

The
Constitution
of
Phillips Academy





A short reflection upon the grand design of the great Parent of the Universe in the creation of mankind, and the improvements, of which the mind is capable, both in knowledge and virtue as well, as upon the prevalence of ignorance and vice, disorder and wickedness, and upon the direct tendency and certain issue of such a course of things, must occasion, in a thoughtful mind, an earnest solicitude to find the source of these evils and their remedy; and a small acquaintance with the qualities of young minds,—how susceptible and tenacious they are of impressions, evidences that Youth is the important period, on the improvement or neglect of which depend the most important consequences to individuals themselves and the community.

A serious consideration of the premises, and an observation of the growing neglect of Youth, have excited in us a painful anxiety for the event, and determined us to make, in the following Conveyance, a

humble dedication to our Heavenly Benefactor of the ability, wherewith He hath blessed us, to lay the foundation of a public free School or Academy for the purpose of instructing Youth, not only in English and Latin Grammar, Writing, Arithmetic, and those Sciences, wherein they are commonly taught; but more especially to learn them the Great End and Real Business of Living.

Earnestly wishing that this Institution may grow and flourish; that the advantages of it may be extensive and lasting; that its usefulness may be so manifest, as to lead the way to other establishments on the same principles; and that it may finally prove an eminent means of advancing the Interest of the great Redeemer, to His patronage and blessing we humbly commit it.

Know All Men by These Presents, that we, Samuel Phillips of Andover in the County of Essex and State of Massachusetts Bay, Esquire, and John Phillips of Exeter in the County of Rockingham and State of New Hampshire, Esquire, for the causes and considerations, and for the uses and purposes, herein after expressed, have granted, and do by these presents grant unto the Hon. William Phillips, Esq. Oliver Wendell and John Lowell Esquires of Boston in the County of Suffolk and State of Massachusetts Bay, the Rev. Josiah Stearns of Epping in the County of Rockingham aforesaid, Elias Smith of Middleton, William Symmes and Jonathan French, Clerks, Messrs. Samuel Phillips, jun. and Eliphalet Pearson, Gentlemen, and Mr. Nehemiah Abbot, Yeoman, all of Andover aforesaid, and to their heirs, all the Right, Title, and Interest, either of us have in certain

parcels of land, hereafter mentioned, viz.

In three several pieces of land, situate in Andover aforesaid; the first of which contains about twelve acres, the second piece contains about twenty eight acres, the third piece contains about thirty acres, being lately part of the Estate of George Abbot Esq. deceased, and conveyed by Capt. Joshua Holt, Administrator on said Estate, to Samuel Phillips Esq. aforesaid, March first one thousand seven hundred and seventy seven;—likewise two other parcels of land in said Andover, situate near the two first mentioned pieces, containing about thirty nine acres, conveyed by Solomon Wardwell to said Phillips January twenty fourth one thousand seven hundred and seventy seven, together with all the buildings on said lands;—likewise two other pieces of wood land, situate in said Andover, containing about thirty two acres, conveyed by Nehemiah Abbot to said Phillips January twelfth one thousand seven hundred and seventy eight;—likewise about two hundred acres of land in the town of Jaffrey in the County of Cheshire and State of New Hampshire, conveyed by John Little to said Phillips September fourth one thousand seven hundred and seventy seven.

And the said Samuel Phillips and John Phillips do also farther give, assign, and set over unto the said William Phillips, Oliver Wendell, John Lowell, Josiah Stearns, William Symmes, Elias Smith, Jonathan French, Samuel Phillips jun. Eliphalet Pearson, and Nehemiah Abbot, and to their heirs, the sum of one thousand six hundred and fourteen pounds, to have and to hold the same land and the

same sum of money to them and to their heirs, to the Use and upon the Trust, hereafter mentioned.

The lands shall be let out on proper terms, and the said sum of money put to interest on good security, or both improved in such way, as shall be found on the whole most beneficial; and the whole of the Rents, Profits, Issues, and Interest of said land, and of said sum of money, shall be forever appropriated, laid out, and expended, for the support of a public Free School or Academy in the south parish in the town of Andover aforesaid in manner and form following.

The said Samuel Phillips and John Phillips shall, together with the beforenamed William Phillips, Oliver Wendell, John Lowell, Josiah Stearns, William Symmes, Elias Smith, Jonathan French, Samuel Phillips jun. Eliphalet Pearson, and Nehemiah Abbot, be Trustees of said School; and hereafter the Master for the time being shall ever be one of the Trustees;—a major part shall be laymen and respectable freeholders;—also a major part shall not consist of the inhabitants of the town, where the Seminary is situate.

The Trustees shall meet on the last Tuesday of April instant; and ever after, once in every year, on such day, as they shall appoint; also upon emergencies, when called thereto, as hereafter directed; and a major part of the Trustees shall, when regularly convened, be a Quorum; of which Quorum a major part shall have power to transact the business of their Trust, except in cases, hereafter excepted; and their first meeting shall be at the dwelling house on the lands, purchased of Capt. Joshua Holt, where Samuel Phillips jun. now

resides, at which shall be chosen the Officers of the Trust; a name shall be given to this Seminary and its principal Instructor; and such other business, relating to this Institution, transacted, as the Trustees shall think proper.

There shall be chosen annually a President, Clerk, and Treasurer, as Officers of the Trust, out of their own number, who shall continue in their respective offices, till their places are supplied by a new election; and, upon the decease of either of them, another shall be chosen in his room at the next meeting. The Master shall not be chosen President, and no member shall sustain the office of Clerk and Treasurer at the same time.

The President shall, in all cases, give his voice and vote in common with any other member; and, whenever there shall be an equal division of the members on any question, it shall determine on that side, whereon the President shall have given his vote; and in his absence, at any meeting of the Trustees, another shall be appointed, who shall be vested with the same power, during such absence;—he shall call special meetings upon the application of any three of the Trustees, or upon the concurrence of any two of the Trustees in sentiment with him on the occasion of such meeting. And upon the decease of the President, a special meeting may be called by any three of the Trustees. All notifications for special meetings shall express the business, to be transacted, if convenient; and be given at least one month previous to such meeting, if not incompatible with the welfare of the Seminary; and, when a special meeting shall be called for the

appointment of an Instructor, or to transact other business of material consequence, information shall be given by leaving a written Notification at the house of each Trustee, or in such other way, as that the President, or members notifying, shall have good reason to believe that each member has received the notice.

The Clerk shall record all votes of the Trustees, inserting the names of those present at every meeting. He shall keep a fair record of every Donation, with the name of each Benefactor; the purpose, to which it is appropriated, if expressed; and of all Expenditures; and a true copy of the whole shall be taken, and kept in the Seminary, to be open for the perusal of all men; and, if he shall be absent at any meeting of the Trustees, another shall be appointed, to serve in his room, during such absence.

The Treasurer shall, previous to his receiving the Interest of the Seminary into his hands, give Bond for the faithful discharge of his office, in such sum, as the Trustees shall direct, with sufficient Sureties, to the Trustees of the Seminary for the time being by name; said Bond to express the Use both in the obligatory part and in the condition. He shall give duplicate Receipts for all monies received, countersigned by one of the Trustees; one to the Donor, the other to be lodged with such member, as the Trustees shall from time to time direct; and the Trustees shall take such other measures, as they shall judge requisite, to make the Treasurer accountable, and effectually to secure the Interest of the Seminary.

The Trustees shall let or rent out the lands in such a manner, as

they shall find on the whole most profitable. They may make sale of any kind of Estate, make purchases, or improve the property of the Seminary in any way, which they judge will best serve its Interest. Upon the death, resignation, or removal of the Master, appointed by the said Samuel Phillips and John Phillips, the Trustees shall appoint another in his stead; and ever after from time to time, as there shall happen any vacancy in this office, they shall supply it.

Whereas the success of this Institution much depends, under Providence, on a discreet appointment of the principal Instructor, and the human mind is liable to imperceptible bias; it is therefore required, that, when any candidate for election, as a principal Instructor, is so near a kin to any member of the Trust, as a nephew or cousin, in determining that election, any member, to whom the candidate is so related, shall not sit.

The Trustees are empowered to appoint such Assistant or Assistants in and for the service of the Seminary, as they shall judge will best promote its usefulness, and as may be duly encouraged.

No person shall be chosen, as a principal Instructor, unless a professor of the Christian Religion, of exemplary manners, of good natural abilities and literary acquirements, of a good acquaintance with human nature, of a natural aptitude for instruction and government; and, in the appointment of any Instructor, regard shall be had to qualifications only, without preference of kindred or friend, place of birth, education, or residence.

The Trustees shall make a contract with each Master and

Assistant, before their entrance upon office, as to Salary; of which there shall be no alteration, but in their favour; which the said Trustees are empowered to make, as to them shall appear reasonable, and as the income of the Seminary will admit.

It shall be their duty, to inquire into the conduct of the Master and Assistant, or Assistants; and, if they or either of them be found justly chargeable with such misconduct, neglect of duty, or incapacity, as the said Trustees shall judge renders them, or either of them unfit to continue in office they shall remove the Master or any Assistant, so chargeable.

The Trustees shall determine the qualifications, requisite to entitle Youth to an admission into this Seminary.

As the welfare of the Seminary will be greatly promoted by its members being conversant with persons of good character only; no Scholar may enjoy the privileges of this Institution, who shall board in any family, which is not licensed by the Trustees.

And, in order to preserve this Seminary from the baneful influence of the incorrigibly vicious, the Trustees shall determine, for what reasons a Scholar shall be expelled, and the manner, in which the sentence shall be administered.

The Trustees at their annual meeting shall visit the Seminary, and examine into the proficiency of the Scholars; examine and adjust all accounts, relative to the Seminary; and make any farther Rules and Orders, which they find necessary, and not inconsistent with any Rule, that is or may be established by the Founders.

They shall, as the Funds will permit, without affecting the support of the Master or any Assistant, have power to erect such buildings, as they may think necessary; and at a convenient season, when of sufficient ability, shall erect a large, decent building, sufficient to accommodate at least fifty Scholars with boarding, beside the Master and his family; unless it shall be the determination of a major part of the Trustees, that the true design of this Institution may be better promoted by the Scholars boarding in private families, and by some other improvement of the Interest of the Seminary. They shall from time to time order such repairs, as they shall judge necessary.

Upon the death, resignation, or incapacity for the service, by reason of age or otherwise, of any of the Trustees, the remaining Trustees shall supply the vacancy by a new election.

In settling the Salary and Perquisites of the Master, and in the consideration of every other question, in which the Master is particularly interested, he shall not sit. And, if any question shall come before the Trustees, wherein the Town or Parish, where the Seminary is situate, may be a party or particularly interested, and any Minister, belonging to such Town is a Trustee; in the consideration of such question he shall not sit.

At the meetings of the Trustees there shall be made decent, not extravagant entertainment. Economy is to be ever viewed by the Trustees and Instructors, in their respective capacities, as an object, worthy their particular recommendation.

The Master, when appointed, shall receive applications for the

admission of Scholars, and determine them agreeably to the Rules, respecting the same.

He shall conform himself to the Regulations, established by the Founders and Trustees, and have power from time to time to make such other consistent Rules and Orders, as he shall find necessary for the internal management and regulation of the Seminary; which Rules and Orders shall be subject to the examination, amendment, or discontinuance of the Trustees, at their discretion.

It shall be ever considered, as the first and principal duty of the Master, to regulate the tempers, to enlarge the minds, and form the Morals of the Youth, committed to his care.

There shall be taught in this Seminary the English, Latin, and Greek Languages, Writing, Arithmetic, Music, and the Art of Speaking; also practical Geometry, Logic, and any other of the liberal Arts and Sciences, or Languages, as opportunity and ability may hereafter admit, and as the Trustees shall direct.

The Master is to give special attention to the health of the Scholars, and ever to urge the importance of a habit of Industry. For these purposes it is to be a part of his duty, to encourage the Scholars to perform some manual labor, such as gardening, or the like; so far as it is consistent with cleanliness and the inclination of their parents; and the fruit of their labor shall be applied, at the discretion of the Trustees, for procuring a Library, or in some other way increasing the usefulness of this Seminary.

But, above all, it is expected, that the Master's attention to the

disposition of the *Minds* and *Morals* of the Youth, under his charge, will exceed every other care; well considering that, though goodness without knowledge (as it respects others) is weak and feeble; yet knowledge without goodness is dangerous; and that both united form the noblest character, and lay the surest foundation of usefulness to mankind.

It is therefore required, that he most attentively and vigorously guard against the earliest irregularities; that he frequently delineate, in their natural colours, the deformity and odiousness of vice, and the beauty and amiableness of virtue; that he spare no pains, to convince them of their numberless and indispensable obligations to abhor and avoid the former, and to love and practise the latter; of the several great duties, they owe to God, their country, their parents, their neighbour, and themselves; that he critically and constantly observe the variety of their natural tempers, and solicitously endeavour to bring them under such discipline, as may tend most effectually to promote their own satisfaction and the happiness of others; that he early inure them to contemplate the several connexions and various scenes, incident to human life; furnishing such general maxims of conduct, as may best enable them to pass through all with ease, reputation, and comfort.

And, whereas many of the Students in this Seminary may be devoted to the sacred work of the gospel ministry; that the true and fundamental principles of the Christian Religion may be cultivated, established, and perpetuated in the Christian Church, so far, as this

Institution may have influence; it shall be the duty of the Master, as the age and capacities of the Scholars will admit, not only to instruct and establish them in the truth of Christianity; but also early and diligently to inculcate upon them the great and important scripture doctrines of the existence of One true God, the Father, Son, and Holy Ghost; of the fall of man, the depravity of human nature; the necessity of an atonement, and of our being renewed in the spirit of our minds; the doctrines of repentance toward God and of faith toward our Lord Jesus Christ; of sanctification by the Holy Spirit, and of justification by the free grace of God, through the redemption, that is in Jesus Christ, (in opposition to the erroneous and dangerous doctrine of justification by our own merit, or a dependence on self righteousness), together with the other important doctrines and duties of our Holy Christian Religion.

And, whereas the most wholesome precepts, without frequent repetition, may prove ineffectual; it is farther required of the Master, that he not only urge and reurge; but continue from day to day, to impress these instructions.

And let him ever remember that the design of this Institution can never be answered, without his persevering, incessant attention to this duty.

Protestants only shall ever be concerned in the Trust or Instruction of this Seminary.

The election of all Officers shall be by *ballot* only.

This Seminary shall be ever equally open to Youth, of requisite

qualifications, from every quarter; provided, that none be admitted, till in common parlence they can read English well, excepting such particular numbers, as the Trustees may hereafter license.

And, in order to prevent the smallest perversion of the true intent of this Foundation, it is again declared, that the *first* and *principal* object of this Institution is the promotion of true Piety and Virtue; the *second*, instruction in the English, Latin, and Greek Languages, together with Writing, Arithmetic, Music, and the Art of Speaking; the *third*, practical Geometry, Logic, and Geography; and the *fourth*, such other of the liberal Arts and Sciences or Languages, as opportunity and ability may hereafter admit, and as the Trustees shall direct. And these Regulations shall be read by the President, at the annual meetings of the Trustees.

Whereas, in the course of human events, the period may arrive, when the prosperity of this Institution may be promoted by removing it from the place, where it is founded; if it shall hereafter be judged, upon mature and impartial consideration of all circumstances, by two thirds of the Trustees, that for good and substantial reasons, which at this time do not exist, the true design, herein expressed, will be better served, by removing the Seminary to some other place; it shall be in their power, to remove it accordingly; provided that, if this event shall ever take place, there shall be fairly and truly entered on the Clerk's records all the reasons, whereon the determination was grounded; and the same shall be subscribed by the members, who effected the determination; but unless the good of mankind shall

manifestly require it, this Seminary shall never be removed from the South Parish in the town of Andover.

And we hereby reserve to ourselves, during any part of our natural lives, the full right, jointly to make any special Rules for the perpetual Government of this Institution; which shall be equally binding on those, whom they may concern, with any clause in these Regulations; provided, no such Rule shall be subversive of the True Design, herein expressed. We also reserve to ourselves a right, jointly to appoint one person, to succeed in the Trust after our decease or resignation; to whom shall be transferred the same right of appointment, and to his Successors in the said Trust forever.

In witness whereof we, the Subscribers, have hereunto set our hands and seals this twenty first day of April in the year of our Lord, one thousand seven hundred and seventy eight.

Signed, sealed, and delivered

in presence of

John Abbot,

Hannah Holt.

Samuel Phillips

John Phillips

Essex ss.

The foregoing Deed of Samuel Phillips Esq., and John Phillips Esq., founding and instituting the Academy at Andover and this Deed of release of Samuel Phillips Esq., son of Samuel first named, were received in the Registry of Deeds July 13, 1793, and are recorded Book 156, leaves 192, 193, 194, and 195 and examined by

John Pickering, Registrar