

12-13-1849

Article of agreement, Marshall County, MS, 13 December 1849

William McGinnis Rook

H. P. Oliver

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UNIVERSITY OF NORTH-CAROLINA.

Chapel Hill, March 29, 1849.

SIR:

The secluded situation of this place is not without its disadvantages, but they are believed to be more than counterbalanced by the safeguards which the Legislature and the Trustees have been thereby enabled to throw around us. Extensive inquiry, long experience, and personal examination, have left no doubt on the mind of any one of us, that our location was, on the whole, happily chosen.

To maintain a tippling house within two miles of the University, or to sell within that distance wine, ardent spirits, or malt liquors, to be used by a student, without the consent of the Faculty, is an indictable offence. Gaming, horse-racing, and other kindred practices, within four miles, are prohibited in like manner. To give full sanction and efficiency to the provisions of the criminal law, the Trustees have ordained that any student who may be seen publicly intoxicated, or in whose room ardent spirits may be found, shall be forthwith suspended or dismissed, as the circumstances of the case may seem to require. This ordinance has been and will be faithfully carried into execution in every instance of its violation.

Extravagant habits ordinarily tend to the hindrance of all improvement, intellectual and moral; and the deleterious effect is by no means confined to the individual who is the subject of them. It is impossible to preserve young men in all cases from indiscretions of this character. So carefully have these evils been guarded against, however, that no parent can suffer from them, who is faithful to the college, the community, his son, or himself. The Rev. ELISHA MITCHELL, D. D., is Bursar of the institution. It is his duty to receive all sums of money that young men bring with them, to "disburse the same in paying their board, tuition fees, college dues, and other necessary expenses"—"to keep an account of the money thus received and disbursed, and at the close of each session to transmit a copy of such account to the parent or guardian of each student.

The Revised Statutes "concerning the University," (chap, 116.) make it "unlawful for any merchant, shop-keeper, or other person at Chapel Hill, or within two miles thereof, to sell to any student of the University, goods, wares or merchandise, without the consent of the Faculty, or some member thereof, in writing." Any contract for the sale of such articles is "null and void, and no recovery can be had thereon." The parent is consequently absolved from all obligation to pay an account thus created, and it is very clear that a guardian cannot discharge such a claim, without rendering himself liable to the estate of his ward for the amount. The ordinance of the Trustees, on the subject, requires the Faculty to dismiss a student, who may contract a debt without permission.

To ensure the due observance of these regulations, I have to request that you will immediately advise the Bursar whether you are willing that any account shall be opened here in your name, and if so, the amount of indebtedness you are willing to authorise.

Each Student is required to attend Prayers thirteen times, Recitations fifteen times, and Divine Worship once each week. All absences, whether unavoidable or not, are recorded. A very simple calculation, therefore, will enable you to ascertain the precise proportion of duties performed and omitted.

Since the commencement of the session (a period of 10 weeks) Mr. *Shedwell* has been absent from Prayers *5* times, from Recitations *2* times, and from attendance on Divine Worship *times* of these absences *2* from Prayers, *2* from Recitations, and *from Divine Worship* were unavoidable, *on account of sickness.*

His relative grade of scholarship in his class is considered *very respectable* in Latin, Greek and Mathematics good in the Bible.

With respect to the necessary expenses of a Student, the Faculty concur entirely in the opinion expressed by the Executive Committee, in the Circular addressed to Parents and Guardians on the 15th of April, 1837, that exclusive of the supplies of clothing ordinarily obtained from home, more than two hundred and fifty dollars a year is not necessary either to the comfort or reputation of any one.

Yours, very respectfully,

DAVID L. SWAIN, President.