

## CHAPTER V.

*The University at Cambridge, and Encouragement of  
Literature, &c.*

## SECTION 1.—THE UNIVERSITY.

Article 1. Whereas our wise and pious ancestors, so early as the year one thousand six hundred and thirty-six, laid the foundation of Harvard college, in which university many persons of great eminence have, by the blessing of God, been initiated in those arts and sciences which qualified them for public employments both in church and state : and whereas the encouragement of arts and sciences, and all good literature, tends to the honour of God, the advantage of the Christian religion, and the great benefit of this and the other United States of America, it is declared that the president and fellows of Harvard college in their corporate capacity, and their successors in that capacity, their officers and servants, shall have, hold, use, exercise, and enjoy, all the powers, authorities, rights, liberties, privileges, immunities, and franchises, which they now have, or are entitled to have, hold, use, exercise, and enjoy : and the same are hereby ratified and confirmed unto them, the said president and fellows of Harvard college, and to their successors, and to their officers and servants, respectively, for ever.

2. And whereas there have been, at sundry times, by divers persons, gifts, grants, devises of houses, lands, tenements, goods, chattels, legacies, and conveyances, heretofore made, either to Harvard college, in Cambridge, in New England, or to the president and fellows of Harvard college, or to the said college, by some other description, under several charters successively—it is declared, that all the said gifts, grants, devises, legacies, and conveyances, are hereby forever confirmed unto the president and fellows of Harvard college, and to their successors in the capacity aforesaid, according to the true intent and meaning of the donor or donors, grantor or grantors, deviser or devisors.

3. And whereas, by an act of the general court of the colony of Massachusetts Bay, passed in the year one thousand six hundred and forty-two, the governor and deputy-governor, for the time being, and all the magistrates of that jurisdiction, were, with the president and a number of the clergy in the said act described, constituted the overseers of Harvard college : and it being necessary in this new constitution of government, to ascertain who shall be deemed successors to the said governor, deputy-governor, and magistrates, it is declared that the governor, lieutenant-governor, council, and senate of this commonwealth, are and shall be deemed their successors : who, with the president of Harvard college, for the time being, together with the ministers of the congregational churches in the towns of Cambridge, Watertown, Charlestown, Boston, Roxbury, and Dorchester, mentioned in the said act, shall be, and hereby are, vested with all the powers and authority belonging, or in any way appertaining to the overseers of Harvard college : provided, that nothing herein shall be construed to prevent the legislature of this commonwealth from making such alterations in the government of the said university as shall be conducive to its advantage, and the interest of the republic of letters,