

ACTS AND RESOLVES
OF THE GENERAL COURT RELATING TO
THE MASSACHUSETTS INSTITUTE OF TECHNOLOGY

Acts of 1861, Chapter 183

1861

AN ACT TO INCORPORATE THE MASSACHUSETTS INSTITUTE
OF TECHNOLOGY, AND TO GRANT AID TO SAID INSTITUTE
AND TO THE BOSTON SOCIETY OF NATURAL HISTORY.

Be it enacted by the Senate and House of Representatives, in
General Court Assembled, and by the authority of the same as follows:

SECTION 1. William B. Rogers, James M. Beebe, E. S. Tobey, S. H. Gookin, E. B. Bigelow, M. D. Ross, J. D. Philbrick, F. H. Storer, J. D. Runkle, C. H. Dalton, J. B. Francis, I. C. Hoadley, M. P. Wilder, C. L. Flint, Thomas Rice, John Chase, J. P. Robinson, F. W. Lincoln, Jr., Thomas Aspinwall, J. A. Dupee, E. C. Cabot, their associates and successors, are hereby made a body corporate, by the name of the Massachusetts Institute of Technology, for the purpose of instituting and maintaining a society of arts, a museum of arts, and a school of industrial science, and aiding generally, by suitable means, the advancement, development and practical application of science in connection with arts, agriculture, manufactures and commerce; with all the powers and privileges, and subject to all the duties, restrictions and liabilities, set forth in the sixty-eighth chapter of the General Statutes.

SECTION 2. Said corporation, for the purposes aforesaid, shall have authority to hold real and personal estate to an amount not exceeding two hundred thousand dollars.

SECTION 3. One certain square of state land on the Back Bay, namely the second square westwardly from the public garden, between Newbury and Boylston Streets, according to the plan reported by the commissioners on the Back Bay, February twenty-one, eighteen hundred and fifty-seven, shall be reserved from sale forever, and kept as an open space, or for the use of such educational institutions of science and art as are hereinafter provided for.

SECTION 4. If at any time within one year after the passage of this act, the said Institute of Technology shall furnish satisfactory evidence to the governor and council that it is duly organized under the aforesaid charter, and has funds subscribed, or otherwise guaranteed, for the prosecution of its objects, to an amount at least of one hundred thousand dollars, it shall be entitled to a perpetual right to hold, occupy and control, for the purposes herein before mentioned, the westerly portion of said second square, to the extent of two-third parts thereof, free of rent or charge by the Commonwealth, subject nevertheless to the following stipulations, namely: persons from all parts of the Commonwealth shall be alike eligible as members of said institute, or as pupils for its instruction; and its museum or conservatory of arts, at all reasonable times and under reasonable regulations, shall be open to the public; and within two years from the time when said land is placed at its disposal for occupation, filled and graded, said institute shall erect and complete a building suitable to its said purposes, appropriately inclose, adorn, and cultivate the open ground around said building, and shall thereafter keep said grounds and building in a sightly condition.

SECTION 5. The Boston Society of Natural History shall be entitled to hold, occupy and control, for the objects and purposes for which said society was incorporated, and which are more fully set forth in its constitution and by-laws, the easterly portion of said second square to the extent of one-third part thereof: *provided* that the said society shall within two years from the time when said portion of land is placed at its disposal for occupation, filled and graded, erect a building suitable to said objects and purposes, and appropriately inclose, plant and adorn the open ground

around said building, and shall thereafter keep said grounds and building in a neat and ornamental condition.

SECTION 6. The rights and privileges given in the last two sections, are granted subject to these further conditions following, namely: All buildings whatsoever, which may be erected by either of the herein named institutions upon any portion of said second square, shall be designed and completed, the grounds surrounding said buildings enclosed, laid out and ornamented, and the said buildings and grounds kept and maintained in a manner satisfactory to the governor and council; and in case either of the said institutions shall after due notice given neglect to comply with the requirements of this section, or fail to use its portion of said square, or at any time appropriate said portion or any part thereof, to any purpose or use foreign to its legitimate objects, then the right of said delinquent institution to the use, occupation or control of its portion of said square shall cease, and the Commonwealth, by its proper officers and agents, shall have the right forthwith to enter and take possession of the portion of land so forfeited.

SECTION 7. The above named societies shall not cover with their buildings more than one third of the area granted to them respectively.

SECTION 8. The commissioners on the Back Bay are hereby instructed to reserve from sale the lots fronting on said square on Boylston, Clarendon and Newbury Streets, until said societies shall by inclosure and improvements, put said square in a sightly and attractive condition.

SECTION 9. Upon the passage of this act, the governor with the advice and consent of the council, shall appoint three disinterested persons, who shall appraise the value of all the lands specified in the third and eighth sections of this act, and make a return of said appraisal to the governor and council; and if when the lands mentioned in section eight shall have been sold, the proceeds of such sales shall not be equal to the whole amount of the appraisal above mentioned then the societies named in this act shall pay the amount of such deficit into the treasury of the Common-

wealth, for the school fund, in proportion to the area granted to them respectively.

SECTION 10. This act shall be null and void unless its provisions shall be accepted within one year, by the Massachusetts Institute of Technology, and the Boston Society of Natural History, so far as they apply to those societies respectively.

Approved April 10, 1861

Acts of 1862, Chapter 142

1862

AN ACT IN ADDITION TO AN ACT TO INCORPORATE THE MASSACHUSETTS INSTITUTE OF TECHNOLOGY.

Be it enacted, etc., as follows:

SECTION 1. The time within which the provisions of the fourth section of chapter one hundred and eighty-three of the acts of the year eighteen hundred and sixty-one, relative to the Massachusetts Institute of Technology are limited, is hereby extended one year from the passage hereof.

SECTION 2. This act shall take effect upon its passage.

Approved April 25, 1862

Acts of 1863, Chapter 186

1863

AN ACT IN ADDITION TO AN ACT TO INCORPORATE THE MASSACHUSETTS INSTITUTE OF TECHNOLOGY.

Be it enacted, etc., as follows:

SECTION 1. When the Massachusetts Institute of Technology shall have been duly organized, located and established, in conformity with the provisions of chapter one hundred and eighty-three of the acts of the year eighteen hundred and sixty-one, and chapter one hundred and forty-two of the acts of the year eighteen hundred and sixty-two,