

MEMORIAL.

To the General Assembly of the State of North Carolina.

The memorial of the Trustees of the University of North Carolina respectfully represents,

That the situation of the institution committed to their care by your honorable body, imposes the duty on them of accounting to the Legislature for the administration of their trust, by the exhibition of a true and full statement of the present condition and future prospects of the University, and asking from the sovereign authority such interposition as may be deemed requisite to sustain and promote the prosperity and usefulness of the establishment.

The endowment of the University, out of the Public Treasury, consisted of the arrears due to the State from receiving officers of the present and the late governments up to the 1st day of January, 1783; upon which the sum of \$3,708 41 had been collected by the Treasurer of the State, who paid it over to the trustees in the year 1789, in conformity to the act of incorporation, passed in that year.

By other statutes, grants of all escheated property and of certain confiscated estates were made; and by an act passed in 1809, all manes remaining in the hands of executors or administrators seven years unclaimed by legal heirs or next of kin, and debts due to the State up to Dec. 1799, were vested in the trustees. The arrears and debts due to the State consisted almost entirely of old judgments or other valid demands against officers, who had removed or become insolvent; and the donation proved to be nearly unproductive.

The funds of the institution were further augmented by the grant of two tracts from which, by much exertion and risk, the sum of \$5,050 80 appears to have been realized.

With these exceptions, this great and useful school was established, and has been supported for nearly forty years by funds derived from escheated estates, and the donations of beneficent and patriotic individuals, influenced by a zeal for the morals, learning and liberties of the State.

In 1789, the grant of escheats was, as expected and intended by the able and virtuous legislators who chartered the institution, a gift of real value; from which frequent and large sums were derived. The departure from the country, and death abroad of that portion of the inhabitants who adhered to the cause of the mother country, and the destruction of life by the hardships and battles of the revolution, left many estates without owners.

Under the grant of that title of the State, however, the trustees were advised that they were entitled to escheats in the State of Tennessee, which had fallen in before this State ceded the territory now constituting that member of the Union. And the board, ever anxious and on the alert to enlarge the means of the college, and thereby fulfill what they deemed to be at once the legislative will and their own personal duty, upon the extinguishment of the title of the Chickasaw Indians, which opened the western district of Tennessee for the location of the military land warrants of North Carolina, asserted a claim to all the warrants of soldiers, who died before the cession and left no heirs at law.

The stock of the Bank of Newbern, viz. 241 shares, is still held by the board. It was not, and could not be sold except at the risk of acting in the dark; for the directors of that bank have not yet fixed on any price at which the bank will receive it in payment; it yields, however, no dividend. It must now be manifest to your honorable body, that with ample resources in prospect, the actual income of the University is nearly nothing, save that arising from the fees of tuition. These fees have been reduced as low as possible, that opportunity of obtaining education may be afforded to the greater number, including that most valuable portion of ours, as of every other community, the sons of men of middling and barely independent property.

of the controversy. The same reasons restrain them from pressing, by coercive means, the collection of the debts already due from prior purchasers. It would be inequitable towards the debtors to do so, as they have a right to expect the title to be settled before the expiration of the purchase money; and they might obtain from chancery protecting relief, if not accorded to them by the clemency of the trustees. Besides, the board have thought it to the honor and interest of the institution not to add purchasers from them to the number of their adversaries in and out of courts, and not to expose themselves to the danger of having decrees against them to refund what they might not then have the means of doing. The agent has therefore been instructed to receive, in general, only payments voluntarily made. The lapse of time is, in the mean while, adding to the strength of the title and quieting the purchasers in their minds and possessions.

The value of the escheat lands is not easily determined; and the board has no data, upon which they can properly ask the reliance of the General Assembly on that point. By an estimate made by intelligent gentlemen in Tennessee in 1820 and 1822, the value ought to be about \$340,642 00. But it is feared and believed that the actual proceeds, after deducting the heavy charges incident to estates so remote and involved in legal controversy, will be much less. If the amount of the bonds before spoken of, namely \$71,081 28, be added thereto, an aggregate is formed of \$311,723 28; one half of which, if it can be saved, and the Board of Trustees and the college be in the mean while preserved by the aid of the Legislature from dissolution, would constitute a permanent fund, adequate to the perpetual support of this great hope of the intelligent and good people of this State.

The remaining estates of the college (excepting some small sums due on bonds in this State) consist of 241 shares of the capital stock of the Bank of Newbern; of the college buildings and the lands on which they are situate at or near Chapel Hill; the Library and chemical and philosophical apparatus. By a careful husbanding, and in general, a judicious application of the apparently small means which constituted the endowment of the institution, the trustees have been enabled, by the aid of private donations, to sustain the college for, now, nearly forty years at an average annual expense of probably \$5,000, and erect the large, commodious and durable buildings of the University. These consist of three spacious brick colleges, a hall and unfinished chapel, of the same materials; besides several wooden buildings for the residence of professors and an steward's hall. The actual cost of the buildings, as appearing upon the books of accounts, has been the sum of \$35,537 41, besides annual outlays for repairs; and the library and apparatus, supposed to have cost and to be now worth more than \$10,000. This whole property now belongs to the State, and is in a condition for the reception and accommodation of the teachers and students. Formerly much inconvenience was experienced from the want of rooms. Some young men could not be received within the colleges, and many of those admitted there suffered in their health and attention to their studies, by being crowded into the same apartment with several others; murmurs were frequently and generally expressed at those inconveniences. To obviate them, and make the institution as far as possible subservient to the great purposes of its creation by affording accommodations under the immediate inspection of the faculty, within the colleges themselves, to all students, the board determined to increase the buildings to their present number and magnitude. The measure was deemed indispensable; as, for several years, the number of students was from 150 to 200. To effect this desirable object, the trustees thought it necessary and prudent to borrow money. It was obtained from the three Banks of this State. After much indulgence from the Banks and various payments by the board, the debts of the institution were estimated by a committee of the Trustees in July last, and ascertained then to amount to the sum of \$37,518 73. At that time, and at the times of contracting the debts, the board owned stock in those banks, as follows: In the State Bank, 23 shares; the Bank of Cape Fear, 111 shares; and in the Bank of Newbern, 241 shares, in all 375 shares. The stock was purchased at par and cost \$37,300. Since the vicissitudes of fortune experienced by our banking institutions, and, indeed, by most persons engaged in agriculture or trade in this State, we are all enabled to put our finger on the very point of the error of the board. It was in raising money by loan, instead of the sale of their stocks. But the trustees hope to be exempted from reproach for an error, that was common to our best informed citizens in the management of their private affairs; and, indeed, to those occupying Legislative stations also; by whose directions the surplus funds of the State, were annually invested in the same stocks, long afterwards. The object of the board was to make investments at once profitable and secure. None, effecting in an equal degree those purposes, was known to them, more than to those Legislatures who commanded similar purchases to be made with the money of their constituents. In the event, the mistake of both bodies, as well as private adventurers, has been made manifest. But that could not have been, and certainly was not anticipated by the trustees more than by your predecessors or the people. The stocks were purchased when the banks made large dividends. They were not sold, because they were thought to furnish certain means of discharging the debts, whenever the demand became absolute; and that in the mean while the excess of dividend above the rate of interest on the loan, was a clear accession to the funds of the institution. In truth, however, they have served neither the one purpose nor the other. The price of stocks has fallen, so that a competent sum could not be raised for the payment of the debt by a sale of it, and the profits have in an equal degree sunk; for one of the banks declares dividends of only 4 per cent, per annum; while the other two have, of late, been unable to declare any. Seeing that the accruing interest on the debt added constantly to its amount, and by being thus compounded would soon swell the debts to such an amount as would cover the whole effects of the college, the trustees, at a special meeting in July last, determined to diminish their incumbrances by selling such of their stocks as they could find market for. They accordingly ordered the sale of the State Bank and Cape Fear Bank stock at 75 and 80 per cent, the highest market prices then to be had. By means thereof and of sums collected in Tennessee and elsewhere, the debt is now reduced from \$37,518 73 to \$20,124 55, namely, to the State Bank \$15,575 39, with interest from the 19th day of August last; and to the Bank of Newbern \$3,549 16, with interest from the 17th June, 1829, as appears by a report made to the board by their Treasurer on 22nd of November, instant. By the same report, it appears also, that the Treasurer has a surplus of cash on hand of \$3,143 21, but of that, nearly the whole, namely, the sum of \$2,790, will be absorbed by the salaries due to the President and other members of the faculty at the end of the present session.

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The faculty consists of a President, at a salary of \$1,600; four Professors, at salaries of \$1,240 each; and two Tutors, at \$400 each. To this is to be added the salaries of the Secretaries and Treasurer, and superintendent, repairs and other incidental expenses, estimated in the whole at \$840. The annual charge upon the institution may then be stated as follows:

Salaries of the Faculty, \$7,360 00
Other officers and incidental expenses, 840 00
Interest upon the debt, viz. \$20,124 55, 1,207 47

Making an aggregate of, 9,407 47
Deduct probable tuition fees, 2,400 00

Leaving a deficiency of 7,007 47

Which may be further reduced, if the State will assume the debt to the Banks, by a deduction of the charge of interest on the same.

Ultimate deficiency, \$5,600 00

To make up the above mentioned deficiencies, the trustees have no certain or secure funds. The Bank stock, (appreciated, the trustees having been that greatly curtailed by the acts of the General Assembly, have finally from other causes nearly ceased to yield any thing. It does not comport with the honor of the General Assembly and the State, that the board should again seek alms from private persons for the purpose of supporting a public institution. Indeed, if such applications were made, it is believed they would now be useless, as few are able to give and fewer are willing. No immediate expectations are to be indulged of funds being derived from the western lands, for the reasons already fully developed. No expense can be incurred, within the knowledge of the board, without injustice to the able men who fill its chairs, and compelling them (which can be then be readily obtained) to take employment in other seminaries better able to engage and compensate their valuable services. The board hopes and believes the present depression in the funds and in the number of students to be temporary only; and that by a slight exertion of the fostering care of the Legislature, this institution, demanded as well by the wisdom as the welfare of the people, may be revived. That depends upon the decision of your right in the escheated lands in Tennessee. If favorable, it fixes its prospects almost beyond the reach of mischance, and certainly above the necessity for further appropriations from the Treasury; if unfavorable, it will leave the University like the colleges of some of our sister States, wholly dependent upon annual appropriations or, if the Legislature so please, will terminate its existence altogether. While however these continued such good promise of an adequate and durable fund for its support, the trustees cannot suppose that your honorable body will permit the college to be broken up; the extensive and valuable and costly buildings, unoccupied and neglected, to go to decay; the able faculty dispersed beyond the reach of future collection; the youth of the State to remain uneducated or to go abroad for that purpose, expending large sums of money out of the State, and contracting and bringing back feelings and attachments, and opinions and principles, not North Carolina. With these impressions, the trustees would have been conscious of unpardonable default, if they should have concealed from the Legislature, the condition and necessities of this all important institution; and by such concealment, kept it out of the power of the General Assembly to preserve its existence and continue its usefulness. They have therefore communicated thus fully the actual state and future prospects of the college, that such order may be taken to sustain it, as shall seem meet to the guardians of the Commonwealth and the Representatives of the people, whose property, and whose precious property this institution is. And such further information as may be required by your honorable body, or any committee appointed by you, as may be contained in the books and papers of the trustees, or possessed by any member of the board or their officers and servants, will, with pleasure, be supplied upon request.

The trustees do not presume to ask for any specific measure of relief, but submit that entirely to the wisdom of the Legislature. On behalf of the institution, they will thankfully receive any aid that may be deemed equal to the exigency. A direct grant of a sum sufficient to free it from debt, would most immediately and effectually serve it, especially if accompanied by an appropriation for three or four years of a sum adequate to supply any part of the before mentioned annual deficiency, which may not be met by the current collections for the college in the west and at home. If this should be deemed beyond the merits of the college or its necessities, or the ability of the Treasury, without an undue restriction of appropriations for other purposes, the board would suggest, that as the State is a large holder of stock in the Banks, who are the creditors of the University, she might conveniently assume the debt and extinguish it at her option by a sufficiency of the stock in one of these corporations. Should this also not find favor, it may then be well considered, whether it be wise and politic, that the public should suffer its own child and favorite seminary to be overwhelmed by the interest accruing on this large debt, whilst a literary fund of a greater amount is lying dormant in the vaults of the Treasury, or deposited in the Banks, for their use and enjoyment. Should a further donation therefore be declined, your memorialists would respectfully ask, that the literary fund should be applied to the relief of the college by way of loan, without interest, or so much thereof as will discharge their debt, say \$21,000, and will also for three or four years more (until the title to the western lands can be determined) supply the annual deficiency before mentioned, to which the collections of the board shall be inadequate. The legislature has indicated the purpose of making no further investments of that fund in stocks. If it is to remain unproductive in a pecuniary point of view, it is most respectfully suggested that in no manner can it be so useful as in reviving and sustaining the University—an institution certainly possessing higher claims than any other with which the fund could be deposited. But if a profit on that fund be considered indispensably due to the State or to the fund itself, the board would deem it their duty, with the approbation of the legislature, to take up on a reduced or even a full interest, such portion of it as would answer the purposes already specified. The trustees would be impelled to accept the loan on even the most disadvantageous terms (when prescribed by your honorable body) by the consideration that they cannot meet even the interest of their debt, much less the instalments, which under the statute of 1829, the Banks are required to exact from their debtors; and by the further consideration, that as they humbly think, it is their duty to hazard every thing rather than discharge the faculty and stop the exercises of the college. Yet what particular course the trustees shall adopt, rests exclusively with the legislature to designate; and they, in common with their fellow citizens generally, confide that it will be just, wisest and best; and they will cheerfully endeavor to execute any duty that may be assigned to them.

Your memorialists refrain from indulging in extended reflections, though obviously growing out of the occasion, upon the vast importance of education—its influence upon individual happiness; its tendency to enlighten and purify the mind, to chasten and correct the evil passions and propensities of our nature, and soften the obduracy to enlarge the sphere of human action, and promote enterprise and the arts; multiply useful men, and increase their capacity for usefulness; and, in a popular government, to inform the community at large, and dispose them to cherish and qualify them to defend their free institutions. All these considerations address themselves so powerfully and directly to the understanding, that every man, and much more every member of your honorable body, must estimate its importance highly. In North Carolina, every person who is old enough to remember when the University was not, must have observed, and cannot but testify to the effects, most salutary, of its establishment. And those who have reaped its fruits, by having been its inmates, or by being associated with or saved by them in public distress, cannot surely be less sensible of those effects. Without enlarging upon the merits of the institution in the abstract, the deep interest which ought to be taken in it, will more precisely appear, when the fact is mentioned, that upon four hundred and sixty of our souls, after receiving within its halls a regular course of collegiate education, have been conferred the usual academic degree; and that, besides, a number of others, supposed to be nearly equal to the graduates, have been likewise taught, and beneficially taught, though not completing the course, they did not receive degrees. These seven or eight hundred of the alumni of Chapel Hill, now fill, with honor to themselves and the college, and with usefulness to their country, most of her posts of distinction, trust, labor and responsibility in her Legislatures, her judiciary, her professions, her schools, besides affixing greatly to the mass of general information caught from them in the intercourse of society, and diffused through the body of our citizens. Many who have sought employments and homes in distant sections of the Union, make us favorably known to our sister States, adorn our character and their own, and cherishing a grateful memory of the land of their birth, thank God that though they do not live in North Carolina, they were born on her soil, and were educated under her patronage.

The merits of the present faculty of the college, would render it an act of injustice to the gentlemen composing it, and to the reputation of the University, were your memorialists to withhold the expression of their confidence in them, and their opinion of the importance of retaining them in the service of the State, if possible. The professors are sufficiently known to the trustees to enable them duly to appreciate them. Without descending to particulars offensive to their modesty, it will suffice to say that they have proved themselves, by their ability, adequate to their tasks, and by their faithfulness, worthy of their trust. They are able teachers, discreet governors and the kind friends of their pupils. And under their superintendance, the University of North Carolina, has afforded, and does afford opportunities for the acquisition of solid and polite learning, not surpassed by those to be found in any of the other colleges of the country. But the age, the character and the pre-eminent services of the venerable, learned and pious gentleman who presides over the college, furnish both the motive and the excuse for the declaration by the trustees, of their profound sense of the value of those services, and the magnitude of the debt which the alumni of the college and the State at large owe him. He entered the college in 1795; at which time he was appointed a professor. He has, without the least intermission, earnestly and ably devoted the thirty four subsequent years to the useful, but laborious and unostentatious employment of imparting knowledge and forming the minds, the morals and the characters of the youth of this State. A man of qualifications eminently suited and always equal to his responsible stations, he has employed under all discouragements his great abilities and attainments, with a constancy to be inspired only by the enthusiasm of a virtuous heart in so holy a cause; to the single end of educating our sons, and establishing upon a firm basis the merit and the reputation of the University. What success his zeal and abilities have won, the character of his school and the happiness and usefulness of seven or eight hundred of his pupils, composing a large part of all the men now distinguished in active life amongst us, can well attest. Untired by

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