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1826.

Executive Committee

Nathaniel Williams V.P. [Vice President]

William Gwynn

Soloman Etting

John Nelson

James W. McCulloh

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Annapolis 29<sup>th</sup> June 1826.

At a meeting of the Executive Committee of the Trustees of the University of Maryland held this day,

Present, R.B. Taney Vice President

William Frick

Reverdy Johnson

Nathaniel Williams

It was ordered, that the Secretary and Treasurer of the Board of Trustees be and he is hereby authorized [hyphenated, authorized] and requested to take possession of the property of the University, particularly of the Buildings and of any title or other papers, and to make a statement of the particulars, and condition thereof, for the information of the Committee.

[Marginalia: Sec? [Secretary] & Treasurer takes possession & makes statement]

Further Ordered, that he be authorized and requested to receive into his possession any funds belonging to the University in the hands of Messrs. Yates and McIntyre, or elsewhere; and to deposit the same in the manner provided by the Oct. [October] resolution of the Board of Trustees, passed on the 15<sup>th</sup> inst. [instant]

Baltimore July 24<sup>th</sup> 1826

A meeting of the Executive Committee of the Trustees of the University of Maryland was held this day at the office of William Frick Esq.

Present, R.B. Taney V.P

Dr. J. Stewart

N. Williams

W. Frick

Sunday verbal communications were made to the Committee by the Professor of Medicine. Dr. DeButts delivered to the Committee the Contract of Yates and McIntyre with the managers of the lotteries. The Committee of the lottery managers, thereafter, delivered to the Executive Committee the following

[Marginalia: Lottery]

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order on Yates & McIntyre

"Baltimore July 24<sup>th</sup> 1826

Messrs. Yates & W. McIntyre,

Please account with and pay over to the Executive Committee of the Trustees of the University of Maryland or to their order any money in your hands arising out of contracts for lotteries drawn or drawing for the benefit of the University or of any faculty therein; and all future proceeds of the said lotteries you will enter to the credit of the Trustees of the University of Maryland - John B. Davidge

Elisha DeButts

Maxwell McDowell

[Marginalia: Order on Yates & McIntire]

Whereupon, the Executive Committee passed and signed the following order which was endorsed on the said order of the Committee of the lottery managers:—

Pay to Louis Eichelburger, Treasurer of the Trustees of the University of Maryland all the funds now in your hands or which may hereafter come to your hands by virtue of the contracts within mentioned

R.B. Taney V.P

James Stewart

Ex. Committee

Nathe [Nathaniel] Williams

William Frick

[Marginalia: Executive Committees' order]

A letter from Professor Hoffman dated July 12<sup>th</sup>. 1826 was read and considered; and thereafter the following resolution was passed by the Executive Committee. Resolved, that the Executive Committee have no power to act after the subject, and that the Secretary inform Professor Hoffman that his application should be made to the Board of Trustees.

[Marginalia: Prof. [Professor] Hoffmans' letter]

In pursuance of the 5<sup>th</sup> resolution of the Board of Trustees passed on the 12<sup>th</sup> inst. [instant] the following communication was directed by the Executive

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Committee to be forwarded by the Secretary to Professor Patterson:

Baltimore July 24<sup>th</sup>. 1826

Granville S Patterson Esq.

Dear Sir,

I am instructed by the Committee of the Trustees of the University of Maryland who have in charge the Executive concerns of that institution to transmit to you copies of sundry resolutions which have been passed by the Board of Trustees. The 8<sup>th</sup> Resolution adopted on the 15<sup>th</sup> of June and the 5<sup>th</sup> Resolution adopted on the 12<sup>th</sup> inst. [instant] are the only ones which particularly relate to yourself. The Committee, however, supposing it might be gratifying to you to be informed of the principal [principle] measures taken by the Trustees, have requested me to forward to you so much of those proceedings as has been published in the newspapers - conformably thereto, I send you herewith those publications. \_

[Marginalia: Letter to Patterson]

You will perceive by the 5<sup>th</sup> Resolution which was passed on the 12<sup>th</sup>. inst. [instant] that the Trustees are desirous to receive your answer as soon as will suit your convenience. It is especially important for the purpose of enabling the Trustees to speak confidently of the Gentlemen who will constitute the faculty of the Physic, in advertising the opening of the session, at the ensuing season.

The Executive Committee desire it to be understood that neither they nor the Trustees have the least intention to interfere with any private arrangement which has been, or may be, entered into between you and the Professor of Anatomy or any other Professor relative to your respective professorships.

It is the earnest hope of the Trustees that it will meet your views and answer your expectations to accept the appointment herewith communicated - that the advantage of your talents and learning may be afforded to this rising institution.

Very respectfully

Yr. Obs. Serv. [Your Observant Servant]

L Eichelburger, Secr. [Secretary]

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Ordered, that the Dean of the faculty of medicine advertise, in the usual form, the course of the medical lectures for the ensuing season. The Executive Committee then adjourned, to meet at the University buildings on Wednesday the 26<sup>th</sup>. instant at 10 O'clock A.M.

L Eichelburger

Secretary &c. [et cetera]

Pursuant to adjournment the Executive Committee met at the University Buildings on Wednesday the 26<sup>th</sup>. day of July 1826

Present,

RB Taney V.P. [Vice President]

Dr. James Stewart

William Frick.

The following resolutions were passed:

Resolved, that the several Professors in the University of Maryland be requested to report in writing to the Executive Committee on or before the first day of. September next, the state of their respective chairs, the

property belonging thereto, and also to give any information as to the condition of the University which they may deem useful; and to suggest such alterations and improvements as they may suppose calculated to advance the general interests of the Institution or their particular departments. The condition and management of the Infirmary and the measures proper to be taken in relation to it are among the subjects contemplated by this resolution.

[Marginalia: Order on state of med. Dept.]

Resolved, that the Secretary send a copy of the above resolution to each of the Professors in the Institution.

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Baltimore September 20<sup>th</sup>. 1826.

A meeting of the Executive Committee, called by the Vice President, was held this day at the office of William Frick Esq.

Present,

R.B. Taney V.P. [Vice President]

Dr. James Stewart

Nathl. [Nathaniel] Williams

William Frick.

Ordered, that the Vice. President appoint committees to prepare reports on the different subjects committed [hyphenated, committed] to the Executive Committee by the Board of Trustees.

[Marginalia: Committee on state of the Univers [University]:]

Whereupon, the Vice President appointed Dr. Stewart and Reverdy Johnson to prepare the address to the public on the state of the University. N. Williams and W. Frick were appointed a Committee to prepare the ordinances.

[Marginalia: On ordinances]

W. Williams, Dr. Stewart and W. Frick were appointed a committee to prepare a draft of the report for the legislature.

[Marginalia: & Reports]

The Executive Committee then adjourned.

Baltimore October 2<sup>nd</sup>. 1826.

The Executive Committee met this day, at the office of W. Frick Esq.

Present,

R B. Taney V.P. [Vice President]

Dr. J. Stewart

Nathl. [Nathaniel] Williams

Wm. [William] Frick

— R. Johnson.

Sunday reports were received from the sub-com=mittees [hyphenated, committees], read and adopted: the said reports relating to the subjects committed by the Vice President to the committees appointed by him at the meeting of 20<sup>th</sup>. September last.

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Baltimore December 9<sup>th</sup>. 1826.

The Executive Committee met this day at the office of the Vice President,

Present, R.B. Taney V.P. [Vice President]

Dr. J. Stewart

Nathl [Nathaniel] Williams

Wm [William] Frick.

It was ordered by the Ex. [Executive] Committee that the secretary have printed blank circulars for the purpose of notifying the Trustees of the time and place of meeting of the Board.

[Marginalia: blank circulars]

Dr. Davidge's letter and the address of some of the students being laid before the Executive Committee, and considered by them, it was thereupon Resolved, that inasmuch as the subject of private classes is now before a committee of the Board of Trustees, it would not be proper for any Professor to take a private class under his care until the Board have acted on the subject.

[Marginalia: Private classes]

Ordered, that the secretary communicate the above resolution to Dr. Davidge.

The secretary was ordered to make the following communication to Professors Davidge and Buckler.

"Baltimore Decr. [December] 9<sup>th</sup>. 1826.

Sir,

I am directed by the Executive Committee to communicate to you the following proceedings of the 9<sup>th</sup>. inst. [instant] and at the same time to say, that the committee are very far from supposing that the Professor of Anatomy or the adjunct Professor have neglected their duty, or in any respect contravened the ordinances of the University. And they have addressed themselves immediately to these Professors, in consequence of the reports which have reached them, for the purpose of ascertaining the true State of the fact and enabling them to report to the Board at the approaching meeting.

[Marginalia: Letter to Profs [professors]: anat: [anatomy] & surgery - ]

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Whereas reports and representations have reached the Executive Committee that the chairs of Anatomy and Surgery, since the commencement of the present course of lectures, have not at all times been filled, and the

Professor of Anatomy himself hath represented that there is a deficiency of osteological preparations in his department; and this committee conceiving that these contingencies had been provided for by the appointment of an assistant to the Professor of Anatomy and Surgery, whose duty, in conjunction with the Professor, it was - as this committee conceived - to provide against all accidents of this nature: and whereas a meeting of the Board of Trustees is to take place at the University on Monday next, and the Executive Committee feel it their duty to report to the Board the general state and condition of the University they request of you an answer to the following queries in the course of the present week.

1. In what manner has the 10<sup>th</sup>. resolution of the Trustees of Oct. 5<sup>th</sup>. 1826. a copy of which is annexed, been carried into execution?
2. Have any lectures been omitted in the Chair of Anatomy or the Chair of Surgery, and if any, how many in each, and by what occasioned?
3. If the osteological department is deficient, what has become of the preparations heretofore in the Institution, to whom do they properly belong and who has removed them?
4. In case of absence or inability of the Professor of Anatomy to discharge the duties of the Chairs of Anatomy and Surgery by delivering a lecture in each every day, how have the said chairs been supplied?
5. Hath the adjunct Professor and Demonstrator of Anatomy finished preparations in his department?
6. Hath he introduced and continued a regular course of lectures in his department as stipulated by his letter to the Trustees of Oct. 5<sup>th</sup>. 1826?

The committee then adjourned.

January 1<sup>st</sup>. 1827. The Ex. [Executive] Committee met at the office of the V. Prest. [Vice President] The report of the proceedings of the Trustees during the last year, prepared in obedience to a resolution of the Board, was read. The said report will be found in record of the Trustees payer 42 &c. [et. cetera]

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Baltimore Janr. [January] 16<sup>th</sup>. 1827

The Executive Committee met this day at 4 o'clock P.M at the office of the Vice President \_ Present,

R.B. Taney V.P [Vice President] Nathl [Nathaniel] Williams

Dr. J. Stewart Wm. [William] Frick

The following papers were laid before the Committee:

Louis Eichelburger Esq.

Janr. [January] 13. 1827

Dear Sir,

Mr. Adreon one of the medical students, has exhibited a complaint against the Janitor \_ in which the latter is charged with having used very offensive language to the student and also with striking him. You will please, therefore, call a meeting of the Executive Committee at my office at 4 o'clock in the evening on Tuesday next the 16<sup>th</sup>. inst. [instant] at which time also you will please attend. And in the mean time notify the Janitor of the charge against him, and require him to leave with you in writing any communication he may wish to make on the subject to the committee. I send you the complaint and affidavit that the Janitor may know the nature of the charge.

Very respt. [respectfully] Dr. Sir, yr obe. Sv. [your obedient servant]

R.B. Taney V.P. [Vice President]

[Marginalia: Students & Janitor]

Mr. Roger B. Taney,

To the Honorable the Board of Trustees of the University of Maryland.

The undersigned, one of the students of the University of Md. [Maryland] begs leave to prefer a complaint against John Vickers, Janitor of the University, for insult=ing [hyphenated, insulting] and assaulting the undersigned in the College Yard, under circumstances the most unjustifiable, and to request such punishment may be inflicted as the Board may think the nature of the case requires. The accompanying affidavit will put the Board in possession of the facts.

S.W. Adreon

Balt. [Baltimore] Janr. [January] 11. 1827.

[Marginalia: complaint]

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State of Maryland            Sct. [Superior Court]

City of Baltimore

On the 21<sup>st</sup>. day of December 1826 before the subscriber a Justice of the peace for said city, personally appeared George W. Baxly and made oath in the holy Evangely, that on the 17<sup>th</sup>. inst. [instant] he was called on by Mr. Stephen W. Adreon whom he accompanied to the University. On entering the second gate Mr. Adreon was accosted by a man who enquired where we were going, and was answered by Mr. Adreon that we were going to see preparations of his. He answered that we strangers were admitted there. I replied I had no wish to go for the purpose of carrying news or information out of doors, and observed to Mr. Adreon he should go up himself. On which this man observed, that if I had come with any other person I might have gone up, but that he (meaning Mr. Adreon) was the meanest dirty fellow in the college. This Deponent believes Mr. Adreon overheard the last observation, and turning to us, said – if he said so he was a liar. Some enquiring was made by the man, when Mr. Adreon again replied if he said he was the meanest fellow in the College he was a liar. Upon which the man made at Mr. Adreon and struck him two or three times without resistance by Mr. Adreon. Further Deponent saith not.

Sworn before

James Blair.

[Marginalia: Affidavit]

To the Hon. [honorable] the Trustees of the University.

Gentlemen.

I am placed in an un=pleasant [hyphenated, unpleasant] situation by my own imprudence. That I did strike Mr. Adreon I will not attempt to deny, how is there any justification that can be offered for the offence. I ought to have reflected that I am poor man with a wife and family, and nothing to look to for their support but the place I hold under your Honours [honors]. I have held the place nearly from the commencement of the College and discharged my duty faithfully, with reputation to myself and satisfaction to the Professors, and students.

[Marginalia: Answer]

[Page 10, page unnumbered, handwritten]

This is the first time I have got into difficulty, altho [although] I assure your Honours [honors] I have had many turbulent difficulties to deal with among the young Gentlemen, and have yielded more and humbled myself to a degree beyond any thing you can conceive, or would be proper for me to trouble you with the relation of. It is not proper that I should make any comment on the affidavit of Mr. Baxly's. I am sure that he think he gives a correct statement; yet all men are liable to err. Mr. Baxly's statement is an oath, and it does not therefore become me to make any remarks upon it, nor will any proof that I can exhibit justify the imprudent act I committed in striking Mr. Adreon. I am extremely sorry for having done so, and am willing to make him any acknowledgement he requires or that your Honours [honors] will dictate.

The unjustifiable conduct of Mr. Adreon towards me, altho [although] it is no justification for mine to him in return, I hope the Trustees will take into consideration. I am very certain that I am not a quarrelsome or turbulent man and testimony to this fact would be subscribed by any Professor, if it is deemed necessary to obtain it. I humbly ask your pardon for troubling you with a long letter and place myself on your mercy for forgiveness of this act of imprudence. You shall not again be troubled with a similar occurrence, from your faithful Janitor

Balt. Janr. [January] 18<sup>th</sup>. 1827.

John Vickers.

State of Maryland            Sct. [Superior Court]

City of Baltimore

[Marginalia: Feast's Affidavit]

On the 15<sup>th</sup>. day of Janr. [January] 1827 before the subscriber a justice of the peace for said city personally appeared Samuel Feast who makes oath on the holy Evangely of almighty God, he was sitting with John Vickers in his room opposite the first gate, entering the college, when he (Vickers) observed there was some person going into the college he must stop. He proceeded accordingly, and in a few minutes a girl in the room stated, there was a quarrel at the door. This Defendant went out and found to be Vickers and a young man, whom he found to be Mr. Ardeon, engaged

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in a controversy about entering the college. This deponent heard the young man state to Vickers, he had more to do with the Institution than he had, alleging he paid for it and Vickers did not. On which Vickers replied, he had not. This deponent heard the young man reply he (Vickers) was a liar. On which Vickers said, if he said so again he would strike him, and the same being repeated, this deponent believes that Vickers struck him three times. This deponent further saith that the young man who accompanied the adversary of Vickers was making some explanatory remarks to Vickers after the affray was over, and expressed his disapprobation at the language used by his friend to Vickers. In reply this deponent heard Vickers say, if he had come with any other person, and asked leave, he should have been admitted, but what he, meaning his friend, was the meanest fellow in college.

Sworn before

James Blair

Which papers having been read, and considered, the following resolutions were unanimously adopted.

[Marginalia: Opinion of the Ex. Comm. [Executive Committee]]

1. Resolved, that in the opinion of the committee, no strangers ought to be admitted into the dissecting room, and that it is the duty of the Janitor to conform to the order he has received on this subject from the Dean of the Faculty of Physic.

[Marginalia: In case of Janitor]

2. Resolved, that the Committee highly disapprove of all rude and offensive language from the Janitor to the students or from any student to the Janitor, and when complaint made to them, will always be ready to do justice to the party thus injured or insulted.

3. Resolved, that nothing could justify the Janitor in striking one of the students, and the Committee greatly disapproves of, and censure his conduct to Mr. Adreon.

4<sup>th</sup>. In consideration of the ample apology made by the Janitor, and in consideration of his general good conduct since his appointment, the committee will proceed no further in the business.

5. Resolved that the secretary communicate a copy of these resolutions to the Janitor, and also to Mr. Adreon, together

[Marginalia: Resolutions]

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with a copy of the Janitors letter to the committee, and express to Mr. Adreon, in behalf of the committee that the committee hope that he, with them, will consider the apology made as ample, and consent to overlook the misconduct of which he complained.

The Committee then adjourned –

Baltimore Janr. [January] 25<sup>th</sup>. 1827.

At a meeting of the Executive Committee held this day, in the court room of Baltimore county court.

Present,

R.B. Taney. V.P

Nathl. [Nathaniel] Williams

William Frick.

It was ordered, that the secretary pay to Doctr. [Doctor] DeButts the sum of five hundred dollars, appro=riated [hyphenated, appropriated] by the Board of Trustees for the use of the Chair of Chemistry.

[Marginalia: Appropriation to Dr. DeButts]

And the Committee then adjourned

Baltimore June 9<sup>th</sup>. 1827.

The Executive Committee met this day at the office of the secretary

Present,

R B Taney V.P. [Vice President]

Dr. James Stewart

Mr. Nathl. [Nathaniel] Williams

Mr. Will. [William] Frick

Mr. R. Johnson

It was resolved\_ that such repairs as are necessary for the preservation of the University Buildings be now made, and that the Committee on the Infirmary be requested to superintend and continue the same.

[Marginalia: repairs and infirmary]

Resolved that a copy of the following circular be addressed by the secretary to each of the Professors in the Medical Faculty

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(Circular)

To Dr. \_\_\_\_\_

Sir – The Executive Committee take occasion to inform you that a letter has been received from Granville S Patterson Esq. resigning his office of Professor of Surgery in the University of Md. [Maryland] You will perceive that by the 4<sup>th</sup> section of the act of assembly entitled “an act supplementary to the act entitled an act for founding an University in the City or precincts of Baltimore by the name of the Univer=sity [hyphenated, University] of Maryland” each of the remaining Professors in the faculty wherein a vacancy shall happen, has the privilege to nominate two persons, and it is his duty to nominate one person, for supplying such vacancy.

[Marginalia: letter to Profs [Professor] for nominations]

We have to request that you will make your nomination in writing, in time to be laid before the Board of Trustees which will assemble in Annapolis on the 11<sup>th</sup>. day of July ensuing –

By order of the Ex. [Executive] Committee

L. Eichelburger Secr. [Secretary]

The Committee then adjourned.

Balt.[Baltimore] Janr. [January] 23<sup>rd</sup>. 1828

The Executive Committee met this day at the house of Wm. [William] Frick Esq. who was present, with Messrs. Williams and Etting.

A report of the proceedings of the Board of Trustees for the last year, prepared by the Ex. [Executive] Committee in obedience to the order passed at the meeting of the 8<sup>th</sup>. of Decr. [December] last, was read: and the secretary was directed to transmit the same to the Legis=lature [hyphenated, legislature]. The said report will be found at large in the record of the proceedings of the Board of Trustees.

[Marginalia: 1<sup>st</sup>. Report]

Balt. [Baltimore] March 20<sup>th</sup>. 1828.

The Ex. [Executive] Committee met this day at the office of the secretary. Present. Messrs. Williams, Etting, Frick and Magruder whom the V. [Vice] President appointed in the place of Dr. Stewart. \_ It was ordered that a meeting of the Board of Trustees should be held on Tuesday the 1<sup>st</sup>. day of April next at 4 o'clock P.M. at the office of the secretary.

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Baltimore October 21<sup>st</sup>. 1828.

Pursuant to notice, the Executive Committee met this day, at 4 o'clock P.M. at the office of the secretary:

Present – Messrs. Etting, Magruder, Frick and Johnson. A communication of this date from Dr. Lyon, the anatomical Demonstrator of the University, was read, proposing to the Committee the propriety of allowing the resurrection man a room in the University buildings, and requesting that a dressing room should be fitted up for the use of the dissecting class, and that the tables and floor of the dissecting room should be painted.

[Marginalia: resurrection man]

Ordered – that the resurrection man be allowed to occupy the apartment called the reading room under the control of the Janitor and will the assent of the Medical Faculty – the said privilege to be confined to the resurrection man personally and not to extend to any member of his family –

[Marginalia: dissection room]

Further ordered that a dressing room for the use of the dissecting class be prepared under the direction of the Infirmary Committee; and that the tables and floor of the dissecting room be painted under the direction of the said Committee

The Committee then adjourned –

Balt. [Baltimore] Novr. [November] 14<sup>th</sup>. 1828

The Executive Committee met this day at the office of the secretary –

Present – Messrs. Williams, Magruder & Johnson. Ordered that the Treasurer pay to Dr. DeButts two hundred and fifty dollars on account of the appropriation of December 1827 for the appropriation of December 1827 for the Chemical Laboratory.

[Marginalia: Mr. DeButts – pay to\_]

The Committee then adjourned.

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Baltimore December 4<sup>th</sup>. 1828.

Pursuant to notice from the V. [Vice] President the Executive Committee met this day at ten o'clock A.M at the office of the secretary –

Present Messrs. Williams, Etting, Johnson and Magruder. The V. [Vice] President laid before the Committee a letter from Professor Potter dated December 1<sup>st</sup>. Complaining of the conduct of the Janitor\_ also a letter from the same dated December 3<sup>rd</sup>. Containing specific charges against the Janitor – whereupon, Ordered – that the secretary furnish John Vickers, the Janitor with a copy thereof forthwith informing him that the Committee will meet on Saturday morning at 10 o'clock to receive his communication.

[Marginalia: Profs [Professors] on Janitor]

The Committee adjourned to that day & hour.

December 6<sup>th</sup>. 1828.

Pursuant to adjournment, the Executive Committee met this day at 10 o'clock A.M. at the office of the secretary. Present the same members as on the 4<sup>th</sup>. A communication was received from the Janitor, in obedience to the order of the Committee and in answer to the charges preferred against him by Professor Potter. The said charges

and the reply thereto were then duly examined and considered by the Committee, and thereupon the following, preamble and resolutions were adopted.

[Marginalia: answer of Janitor]

Whereas it is essential to the prosperity of this Institution that a proper degree of subordination should be preserved and that the Professors be=longing [hyphenated, belonging] to it should be treated with the respect and decorum due to the respective stations they hold: and whereas no temptation to dissipation should be afforded to the students, and the more appearance thereof is of injurious tendency, Therefore – Resolved that the Committee disap=prove [hyphenated, disapprove] of the conduct of the Janitor on the first inst. [instant] as complained of by Professor Potter.

[Marginalia: resolutions thereon]

Resolved that the Janitor be required to make to Professor Potter the apology dictated by the Committee

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which is as follows: “To Professor Potter.

Sir – Being satisfied that I am censurable in having used the harsh language which I applied to you some days since, and feeling it to be due to you to make an apology, I now do so by assuring you that the language was applied to you under great excitement. I regret having spoken as I did, and trust that in future I shall not be betrayed into any expressions disrespectful to you or to any other Professor of the University.

I am respectfully, Sir, yr. obe. sir. [your obedient servant]”

Resolved – that hereafter the Janitor be not per=mitted [hyphenated, permitted] to sell liquors of any kind, nor fruit, nuts Cigars or tobacco – nor shall he permit the students to play at cards or any other game in his house for money or any other thing. Ordered that the secretary furnish a copy of these proceedings to Professor Potter and to the Janitor -  
The Committee then adjourned.

Wednesday Decr. [December] 10<sup>th</sup>. – 1828.

The Committee met this day \_ Present \_ all the members. The V. [Vice] President laid before the Committee a letter from Professor Potter dated the 9<sup>th</sup>. inst. [instant] rela=ting [hyphenated, relating] to the proceedings of the Committee of the 6<sup>th</sup>. inst [instant] which was read – Whereafter it was

[Marginalia: Profs [Professors] & Janitor]

Resolved – that it is inexpedient to consider the letter until after Saturday next; and further Resolved, that the Committee now adjourn and stand adjourned to meet on Monday the 15<sup>th</sup>. inst. [instant] at 4 o'clock P.M. at the Secretary's office.

Monday Decr. [December] 15<sup>th</sup>. 1828

Pursuant to adjournment the Ex. [Executive] Committee met this day at the office of the secretary at 4 o'clock P.M. Present the V. [Vice] President and all the members. The proceedings of the last meeting having been read, and the letter of Professor Potter

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of the 9<sup>th</sup>. inst. [instant] having been read and the proceedings of the previous meetings in relation to the complaint of Professor Potter against the Janitor having been considered, it was on motion \_ Resolved \_ that the

terms in which the letter of Professor Potter is conveyed preclude the Com=mittee [hyphenated, committee] from acting therein in its present shape.

[Marginalia: Prof. [Professor] Potters letter vs: Janitor]

Resolved – that the secretary be directed to transmit to Professor Potter a copy of the proceedings of the 10<sup>th</sup>. inst. [instant] and of the present meeting and also a copy of the Professor's letter of the 9<sup>th</sup>. inst. [instant] with a permission to the Professor to withdraw the original if he see fit to do so

[Marginalia: Resolutions thereon]

Resolved – if Professor Potter see fit to withdraw the said letter that the secretary be and he is hereby directed to inform the Professor that the Committee are ready to receive from him at any moment and to examine into any charges he may have to submit against the Janitor.

Resolved, that this Committee owe it to the interests of the University to cause an enquiry to be made into the conduct of the Janitor generally as well as his conduct in the instance complained of, and that this meeting stand adjourned till Saturday next at 4 o'clock P.M. then to meet at the office of the secretary, and that he be directed to summon before the committee on that day Professors Hall, DeButts, McDowell, Baker, Smith & Davidge and Messrs. Brier & Shriver two of the Med. Students.

On motion of Mr. Frick, Resolved – that out of the unappropriated funds of the University a sum not exceeding Four Hundred dollars be applied for the purpose of renting and furnishing suitable rooms in a central part of the city to accommodate the Professor of Geology & mineralogy, the Professor of History and of Moral Philosophy and the Professor of the other departments not connected with the Medical Faculty \_ and that the Professors in the said departments be required to proceed in the discharge of the duties of their Professorships –

[Marginalia: other departments provided for]

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Resolved – that Messrs. Williams and Frick be a com=mittee [hyphenated, committee] to enquire into the renting of suitable rooms to effect the object of the above resolution, and that they report the result of their enquiring at the next meeting of the Committee.

The Committee then adjourned to

Saturday 20<sup>th</sup>. inst. [instant] at 4 P.M. at the Secretarys office.

At which time and place the members met. The Vice Prest. [President] laid before the Committee a letter of Profr. [Professor] Potter dated the 19<sup>th</sup>. inst. [instant] \_ The following Gentlemen were examined as witnesses on the conduct of the Janitor generally and in relation to the complaint of Profr. [Professor] Potter \_ Professors Davidge, DeButts, McDowell, Hall, Baker & Smith and Messrs. Brian and Shriver, two of the students; all of whom bore unanimous testimony to the capacity, general good conduct and valuable services of the Janitor to this Institution. After the witnesses had retired, it was

[Marginalia: Prof. [Professor] Potter & Janitor]

Resolved – That the Committee see no cause to pass any further resolution in relation to the charges of Profr. [Professor] Potter against the Janitor, and that the secretary be directed, if applied to by Profr. [Professor] Potter, so to notify him by exhibiting to him the record of the proceedings of this day.

In consequence of an impression made upon the minds of the Committee from some observations of the Dean of the Faculty of Physic, Profr. [Professor] Smith in the course of his testimony, that there was a want of respect in

the conduct of the Janitor to that Professor on the particular occasion alluded [hyphenated, alluded] to by him in his testimony, it was

Resolved – that the secretary be and he is hereby directed to summon before the Ex. [Executive] Committee the Janitor of the University to attend on Monday the 22<sup>nd</sup>. inst. [instant] at 4 o'clock P.M. at the office of the secretary.

The Committee then adjourned to that time and place

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Monday Decr. [December] 22<sup>nd</sup>. 1828

Pursuant to adjournment the Committee met this day at 4 o'clock P.M. Present all the members, except Mr. Johnson. The Janitor attended at the hour appointed and was particularly examined by the V. [Vice] President and by each member of the Committee. When he had retired by the direction of the Committee, the following resolution was passed:

[Marginalia: Profs: [Professors] & Janitor]

Resolved – that the Committee are satisfied that the Janitor was guilty of no disrespect to Profr. Smith on the occasion mentioned by him in his testimony; and that the secretary be and he is hereby directed to instruct the Janitor to resume his duties in the Institution under the terms communicated to him by a late resolution of the Committee.

Resolved – that a meeting of the Board of Trustees of the University be held on Saturday the third day of January next at ten o'clock A.M. at the office of the secretary.

The Committee then adjourned sine die.

Balt. [Baltimore] January 30<sup>th</sup>. 1829.

Pursuant to notice from the V. [Vice] President, the Ex. [Executive] Committee met this day at the office of the Secretary – Present. N. Williams .V.P. [Vice President] Messrs. Etting, Frick and Johnson – On motion,

Resolved – that Benedict J. Semmes, John C Herbert, Genl. [General] Thomas, Dr. Dennis Claude and William Gwynn be a committee to apply to the Legislature, at its present session, for an appropriation of five thousand dollars a year, in favour [favor] of the University of Maryland, or such other sum as to the Legislature may seem advisable until the whole amount heretofore authorized to be raised by lotteries by the said University, shall have been received.

[Marginalia: appropriation to university]

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Resolved \_ that Solomon Etting and Richard B. Magruder be a Committee to wait on the Executors of the late George Gray for the payment of the legacy left by said Gray to the Infirmary attached to the University of Maryland.

[Marginalia: Gray's legacy]

Ordered – that the Secretary forward the first of the preceding resolutions to the Committee, directed to Annapolis, paying postage therefore, with a request that they lay the subject of it before the Legislature as soon as advisable.

Ordered – that the secretary furnish the Committee appointed concerning the same with a copy of the resolution relating to the request of the late Mr. George Gray.

The Committee then adjourned S.d. [sine die]

L Eichelburger Sec. &c. [Secretary & et. cetera]

Baltimore March 27<sup>th</sup>. 1829

Pursuant to notice from the Vice. Prest. [Vice President] the Executive Committee met this day at the office of the Secretary – Present

[Marginalia: Prof. Smith & Janitor]

Messrs. Williams \_ Etting, \_ Johnson \_ & Magruder – A letter from Professor Smith, in which complaints are made against the Janitor, was read. And Several Gentlemen, at the instance of Profr. [Professor] Smith, attended \_ viz \_ Dr. Burnet, Dr. Herndon and Dr. Warner – and were examined in relation to the complaint of Professor Smith. The Committee also examined Professor Smith himself who specified more particularly his charges.

The Committee then adjourned until 28<sup>th</sup>. inst.

[instant] and the secretary was directed to require the attendance of the Janitor.

Saturday March 28<sup>th</sup>. 1829.

The Committee met \_ Present \_ Messrs. Etting, Johnson & M & Magruder. The Janitor attended and was examined. The secretary was directed to request Dr. Smith to specify in writing his charges against the Janitor, & to leave them with the Secretary as early as possible on Monday. The whole subject was then referred to the meeting of the

[Page 21, page unnumbered, handwritten]

Board of Trustees, to take place on the first day of April next. And the Committee then adjourned.

Balt. [Baltimore] August 3<sup>rd</sup>. 1829.

The Executive Committee met this day. Present Mr. Williams, Mr. Etting, and Mr. Magruder. The letter of Professor DeButts of the 23<sup>rd</sup> of July last was under consideration; and the following reply thereto was made: (copy)

“Balt. [Baltimore] Augst. [August] 3<sup>rd</sup>. 1829.

Dr. DeButts.-                      Sir,

The undersigned, members of the Executive Committee of the Trustees of the University have read and considered your letter of the 23<sup>rd</sup>. of July, addressed to the Vice Prest. [President].

The Committee have no power to appoint a Professor or Lecturer; but so far as their assent or appropriation is available, or a sanction to such a measure, the undersigned have no objection [hyphenated, objection] to Dr. Turnbull’s delivering the course of lectures on anatomy, as a substitute for Dr. Davidge, during the ensuing session of the Faculty of Physic: the latter Gentleman having authorized you to express his desire to this effect.

You are, of course, at liberty to communicate this acquiescence of the undersigned to Drs. Davidge and Turnbull, and the members of the faculty.

We are respectfully

Yr. obe. Sir. [Your obedient servant]

Nathl. [Nathaniel] Williams

Solomon Etting

R.B. Magruder

P.S. We enclose you an advertisement of the course of lectures proposed the ensuing session, a duplicate of which has been furnished to the Dean of the Faculty of Physic.

Letters from the several other members of the Faculty of Physic were also read and considered and the following reply was sent to the Dean of that Faculty:

[Marginalia: Lecturer on Anatomy]

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(Copy)

Balt. [Baltimore] Augst. [August] 3<sup>rd</sup>. 1829.

Professor Smith \_\_\_\_\_ Sir,

The Executive Committee of the Trustees of the Univ. [University] have read the desire of Profr. [Professor] Davidge as communicated to them in a letter from Profr. [Professor] DeButts: also other communications on the same subject from the other members of the Faculty of Physic, and have given to them all the deliberation to which they are justly entitled. The decision to which they have come seems to them best. I enclose to you an adver=tisement [hyphenated, advertisement] which as Dean of that Faculty, you will use as you may deem proper.

[Marginalia: Letter to Prof. Smith]

[Marginalia: Lectures on Anatomy]

Respectfully yr. obe. Sir. [Your Obedient Servant]

Nathl. [Nathaniel] Williams V.P. [Vice President]

And the Committee then adjourned –

Balt. [Baltimore] Augst. [August] 31<sup>st</sup>. 1829. –

The Ex. [Executive] Committee met this day – Present,

Messrs. Williams V.P. [Vice President] Etting and Magruder. The following is a copy of the circular which the Secretary was directed to send to the several members of the Faculty of Physic:

To Dr. \_\_\_\_\_ Sir.

You will perceive that by the 4<sup>th</sup>. section of the act of assembly entitled “An act supplementary to the act entitled an act for founding an University in the city of precincts of Baltimore by the name of the University of Maryland” each of the remaining Professors in the Faculty wherein a vacancy shall happen has the privilege to nominate two persons, and it is his duty to nominate one person to supply such vacancy.

A vacancy having occurred in the Chair of Anatomy by the death of Profr. [Professor] Davidge, you are requested to make your nomination in writing in time to be laid before the Board of Trustees which will assemble in this city on the 4<sup>th</sup>. day of September next.

By order of the Ex. [Executive] Committee

L. Eichelburger Sec. [Secretary]

[Marginalia: Nomination for Vacancies]

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September 23<sup>rd</sup>. 1829 \_

The Executive Committee met this day at the office of the Secretary. Present

Messrs. Williams, Gwynn and Frick. The Treasurer was directed to pay to Dr. Julius T Ducatel the sum of one hundred and fifty dollars, appropriated to the chair of minerology and geology, by the Board of Trustees at the meeting of Sept. 4 – the said Professor to furnish to the Executive Committee the items for which the said sum shall have been expended.

[Marginalia: Appropriation to miner [minerology]: and geol [geology]: chair]

The Committee adjourned.

Octr.[October] 22<sup>nd</sup>. 1829.

The Ex. [Executive] Committee met this day. Present the same members as at the last meeting and Mr. Magruder.

The Treasurer was directed to pay to Profr. [Professor] De Butts two Hundred and fifty dollars on account of the last appropriation by the Board of Trustees of Decr. [December] 1827 for the Chemical Laboratory.

[Marginalia: Appr. [Appropriation] For Chemical Laboratory]

Professors Smith and Lyon attended on the subject of the present condition of the dissecting rooms. After hearing their opinions, the Committee determined to visit the rooms, to ascertain personally what ought to be done in relation to them.

[Marginalia: dissecting rooms]

The Committee adjourned.

By the Executive Committee

Octr. [October] 26<sup>th</sup>. 1829

Whereas the two dissecting rooms in the University buildings are understood to be under the charge and direction of the Dissector and Demonstrator of Anatomy, and whereas the Professor of Surgery has been desirous of having an apartment taken out of one of the said rooms, and has actually, with the assent of a patron of this committee but without the knowledge of the

[Marginalia: dissecting rooms]

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Dissector and Demonstrator, caused such an apartment to be there erected; and whereas the said Dissector objects to this alteration as injuring the light &c [et cetera], and has applied to this Committee to have the rooms restored to their former condition \_ therefore,

Resolved\_ that the apartment recently erected in one of the dissecting rooms of the University be removed; reserving to all and any of the Professors the use of the aforesaid rooms.

The Committee adjd. [adjourned] -

Balt. [Baltimore] January 22<sup>nd</sup>. 1830.

The Executive Committee met this day, at the office of the Secretary. Present Messrs. Williams V.P. [Vice President] Frick, and Magruder. In obedience to the resolution of the Board of Trustees passed at a meeting held on the 23<sup>rd</sup>. September 1829. The Secretary is directed to have published in the Baltimore and Nat. [National] Gazette. Philad. [Philadelphia] The Nat. Intellig. [National Intelligencer] & U.S. Telegraph at Washngn. [Washington] the following notice:

[Marginalia: advertise chair of anatomy]

“University of Maryld. [Maryland]

“A vacancy having happened in the Professorship [hyphenated, professorship] of anatomy in the Univ. of Md. [University of Maryland] by the death of Professor Davidge, there will be a meeting of the Trustees on the first Monday of May next, for the election of a permanent successor to that chair.

By order of the Trustees

L Eichelburger Sect. [Secretary]”

Balt. [Baltimore] April 7<sup>th</sup>. 1830

The Executive Committee me this day – Present,

Messrs. Williams, Frick and Gwynn.

Resolved that the sum of three Hundred dollars be and the same is hereby appropriated to J.T. Ducatel, Professor of Mineralogy and

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geology, out of the sum of Five Hundred dollars placed at the disposal of this Committee for the Faculty of the Arts and Sciences. The said Professor to distribute sixty tickets among certain seminaries of learning, entitling those to whom they are given to attend the whole course of lectures about to be delivered by him and his associates.

[Marginalia: appr. [appropriation] Arts and Sciences]

Balt. [Baltimore] January 1 1831

The Executive Committee met this day at the office of the Secretary.

Present, Messrs. Williams, Frick & Magruder. In conformity with a resolution of the Board of Trustees passed on the 13<sup>th</sup>. of December last, the annual report to the Legislature was prepared, signed by the Vice President, and the Secretary directed to have the same trans=mitted [hyphenated, transmitted] to Annapolis, and recorded among the proceedings of the Board of Trustees.

[Maginalia: annual report]

Balt. [Baltimore] Febr. [February] 21. 1831.

The Executive Committee met this day at the office of the Secretary:

Present: Messrs. Williams V.P. [Vice President] Frick & Magruder. The proceedings of certain students in the Faculty of Physic, relative to the admission of a patient into the Infirmary which were communicated by the chairman of the committee on the Infirmary, were read and considered: Whereafter it was

Resolved – that the conduct of the committee on the Infirmary on the subject referred to in said proceedings [hyphenated, proceedings] be and the same is hereby approved. Resolved that this committee recommend to the Board of Trustees that, in consideration of the care, labour [labor] and attention requisite for the well conducting of the Infirmary, the annual salary of \$200 be paid to the chairman of the Committee on the Infirmary, commencing with the First January last.

[Marginalia: Proceedings at Infirmary]

[Marginalia: "Salary \$200. To Chairman]

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March 30. 1831.

The Executive Committee met this day, at the office of the Secretary;

Present, Mr. Williams, V.P. [Vice President] Mr. Magruder, Mr. Frick.

In obedience to a resolution of the Board of Trustees passed at the meeting held on the 21<sup>st</sup>. inst. [instant], the secretary was directed to have the following notice published in the City daily newspapers, and in the Intelligencer and Telegraph at Washington, and the National Gazette, Philadelphia,:

“University of Maryland

A vacancy having happened in the Profes=sorship [hyphenated, Professorship] of Anatomy, in the University of Md. [Maryland] there will be a meeting of the Trustees, on the first Monday of June next for the purpose of appointing a Professor to that chair

[Marginalia: Professorship of anatomy]

By order of the Trustees

L. Eichelburger Secr. &c [Secretary & et cetera]”

April 6<sup>th</sup>. 1831.

The Executive Committee met this day, at the office of the Secretary:

Present- Messrs. Williams V.P. [Vice President] Frick & Magruder. In obedience to a resolution of the Board of Trustees, passed at the meeting of the 4<sup>th</sup>. inst. [instant] the Secretary was ordered to have published a notice, with regard to the vacancy in the Professorship of Chemistry, similar to the one directed by the Committee on the 30<sup>th</sup>. of March last, in relation to the vacancy in the Chair of Anatomy.

[Marginalia: Professorship of Chemistry]

The following letter, addressed to the Trustees of the University by Don Jose Tornel late Mexican Minister, was received by the Executive Committee:

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Baltimore June 14. 1831

“Anxious to give a proof, although a small

one, of my gratitude for the boundless marks of kindness with which the amiable people of Baltimore have honored me, I beg leave to present to the Maryland University a copy in 350 volumes folio, of the great French Encyclopedia, to be placed in its Library.

[Marginalia: Letter from Sen. [Senator] Ternel]

[Marginalia: Presenting Encyclopedia]

Please to accept the assurance of my consid=eration [hyphenated, consideration] and respect.

Jose Maria Ternel.”

To which the Ex. [Executive] Committee returned the following answer:

To his Excellency Don Jose Maria Ternel.

The Trustees of the University of Maryland have instructed their Executive Committee to express to your Excellency their thanks for the very liberal donation which you have made to the Institution, and their high sense of the munificent spirit and the fostering regard for learning to which it is to be ascribed. Your Excellency is pleased, indeed, to impute it to gratitude for civilities and kindnesses which, however, had been amply repaid, as they were originally prompted, by that courtesy and amenity on your part, to which no community, in which you may reside, can be insensible. The University, in its future progress will always have a proud gratification in numbering among its earliest and most liberal benefactors one of the most distinguished citizens and functionaries of a distinguished republic. Be pleased to accept the acknowledge=ments [hyphenated, acknowledgements] of the Board of Trustees, together with our warm individual wishes for your happiness and prosperity whether in your public or private relations; and our sincere regrets at the near prospect of your departure – We remain, Sir, with very high respect, Your very obe. Servts. [obedient servants]

[Marginalia: and Answer of Ex: Comm: [Executive Committee]]

Nathl. [Nathaniel] Williams

Wm. [William] Frick

Wm. [William] Gwynn

R.B . Magruder

Solomon Etting.

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Baltimore January 24. 1832.

The Executive Committee met this day at the office of the Secretary:

Present – Messrs. Williams, Etting, Frick, Gwynn, Magruder.

A letter from Mr. D. H. Skinner complaining of the conduct of the Janitor of the University was read – and a resolution of the Faculty of Physic requesting the removal of the Janitor as soon as it can conveniently be done.

[Marginalia: vs: Janitor]

A letter of resignation from the Janitor was also read; and the Secretary was directed to communicate the resignation to the Dean of the Faculty of Physic in the following note:

[Marginalia: he resigns]

“Sir,

The Executive Committee having received and accepted the resignation of John Vickers as Janitor of the University, have instructed the Secretary to request the Dean of the Faculty of Physic to take possession of the keys of the University buildings and property, and to take charge of the same until the Board of Trustees shall appoint another person to the situation of Janitor.”

[Marginalia: Dean taken possession of keys]

August 13. 1832

The Ex. [Executive] Committee met this day at the office of Mr. Gwynn.

Present – Messrs. Williams, Etting, Frick and Gwynn – A letter was read from Professor Geddings dated 2<sup>nd</sup> inst. [instant]

The articles required by the letter and which are to be obtained in foreign countries, according to the Profes=sor’s [hyphenated, professor’s] letter will cost \$210 – Therefore,

Resolved – that the sum of \$250 be put at the disposal of the Profr. [Professor] of Anatomy for the purpose of procuring the said articles for the use of the University of Md. [Maryland] - the same to be placed in the Museum as the property of the Institution.

[Marginalia: purchases for Anatom [Anatomy]: Chair]

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Thursday Febr. [February] 14. 1833

The Executive Committee met this day at the office of the Secretary – Present all the members. A communication from Professor Hoffman, relative to the law library, was read and considered.

[Marginalia: Professor Hoffman]

Whereupon the Secretary was directed to State, in answer to Professor Hoffman, that the Board of Trustees, at their late meeting, enjoined on this Committee the execution of the resolution, communicated to Professor Hoffman, respecting the Law library, and left the Committee no discretion in regard thereto

[Marginalia: Law library]

The Secretary is further instructed to remark to Professor Hoffman, that his contemplated departure for Europe probably had its influence on the Board in the adoption of this measure regarding the Law Library.

Monday Febr. [February] 25. 1833.

The Executive Committee met this day. Present, all the members \_ except Judge Magruder. Mr. J. W. McCulloh, a member of the Board of Trustees, attended the meeting, and communicated to the Committee information as to the proceedings of the Faculty of Physic before the Legislature.

[Marginalia: Faculty of Physic before Legislature]

April 4. 1833

The Ex. [Executive] Committee met this day. The same members attended as at the last meeting.

The communication and accounts of Professor Ducatel and the memorial of G. S. Pattison Esq. referred to this committee at the meeting of the Trustees of March 20<sup>th</sup>. were read and considered and resolutions relative to them proposed, to be submitted to the next meeting of the Trustees for which resolutions see the record of the proceedings of the Board of April 9<sup>th</sup>. inst. [instant]

[Marginalia: Profs. Ducatel & Pattison's memos:]

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April 16. 1833

The Executive Committee met this day at the Secretary's office – Present all the members.

Resolved . . that Messrs. Gwynn & Frick forthwith institute legal proceedings either by bill, or action of trover or replevin or otherwise against Professor Hoffman and the Books and furniture belonging to the University for the purpose of recovering the said Books and furniture.

[Marginalia: Law library Prof. [Professor] Hoffman]

April 29. 1833

The Executive Committee met this day.

Present Messrs. Williams VP, [Vice President] Magruder & Frick

Whereas it appears satisfactorily to this Committee that the premium of insurance was not made a charge against the State at the session of the General Assembly of 1825; therefore

[Marginalia: Insurance to be paid back to Profs: [Professors]]

Resolved, that the Treasurer pay back the aforesaid premium as provided by a resolution of the Board of Trustees, passed on the 9<sup>th</sup>. day of April 1833.

May 6<sup>th</sup>. 1833

The Executive Committee met this day.

Present all the members, except Judge Magruder. The following was adopted as the report to be submitted to the Trustees:

[Marginalia: Ex. Comm [Executive Committee]: reports of Prof. [Professor] Hoffman]

“The Executive Committee take leave to report relative to David Hoffman Esq. Professor of Law.

That from the date of the purchase of his law library and furniture, sundry resolutions have been passed regulating the use of the same, which the Professor, appearing to consider himself as the exclusive proprietor of said library, always disregarded.

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Having, before the commencement of this year, ceased to deliver lectures, and intending to go abroad, the Board of Trustees passed sundry resolutions, namely those of the 26<sup>th</sup>. January 1833 (which produced a correspondence between this Committee and the Professor) and those of the 9<sup>th</sup>. April 1833 which were also communicated to him.

[Marginalia: same]

No notice being taken of these last resolutions, this Committee, on the 16<sup>th</sup> of April following, directed Messrs. Gwynn and Frick to institute legal proceedings against him for the recovery of the Library and furniture. On his being apprised of which, they received a letter equally unsatisfactory as all his former communications [hyphenated, communications] had been.

An action of trover has been instituted against him in which he has given bail, and he has since departed for Europe, without having delivered up the books or furniture or any part of either.” \_

Balt. Octr. [Baltimore October] 24. 1833

By the Executive Committee of the Board of Trustees of the Univ. [University] of Md. [Maryland]

Whereas the Faculty of Physic have made to this Committee the following communication:

[Marginalia: Med. Fac [Medical Faculty]: concerning dissecting rooms]

“To the Executive Committee of the Trustees of the University of Md. [Maryland]

Gentlemen,

I have been directed to address to you the subjoined resolutions passed at a meeting of the Medical Faculty held on Friday the 25<sup>th</sup>. Inst: [instant]

Resolved, that a Committee be appointed to address a communication to the Executive Committee on the subject of the dissecting rooms, soliciting them to make

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the following change in the present mode of conducting that department of the Medical School; namely that the management of the dissecting rooms be left, for the ensuing season, to the Professor of Anatomy and to the Demonstrator jointly, and that the former be authorized to ask of the latter such assistance as he may require in the discharge of his duties, while the whole amount of pecuniary benefits derived from the rooms be surrendered to the Demonstrator

Resolved that the Professor of Chemistry compose the Committee required by the above resolution.

I have only to remark, Gentlemen, on the subject of the above resolutions that they have been submitted [hyphenated, submitted] to the Demonstrator who authorises [sic, authorizes] us to say that he concurs therein.

I am, very respy. [respectfully] yr. Obe. Sr. [your obedient servant]

J. T. Ducatel Profr. [Professor] Chemy [Chemistry].”

Univy. Of Md. [University of Maryland] Octr. [October] 28.”

Thereupon – Resolved that the arrange=ment [hyphenated, arrangement] proposed as aforesaid by the Faculty and acquiesced in by the Demonstrator be and the same is hereby ratified and approved.

[Marginalia: resolution thereon]

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March 18. 1834.

The Executive Committee met this day,

Present, Messrs. Williams, Frick & Etting.

A communication from Professor Dunglison dated 17<sup>th</sup>. inst. [instant] was read – requesting the Trustees to allow him a case of specimens for the materia medica lectures to be placed in the medical college. The Ex. [Executive] Committee directed the secretary to inform Professor Dunglison that he might procure the same.

[Marginalia: Prof. [Professor] Dunglison asks for case of specimens]

A request in writing from the Janitor for leave of absence for two weeks was read, and the Committee agreed that he should have the leave, provided he left some person, to be approved by the Vice President to take charge of the buildings during his absence.

[Marginalia: Janitor absent]

The Committee then

Resolved – that the Dean of the Faculty of Physic report to the Executive Committee the number of lectures of each of the Professors in his Faculty which ought properly to have been delivered by them at the session last past, and also the number of lectures actually delivered by each as far as he can ascertain them, in order that the same may be laid before the Board at their next meeting.

[Marginalia: no: [number] of lectures]

Novr. [November] 11. 1834

The Executive Committee met this day.

Present, the V. [Vice] President, Messrs. Etting and Frick. The letter of Professor Ducatel, asking for an appropriation for his chair, which had been referred to the Committee, was read and considered, and the accounts examined. And it was agreed to submit to the Trustees at their next meeting the report on the subject which will be found in the record of their proceedings of Novr. [November] 1834 page

[Marginalia: Prof. Ducatel appropriation]

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Balto. [Baltimore] April 25. 1836.

The Executive Committee met this day at the office of the Vice President, Present

Messrs. Williams V. P. [Vice President], Etting,

Gwynn and McCulloh. ~

The Committee agreed on a Report relative to approving of the Treasurer's Bond, - to the late Treasurer's Books and papers, - and the state of the Finances of the Institution. -

[Marginalia: New Treasurer's Bond]

Adjourned.

Jos. [Joseph] B Williams

Secy. [Secretary]

June 9. 1836.

The Executive Committee met this day at the Office of the Vice President: Present

Messrs. Vice President, Gwynn, and McCulloh

The account of Thomas Maguire, the Janitor, for salary up to July 1 \_ and for sundry items paid by him; The water company's bill for Hydrants at the Medical College, and Hydrant at the Academy up to 1st. Novr. [November] 1836; and the account of John Green and others for work done &c. [et cetera] at Medical College passed by Mr. Etting; - were favorably examined and ordered to be paid.

[Marginalia: accounts passed]

A communication from Mr. Prentiss, Principal of the Academy, enclosing a memorandum of certain expenses incurred for the Academical Department in 1834 – 5 & 6 and asking an appropriation for the payment thereof - was read – whereupon it was

[Marginalia: acad: dept. [academic departments] expenses]

Resolved – That the Committee recommend to the Board of Trustees to make an appropriation for the Academical Department, for the payment of certain expenses incurred therein.

On the matter of appropriation for the Chair of Chemistry – it was

Resolved - that the Committee recommend to the Board to make an appropriation for the Chair of Chemistry.

[Marginalia: and of Chair of Chemistry]

Adjourned. ~

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August 5. 1836.

The Executive Committee met this day at the Office of the Vice President -

Present -

Messrs. Vice President, Etting and Nelson.

It was ordered – that the following notion be published in the public papers.

[Marginalia: notice to elect Prof. [Professor] Materia medica ]

The Trustees of the University of Maryland will meet on Monday the 5<sup>th</sup>. September next, for the purpose of appointing a professor to fill the vacancy occasioned by the resignation of Dr. Robley Dunglison, late professor of Materia Medica, Therapeutics Hygiene and Medical Jurisprudence.

August 5. 1836.

Adjourned.

September 29<sup>th</sup>.

The Executive Committee met this day at the office of the Vice President of the Board. Present

Messrs. Williams V.P. [Vice President] Gwynn, Nelson, Etting and McCulloh.

A communication addressed to the Secretary by Dr. Duglison late professor in the University, the subject matter of which was by the Board referred to the Executive Committee, was read. \_ Whereupon it was

[Marginalia: Dr. Duglison's letter to Trustees]

Resolved – That the Executive Committee are of opinion that each Professor should, on his resignation, be expected to pay his proportion of the interest to the State, up to the period of such resignation.

[Marginalia: interest to state to be paid by each Prof. [Professor]-]

A communication to the Executive Committee dated August 31. from Prof. [Professor] Geddings Dean of Med. Fac. [Medical Faculty] suggesting several repairs to the College Buildings; also giving his views

[Marginalia: repairs to med. Coll: [Medical College]]

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as to certain improvements and additions to several Departments of the Faculty (see paper marked X) was read.

[Marginalia: as suggested by Prof. [Professor] Geddings]

Whereupon Mr. Etting, Chairman of the Committee on the Faculty of Physic, stated, that he had, with the Dean, the Secretary and the Carpenter, inspected the Buildings, and had found them very much out of repair, and suffering for the want of paint. &c [et cetera], that he had directed the Classroom & passage to be whitewashed; the wall behind the preparation in the Museum to be painted, and the blinds in that room to be repaired; the Reading room to be whitewashed, papered and the table therein to be painted; a stove to be provided for the Chemical Department; and the stove in the Anatomical Room to be repaired and removed into the Reading Room, and some smaller arrangements to be made, all which were approved by the Dean; but that it was too late in the season to commence painting, which was also acquiesced in by the Dean; and that two dozen chairs were also ordered for the reading room. \_ Whereupon the Executive Committee approved the said proceedings of the Chairman of the Committee on the Faculty of Physic. \_and\_

On motion\_ The suggestions contained in the latter part of the said communication (marked X) were suspended for the present, the application being made too late in the season to be accomplished, with the exception of "necessary fixtures, in the way of cases &c [et cetera]:" which will be provided as soon as practicable.\_

The papers in the matter of the Chair of the Estate of the late Prof. [Professor] DeButts in the University, were referred back to the Board of Trustees for the final action thereon.

[Marginalia: claim of estate of DeButts]

A Report of the Real, Leasehold and other property of the Trustees, called for at a proceeding meeting of the Board, was agreed on. also

[Marginalia: Report on the Drs. Property]

A report, to the Board, of the investment by the Committee, of \$4000 of the funds of the University, in 6 percent Loan to the Baltimore & Ohio Rail Road Company.

[Marginalia: 4000 \$ investment]

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October 13<sup>th</sup>. 1836.

The Executive Committee met this day at the office of the Chairman.

Present ~

Messrs. Williams, Vice President,

Etting

Gwynn &

Nelson.

It was ordered, that two thousand dollars of the funds of the Trustees be invested in the State 5 per cents at par.

[Marginalia: \$2000 investment]

The following bills were passed and ordered to be paid.

John Green's bill for work &c. [et cetera] done on the Medical College accounting to \$33.55 by order of Mr. Etting, also his Bill for \$257..14.

[Marginalia: bills passed]

Janitor's bill for sundries. \$9.38

Glowinger's bill for alcohol. \$2.62

Delmas' bill for lead. . \$. . 52

Adjourned . ~

November 12<sup>th</sup>.

The Executive Committee met this day at the office of the Chairman.

Present

Messrs. Williams V.P. [Vice President]

Nelson &

McCulloh.

The following communication from the Medical Faculty was read.

"The Medical Faculty of the University of Md. [Maryland] approve of the changes proposed to be made in the Chemical Chair by

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Prof. [Professor] Ducatel, as follows:

[Marginalia: changes in the Chemical Chair]

It is proposed, in conformity with the usage of most Medical Colleges, to deliver only four Lectures per week, on Monday, Tuesday, Thursday and Friday.

The Prof. of Chemistry will be allowed to employ an assistant, who will give his services, in the laboratory and during the lectures, for the manipulations and in conducting the experimental illustrations.

The assistant will be allowed to form a private class, and the use of the Laboratory and apparatus; and should it be found desirable, will be permitted to lecture, in the Chemical Hall, at such hours when no other Professor in the Institution is engaged with the Class, or any portion of it.

The above arrangement is approved by the Medical Faculty of the University of Maryland.

E. Geddings

Novr. [November] 11<sup>th</sup>. 1836.

Dean.”

Whereupon it was

Resolved, that the subject be referred to the Board of Trustees: and in the mean time this Committee acquiesce in the course proposed by Professor Ducatel.

[Marginalia: referred to Board of Trustees]

The following bills were passed and their payment approved.

[Marginalia: bills passed]

|   |          |
|---|----------|
| Brown's bill for wood for Janitor         | \$23..75 |
| & bill for sawing &c. [et cetera]The same | 6..87    |

Adjourned. \_

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December 2<sup>nd</sup>. 1836.

The Executive Committee met this day at the office of the Chairman.

Present

Messrs. Williams V.P. [Vice President]

Etting and

Nelson.

A seal, bearing as a Device the arms of the State of Maryland on a shield, with a shield appended thereto by a chain with the words "University of Maryland Incorporated A.D. 1812 "thereon, \_ was presented, and ordered to be produced to the Board of Trustees at their next meeting, for their adoption, agreeably to a Resolution passed by the Board May 6<sup>th</sup>. 1833.

[Marginalia: New Seal]

Pursuant to a Resolution passed by the Board at session September 29. 1836. the Committee proceeded to examine the accounts of the Academical Department heretofore rendered by Mr. Prentiss; when the following were approved, and the amount ordered to be paid in full of all claims by this Department against the Trustees. viz:

[Marginalia: bills passed of acad. Dept [academical department]]

|   |                  |
|---|------------------|
| Hayes' Bill for painting . . . . .  | \$62..12         |
| Green's bill for repairing chem. App. [chemical apparatus] . . . .  | 32..61           |
| Curley & Sons for work done on gymnasium . . . . .  | 331.83           |
| Marrtow's bill for glass . . . . .  | 12.21            |
| Hodgkinson's bill for setters (dated Aug.17.1835) . . . . .   | 18..             |
| Hands' bill for repairing box. . . . .  | 1.50             |
| Russells' bill for repairing cistern. . . . .   | 3..50            |
| Bryan's bill for stoves &c. [et cetera] Dated Oct. [October] 20. 1834   | 82..59           |
| Bryan's do. do. [ditto] Dated Jany. [January] 2.1826 to the<br>amt. [amount] of \$18..87 deducting Motts stove & pipe | <u>18..87</u>    |
| Amounting to . . . . .  | <u>\$563..23</u> |

The following Resolution was then passed: ~

Resolved ~ by the Executive Committee, that hereafter no bill against the University of

[Page, *handwritten*]

Maryland, for the Academical Department, can be allowed or passed, unless the contracting of such bill or account shall be previously approved by some Committee of the Board.

[Marginalia: all bills to be passed by Committees]

The following bills were passed and their payment approved.

[Marginalia: bills passed]

|  |          |
|--|----------|
| Isaac McNiehold's bill . . . . .                             | \$18..   |
| M. Maguire's order for seal for Univ. [University] . . . . . | \$16..50 |

Adjourned . ~

Mr. Prentiss, principal of the Academical Department having sent to the secretary a letter addressed to Mr. V. by Dr. Aikin of the Branch of Chemistry, and Natural Philosophy, setting forth the great deficiency of Chemical and Philosophical Apparatus at the College – and asking that some reference might be had to the Executive Committee on the subject:

[Marginalia: Chemical apparatus at Ana. [Anatomical] Chemical Dept. [Department]]

The following written authority was by the committee given to Mr. Prentiss.

“The Executive Committee of the University of Maryland authorize John Prentiss, Esq. Principal of the Academical Department, to procure for the Professor of Philosophy and Chemistry connected with his Department, such chemical and philosophical apparatus as may be necessary in the delivery of his Lectures, to any amount not exceeding one hundred dollars.”

[Marginalia: purchase new apparatus]

(Signed) Nathl. [Nathaniel] Williams V.P. [Vice President]

February 9<sup>th</sup>, 1837

Jno. [John] Nelson. \_

Wm. Gwynn. \_

Solomon Etting.

Jas. Wm. [James William] McCulloh.

Which original authority is filed with the Treasurer and Secretary's papers, marked (XX).

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On Tuesday March 7<sup>th</sup>. 1837, a majority of the Executive Committee crafted a memorial to the Legislature in support of their Annual Report, objecting to the admission of the Medical Faculty – to seats at the Board of Trustees; also ordered the same to be transmitted to Annapolis, and a number of copies to be provided for the use of Members.

The memorial is recorded in page 52 and the succeeding pages of this Record, as adopted by Messrs. Williams, Etting, Gwynn, and McCulloh.

[Marginalia: objection to Med: Fac: [Medical Faculty] seats at the Board.]

March 15<sup>th</sup>. 1837.

The Executive Committee met this day at the office of the Chairman; Present

Messrs. Williams V.P. [Vice President] Etting and Nelson.

The Secretary having represented to the Committee the necessity of taking measures to preserve the Books belonging to the Library of the Academical Department of the University, from being lost or destroyed. and having referred particularly to the very valuable work, the French Encyclopedia, presented to the University by the Mexican Minister. Therefore

Ordered – That the Secretary have cases made, collect the Books and place them in charge of the Librarian; and further, that the Secretary have the several volumes of the Encyclopedia immediately bound in a substantial and economical manner.

[Marginalia: Library at the acad: [Academical] Department]

On a communication from Dr. Aiken to Mr. Prentiss, setting forth that a quantity of valuable Chemical & Philosophical apparatus belonging to the University is at present out of order and wholly useless, but that the same could be repaired at a trifling cost and be rendered of great value; and asking a small sum to have the same repaired – it was

[Marginalia: Chem: & Philos: [Chemical and Philosophical] apparatus repaired]

Resolved - That Dr. Aiken be authorized to have

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such portions of the Chemical and Philosophical apparatus put in order, as in the opinion of Mr. Prentiss, shall need repair; provided the cost of the same does not exceed fifty dollars.

[Marginalia: bills passed]

The following bills were approved:

Fisher's bill for articles furnished the Museum Med. Coll. [Medical College] \$22.

Bill for advertising in Hagerstown paper in 1831. . . . \$5.

Bill of Mayor of City Council, assessment for opening Lombard St. . . \$63..39

Also

The payment of \$50.. For expenses incurred in presenting a memorial of the Executive Committee, to the Legislature, opposing the Petition of the Medical Faculty to be allowed seats at the Board of Trustees.

[Marginalia: certain expenses paid]

Adjourned. ~

March 29<sup>th</sup>.

The Executive Committee met this day at the Office of the Chairman: Present,

Messrs. Williams V.P. [Vice President]

Nelson,

McCulloh &

Etting

It was ordered – that the following notice be inserted in the public papers, and that a copy thereof be sent to the Medical Faculty.

“The Trustees of the University of Maryland will meet on Saturday the 6<sup>th</sup>. Day of May next, for the purpose of appointing a professor to fill the vacancy in the Chair of Anatomy and Physiology, occasioned by the resignation of Dr. Eli Gettings.”

[Marginalia: Chair of Anatomy and Physiology]

The following Bills were passed and ordered to be

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paid: viz:

|   |           |
|---|-----------|
| Baltimore Equitable Society's Bill . . . . .  | \$84..76  |
| Bill of U. of Md. [University of Maryland] Seal for books for Med. [Medical] Library .  | .\$20..50 |
| J. Green's Bill for repairs &c. [et cetera] Chem. App. [Chemical Apparatus] at<br>Med. Coll [Medical College] by order of Prof. [Professor] Ducatel . . . . . | \$145..25 |
| Tyson & Fisher's Bill for articles furnished Chem.<br>Dept. [Chemical Department] By order of ditto . . . . .   | \$116..73 |

also the payment of a Bill for articles furnished

|   |               |
|---|---------------|
| the museum of Med. Coll [Medical College] . . . . . | \$12.37 ½ was |
|---|---------------|

approved.

[Marginalia: bills passed]

Adjourned.

April 25<sup>th</sup>.

The Executive Committee met this day at the Office of the Chairman: Present

Messrs. Williams V.P.

Gwynn &

Nelson.

The payment of the following Bills was approved.

[Marginalia: bills passed]

Thomas Maguire's bill for firewall articles furnished

|                       |         |
|-----------------------|---------|
| Dr. Ducatel . . . . . | \$13.50 |
|-----------------------|---------|

|  |          |
|--|----------|
| J. Green's bill for repairing Chem. App. & view 20 . . . . . | \$145.25 |
|--|----------|

|   |        |
|---|--------|
| Sand's & Neilson's bill for printing Mem. Of Trustees . . . . . | \$25._ |
|---|--------|

|   |          |
|---|----------|
| Tyson & Fisher's bill for articles furnished Chair of Chem. [Chemistry] . . . . . | \$116.73 |
|---|----------|

|  |         |
|--|---------|
| Baltimore Equitable Society's Bill . . . . . | \$84.76 |
|--|---------|

|  |         |
|--|---------|
| W. J. I. Neal's bill for Books furnished Med. Dept. [Medical Department] . . . . . | \$20.50 |
|--|---------|

Adjourned.~

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Sept. 22<sup>nd</sup>. 1837\_

Pursuant to notice the Committee met this day at the Office of the Chairman;

Present,

Messrs. Williams V.P.

Etting

Nelson

Mr. Nelson was authorized by the Committee to examine into, and make arrangements for, the recovery of the Buildings of the Medical Department taken possession of by certain trespassers on the night of the 21<sup>st</sup>. Instant.

[Marginalia: property seized]

Adjourned.

Sept. [September] 23<sup>rd</sup>.

The Committee met this day at the Office of the Chairman:

Present

Messrs Williams V.P. [Vice President]

Etting

Gwynn

Nelson.

The Committee authorized the employment of Messrs. Johnson and McMahon as assistant Counsel with Mr. Nelson, in the matter of the differences with certain Doctors.

[Marginalia: Doctors & Trustees]

Adjourned.

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Nov. [November] 29. 1837.

The Committee met at the Office of the Chairman - Present

Messrs. Williams, Ch. [Chairman] Etting, Gwynn & Nelson.

[Marginalia: letter about introductory lectures]

A communication from a committee of the students attending the Medical Lectures, addressed to N. Williams Vice Prest. [Vice President] B.O. [Board of] Trustees, enquiring whether it was the intention of the Board to publish any or all of the introductory lectures of the several professors, was read, dated 21<sup>st</sup>. Nov. [November] 1837.

To which the following answer was directed to transmitted to the committee by the Chairman on behalf of the Executive Committee.

“Gentlemen,

The Executive Committee of the Trustees of the University of Maryland have received your note of the 21<sup>st</sup>. Inst. [instant] and in reply, beg to say, that it has not heretofore been the practice of the Board of Trustees to cause the publication of the Introductory Lectures of the Faculty of Medicine; and gratified as they would be to see those recently delivered, in print, they do not deem it proper that they should be published under the authority of the Committee.

[Marginalia: answer to]

Very Respectfully &c. [et cetera]

Nath [Nathaniel] Williams ”

Ch. Exe. Comm. Yr. O. Ser. [Chairman of Executive Committee Your Obedient Servant]

The following order was passed.

Ordered \_ that the Secretary have removed from the Buildings of the Academical Department all property not belonging to the Trustees or appertaining to the Trustees of the Department; and that he make sale of any wooden boxes or cases which may not be of any use to the Trustees, & which shall be there belonging to them.

Adjourned.

[Marginalia: lumber at acad. [Academical] Department]

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Dec. [December] 30. 1837.

The Committee met this day at the Office of the Chairman - Present

Messrs. Williams, Etting, and Gwynn.

[Marginalia: annual report]

Pursuant to a Resolution of the Board of Trustees passed on April 6. 1837. the Committee ap=proved [hyphenated, approved] an Annual Report to the Legislature in con=formity [hyphenated, conformity] with the act of assembly, and the same being signed by the Vice President on behalf of the Board of Trustees, was directed to be transmitted accordingly, with the Report of the Treasurer, which was also approved.

[Marginalia: Trustees' records page 256]

The payment of the account of \$27.~ Due to the “Gazette”, heretofore referred to the Committee by the Board, was approved.

[Marginalia: bill passed]

Adjourned.

Febr. [February] 27. 1838.

The Committee met this day at the Office of the Chairman~

Present.

Messrs. Williams, Etting and Gwynn

[Marginalia: counter memorial]

The Committee adopted a counter memorial to a memorial of certain physicians praying the Legislature to repeal The Act of 1825, and ordered the same to be transmitted to Annapolis and 125 copies to be published.

Adjourned.

Pursuant to the order passed as stated, at the above meeting of Febr. 27., the following was transmitted to the Legislature, and was presented by Mr. Gallagher in the House of Delegates. -

[Marginalia: ibid]

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To The Honorable The General Assembly of Maryland.

The Memorial of the Trustees of the University of Maryland respectfully represents:

[Marginalia: Counter Memorial]

That having seen the memorial of sundry physicians lately presented to your Body, praying the repeal of the Act of Assembly constituting this Board, They beg leave to offer a few suggestions on this subject which is important not only to the Medical profession, but to the public at large.

Your memorialists admit, that a third medical school having been set up in the City of Baltimore, by sundry persons formerly connected with the University, and residents of this City, carried with it most of the students residing here; to support which, these parties started the extravagant pretension that they, who had resigned their professorships in this Institution, nevertheless constituted the real faculty therein. They, moreover, circulated far and wide, the preposterous doctrine, that the Act of Assembly constituting their Board, and under which they had held their professorships for twelve years, was unconstitutional. These proceedings operated upon students from the remoter parts of this State, and from the neighboring States, who intended to matriculate at the University of Maryland, but who could not delay to investigate these groundless pretensions – to divert them to the schools in other states.

This Board entertains the utmost confidence, that, such are the characters and talents of the present Faculty, who have given, during the past term, unqualified satisfaction to all who have attended their instruction, this school will, by another season, fully resume in former standing, and rapidly advance beyond it. By which time all constitutional doubts, will have been dissipated, and with them it is to be hoped, all irregular and illegal interferences will have ceased to operate.

Your memorialists take leave to advert to some of the many erroneous statements and unfounded allegations set forth in the memorial of the physicians who have besought your interference on this occasion. Your memorialists are advised, that the former Board of Regents, which it is now desired to revive, took no charge of the property and other concerns, which were by law confided to them; and that by misgovernment, the affairs of the

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university and of the Faculty of the Physic in particular, were thrown into the utmost confusion.

The Legislature were well aware that "certain circumstances" did in 1825, require a change in the government of the University, and the result in the fiscal affairs of the Institution immediately, show the necessity for such change, - in the sound and prosperous condition to which they soon rose under the direction of the Board of Trustees, and have so continued. The Infirmary, which neglect and mismanagement had rendered nearly valueless as a Hospital and Clinical school, and unproductive of means for its own support, under the Trustees very soon became one of the best regulated [hyphenated, regulated] and best conducted institutions of that description in this country, and so productive of means as not only to pay at all times since its current expenses, including the support and care of many indigent patients, but also to contribute annually a portion of the means to enable the professors to pay the interest on the State loan.

Your memorialists utterly deny, that they have failed to feel or manifest the proper degree of interest in promoting the welfare and prosperity of this department.

Nor have they been deficient in medical intelligence; for the Board has always comprehended, among its members, some of the most respectable medical gentlemen in their state, and at this present time one fourth of the Board, which is an equal proportion with the number of Physicians in the Board of Regents, are able and learned medical men.

Besides, no step in any degree affecting the Faculty of Physic has ever been taken by the Board, without first consulting, and in nearly every instance, yielding to the views and wishes of the Professors. For eleven years only one Professor was appointed, at variance with the nominations of the other Professors. The appointment of the Demonstrator was made pursuant to the nomination of a portion of the Medical Professors, and the ordinance regulating his duties, was submitted to that portion of the Faculty most interested therein, and by such acquiesced in before it was adopted by this Board. And yet these two acts have been the cause of extreme vituperation and clamor on the part of the former Professor.

Your memorialists take occasion here most positively to deny, that any difficulties existed between the Trustees and the

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Professors. They admit that unfounded, and, towards this Board, unjustifiable discontents were entertained by the latter; but the Board took no further or other notice of these discontents than to pursue steadily the line of their official duty; seeking correctly to promote the true interests of the Institution, and to fulfill the wishes and expectations of the Legislature and the public.

Your memorialists also deny, that the government of the Trustees over the University has produced an unqualified sentiment of dissatisfaction and disapprobation, on the part of the great body of physicians, or of the public, of this City; but that on the contrary, nearly all those professional men who are cognizant of the proceedings of this Board, are satisfied with it, and that nearly all the community have a reasonable and well justified confidence in the good intentions and discretion of this government.

Your memorialists would take leave to suggest, that inasmuch as an appeal has been made by the former Board of Regents, to the judicial tribunals of the State, on the question whether the Act of 1825 is constitutional", in which these memorialists have promptly joined issue; the interference of the Legislature is wholly unnecessary at this time, and is indeed incompatible with the pretenses so confidently urged on behalf of the Regents. Your memorialists, therefore, on this ground, ask a rejection of the prayer of the memorial to which this refers.

The views of this Board on the proposed modification of the governing power have been frequently presented to the General Assembly; and they beg to refer to their former Reports and memorials on this subject; wherein have been shown the certain mischiefs of a return to the exploded and anomalous government of the Regents.

In view of these considerations, this Board, satisfied that in the course of a short time, the difficulties now harassing the University of Maryland, will gradually vanish, and that the Medical Department, under its present management, and with the present array of energy and talent, will gradually collect numbers to its halls, - do most respectfully pray that the petition of Physicians for the repeal of the Act of 1825, may not be granted.

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And your memorialists ask, in conclusion, that should the Legislature deem any consideration of this subject necessary, judgement may not be passed on them unheard; that, impeached as they are, and charged with official misconduct, by strangers to the University and to its interests, your memorialists, placed as the delegated agents of the State, in a station unsought by them, and gratuitously conducted at great sacrifice of time and labor, may at least be allowed the privilege of having a fair investigation into all their proceedings, through a Committee of the Legislature; satisfied that the results of such examination, will show at once the movers and the objects of this reviewed attack upon the Trustees of the University of Maryland.

Respectfully Submitted,

By order of the Executive Committee.

(signed)

Nathl. [Nathaniel] Williams ~

Vice President of the Board of Trustees.

Baltimore February 27. 1828. ~

~~~~~

The following is the Memorial which was drafted by the Executive Committee and by their order sent down to the Legislature, as suggested and memorialized at page 42 of this Record, ~ objecting to the petition of the Medical Faculty to be admitted to seats at the Board of Trustees.

[Marginalia: Memorial & Doctors]

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To the Honorable The General Assembly of Maryland:

The Trustees of the University of Maryland have perceived, that a Bill was recently reported to the House of Delegates, which proposes to constitute the Professors of the Medical Department of said University a part of the Board of Trustees thereof.

[Marginalia: The memorial objecting to Drs. seats at Board \_ March 7. 1837.]

The Trustees in their last Annual Report to the General assembly, furnished in obedience to law, took occasion to state, that they had been informed by the Medical Faculty of their intention to apply for a seat at the Board, and the Trustees likewise availed themselves of the opportunity therein to set forth, in brief terms, some of the considerations, which actuated them in objecting to such a modification of the charter, as will give to the Medical Faculty a participation in the government of the Institution.

The Trustees in presenting their customary Annual Report at the period required by law, stated therein, as was fit and proper, what they believed to be required for the Institution entrusted to their care, and they should have considered themselves derelict in duty, had they failed to express their opinions upon a subject of so much importance [hyphenated, importance] which they were informed would be brought before the attention of the Legislature.

Inasmuch as the government of the University of Maryland [hyphenated, Maryland] is organized like that of all other Universities, the controlling [sic, controlling] power being vested in a Board of Trustees composed of individuals, free from the influence of personal interest, and therefore more likely to act for the general good; and as the difficulties into which this University had been thrown by its original Faculty government had been surmounted by the prudent management of the Trustees, to whom the Legislature in their wisdom had subsequently confided the control of its affairs; it was difficult for the present Board to surmise upon what show of propriety the Medical Faculty would base the application, which we were informed they intended [hyphenated, intended] to make for a participation in the government. Nor have we been able to find in their memorial to the Legislature, any just reason for a departure from that form of government which long experience indicates as the only one competent to avoid the ill consequence growing out of personal interests often conflicting [hyphenated, conflicting], and resulting in harsh altercation and distracted counsels.

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The Trustees however consider it their duty to remark upon some of the statements of that memorial:—

Admitting the present prosperous condition of the University with regard to its pecuniary affairs, the Medical Faculty complain of a gradual diminution of its pupils, which they refer “either to inefficiency in the discharge of their own duties, or to misgovernment [hyphenated, misgovernment] on the part of the Trustees”. It would little comfort either with the official character of the Trustees, or with the desire they have to maintain the ability of the Medical Faculty, to institute a disparaging comparison between its present members and their predecessors; but when the legitimate government is impugned, either directly, or by implication, its functionaries cannot allow themselves to withhold a statement of the actual circumstances that have tended to affect injuriously the interests of the Medical Department.~

It will be recollected that about the year 1820, the University [hyphenated, University] of Maryland was strengthened by the appointment to one of its medical chairs of Professor Granville Sharp Pattison. That distinguished gentleman brought with him a reputation as a lecturer, which at once attracted to the halls of the University of Maryland a great increase of pupils, and his unrivalled ability as a Teacher of Anatomy soon arrested most of the students who, until then, had uniformly passed on to the University of Pennsylvania. To his brilliant and extensively known talents as a lecturer, the great and sudden accession of patronage to the University of Maryland was generally and justly attributed. He continued to command large classes for five years, and until he resigned his chair to accept a more desirable appointment in the University of London. From the period of Professor Pattison’s retiring, the class began to diminish until reduced to its present number which has varied but

little for eight years past. It must likewise be within the knowledge of most persons, that during the period of from twelve to fifteen years past, many new medical schools have gone into operation, competition being thus increased, the classes are diminished, state pride operating upon many students to withdraw them from other Institutions to patronize those within their own boundaries [hyphenated, boundaries]. Among those Institutions which have gone into operation during the above mentioned period, and calculated to affect injuriously the classes in the Medical department of the University [hyphenated, University] of Maryland, it will be sufficient to mention the Medical

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department of the University of Virginia, the Medical College of South Carolina, two medical institutions in Ohio, The Washington Medical College of Baltimore, and the Jefferson Medical College of Philadelphia, to the east of which Institutions we find Professor Pattison now attached, and drawing crowds of Medical students from those sections of country in particular which formerly supplied the classes of the University of Maryland.

The Board of Trustees fearing the effect of Professor Pattison's withdrawal from the Institution which had been confided to their government, were desirous to fill the vacancy occasioned by his resignation to the greatest advantage, and, upon the nomination of the Faculty, appointed Professor Nathan R. Smith, then of the Jefferson Medical School, and confided the Anatomical and Surgical departments to him in connection with Dr. Davidge. The Jefferson School from which Professor Smith came grew in favor slowly compared with the unparalleled advances it has made since Professor Pattison has joined it; its class which had never reached one hundred students previous to his appointments having, within the last three years, as we have learned, so increased [hyphenated, increased] as to be as now stated four hundred. His presence once gave great increase to the class of the University of Maryland, it is now productive of the same result in the Jefferson Medical College. Nor will such results appear surprising when the untiring exertions of that gentleman to elevate the Institution in which he may be a Professor, are considered. Animating his colleagues with his own zeal, no section of this country is left ignorant of their plans for the improvement of Medical Education; and they can annually supply to all, and do furnish to most of the Physicians and students in the United States and adjoining provinces, a medical circular at once acceptable to the profession generally, and useful to their particular school.

All appointments to Professorships that have been made by the Trustees of the University of Maryland, and that have been accepted, with one exception, that of Professor Ducatel, have been made upon nominations from the Faculty of Physic.

Relying on a general assertion of misgovernment on the part of the Trustees, the Medical Faculty have specified but one instance in support of it; viz; "The adoption of the regulation by the Trustees, which required of the students to take the ticket of the Demonstration of Anatomy, as a requisition for graduation," and which they say

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"is altogether new in the schools of this country". If the Faculty mean, by the "new"ness [newness] of the regulation in the schools of this country, its recent introduction, the statement of the fact does not weigh against the propriety of the regulation, as these schools have only of late years become awakened to its necessity. If the novelty of a regulation is to be received as sufficient objection to its adoption, then is improvement [hyphenated, improvement] at an end. But if it be intended to support the extract from a letter embodied in their memorial, which declares "that such regulation obtains in no other school in the United States", then we must be permitted to express our surprise at their want of information concerning the organization of other schools. In a recent publication "on the present State of Medicine in the United States, by Professor Dunglison of the Jefferson Medical College" and late of this school, will be found the following statement, "That by most of the Medical Institutions a year's attendance on the clinics is properly required; and by some the same length of attendance on Practical Anatomy, in addition to the two courses delivered by the Professor of Anatomy, is held to be indispensable."

This statement of Professor Duglison accords with our previous knowledge of the fact, that in several of the Medical Institutions such a requisition does exist; in all of them Dissections are pursued, and in all of them Practical Anatomy, a knowledge of which is only to be obtained by dissection, is held to be the basis of medical knowledge.

In the University of Edinburg, the Medical Athenaeum of Europe, and well known as the school in which the founders of our Medical Institutions were educated, no one can obtain the degree of Doctor of Physic until he has attended one course of Dissections and one course of Anatomical Demonstrations; and to obtain the degree of Surgeon, he must have attended two courses of these (besides fulfilling the other requisitions of the University.) In the curriculum of medical studies of the University of London, Practical Anatomy, the same as Dissections and Demonstrations, is set forth with the other branches requisite to be studied in that University to obtain the diploma of "Master in Medicine and Surgery". Similar requisitions exist elsewhere in Europe. But why seek authority to justify action right in itself, and the result of necessity? If that action were an innovation upon custom, still, should the authorities of the University of Maryland hesitate to order what is evidently right? Will the State of Maryland

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declare to those to whom she has delegated her trusts, that they must always follow and never lead? By, its own exactments the Legislature has proclaimed otherwise. By the 15<sup>th</sup>. Section. Chap. 159 of session 1812, it is provided, that no student shall be admitted to the degree of Doctor of Medicine, except he shall have attended each of the lectures prescribed by the ordinances at least one term. Upon the recommendation of the Medical Faculty, who considered the performance of such a duty calculated to promote the preface of the school, and who thus thinking properly disregarded the consideration that no such precedent had been established by other institutions, the Board of Trustees passed an ordinance, prescribing, among other duties to be discharged by the Dissector and Demonstrator, that of delivering Lectures on Practical Anatomy. The duty of lecturing being thus ordained by the Trustees, on the recommendation of the Faculty, the law came into operation and required the attendance of the student as a requisite for graduation, the wisdom of the Legislature thus providing at the same time against the willful neglect of the student, and for the just remuneration of the officers discharging [hyphenated, discharging] the duty. If the law had not thus required the attendance of the student, the Trustees admit that there are other considerations [hyphenated, considerations] which would make it obviously proper. It is not denied that a minute and accurate knowledge of anatomy is indispensable to constitute a good physician and surgeon; it is universally admitted, as well by those who teach as by those who learn, that the book of nature, the subject itself, affords under the guidance of a competent anatomical Dissector and Demonstrator, the most useful lessons, the firmest basis on which to erect the superstructure of medical knowledge; and it is equally conceded that such a course of instruction should be attended. In view of these facts, the Act of 1825 supplementary to the Act founding the University, provides, among other officers, for the appointment of an Anatomical Professor and Demonstrator, doubtless for the purpose of securing an efficient individual. The office being thus created, and the Trustees charged with the duty of filling it with a competent person for the faithful and skillful discharge of the arduous duties assigned to that office, the Trustees admit that they would not be able to appreciate the justice of that rule of action which would provide remuneration for prescribed duty performed by one officer,

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and not for that executed by another.~ The Trustees have deemed it their duty alike from policy and obedience to the law, to provide an Anatomical Dissector and Demonstrator of indisputable capacity, one admitted by the Faculty to be every way competent to impart the knowledge or science sought for; and if they had not made him, by the advice of the Faculty, a Lecturer, for the pay of whom the law provides, they would still have felt it a duty to secure the assiduous, contended and continuous performance of his numerous and arduous duties as Dissector and Demonstrator by a just provision for his remuneration; if they had not done this, the Trustees could only expect to engage in this toilsome department the services of a succession of Tyros to mistrust novices.

The Trustees acknowledge that the objection on the part of the Medical Faculty to this act of their government, admitting, as the faculty do, the necessity of the student being taught practical [hyphenated, practical] anatomy, was received with surprise, and that surprise has been heightened by their assertion, that it "has precipitated the decline of patronage"; - of which we have already shown the incorrectness [hyphenated, incorrectness] and referred the result to other causes. If however "the greater expense of the course in the University of Maryland" has precipitated the result, as has been stated by the Faculty, it seems strange that the Faculty has not placed that increase of expense to the right account, for while the demonstrator of Anatomy receives but a single fee of ten dollars from each student, the Medical Faculty are in the receipt of two fees of twenty dollars each from each student, although, it must be obvious to all, that the labor performed by the Demonstrator can scarcely be less than that performed by any one of the professors.

The law of 1812 required of the student to attend each of the lectures prescribed by the ordinances of the University at least once, before he could be admitted to the Degree of Doctor of Medicine. In 1833, the Trustees, in compliance with the solicitation of the Faculty of Physic, resolved that no student should be admitted to the Degree of Doctor of Medicine, unless he had attended two full courses of lectures of the five professors; at the same time they abolished one of the Chairs by the advice of the Faculty, who, voluntarily and upon their own suggestion, taxed themselves with a per annum pension in consideration of the retiring of The Professor of that chair. Although these changes were made in the exercise of however conferred by the Legislature of Maryland

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upon the Trustees, they are yet required in candor to say, that at the time they had doubts with regards to their policy, and probable advantage, not would they have been instituted but for the urgent desire of the Faculty of Physic to that effect. We thus find that nearly simultaneous with that action of the Trustees relating to the Demonstrator's department, an ordinance was passed at the request of the faculty, doubling the expense of the Medical Student, that is, he was required to attend each of the Professors twice instead of once, making a difference in the cost of Medical Education of one hundred and twenty dollars in favor of the Professors and against the student. And yet you are strangely left to infer by a neglect to mention these facts, and indeed you are told by the positive declaration of the Faculty of Physic, that the required expense for the privilege of dissecting and demonstrations, and attending a course on practical anatomy, a privilege which all concede the students will have and must pay for somewhere "has precipitated the decline of the class." Or to place the additional expenses in an opposite relation with each other as controlling [sic, controlling] causes to influence the selection of the student in the choice of a school, you are asked to believe that the student in regardless of the additional expense of one hundred and twenty dollars, but that he will not consent to pay by regulation ten dollars, which if left to his option, it is undeniable he will pay to some one.

The Trustees do not deem it necessary in this form to say more in defense of the propriety and justice of their action in relation to the department of the Dissector and Demonstrator, except to state that previous to the action complained of, the incumbent of that Department was required by ordinance passed at the instance of the Faculty themselves, to pay the one-seventh part of the current expenses of the school; nor would they have extended to such length their remarks on this subject, but that the Faculty of Physic have singled it out as cause of special complaint. Disinterested as are The Board of Trustees, they have been governed in this matter by what they considered a due regard to the attainments of the graduates, the rights of the instructor, the interests of society, and the character and prosperity of the Institution entrusted by the State to their gov=ernment [hyphenated, government]. In concluding this part of the subject, the Trustees

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feel it due to themselves plainly to deny the statement made in the memorial of the Faculty, that they had failed to reply, to the petitions therein. After the most deliberate investigation of the whole ground of complaint, by a committee appointed for the purpose, who made an elaborate report thereon, a copy of which was fur=nished

[hyphenated, furnished] to the Faculty, the Trustees were confirmed in their opinion of the correctness of their action, and this opinion was respect=fully [hyphenated, respectfully] communicated as well to the Faculty, as to that portion of the students who thought with them.

In their Annual Report recently submitted to the Legis=lature [hyphenated, Legislature], the Board of Trustees took occasion to mention some of the views which presented themselves in opposition to a participation by the Faculty in the government of the Medical Department. To that report the Trustees beg leave to invite the particular attention of the Legislature; it is not their present intention to repeal what is therein set forth. They will merely add, that should the Medical Faculty be allowed to participate in the general gov=ernment [hyphenated, government] of this department, beyond that regulation of its appropriate internal arrangements which they have always and exclusively exercised, that all the other Faculties of the University will have the same claim to participation in the government of their respective departments. This being granted, by a temporary unity of action among the individual member of each faculty, aided by but a small minority of the Board of Trustees, each Faculty respectively, will be able to manage its own affairs in opposition to the views of a large majority of that Board, and the general controlling [sic, controlling] power will finally, if not immediately cease; then the officers who do not participate in the government will have no redress of grievances, inasmuch as there will be no impartial appellate tribunal; the conflicting interests of the different Faculties and those which frequently exist among the individual members of each faculty, will come into unrestrained action, and a condition of things will arise similar to that which existed previous to the December session of 1825, when a portion of the Medical Faculty, that Faculty being then divided and each portion by turns constituting the government de facto of the University, declared that the Institution was in a state of anarchy, and that the purposes of a Legislature in granting the Charter were likely to be entirely subverted. These representations of the Faculty were fully corroborated by a report of the joint Committee of the

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General Assembly, appointed to examine into the state and condition of the University, and made on the part of the Senate by Mr. Tilghman, and of The House of Delegates by Mr. Marecy. From that report we beg leave to make the following extract. After setting forth at length the general organization and pecuniary condition to the University, the Report proceeds to state, that although one hundred thousand dollars has been granted by the Legislature at various times “none of the Faculties of the University has gone into full operation except the Faculty of Physic and The Faculty of Law; that all the funds received under the authority of the state have been applied to the benefit and under the direction of the Faculty of Physic. With respect to the charter, your Committee are unanimously of opinion that is it radically defective, and requires fundamental alterations. It will be recol=lected [hyphenated, recollected] that the Regents are composed of the Members of the four faculties. This makes the body too numerous and unwieldy. In consequence of this, your Committee found that although the University has been in operation for more than thirteen years, the Regents had not had even one meet=ing [hyphenated, meeting] a year, regularly, during that time.

“The Charter provides that the Regents shall make rules and regulations for the discipline of the University. This duty has been entirely neglected.

“The Law granting a Lottery for the benefit of the Univer=sity [hyphenated, university] requires, that the money arising from it, should be paid to the Regents and expended under their direction. This has never been done, but, with the exception of a trifling sum, all the money has, from the neglect of the Regents to act, gone immediately into the hands of the Medical Faculty, and has been expended entirely under their direction.

“The body of Regents is too heterogeneous in its composition, and being made up in part of Professors who have strong personal interests, often conflicting and opposed, will necessarily be distracted in its counsels and measures.

"After mature reflection upon the existing difficulties and their remedy, your Committee have unanimously determined to recommend, that a supplement to the Law establishing the University should be enacted, which shall abolish the Board of Regents and also all the members of the different

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Faculties except the Professors belonging to each, and to substitute in their place a Board of Trustees consisting of fifteen members, none of whom shall be professors, or have any personal interest to be affected. The Governor of this State for the time being to be president of The Board, which shall elect from their own body a Vice President. The Trustees to have the power of appointing the Provosts, Professors and Lecturers, and also the Dissector and Demonstrator of Anatomy, and the same to dismiss at pleasure.

"From conversations with the different members of the Board they found the opinion to be general, that a change is necessary.

"In conclusion your Committee beg leave to recommend this Institution not merely as a medical school but as an University where all branches of learning may be taught, to the fostering care and patronage of the Legislature."

Such was the magnitude of the evil resulting from The original government, which it is seen from the above Report, resolved itself into one merely of the Medical Faculty, that we find the Committee of the Legislature recommending an entire re-modeling of it. The Medical Faculty in their recent memorial admit the existence of "unhappy collisions in which the Faculty participated"- These, however, the Faculty state in their memorial "occurred in relation to fiscal affairs in regard to which they seek no power." \_ "only soliciting that their department may continue to participate [hyphenated, participate] justly in any pecuniary aid which the state may render to the University." True, the Medical Faculty did participate in unhappy collision relating to fiscal affairs, applying as they did the entire munificent grants of the State to their own benefit, and refusing to account for their disbursements [hyphenated, disbursements] to the legitimate authorities of the University, the Regents, when called upon so to do. Thus the funds, until the accession of the present government, were entirely diverted from channel originally contemplated, none being appropriated by the Medical Faculty to the establishment of the other Departments [hyphenated, Departments] of the University scheme, which it was, and we presume still is, the expectation of the Legislature to see in full operation; and if according to the same measure of justice "they continue" as they solicit in their memorial "to participate justly in any pecuniary aid which the state may render to the University",

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There will be little reason for those who desire to see more than a mere medical department, to expect a realization of their wishes.

But the "unhappy collisions" of the Medical Faculty, as must be known to a portion of them, turned likewise on the regulations of the Medical Department, a division in their counsels having been not uncommon, as well in relation to individual prerogative, as to particular faculty arrangements.

The right of teaching private classes during the session was claimed and contested by different members of the Faculty at various periods and with great warmth; and the appointment, assignment of duty and allotment of privileges to the then Demonstrator of Anatomy, Dr. Turnbull, were fruitful themes of dispute between the faculty, the professor of Anatomy and the Professor of Surgery.

Hence it was, and in conformity with the views presented in the report which we have quoted, that the Legislature created the present government of the University. Not contemplating [hyphenated, contemplating] the establishment of a mere isolated school of any one department of learning, not intending, to restrict their action to the rearing merely of a Medical College, but proposing a more becoming object for state enterprise by found=ing [hyphenated, founding] an University, complete in all its parts; and experiencing the evil of entrusting

the fulfillment of their plan to those whose conflicting and personal interests might mar the general scheme, The Legislature, in their wisdom, determined to guard against a recurrence of the evil by adopting that form of government which now prevails and has found to be productive [hyphenated, productive] of the happiest results in all the Universities of this Country; a government administered by a Board of Trustees free from the influence of personal interest, and therefore looking to the promotion of the general good, - removed from the operation of prejudice or particularly by official station, and therefore unbiased in extending justice to all those employed in performing the detailed duties necessary to the fulfillment of the whole design.

The Trustees of the University of Maryland do not expect more than those of familiar institution to be exempt from complaints growing out of resentments resulting from the just and necessary exercise of authority. The interests which

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have been confided to their keeping by the state are of too important a nature for the Trustees to allow any default in the execution of duties assigned to their official agents. And if in the just discharge of their trust, they have occasionally been compelled to require a greater fidelity and attention in the performance of duty from some of those agents, the necessity for such action may be regretted, but the fulfillment of duty should not be condemned.

In conclusion, The Trustees beg leave again to invite the attention of the Legislature to their last Annual Report, and likewise to the Report and accompanying Documents submitted to the General Assembly by their Joint Committee on the University, at December session, 1825. ~

By an examination of these we feel assured, that such information will be obtained as cannot do other than convince the Legislature of the too probable failure which is likely to attend their original design of establishing an University complete in all its parts, by such a modification of its present government as has been solicited.

If however, The Legislature are inclined to bestow any further consideration on the subject, or to pass any act with reference to the government of the University, the Trustees respectfully ask them first to enquire fully into the acts of the government which has been assailed; and to that end they desire that a Committee be appointed.

Respectfully submitted,

By order of the Executive Committee -

Nathaniel Williams

Baltimore March 7. 1837.

Vice President Board of Trustees.

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The following Depositions, taken by order and under the supervision of the Executive Committee, subsequent to the outrage committed on the property of the Trustees on the night of the 21<sup>st</sup>. September 1837 ~ were laid before the Board of Trustees at their session of October 7<sup>th</sup>. 1837.

[Marginalia: Depositions on breaking into the College Buildings]

[Originals filed among papers of Trustees, marked D\_1: D\_2: and D\_3.]

The Deposition of Thomas Maguire, taken before the subscriber a Justice of the peace of the State of Maryland in and for the City of Baltimore, this 26<sup>th</sup>. Day of September 1837.

[Marginalia: Thos. [Thomas] Maguire's]

Thomas Maguire, Janitor of the University of Maryland, being duly sworn on the Holy Evangely of Almighty God, deposeth and saith: That on Thursday afternoon, September the 21<sup>st</sup>. having been abroad, I returned to my dwelling situate within the walls of The University and attached to its Anatomical Museum and common lecture room, when I was told by Ellen, my wife, that Doctr. [Doctor] Samuel G. Baker had called during my absence and left word for me to call at his office at seven o'clock, where and when he wished to see me; I went up at the time appointed to his office and on enquiring for him was told by Mr. Edwards, that he would soon be in, and was asked to take a seat, I did so and remained at his office until quite eight o'clock, when I left it and started for my home, arriving there, to my great surprise, I found the gate fastened and on my rapping, to hear my name demanded by some man within, to whom I gave it, and by whom in reply I was told, that I could not come in.

The gate was then opened, I saw Doctr. [Doctor] Nathan R. Smith within; Doctr. [Doctor] Samuel G. Baker came out and walked with me down the alley to the tavern at the corner of German and Paca Streets, where Doctr. [Doctor] Hall was, and they endeavored to satisfy me that their proceedings were right, according to advice of Counsel, and assured me that they were not adopted with any unkind feelings towards me, but as steps necessary to be taken, on their part, to get possession of the property. Parting from them I went to the Infirmary and finding my wife, child and Mrs. Stiles there anxiously waiting for me, I told

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them what had happened to me, heard their statements, and then took them to the dwelling of my wife's brother. I gave notice late that night of this trespass on the University premises to Mr. Soloman Etting, Governor of the Infirmary, and to Mr. Joseph B. Williams, Secretary of the Trustees, who told me that he would call a meeting in the morning of the Board of Trustees. I repaired the next day (Friday) twice to the College Lot and found myself still shut out; on one of these occasions, having been told by Nathaniel Williams Esq. Vice President of the Trustees, that an understanding had been had that the keys should be delivered, and having been directed to ask for the delivery of the same, I mentioned those circumstances to Doctr. [Doctor] Hall and asked him for the keys and was answered, that he could not give them to me, that it would be contrary to the advise of his counsel. On the succeeding day (Saturday the 23<sup>rd</sup>. of September) between two and three o'clock P.M. as I was walking towards the University, I saw Doctr. [Doctor] Richard W. Hall, who told me that I would find the keys of the University at Mr. Shamburg's, I asked the Doctr. [Doctor] whether he had given up the Lot, and under=stood [hyphenated, understood] him to answer, that they had for the present, being advised so to do, and to let the matter take its regular course in Law; I accordingly went to the gate of the University and there saw student McHenry and another young man who were shutting up my house, and offered me the keys; but I preferred that the keys should be left, where Doctr. [Doctor] Hall had directed them to be, with Mr. Shamburg, one of the neighbours [sic, neighbors], until I could get one or more of the Trustees to go with me into the premises.

The keys were accordingly given to Mr. Shamburg, as I believe, by student McHenry and I went round to the dwelling of Mr. James W. McCulloh, one of the Trustees, who being at home and professor Baxley being there, they accompanied me to Mr. Shamburg's, where Mr. McCulloh received the keys, gave them to me, and then went with Professor Baxley and myself into all the buildings. When Doctr. [Doctor] Hall notified me that the keys of the College Buildings would be given to me, he told me that whilst (as I understood him) he had possession of the premises, he had taken away from the Museum some articles which he called his own; and Professor Baxley and I noticed that some things had been removed from there.

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In one of my rooms we had found that they had left three vessels that had contained liquor, and we also found a course bowie=knife [hyphenated, bowie knife], made out of a part of an old sword; which Doctr. [Doctor] Cole has since called and asked for, saying that it was his; and I referred him to Mr. McCulloh, in whose possession it is.

Taken by and sworn to before me this day and year aforesaid.

Thos. [Thomas] B. Pottenger.

The Deposition of Ellen Maguire taken before the subscriber a Justice of the Peace of the State of Maryland, in and for the City of Baltimore, on this twenty fifth day of Sep=tember [hyphenated, September] 1837.~

[Marginalia: Ellen Maguire's]

Ellen Maguire, wife of Thomas Maguire, Janitor of the University of Maryland, being duly sworn on the Holy Evangely of Almighty God, deposeth and saith: that on Thursday September the 21<sup>st</sup>. In the afternoon, Doctr. [Doctor] Samuel G. Baker came to the dwelling appropriated to the family of my husband, the Janitor of the University, situate within the walls that enclose the Medical College buildings and attached to the Anatomical Museum and common lecture room, and entering the apartment in which I was, he (Doctr. [Doctor] Baker) asked for my husband, and being told by me that he had gone out, desired me to say to him as soon as he should come home, that Doctr. [Doctor] Baker wished to see him at seven o'clock that evening at his (Doctr. [Doctor] Baker's) Office; that sometime afterwards my husband came home, when I delivered to him Doctr. [Doctor] Baker's message, and he departed, saying, that he would got to the office of that person; that shortly after my husband had gone, and as I believe between seven and eight o'clock at night, Doctr. [Doctor] Baker again came to me in the aforesaid dwelling, asked something about my husband, and being answered that he had gone to his (Doctr. [Doctor] Baker's) Office, he, Doctr. [Doctor] Baker, then told me, that sister Ambrosia wished to see me with my child immediately over at the Infirmary; I replied that it was not fit to take my child out at night, but that I

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would go over alone and see what Sister Ambrosia wanted, which I then did, leaving my child in the care of Mrs. Mary Stiles, an infirm, elderly woman who lives with me; having arrived at the Infirmary, I related to Sister Ambrosia the message that I had received from Doctr. [Doctor] Baker, at which she expressed her surprise and said, that she had not sent to me any such message by Doctr. [Doctor] Baker; I turned to go home and descending the Infirmary steps, there met Mrs. Stiles with my child, and I was astonished on being told by Mrs. Stiles that she had been turned away from the house by Doctr. [Doctor] Richard W. Hall, and sent with the child over to the Infirmary; I however pursued my way to the gate of the College Yard, and finding it fastened I rapped, it was opened and I saw Doctr. [Doctor] Nathan R. Smith and Samuel G. Baker there, who informed me, that they had taken possession of the place and observed, as in explanation of them having sent my child away, that it was necessary to complete their possession that we should all be off the premises; I then went in pursuit of my husband to Doctr. [Doctor] Baker's office, where I was informed by a young man (Mr. Edwards) that my husband had left there sometime before. I then returned to the Infirmary. On the succeeding day (Friday) I went to the College premises to obtain some clothing for my child, and I there found students McHenry and Jameson, and Doctr. [Doctor] Boarman, who came in afterwards; returned again in the evening and expressed my fears to another person whom I found there, about the fire that had been improperly made in a chimney of our dwelling, which had not been swept for a very long time, and remarked to him, that if the building were burnt and my furniture destroyed, I should hold them responsible for it.~

Taken by and sworn to before me this day and year aforesaid.

Tho. [Thomas] B. Pottenger.~

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The deposition of Mrs. Mary Stiles, taken before the subscriber a Justice of the Peace of the State of Maryland in and for the City of Baltimore, on the 26<sup>th</sup>. day of September 1837. ~

[Marginalia: Mary Stiles's]

Mary Stiles, of lawful age, being duly sworn on the Holy Evangely of Almighty God, deposeth and saith: That on Thursday night September the 21<sup>st</sup>. between seven and eight o'clock, soon after Mrs. Ellen Maguire, wife of Thomas Maguire, Janitor of the University had gone, as I understood, at the request of Doctr. [Doctor] Samuel G. Baker, to see Sister Ambrosia at the Infirmary, Doctr. [Doctor] Richard W. Hall came to the dwelling at the University occupied by the Janitor's family with whom I live, and desired me to go get him a pitcher of fresh water; I went to the pump in the College Yard, Mrs. Maguire's infant fol=lowing [hyphenated, following] me, and brought the Doctr. [Doctor] a pitcher of water, noticing that I had obtained it there, the Doctr. [Doctor] objected to it, saying, that he could not drink that water, it was not good; I then as he desired it went for water to a pump in Paca Street, and was under the necessity of taking with me the infant of Mrs. Maguire, who would not stay with Doctr. [Doctor] Hall; when I returned with the water, Doctr. [Doctor] Hall met me at the gate and told me, that I could not come in, that they had taken possession of the building, and, that I must go over to the Infirmary with the child, to Mrs. Maguire: I accordingly went to the Infirmary carrying the child and meeting Mrs. Maguire on the front steps of that building, told her, that Doctr. [Doctor] Hall had sent me away, and bade me bring the child, to her; and that he had observed to me, that they had taken possession of the buildings. Mrs. Maguire went in pursuit of her husband, and I went into the Infirmary with the child, where we remained until Mr. Maguire removed us late that night to the dwelling of his wife's brother.

Taken by and sworn to before me this day and year aforesaid.

Thos. [Thomas] B. Pottenger.

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The following communication from the Faculty of Physic was enclosed directed to the Vice President of the Board of Trustees.

[Marginalia: Letter fm. Med: Dept. [from Medical Department]]

University of Maryland – Faculty of Physic.

Baltimore Septemb. [September] 26. 1838.

At a meeting of the Faculty held this day, it was resolved that Professor Howard and May be appointed a Committee to confer with the Board of Trustees of the University, and to solicit the adoption of the plan proposed in the annexed resolution.

[Marginalia: Dissecting rooms under the control of Prof: [Professor]]

“Resolved, that the Trustees of the University of Maryland be recommended, for the present, so to alter the regulations of the dissecting department, as to place the control of it under the charge of the Professor of

Anatomy, with power to appoint a dissector, for the due discharge of whose duties he shall be responsible, and whose compensation he shall determine and provide. The Professor being entitled to receive the existing charge of eight dollars, for instruction, use of the dissecting rooms and museum, at present paid to the Demonstrator.~”

From the Minutes-

Wm., [William] R. Fisher

Secretary.

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The Secretary of the Board of Trustees, by direction of a majority of Executive Committee, returned the following reply.

[Marginalia: and unsure thereto]

University of Maryland.~

Oct. [October] 9. 1838.

Prof. [Professor] Wm.[William] R. Fisher,

Secy. [Secretary]            Dr. [Dear] Sir,

I am instructed to say that the Board of Trustees will not be in session in time to act upon the Resolution of the Medical Faculty as commu=nicated [hyphenated, communicated] by you, Sept. [September] 26. 1838.

The Executive Committee have however consented that the Medical Faculty may, until further notified by the Board or by the Executive Committee, appoint the duties of the Dissector and Demonstrator to be

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discharged, for the time being, by a member of the Fac=ulty [hyphenated, Faculty], authorizing him to receive the usual fee of eight dollars in each case.

By order\_

Jos. [Joseph] B. Williams.~

Secy. Bd. Tr. U. Md.

[Secretary, Board of the Trustees, University of Maryland]

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December 29<sup>th</sup>. 1838.

The Executive Committee met this day at the office of the Chairman:

Present: Messrs. Williams, Chr. [Chairman] Gwynn and Nelson

An Annual Report, required by the Act of Assembly, was agreed on by the Committee, and directed to be signed, on behalf of the Board of Trustees, by the Vice President, and sent to the Legislature, together with the Treasurer's statement of finances for the year, which was said before the meeting.

The same being in conformity with a Resolution of the Board of Trustees passed April 6<sup>th</sup>. 1837.~

Adjourned.~

[Marginalia: Annual Report]

January 15. 1839.

The Executive Committee met this day at the Office of the Chairman:

Present. Messrs. Williams Chr. [Chairman], Etting, Gwynn, and McCulloh.

The following Resolutions were proposed.

Resolved. That the possession, on behalf of the Trustees, of the Medical College and other buildings connected therewith, including the museum, preparations and

[Marginalia: Possession of Med. Coll [Medical College]: and]

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apparatus, and of the Infirmary with its furniture, library and appurtenances.- be placed in the charge and under the control of the Members of the Faculty of Physic until further notified, and to that end that the keys of the said premises be delivered to the said professor.

[Marginalia: Infirmary given to Profs: [Professors]]

Resolved. That the said Faculty be authorized, at the expense of the Board of Trustees, to employ watchmen and other proper guards for the possession and protection of the said Buildings and premises.

The question being taken on the above resolutions, was decided in the affirmative.

The yeas and nays being called for, stood as follows:

Yeas: Messrs. Williams, Gwynn, J.W. McCulloh.~

Nay: W. Etting.

Adjourned.~~

The following Memorial counter to the memorial of the Regents of the University, was drawn up and by Messrs. Williams, Etting, Gwynn and McCulloh of the Executive Committee ordered to be sent to the Legislature. It was accordingly on the 1<sup>st</sup>. March 1839 – sent, for presentation, to Mr. David Stewart of the Senate and Dr. Stephen Collins of the House of Delegates.~

[Marginalia: Counter memorials]

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To The Honorable The General Assembly of Maryland.

The memorial of the Trustees of the University of Maryland counter to the memorial of the Regents of the University of Maryland, respectfully sets forth:

[Marginalia: The memorial of March 1. 1839.]

That these memorialists hold, as agents of the state, the following fee principle and threshold property: viz: the Medical College and its adjacent buildings; The Infirmary [hyphenated, Infirmary] purchased in the year 1832 by the Trustees with funds drawn from the State, for the sum of \$12000, together with the Lot adjoining thereto also purchased with funds drawn from the same source by the Trustees, in the year 1833, for the sum of \$6000; and the Baltimore College surrendered and conveyed to the Trustees in the year 1831; the whole property being valued at \$87916.67; as also certain personal property derived from the funds of the State to the amount of \$18000; Excepting therefrom a special bequest of \$5000. by Mr. Gray to the Trustees for the use of the Infirmary, in the year 1833, and a few articles of minor importance.

Your memorialists, therefore, pray that the Legislature in view of the preservation of the rights of the State to its own property thus acquired and held, will not, by any legislation, surrender up the possession [hyphenated, possession] of the same as asked by the memorialists, but will leave the rights of others thereto to be enquired into by the judicial tribunals of the State and of the Country.

And as in duty &c. [et cetera]

By order of the Executive Committee on behalf of the Board of Trustees ~

Baltimore March 1. 1839.~

Nathl. [Nathaniel] Williams

Vice President.

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The following is the Resignation of Solomon Etting Esq. as Governor of the Infirmary.

[Marginalia: Etting's resignation as Gov. Of Inf. [Governor of Infirmary]]

Baltimore April 1. 1839.~

Gentlemen,

I hereby resign the post of Governor of the Baltimore Infirmary, which situation was conferred on me by the Trustees of the University of Maryland.

Very respectfully

Your obed. Ser.[obedient servant]

Solomon Etting.~

To the Trustees of

The University of Md. [Maryland]

~~~~~

Dr. Ashton Alexander to Nath. [Nathaniel] Williams Esq. &c: [et cetera]

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To,

Balt [Baltimore]: April 6. 1839.

Nathaniel Williams Esqr.

Vice President &

The members of the Executive Committee

Of the late Board of Trustees of The

University of Maryland.

[Marginalia: Mr. Alexander's **Provost of Regents'** letter]

Gentlemen,

I have the honor to transmit herewith a certified copy of the Act of the General Assembly of Maryland, entitled, "An Act for the benefit of the University of Maryland" passed at December session 1838, together with a copy of the Certificate transmitted by the Regents of the University of Maryland, in pursuance of the provisions of the fifth section of said Act. I am directed by a Resolution of the Regents, passed at a meeting held on the 4<sup>th</sup> inst. [instant] to inform you that they have constituted and appointed Charles F. Mayer Esq. A.B. Cleve=land [hyphenated, Cleveland] M.D & R. W. Hall, M.D. a Committee with authority to receive in the name & on the behalf of the Regents of the University of Maryland "all the estate real and personal, including all stocks, monies, evidences of debt & choses in action in the hands or under the control of the Trustees as such, appointed under an Act of the General Assembly of Maryland passed at December session 1825, entitled "An Act Supplementary

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to an act entitled an act for founding an University in the City or precincts of Baltimore, by the name of the University of Maryland," or their agents," agreeably to the provisions of the second section of the act first above mentioned.\_

I am further directed to inform you that the said Committee will be in attendance at the University Buildings on Wednesday next, the tenth of April instant, at 10 o'clock A.M. to accept in behalf of the Regents, a transfer & delivery of said property & to do all such acts &. things as may be necessary in the premises to carry into effect the provisions of the before mentioned act for the benefit of the University of Maryland.

I am, very respectfully,  
yr. Ob. Sert.. [your obedient servant]  
A. Alexander.\_  
Provost of the University of Maryland.

Nathl. [Nathaniel] Williams Esq. To Dr. Ashton Alexander.

Baltimore 8<sup>th</sup>. April 1839.\_

Dr. A. Alexander,  
Provost &c. [et cetera]

Sir,

[Marginalia: N. Williams' answer]

I have received your communication of the 6<sup>th</sup>. Inst [instant]:

addressed to me and the members of the Executive Committee of the Trustees, enclosing a copy of the late Act of Assembly relative to the University, and a copy of the certificates of the Board of Regents.

As the Regents, or a portion of them, took actual possession, some days since of the Medical College and of the Infirmary, I have not supposed it necessary that any formal transfer or delivery should be made of the Real or Leasehold Estate of the University, and have not therefore deemed it expedient to convene the Executive Committee for such purpose.

The stocks, money and evidences of debt are

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in the possession of the Treasurer of the Trustees. He informs me that he is ready to hand over the same to yourself or to the Committee mentioned by you, on behalf of the Regents, on the suit in Chancery of Potter & others against the Trustees, and the two suits bought by the Regents agt. [agent] him as Treasurer, all in Baltimore County Court, being entered satisfied, or stricken off.

The only chose in action belonging to the Trustees, is an unsatisfied judgement, in the said Court against David Hoffman Esq. Which, is in the charge of Wm. [William] Gwynn Esq.

Respectfully yr.

obt. Sr. [your obedient servant]

Nath. [Nathaniel] Williams

Receipt of Committee.~

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Know all men by their presents;~ That we, the subscribers, appointed on behalf of the Regents of the University of Maryland, do hereby acknowledge to have received of and from Joseph B. Williams Treasurer of the Trustees, The following described certificates of stock, monies and evidences of debt; viz:

[Marginalia: original receipt]

1\_ A certificate of stock of the State of Maryland, signed by George Macubin Treasurer W. S. Md. [Western Shore, Maryland] dated 8<sup>th</sup>. December 1829, issued to the Trustees of the University of Maryland, for five thousand dollars, bearing interest of five per cent per annum, redeemable after 31<sup>st</sup>. March 1844.~ The said certificate being the proceeds of a Bequest of five thousand dollars made by George Gray in favor of the Trustees of The University of Maryland for the use of the Baltimore Infirmary.~

2.\_ Also a certificate of stock of the State of Maryland signed by H. W. Evans. Commissioner of Loans, Number 503, dated 11<sup>th</sup>. May 1837. issued to the Trustees of the University of Maryland, for one thousand dollars, bearing interest of five per cent per annum, redeemable after the year one thousand eight hundred and forty three.

3.\_Also a certificate of the Baltimore and this Rail Road [sic, railroad]

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company, of indebtedness to the Trustees of the University of Maryland in the form of six thousand dollars, signed J.W. Patterson, president pro tem [pro tempore]; and dated 25<sup>th</sup>. July 1836, bearing an interest of six per cent per annum, number 135.~

4. Also a certificate of the Baltimore and Ohio Rail Road [sic, Railroad] Company, of indebtedness to the Trustees of the University of Maryland in the sum of four thousand dollars, signed Wm. [William] Steuart, president pro tem [pro tempore] and dated 4<sup>th</sup>. August 1836, bearing an interest of six per cent per annum, number 137.

5.\_ And the sum of one thousand seven hundred and ninety one dollars and forty nine cents (\$1791.49) being the balance of money stated by him to be remaining in the hands of the said Joseph. B. Williams, Treasurer as aforesaid.

Witness our hands at the City of Baltimore this ninth day of April in the year Eighteen hundred and thirty nine.

Witness present

Charles F. Mayer

A. B. Cleveland

Nathl. [Nathaniel] Williams.~

Richd. [Richard] Wilmot Hall.

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