

# DOWNLOAD PDF THE DARTMOUTH COLLEGE CAUSES AND THE SUPREME COURT OF THE UNITED STATES

## Chapter 1 : Dartmouth College v. Woodward - Wikipedia

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Dissent, Duvall Syllabus The charter granted by the British Crown to the trustees of Dartmouth College, in New Hampshire, in the year , is a contract within the meaning of that clause of the Constitution of the United States, art. The charter was not dissolved by the Revolution. An act of the State Legislature of New Hampshire altering the charter without the consent of the corporation in a material respect, is an act impairing the obligation of the charter, and is unconstitutional and void. Under its charter, Dartmouth College was a private, and not a public, corporation. That a corporation is established for purposes of general charity, or for education generally does not, per se, make it a public corporation, liable to the control of the legislature. The case was argued at February Term, , and was decided at February Term, The defendant had died after February Term, The judgment was entered nunc pro tunc. This was an action of trover, brought in the State court, in which the plaintiffs in error declared for [p] two books of records, purporting to contain the records of all the doings and proceedings of the trustees of Dartmouth College from the establishment of the corporation until the 7th day of October, ; the original charter or letters-patent, constituting the college; the common seal; and four volumes or books of account, purporting to contain the charges and accounts in favor of the college. The defendant pleaded the general issue, and at the trial, the following special verdict was found: Whereas, it hath been represented to our trusty and well-beloved John Wentworth, Esq. Whereupon, the said Eleazar Wheelock thought it expedient, that endeavors should be used to raise contributions from well disposed persons in England for the carrying on and extending said undertaking; and for that purpose the said Eleazar Wheelock requested the Rev. Nathaniel Whitaker, now doctor in divinity, to go over to England for that purpose, and sent over with him the Rev. Samson Occom, an Indian minister, who had been educated by the said Wheelock. And to enable the said Whitaker to the more successful performance of said work, on which he was sent, said Wheelock gave him a full power of attorney, by which said Whitaker solicited those worthy and generous contributors to the charity, viz. Edmund the King, Lombard Street, London, gentleman, and Robert Keen, of the Parish of Saint Botolph, Aldgate, London, gentleman, to receive the several sums of money which should be contributed, and to be trustees for the contributors to such charity, which they cheerfully agreed to. Whereupon, the said Whitaker did, by virtue of said power of attorney, constitute and appoint the said Earl of Dartmouth, Sir Sidney Stafford Smythe, John Thornton, Samuel Roffey, Charles Hardy and Daniel West, Esquires, and Samuel Savage, Josiah Roberts and Robert Keen, gentlemen, to be trustees of the money which had then been contributed, and which should, by his means, be contributed for said purpose, which trust they have accepted, as by their engrossed declaration of the same, under their hands and seals, well executed, fully appears, and the same has also been ratified, by a deed of trust, well executed by the said Wheelock. And the said Wheelock further represents, that he has, by power of attorney, for many weighty reasons, [p] given full power to the said trustees to fix upon and determine the place for said school, most subservient to the great end in view; and to enable them understandingly to give the preference, the said Wheelock has laid before the said trustees, the several offers which have been generously made in the several governments in America to encourage and invite the settlement of said school among them, for their own private emolument and the increase of learning in their respective places, as well as for the furtherance of the general design in view. And whereas a large number of the proprietors of lands in the western part of this our province of New Hampshire, animated and excited thereto by the generous example of his excellency, their Governor, and by the liberal contributions of many noblemen and gentlemen in England, and especially by the consideration that such a situation would be as convenient as any for carrying on the great design among the Indians; and also, considering, that without the least impediment to the said design, the same school may be enlarged and improved to promote learning among the English, and be a means to supply a great number of churches and congregations which are likely soon to be formed in that new country, with a learned and

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orthodox ministry; they, the said proprietors, have promised large tracts of land, for the uses aforesaid, provided the school shall be settled in the western part of our said province. And they, the said right honorable, honorable and worthy trustees before mentioned, having maturely considered the reasons and arguments in favor of the several places [p] proposed, have given the preference to the western part of our said province, lying on Connecticut river, as a situation most convenient for said school. And the said Wheelock has further represented a necessity of a legal incorporation in order to the safety and wellbeing of said seminary, and its being capable of the tenure and disposal of lands and bequests for the use of the same. And the said Wheelock has also represented that, for many weighty reasons, it will be expedient, at least in the infancy of said institution or till it can be accommodated in that new country and he and his friends be able to remove and settle by and round about it, that the gentlemen whom he has already nominated in his last will which he has transmitted to the aforesaid gentlemen of the trust in England to be trustees in America should be of the corporation now proposed. And the trustees of said college may and shall be one body corporate and politic, in deed, action and name, and shall be called, named and distinguished by the name of the Trustees of Dartmouth College. And further, we have willed, given, granted, constituted and ordained, and by this our present charter, of our special grace, certain knowledge and mere motion, with the advice aforesaid, do, for us, our heirs and successors forever, will, give, grant, constitute and ordain that there shall be in the said Dartmouth College, from henceforth and forever, a body politic consisting of trustees of said Dartmouth College. And for the more full and perfect erection of said corporation and body politic, consisting of trustees of Dartmouth College, we, of our special grace, certain [p] knowledge and mere motion, do, by these presents, for us, our heirs and successors, make, ordain, constitute and appoint our trusty and well beloved John Wentworth, Esq. And further, of our special grace, certain knowledge and mere motion, to the intent that our said corporation and body politic may answer the end of their erection and constitution, and may have perpetual succession and continuance forever, we do, for us, our heirs and successors, will, give and grant unto the Trustees of Dartmouth College, and to their successors forever that there shall be, once a year, and every year, a meeting of said trustees, held at said Dartmouth College, at such time as by said trustees, or the major part of them, at any legal meeting of said trustees, shall be agreed on; the first meeting to be called by the said Eleazar Wheelock, as soon as conveniently may be, within one year next after the enrollment of these our letters-patent, at such time and place as he shall judge proper. And the said trustees, or the major part of any seven or more of them, shall then determine on the time for holding the annual meeting aforesaid, which may be altered as they shall hereafter find most convenient. And we further order and direct that the said Eleazar Wheelock shall notify the time for holding said first meeting, to be called as aforesaid, by sending a letter [p] to each of said trustees, and causing an advertisement thereof to be printed in the New Hampshire Gazette, and in some public newspaper printed in the colony of Connecticut. But in case of the death or incapacity of the said Wheelock, then such meeting to be notified in manner aforesaid, by the Governor or commander-in-chief of our said province for the time being. And we do also, for us, our heirs and successors, hereby will, give and grant unto the said Trustees of Dartmouth College, aforesaid, and to their successors forever that when any seven or more of the said trustees, or their successors, are convened and met together, for the service of said Dartmouth College, at any time or times, such seven or more shall be capable to act as fully and amply, to all intents and purposes, as if all the trustees of said college were personally present -- and all affairs and actions whatsoever, under the care of said trustees, shall be determined by the majority or greater number of those seven or more trustees so convened and met together. And we do, for us, our heirs, and successors, hereby will, give and grant full power and authority to the president hereafter by us named, and to his successors, or, in case of his failure, to any three or more of the said trustees, to appoint other occasional meetings, from time to time, of the said seven trustees, or any greater number of them, to transact any matter or thing necessary to be done before the next annual meeting, and to order notice to the said seven, or any greater number of them, of the times and places of meeting for the service aforesaid, by a letter under his or their hands, of the same, one month before said meeting: And also we do will, give and grant to the said trustees, convened as aforesaid

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that they elect, nominate and appoint so many tutors and professors to assist the president in the education and government of the students belonging thereto as they the said trustees shall, from time to time, think needful and serviceable to the interests of said Dartmouth College. And also that the said trustees or their successors, or the major part of any seven or more of them, convened for that purpose as above directed, shall, at any time, displace and discharge from the service of said Dartmouth College, any or all such officers, and elect others in their room and stead, as before directed. And also that the said trustees and their successors, or the major part of any seven or more of them, which shall convene for that purpose, as is above directed, as often as one or more of said trustees shall die, or by removal or otherwise shall, according to their judgment, become unfit or incapable to serve the interests of said college, do, as soon as may be after the death, removal or such unfitness or incapacity of such trustee or trustees, elect and appoint such trustee or trustees as shall supply the place of him or them so dying, or becoming incapable to serve the interests of said college; and every trustee so elected and appointed shall, by virtue of these presents, and such election and appointment, be vested with all the powers and privileges which any of the other trustees of said college are hereby vested with. And we do further will, ordain and direct that from and after the expiration of two years from the enrollment of these presents, such vacancy or vacancies as may or shall happen, by death or otherwise, in the aforesaid number of trustees, shall be filled up by election as aforesaid, so that when such vacancies shall be filled up unto the complete number of twelve trustees, eight of the aforesaid whole number of the body of trustees shall be resident, and respectable freeholders of our said province of New Hampshire, and seven of said whole number shall be laymen. And such ordinances, orders and laws, which shall as aforesaid be made, we do, for us, our heirs and successors, by these presents, ratify, allow of, and confirm, as good and effectual to oblige and bind all the students, and the several officers and ministers of the said college. And we do hereby authorize and empower the said trustees of Dartmouth College, and the president, tutors and professors by them elected and appointed as aforesaid, to put such ordinances, orders and laws in execution, to all proper intents and purposes. And we do further, of our special grace, certain knowledge and mere motion, by these presents, for us, our heirs and successors, give and grant unto the trustees of said Dartmouth College, and to their successors that they and their successors shall have a common seal, under which they may pass all diplomas or certificates of degrees, and all other affairs and business of, and concerning the said college; which shall be engraven in such a form and with such an inscription as shall be devised by the said trustees, for the time being, or by the major part of any seven or more of them, convened for the service of the said college, as is above directed. And this to continue so long as they shall perpetuate their board of trust, and there shall be any of the Indian natives remaining to be proper objects of that charity. To have and to hold, all and singular the privileges, advantages, liberties, immunities, and all other the premises herein and hereby granted, or which are meant, mentioned or intended to be herein and hereby given and granted, unto them, the said trustees of Dartmouth College, and to their successors forever. In testimony whereof, we have caused these our letters to be made patent, and the public seal of [p] our said province of New Hampshire to be hereunto affixed. The words "and such professor or tutor, or any three or more of the trustees, shall immediately appoint a meeting of the body of the trustees, for the purpose aforesaid," between the first and second lines, also the words "or more," between the 27th and 28th lines, also the words "or more," between the 28th and 29th lines, and also the words "to all intents and purposes," between the 37th and 38th lines of this sheet, were respectively interlined, before signing and sealing. And the said jurors, upon their oath, further say that, immediately after its erection and organization as aforesaid, the said corporation had, took, acquired and received, by gift, donation, devise and otherwise, lands, goods, chattels and moneys of great value; and from time to time since, have had, taken, received and acquired, in manner aforesaid, and otherwise, lands, goods, chattels and moneys of great value; and on the same 27th day of June, A. And the said jurors, upon their oath, further say that part of the said lands, so acquired and holden by the said trustees as aforesaid, were granted by and are situate in the State of Vermont, A. And the said jurors, upon their oath, further say that the said trustees of Dartmouth College, so constituted as aforesaid, on the same 27th day of June, A. And the said jurors, upon their oath, further say that, on the 27th

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day of June, A. An Act to amend the charter, and enlarge and improve the corporation of Dartmouth College. Whereas, knowledge and learning generally diffused through a community, are essential to the preservation of a free government, and extending the opportunities and advantages of education is highly conducive to promote this end, and by the constitution it is made the duty of the legislators and magistrates to cherish the interests of literature, and the sciences, and all seminaries established for their advancement; and as the college of the State may, in the opinion of the legislature, be rendered more extensively useful: And they shall have power to determine the times and places of their meetings, and manner of notifying the same; to organize colleges in the university; to establish an institute, and elect fellows and members thereof: And be it further enacted that there shall be a Board of Overseers, who shall have perpetual succession, and whose number shall be twenty-five, [p] fifteen of whom shall constitute a quorum for the transaction of business. The President of the Senate, and the Speaker of the House of Representatives of New Hampshire, the Governor and Lieutenant Governor of Vermont, for the time being, shall be members of said board, ex officio. The Board of Overseers shall have power to determine the times and places of their meetings, and manner of notifying the same; to inspect and confirm, or disapprove and negative, such votes and proceedings of the Board of Trustees as shall relate to the appointment and removal of President, professors and other permanent officers of the university, and determine their salaries; to the establishment of colleges and professorships, and the erection of new college buildings: Be it further enacted that there shall be a treasurer of said corporation, who shall be duly sworn, and who, before he enters upon the duties of his office, shall give bonds, with sureties, to the satisfaction of the corporation, for the faithful performance thereof; and also a secretary to each of the Boards of Trustees and Overseers, to be elected by the said Boards, respectively, who shall keep a just and true record of the proceedings of the Board for [p] which he was chosen. And it shall furthermore be the duty of the secretary of the Board of Trustees to furnish, as soon as may be, to the said Board of Overseers, copies of the records of such votes and proceedings, as by the provisions of this act are made subject to their revision and control. Be it further enacted that the President of Dartmouth University, and his successors in office, shall have the superintendence of the government and instruction of the students, and may preside at all meetings of the trustees, and do and execute all the duties devolving by usage on the president of a university. He shall render annually to the Governor of this State an account of the number of students, and of the State of the funds of the University, and likewise copies of all important votes and proceedings of the corporation and Overseers, which shall be made out by the secretaries of the respective Boards. Be it further enacted that the President and professors of the University shall be nominated by the Trustees, and approved by the Overseers, and shall be liable to be suspended or removed from office in manner as before provided. And each of the two Boards of Trustees and Overseers shall have power to suspend and remove any member of their respective Boards. Be it further enacted that the Governor and counsel are hereby authorized to fill all vacancies in the Board of Overseers, whether the same be original vacancies or are occasioned by the death, resignation or removal of any member. And [p] the Governor and counsel in like manner shall, by appointments, as soon as may be, complete the present Board of Trustees to the number of twenty-one, as provided for by this act, and shall have power also to fill all vacancies that may occur previous to, or during the first meeting of the said Board of Trustees. But the President of said University for the time being, shall, nevertheless, be a member of said Board of Trustees ex officio. And the Governor and Council shall have power to inspect the doings and proceedings of the corporation, and of all the officers of the University, whenever they deem it expedient; and they are hereby required to make such inspection, and report the same to the legislature of this State, as often as once in every five years. And the Governor is hereby authorized and requested to summon the first meeting of the said Trustees and Overseers, to be held at Hanover, on the 26th day of August next. Be it further enacted that the President and professors of the University, before entering upon the duties of their offices, shall take the oath to support the Constitution of the United States and of this State; certificates of which shall be in the office of the secretary of this State, within sixty days from their entering on their offices respectively. Be it further enacted that perfect freedom of religious opinion shall be enjoyed by all the officers and students

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of the University, and no officer or student shall be deprived of any honors, privileges or benefits of the institution on account of his religious creed or belief. The theological colleges which [p] may be established in the University shall be founded on the same principles of religious freedom; and any man, or body of men, shall have a right to endow colleges or professorships of any sect of the Protestant Christian religion; and the Trustees shall be held and obliged to appoint professors of learning and piety of such sects, according to the will of the donors. Approved, June 27th, And the said jurors, upon their oath, further say that, at the annual meeting of the Trustees of Dartmouth College, constituted agreeably to the letters-patent aforesaid, and in no other way or manner, holden at said college, on the 28th day of August, A. And the said jurors, upon their oath, further say that the said Trustees of Dartmouth College have never accepted, assented to, or acted under, the said Act of the 27th of June, A. And the said jurors, upon their oath, further say that, on the 7th day of October, A. Woodward the property, goods and chattels in the said declaration specified, and requested the said William H. Woodward, who then had the same in his hands and possession, to deliver the same to them, which the said William H. Woodward then and there refused to do, and has ever since neglected and refused to do, but converted the same to his own use, if the said Trustees of Dartmouth College could, after the passing of the said act of the 27th day of June, lawfully demand the same, and if the said William H. Woodward was not, by law, authorized to retain the same in his possession after such demand. And the said jurors, upon their oath, further say that, on the 18th day of December, A. An act in addition to, and in amendment of, an act, entitled, "an act to amend the charter, and enlarge and improve the Corporation of Dartmouth College. And the said Trustees, at such meeting, may do and transact any matter or thing, within the limits of their jurisdiction and power, as such Trustees, to every intent and purpose, and as fully and completely as if the same were transacted at any annual or other meeting. And the Governor, with advice of Council, is authorized to fill all vacancies that have happened, or may happen in the Board of said Trustees, previous to their next annual meeting. And the Governor is hereby authorized to summon a meeting of the Overseers of said University, at such time and place as he may consider proper. And provided a less number than a quorum of said Board of Overseers convene at the time and place appointed for such meeting of their Board, they shall have power to adjourn, from time to time, until a quorum shall have convened. And be it further enacted that so much of the act to which this is an addition as makes necessary any particular number of Trustees or Overseers of said University to constitute a quorum for the transaction of business be, and the same hereby is repealed; and that hereafter, nine of said Trustees, convened agreeably to the provisions of this act, or [p] to those of that to which this is an addition, shall be a quorum for transacting business; and that in the Board of Trustees, six votes at least shall be necessary for the passage of any act or resolution. And provided also that any smaller number than nine of said Trustees, convened at the time and place appointed for any meeting of their Board, according to the provisions of this act, or that to which this is an addition, shall have power to adjourn from time to time, until a quorum shall have convened. And be it further enacted that each member of said Board of Trustees, already appointed or chosen, or hereafter to be appointed or chosen, shall, before entering on the duties of his office, make and subscribe an oath for the faithful discharge of the duties aforesaid; which oath shall be returned to, and filed in the office of the secretary of State, previous to the next regular meeting of said Board, after said member enters on the duties of his office, as aforesaid. Approved, December 18th, And the said jurors, upon their oath, further say that, on the 26th day of December, A. And be it further enacted that the person or persons who sustained the offices of secretary and treasurer [p] of the Trustees of Dartmouth College, next before the passage of the act, entitled, "an act to amend the charter and enlarge and improve the corporation of Dartmouth College," shall continue to hold and discharge the duties of those offices, as secretary and treasurer of the Trustees of Dartmouth University, until another person or persons be appointed, in his or their stead, by the Trustees of said University. And that the treasurer of said University, so existing, shall, in his office, have the care, management, direction and superintendence of the property of said corporation, whether real or personal, until a quorum of said Trustees shall have convened in a regular meeting. Approved, December 26th, And the said jurors, upon their oath, further say that the said William H.

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Woodward, before the said 27th day of June, had been duly appointed by the said Trustees of Dartmouth College, secretary and treasurer of the said corporation, and was duly qualified to exercise, and did exercise the said offices, and perform the duties of the same; and as such secretary and treasurer, rightfully had, while he so continued secretary and treasurer as aforesaid, the custody and keeping of the several goods, chattels and property, in said declaration specified. Woodward was removed by said Trustees of Dartmouth College if the said Trustees could, by law, do the said acts from said office of secretary, on the 27th day of August, A. Woodward, had due notice on each of said days last mentioned. And the said jurors, upon their oath, further say that the corporation called the Trustees of Dartmouth University was duly organized on the 4th day of February, A. Woodward was, on the said 4th day of February, A. And the said jurors, upon their oath, further say that this suit was commenced on the 8th day of February, A. But whether upon the whole matter aforesaid, by the jurors aforesaid, in manner and form aforesaid found, the said acts of the 27th of June, 18th and 26th of December, A. And if, upon the said matter, it shall seem to the Court here that the said acts last mentioned are valid in law, and binding on said Trustees of Dartmouth College, [p] without acceptance thereof and assent thereto by them, so as to render the plaintiffs incapable of maintaining this action, and are not repugnant to the Constitution of the United States, then the said jurors, upon their oath, say that the said William H. Woodward is not guilty of the premises above laid to his charge by the declaration aforesaid, as the said William H. Woodward hath above in pleading alleged.

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## Chapter 2 : Full text of "The Dartmouth College causes and the Supreme Court of the United States"

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The Dartmouth College Case is the name by which is commonly known the action entitled Trustees of Dartmouth College v. In the year the Rev. Eleazar Wheelock, aided financially and politically by friends in England and America, conspicuous among whom was the Earl of Dartmouth, and with the assistance of the Province of New Hampshire given in the form of extensive land grants, founded Dartmouth College under a charter from King George III of England. This charter vested the control of the institution in a board of trustees, who were designated by Dr. Wheelock to manage the same, and under the management of those trustees so incorporated and their successors the college grew and prospered until the year , when the State legislature passed an act amending its charter by which they curtailed the power of its trustees, changed its name to Dartmouth University and made it a State institution subject to State control. For protection against this infringement of their powers the trustees had recourse to the courts in the now famous case above named. In the State tribunals the decision went against the college trustees and an appeal was taken to the Supreme Court of the United States, the appeal being based upon the theory that the charter granting the control of the college to the trustees was a contract, that under Section X of Article 1 of the Federal Constitution no State can pass an act impairing the obligation of any contract, and that the said act of the New Hampshire legislature violated the contract of the charter of Dartmouth College. It should be remembered that in when the case came up for final hearing, the popular views of the scope and effect of the National Constitution were far from harmonious. All then regarded that instrument as the greatest existing governmental compact, but the Republican party then in power demanded that it be so strictly construed as to preserve unimpaired the rights and powers of the individual States. Justice Duvall alone dissented. This decision has perhaps been more severely criticized and has perhaps given rise to more strenuous efforts to escape its consequences than has any other decision of the tribunal which rendered it, and the reasons are obvious. While it gave assurance that capital invested in chartered business and charitable ventures would be forever protected from legislative interference, it also invited political corruption by saying in effect to promoters of corporations that the courts would protect them in the possession of every concession or right which they beguiled from pliant legislative bodies. It made possible the mechanical and industrial achievements of the 19th century in this country, but it also made profitable the limitless corruption which has attended those achievements and which has frequently, by virtue of this dedsion, stripped the government of very important powers. But the correctness of a judicial decision is not to be gauged by its influence for weal or woe. Rather should that be determined by its conformity to the Constitution, the statutes and the judicial precedents upon which it rests and the approval given it by later decisions. Judged by this test we must hold that Marshall and his colleagues decided well in the Dartmouth College Case. The Supreme Court of the United States had early laid down the rule that there are certain vital principles of republican government which will overrule a flagrant and apparent abuse of legislative power. It had in the year declared a law granting land to private companies to be in effect a contract which could not be so repealed as to impair the obligation of that contract. If the passage of the law were procured by fraud the court there doubted its power to declare it void for those reasons, but if that power existed it could be exercised only under those rules of law and equity which govern private transactions. Two years later there came before the same court a case involving a somewhat similar question. The State of New Jersey had traded land with an Indian tribe and had, by legislative enactment, provided that the Indians should forever hold the lands received by them free from taxation. With the consent of the State they sold their lands and, the question being properly presented, the court held that the law granting the exemption was a contract, that the exemption ran with the land and that the purchasers from the Indians enjoyed the same exemption. By

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the decision in the Dartmouth College Case the rules laid down in the foregoing cases were followed and their application extended to contracts in charters of incorporation, but their force when so applied had already been limited by another line of decisions. In Chief Justice Marshall, speaking for the court, had said that the charter gives to a corporation all of the powers it possesses and no powers not granted can be exercised. A little later he had decided that there is a difference between a grant of corporate existence and a grant of peculiar remedies. The first is general. The second can only be exercised in those courts which the power bestowing the privilege can regulate. Moreover, as the bank charter involved in that case contained a clause making it a felony to counterfeit its notes, the court believed it to be a public act and subject to repeal by succeeding legislatures. But if there is any doubt that such was the understanding of the chief justice who wrote the opinion of the court in that case, the same will be removed by a consideration of certain later decisions in which he participated. In the year the court over which he presided decided that Congress had power to incorporate a lottery to do business beyond the limits of the District of Columbia, yet, where no mention was made thereof in the charter, it would not be presumed that Congress had done so and had thereby deprived the States of their power to regulate lotteries by preventing the sale of tickets within their boundaries. In the same year the same court decided that a town government cannot contract away its legislative power. And in the case of *Providence Bank v. Billings*, the court presided over by Marshall decided that while a State might, through its legislature, grant immunity from taxation, it could not be presumed to have done so, and that, in the absence of any agreement to the contrary, it might tax to death a franchise which it had itself granted. But the effect of the Dartmouth College decision was not fully understood at the time of its rendition and the States eagerly availed themselves of a suggestion found in the decision itself to the effect that if they wished the right to amend, alter or repeal charters granted by them they must expressly reserve that power. The alterations must be made in good faith and consistent with the objects and scope of the act of incorporation. Sheer oppression and fraud cannot be inflicted under the guise of amendment or alteration. The power cannot be so employed as to defeat or substantially impair the object of the grant or any right which has become vested under it. Where this power has been reserved, a State may tax property which it has forever exempted from taxation, but the taxes must not be greater than those imposed upon other property. It can regulate the charges of common carriers, but no such legislation must amount to the taking of private property for public purposes without due process of law. We thus see that not only was the Dartmouth College decision as moderate as any of the later cases which have been said to have practically overruled it, but that even where reservations in charters have obviated the effect of that decision the later courts have reached a similar conclusion by a different chain of logic.

### Chapter 3 : Dartmouth College Case, by Shaadi Shoubaki on Prezi

*Shirley, John M. The Dartmouth College Causes and the Supreme Court of the United States. Originally published: Chicago: G.I. Jones, pp. Reprinted by.*

### Chapter 4 : Trustees of Dartmouth College v. Woodward | US Law | LII / Legal Information Institute

*Trustees of Dartmouth College v. Woodward, 17 U.S. (4 Wheat.) (), was a landmark decision in United States corporate law from the United States Supreme Court dealing with the application of the Contracts Clause of the United States Constitution to private corporations.*

### Chapter 5 : The Encyclopedia Americana (/)/Dartmouth College Case, The - Wikisource, the free online library

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