY OF NOVEMBER IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED, AND OF THE INDEPENDENCE OF THE UNITED STATES THE TWENTY-FIFTH.

ISAAC TICHENOR.

*By his Excellency's Command  
Ros. Hopkins Secy of State*

State of Vermont  
Secretary of State's Office,  
Burlington, Nov.9.1802.  
Recorded in the second Book of Charters,  
Folio 27.28.29. &30.--  
Att. David Wing Jun'. Secy.

NOTE: The Act of the Legislature passed November 1, 1800, as printed in the compiled laws of 1848 and in the compiled laws of 1824, has two sections not appearing in the charter. Section 8 empowers the governor to issue the charter in accordance with the Act and Section 9 is a reservation with respect to grants to other colleges.

**ORIGINAL WORDING OF SECTIONS 2, 3 and 4 OF CHARTER OF MIDDLEBURY**

**Sec. 2.** And it is hereby further enacted, That the said President and Fellows, & their successors, shall & may hereafter have a common seal, to serve & use for all causes, matters & affairs of their's, & their successors, & the same seal to alter, break & make anew, as they shall think fit.

**Sec. 3.** And it is hereby further enacted, That the said Jeremiah Atwater shall be, & he is hereby established the present President; & the said Nathaniel Chipman, Heman Ball, Elijah Payne, Gamaliel Painter, Israel Smith, Stephen A. Bradley, Seth Storrs, Stephen Jacob, Daniel Chipman, Lot Hall, Aaron Leeland, Gersham C. Lyman, Samuel Miller, Jedediah P. Buckingham, & Darius Matthews shall be, & they are hereby established the present fellows of the said College; and that they & their successors shall continue in their respective plans, during life, or until they, or either of them, shall resign, be removed, or displaced, as in this act is hereafter expressed.

**Sec. 4.** And it is hereby further enacted, That there shall be a general meeting of the President & Fellows of the said College, in the said college-house, on the first Tuesday of November, annually, or, at any other time & place, which they shall see cause to appoint to consult, advise, and act, in & about the affairs & business of said college; and that on any special emergency, the President & two of the Fellows, or any four of the Fellows, may appoint a meeting at, the said College. Provided, they give notice thereof to the rest, by letters sent & left with them, or at the places of their respective abodes, ten days before such meeting, & that the President & six Fellows, or, in case of the death, absence or incapacity of the President, seven Fellows, convened as aforesaid, in which case the eldest Fellow shall preside shall be deemed a meeting of the President and Fellows of said College; & that in all the said meetings a major vote of the members present shall be deemed the act of the whole, & when any equivote happens, the President shall have a casting vote. That the President & Fellows of the said College & their successors, in any of their meetings assembled as aforesaid, may, from time to time as occasion shall require, elect and appoint a President or Fellows, & also the same remove, from time to time, for any misdemeanor, unfaithfulness, default or incapacity, six of the said corporation at least concurring therein; and shall have power to appoint a scribe, or register, a treasurer, tutors, professors, steward, & butler, & all such other officers & servants, as are usually appointed in colleges & universities, as they shall find necessary & think fit to appoint; for promoting good literature, & well ordering & managing the affairs of said College; & them or any of, them, at their discretion, to remove. And to prescribe and administer such forms of oaths, not being contrary to the constitution & laws of this State, or of the United States, as they shall think proper, for the faithful execution of their respective plans, offices, and trusts.

#### **AN ACT**

#### **AUTHORIZING THE PRESIDENT AND FELLOWS OF MIDDLEBURY COLLEGE TO ESTABLISH AN INSTITUTION FOR THE HIGHER EDUCATION OF WOMEN**

*It is hereby enacted by the General Assembly of the State of Vermont:*

**Section 1.** There is hereby granted to the President and Fellows of Middlebury College and to their successors, authority and power to establish, maintain and conduct, in the town of Middlebury and the County of Addison-as an adjunct, branch of, or annex to, said College--a co-ordinate institution to be devoted to the higher education of women and to be known by some distinctive name to be selected by the President and Fellows of Middlebury College.

Courses of study shall be given in said institution of a grade the same as, or equivalent to, the courses given to the men students of Middlebury College, and the same or similar degrees shall be awarded to graduates of the institution so established, as shall be given for like or similar work to men graduating from said College.

The President and Fellows of Middlebury College and their successors are authorized to receive, hold, and employ funds and property in accordance with the terms of any gift, bequest, grant, or devise, which may hereafter be made for the benefit of the institution so established.

Approved December 4th 1902.  
A true copy, attest

FREDERICK G. FLEETWOOD,  
*Secretary of State.*

Morristown, Vermont, January 26th, 1903.