

ATHENS COLLEGE, (GEO.)

The following statement, relative to the causes of the removal of Mr. Meigs from the Professorship of Mathematics, Natural Philosophy, and Chemistry, in the University of Georgia, was kindly put into our hands yesterday by a friend, in a pamphlet form; which is respectfully addressed "To a Candid Community." Feeling the best disposition to do justice to all mankind, we have no hesitancy whatever in giving to it that publicity which it seems to require, believing that few men better qualified can be found than the late professor for the performance of the duties from which he has been dismissed.

STATEMENT.

If the causes of my removal from the office of Professor of Mathematics, Natural Philosophy and Chemistry, in the University of Georgia, were as generally known as that removal, I should not be under the necessity of publishing the following statement:—

Calumny has imputed to me many improprieties in the management of the concerns of the institution, and I am well aware, if the real cause of dismissal is unknown, the fabrications of malice would be considered undeniable truths. Several unavailing attempts had been made during the last meeting of the board of trustees to remove me from office; even after that removal had become necessary by the appropriations of all the annual funds of the institution to the president, a professor of languages, and the secretary and treasurer of the board, a sense of justice and propriety prevented the success of such an attempt. Certain charges which are contained in the following affidavits were then exhibited, and the resolution of the board, which succeeds them, was handed me by the secretary.

8th August, 1811.

Hope Hull, one of the members of this board, gives the following information, and exhibits the same as charges against Mr. Professor Meigs, which he urges should be enquired into by the board, viz.

That to the best of his recollection, the day after the adjournment of the board in August last, and at the door of the printing-office, he Mr. Meigs addressing himself to Mr. Hull, uttered in substance the following words:—"You have appointed Campbell your secretary; however, I suppose, he will do well enough, as a secretary for the *scribes*." Mr. Meigs has further said in the presence of Mr. Hull, in substance "That the state of Georgia, had great reason to thank God for one honest man, judge Early. If it had not been for him, the lands belonging to the institution, would have been sold and the money pocketed." And many other expressions and observations of a similar import, but not now precisely recollected. HOPE HULL.

Sworn to, before me, this 8th August, 1811, at Athens, ROBERT WALKER, judge.

True copy from the original now of file with my papers. DUNCAN G. CAMPBELL, sec'y.

In a conversation with Mr. Meigs, a few days after the adjournment of the board in August last, upon the subject of the congressional and county elections, he observed in substance as follows—that you, addressing himself to me, can not think to gain the confidence of the people, after your conduct to the college lands, the fact stated in the piece that appeared in *The Express* against you last, was furnished by me, and there are other facts, which I intend to communicate. But I cannot so much blame you, for you are a tool of other great men—but for one honest man, or the only honest man among them, the board of trustees would have sold the college lands and have squandered the money away to their own uses. They were all a pack or band of *scribes* and speculators, and that if they had have turned him out of his office, he would have published their villainy or dishonesty to the world, and have shewn them in their proper colors. They had made him professor of natural philosophy and chemistry, and given him a poor pitiful salary of twelve hundred dollars. Damn them; he reckoned they would make him next professor of *cash-bores* and *turnips*—and much more such conversation which I cannot now detail, but the above is the substance of the conversation.

AUGUSTIN S. CLAYTON.

Sworn to, before me, this 8th August, 1811, at Athens, ROBERT WALKER, judge.

True copy from the original now of file with my papers. DUNCAN G. CAMPBELL, sec'y.

The foregoing charges having been exhibited against Mr. Professor Meigs, which call for a full and complete investigation in account of their involving matters which strike at the honor and integrity of this board, and tend to bring the institution into contempt and disgrace; and as it is a principle of justice, that all persons charged with offences should have an opportunity of meeting their accusers, and have a fair and impartial hearing:—

It is therefore Resolved, That the said charges be entered at large on the minutes, and the originals filed with the secretary, and that a copy of charges, together with this resolution, be served on Mr. Meigs without delay, that he may have an opportunity to deliberate thereon, and answer thereto.

Extract from the Minutes,

DUNCAN G. CAMPBELL, sec'y.

I attended the board of trustees immediately with the hope of justifying myself on a full and impartial hearing. That this investigation might be full, and accurate, I desired to have the assistance of John Forsyth, esq. and mentioned his name to the board. Extraordinary as it may seem, there was a difference of opinion not only with respect to my having the assistance of council, but with regard to the right of cross-examining the witnesses, whose affidavits were the only evidence produced against me. Mr. Hull the accuser and witness against me, voting that I should be denied both privileges, there was an equal division of the

board, and the president, and the general Clark, decided in my favor. Before the necessary arrangement could be made for the production of the witnesses I proposed to introduce, I was sent for and informed by the board, that the question had been re-considered, and I was not to have the assistance of council or the benefit of a cross-examination—they were ready to hear my defence, and I might be permitted to procure affidavits, &c. It was proposed to postpone this investigation until November, but I preferred a determination of it immediately. On the succeeding morning, I produced the following affidavits, and read my defence, which, defective as it necessarily is from the unprecedented mode of investigation, contains, I trust, sufficient matter to acquit me of all imputation of guilt in the minds of rational and unprejudiced men.

Being called on to state whether Mr. Meigs did make use of certain expressions attributed to him by Mr. Hull, and said to have been made in the printing-office on the day after commencement of 1810. I do declare that Mr. Meigs never did, in my hearing, to the best of my recollection, make use of said expressions—and that I was present the whole time alluded to by Mr. Hull, and paid particular attention to what was said—Mr. Meigs did say, that Mr. Campbell was unfit to be secretary to the board of trustees, that he was too slow, and that the appointment ought to have been given to James Meriwether, or words tantamount to it. The conversation that took place yesterday between Mr. Clayton and Mr. Gaines, respecting information given for publication in the *Express* and written by Mr. Gaines, Mr. Clayton himself acknowledged, that said information was expressed by himself.

ALEXANDER M'DONNELL.

Sworn to, before me, this 9th day of August, 1811. ROBERT WALKER, judge.

Being called on to state whether Mr. Meigs did make use of certain expressions attributed to him by Mr. Hull and said to have been made in the printing office on the day after the commencement in 1810, I do declare that Mr. Meigs never did, in my hearing, to the best of my recollection, make use of said expressions—and that I was present the whole time alluded to by Mr. Hull; and paid particular attention to what was said. Mr. Meigs did say, that Mr. Campbell was unfit to be secretary to the board of trustees, that he was too slow, and that the appointment ought to have been given to James Meriwether. As to the expression said by Mr. Hull to have been made use of respecting judge Early, I never heard Mr. Meigs make use of such language. I have frequently heard Mr. Meigs speak very highly of judge Early. The charges exhibited by Mr. Clayton, I have read—one of which I testify against, that Mr. Meigs furnished me with the information in a piece published in the *Express*, &c. Mr. Meigs never did furnish me with any information for publication. Mr. M. never saw any of the publications written by me, and signed *Voter* until they appeared in print. On the contrary, Mr. Clayton did yesterday acknowledge, that he himself gave me the information.

KEN. G. GAINES.

Sworn to, before me, this 9th day of August, 1811. ROBERT WALKER, judge.

I heard a conversation between Mr. Meigs and Mr. Clayton shortly after Mr. Meigs returned from Augusta, on the subject of the election. It took place at Mr. Meigs's house. Mr. Meigs stated to Mr. Clayton that he could not vote for him, but would take no means to prevent his election. Mr. C. was apparently well satisfied with this declaration, and no warmth of conversation was visible during his visit. EMILY BENJAMIN.

Sworn to, before me, this 9th day of August, 1811. ROBERT WALKER, judge.

Mr. Meigs the week after the commencement, in the year 1810, went to Augusta to visit my family, and remained there until the 26th, or 27th of August. In a variety of conversations with Mr. Meigs, on the subject of the proposed sale of the public lands belonging to the institution, he has expressed his opinion of the impolicy of such a sale, and the ability with which judge Early examined that question. But no observation has ever fallen from him in my presence reflecting upon the honor and integrity of the board in their decision on that or any other question: if such observations had been made by him, I presume I should have been among the first to whom such remarks would have been made. JOHN FORSYTH.

Sworn to, before me, this 9th day of August, 1811. ROBERT WALKER, judge.

The foregoing affidavits are truly copied from the originals now of file in this office. DUNCAN G. CAMPBELL, Sec. of the University.

Gentlemen of the Board of Trustees—In making a defence to the charges exhibited against me by Hope Hull, I trust I do not violate the respect due to the board, in remarking the difficulty of defending myself from charges supported by *ex parte* affidavits, which detail conversations and contain no facts. All details of conversations are necessarily defective. The conversations stated, are said to have taken place twelve months since, are liable to the inefficiency of memory and the distortions of malice.

Even persons the best intentioned, frequently substitute the impressions made by the words used, for the words themselves; and, oftentimes, the words will not to other persons convey the same impression. If it had been permitted me to ascertain before whom these conversations happened, and at what time and place, an opportunity might have been afforded to shew, that the accusation was unfounded. These observations are intended not as a defence, but to account for the circumstance of this defence being neither so full or satisfactory as I could wish.

The charge against me is, "that I have called in question, the honor and integrity of the board of trustees, intending to bring this insti-

tution into contempt and disgrace." To prove this charge, is exhibited an affidavit of Mr. Hull, relating part of a conversation before the printing-office, the day after the commencement of last year, with respect to the election of Mr. Campbell as secretary. Supposing this part of the affidavit to be literally true, which is denied; yet by it neither the honor nor integrity of the board is called in question. But I trust that such observations or any other of a similar nature, made in a moment of irritation, are not to be treasured up and recorded as proofs of a deliberate intention to vilify and injure. The best men are liable to moments of the loss of self-command, and make observations which they afterwards regret, and I have always considered that this regret is atonement sufficient for the offence. The balance of the affidavit of Mr. Hull, is too general and indefinite to answer, except a simple denial of the fact. It may be the result of several conversations, but there is no clue afforded to ascertain where they took place, or how they occurred. It is liable to another serious objection; it is the substance of a conversation, or conversations—in other words it is Mr. Hull's impression of what was said. But even that contains no direct charge. If this declaration had been made, it is nothing more than that judge Early had great influence in preventing the sale of the public lands, and prevented somebody from pocketing the money. Mr. Hull has very cautiously avoided intimating his impression who was to pocket the money; the intention however is obvious enough—the meaning intended to be conveyed is, that the money was to be pocketed by the trustees: Such an accusation cannot be believed. That I should charge the board who had just determined not to sell, with an intention of pocketing the proceeds of a sale is absurd—judge Early would not have prevented such a plan if it had been intended. I have said, and I repeat it, that in my opinion judge Early deserved well of the state and of the institution, for his perspicuous argument on this subject, and I have never doubted that his arguments had due weight in determining what was considered a doubtful question. But although this money was to be pocketed, Mr. Hull does not ascertain how or by whom—it he understood it at that time in the way now intended to be conveyed, it is somewhat surprising that he, who was certainly one of the persons implicated as a member of the board, did not, in the conversation, fully develop the extent of the charge. I trust it will not be deemed indecorous to remark that no rational being would attempt to bring a corporate body into contempt and disgrace, by observations made to the members thereof, or to them only or their officers.

But although Mr. Hull is not sufficiently distinct and particular, Mr. Clayton is very full and express. I flatter myself however, that I have it in my power to demonstrate that the charge against me is not established even by this ingenious composition. Full and explicit as it is, he very modestly states that it is only the substance of a conversation, although he has done me the honor to put the words into my mouth. Where this conversation took place is wisely concealed, and Mr. Clayton would have been more wise had he not attempted to say when. He has been guilty of a huge inaccuracy in respect to times and dates, which, as he was on oath, ought to have been avoided—a few days after the commencement this conversation was had, and reference made to an Essay against him in the *Express*. The commencement of 1810, was on the 8th of August, and the paper containing the essay, which is before the board, is dated the 25th of August, 1810.

Four days after the commencement of 1810, I left Athens for Augusta; on the 29th I arrived at Athens. But Mr. Clayton states, that I have told him a falsehood with no possible indecement but to excite his enmity against me, viz. that I had given the information stated in the *Express*, and that I would furnish other facts. Now, it unfortunately happens, that so far from giving the information stated in the *Express*, it came from himself, and that this morning, August 8, 1811, he acknowledged this truth. I must therefore have fabricated a falsehood for the purpose of exciting Mr. Clayton's enmity against me; or this part of his affidavit is not true. Not content with uttering falsehoods for me, from this powerful motive, he makes me guilty of the vilest absurdity. I am made to class Mr. Clayton with great men; and I am made to threaten to expose the dishonesty of the board, if they had turned me out of an office—what office—an office which had been resigned, and the intention of which resignation had been known for several months before; to call the board a pack of rascals and speculators, who wished to sell public lands, and squander away the money to their own uses. I feel a degree of degradation I never before experienced, at being under the necessity of denying such miserable and incredible follies.

But that the affidavit may be more thoroughly understood, I must call the attention of the board to that part of it in which he is doubtful about the expressions used, although he is stating only the substance of the conversation. He says, but for one honest man, or the only honest man among them, viz. the board, &c.

There is a very essential difference between the two terms, as the latter implies that the rest of the board were not honest. As Mr. Clayton was stating only the substance, his anxiety to be particular is praiseworthy in the extreme, and merits what I trust it will receive, the attentive examination of the board. In the spirit in which this affidavit was composed, and Mr. Clayton's profound regard for correctness, he concludes by stating, that there was much more such conversation which he cannot now detail; but the above is the substance of the conversation. After giving the whole substance of all the conversation, there is a great deal of substance which cannot now be detailed; whether this arises from a defect of inclination or of memory, he does not condescend to state. The only conversation I ever had with Mr. Clayton on the subject of the election was in my house to which Mr. Clayton came for the purpose of ascertaining, whether I would be opposed to

him or not in his pretensions to a seat in the state legislature. I stated to Mr. Clayton, that I could not vote for him, but that I would not oppose him. This fact, which totally contradicts the contents of the charge, is evidenced by testimony which I should not have resorted to, but for the circumstance that the conversation took place where no one could have knowledge of it, but my own family.

I cannot but again remark, that it is very extraordinary, the only evidence of my wish to injure the institution, or calumniate the board, is the evidence of the very last persons to whom such an intention ought or would have been expressed. It is a circumstance incredible, in itself, that an individual intending to do an injury of this kind, would commence by stating that intention to persons who were bound by duty, and prompted by inclination to disclose the object, and prevent the possibility of its accomplishment; and still more incredible, that they should be the only persons to whom observations having that tendency should be made.

It is well known to this board, that my sanguine expectations of the prosperity of the institution have been disappointed, that I have suffered much from calumny and from pecuniary embarrassments arising from a deficiency of money in the treasury. It is well known also, and better known than to myself, that there has for many years existed an uncommon variety of clashing interests, and that, as the university naturally possesses influence, it was deemed necessary to oppose that through me.

Under the pressure of such difficulties and such irritations, it is neither wonderful, nor will it, I trust, be deemed unpardonable, that I have made use of some harsh and imprudent observations, which cannot be recollected without regret. I trust, however, that the board will duly estimate the vast difference between a sally of passion, and a deliberate intention to do serious evil; between the expression of a resentment which died with the breath which produced it, and the promulgation of an infamous and cold-blooded calumny. JOSIAH MEIGS.

It will be remarked that the only instance in which either of my accusers have ventured to state the time and place of conversation, I have been able to produce the testimony of two witnesses in direct contradiction of the statement.—After reading my defence, although I had been denied the privilege of cross examination, to prevent embarrassment (this was the reason urged by those who were opposed to allowing this right) Mr. Clayton, the treasurer of the board, and one of the witnesses was heard in reply. On the question of removal, Mr. Hull again voted. He was accuser, witness, and judge.

It is worthy of observation, that in the sentence, the board have not related that the charges were proved. They find that I had been guilty of great misconduct and ought to be removed from office. If the misconduct consisted in the observations imputed to me, and attempted to be proved, I conceived it ought to have been so stated; if for any other misconduct, they have condemned me without investigation, and contrary to their own ideas of the principles of justice, which require, "That all persons charged with offences, should have an opportunity of meeting their accusers, and have a fair and impartial hearing." J. Meigs.

In the Board of Trustees, 9th August, 1811.

The Board of Trustees having this day heard the defence of Mr. Professor Meigs, and the affidavits exhibited in support thereof, and having maturely considered the same, together with the charges and proofs exhibited against him, are of opinion, that he hath been guilty of great misconduct, and ought to be removed from his office.

Whereupon Resolved, Eight Members voting in the affirmative, that Josiah Meigs, be and he is hereby removed from the office of professor of Mathematics, Natural Philosophy and Chemistry, in Franklin College.

Ordered, That a copy of the foregoing be served on Mr. Meigs by the secretary.

Ordered, That the affidavits submitted by Mr. Meigs, in his defence, be filed with the secretary. Extract from the Minutes, D. G. CAMPBELL, sec'y.

This resolution of the Board extends only to the affidavits introduced by me. My denial of the charge which was made in writing, and to which I wished to add the solemnity of an oath, but was prevented by the board, is not on the records of the institution, and the defence which I read was returned to me by the secretary. On these things it is not my purpose to remark, my sole object in this publication is to give the community an opportunity of knowing the extent of the charges against me, the nature of the evidence and the mode of investigation.

JOSIAH MEIGS

Athens, 9th August, 1811.

Stolen,

From the subscriber's lodgings, on the afternoon of the 26th inst. a small GOLD WATCH, to which was attached, a GOLD CHAIN and KEY; the Watch has a single case; the works French, the case and face English, maker's name *Ageron*, No. 775; the chain a heavy one, with a large flat Key, a Cornelian in the centre. A liberal reward will be given for the thief and property, or for the thief alone. George A. Port.

sept 28—117

Notice.

An Election will be held on MONDAY, the 7th day of October next, at the Court house in the city of Savannah, for a SENATOR and three REPRESENTATIVES, to represent Chatham County in the next State Legislature.

Timothy Barnard, jun. J. C. C. C. William A. Moore, J. P. John Pettibone, J. P.

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Bills of Lading,

For sale at this office.