



*In Senate,*

April 4, 1829.

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**REMONSTRANCE**

**Of the Rutgers Medical Faculty against  
the communication of the Regents  
inclosing the annual report of the  
College of Physicians and Surgeons  
of New-York.**

*To the Honorable the Legislature of the State of New-York,  
in Senate and Assembly convened.*

Remonstrance against the communication from the Regents of the University, transmitting the annual report of the College of Physicians and Surgeons in the city of New-York:

The undersigned, though exceedingly reluctant to obtrude themselves upon the time and attention of the legislature, yet having been brought before its view already, in the report of the College of Physicians and Surgeons of the city of New-York, communicated by the Regents on the 25th of March, inst., in a way intended to prejudice the application of the undersigned for a charter, now pending before your honorable body, and to do them other injury, most humbly solicit of your justice to investigate the accusation preferred, that it may not affect them in your good opinion,

if they shall be innocent, nor avail their enemies against them, when it is proved to be groundless.

It is alleged in the aforesaid report, that the edifice erected by the undersigned, for teaching medical and physical science, was built by funds derived from the College of Physicians and Surgeons. Here an assertion is made; we join issue with the reporters on its truth, and challenge them to the proof. This is the only way that the truth or falsehood of the charge can be established. They further allege, as professors we received nearly the whole advantage of the pecuniary aid heretofore given by the state to the said college. Let them produce the accounts; the Regents have them all under the seal of the corporation, and if the reporters advance nothing incorrectly, they will have an easy triumph.

In the mean time, we beg leave to direct your attention to the report of the committee consisting of Lieut. Governor Ball, Judge, Mr. Van Rensselaer and Mr. Marcy, appointed by the Regents to visit the College of Physicians and Surgeons in the city of New-York, and which report is dated October the 15th, 1825, and recorded in the journals of your honorable body. This committee investigated the concerns of the college, and the conduct of the professors and trustees, during several days, very much at large. It called upon the adversaries of the professors to bring forward their charges and proofs; but when thus pressed, those persons, and they are partly still the same who cast the recent calumnious aspersions, declined being accusers, and confessed they had no complaints to prefer; and further, the said committee of the Regents declare, they are happy to find there was no suggestion or pretence of any misapplication or abuse of the funds and finances of the institution, on the part of the professors: v. p. 11 and 12 of the report, under the head finances.

When the undersigned resolved to apply to the legislature for a charter, they were not unaware that their claim would be opposed by their neighbor in Barclay-street; but they did little expect the extravagant imputation of their having carried off the funds of the College of Physicians and Surgeons, to build therewith the College in Duane-street; and still less that it would find a sort of indirect countenance from any one who had access to the financial reports made so frequently to the Board of Regents. As well might we say that our lawyers were maintained at the public expense, because the court-houses in which they conducted their business, were erected out of the monies of the people.

But it seems that the want of success complained of by the great Medical institution of this state, is to be attributed to the fact that another medical college exists in the city. So it undoubtedly is, and so it is very likely to continue.— Formerly there were three medical colleges in the city, and that one was seen to triumph in which there was most talent and learning. Thus it ever will be where free competition is allowed; mediocrity will be distanced in the race: And is it for the public good or advancement of science that trammels be put upon the speedy, in order to secure the rewards of swiftness to the slow? The same professors who succeeded heretofore, still keep the tenor of their accustomed lead; but their rivals ask, and we deeply regret that the regents should favor the demand; our rivals ask that our college be oppressed in order that theirs may succeed. Only give us money, say they, and the exclusive right of qualifying physicians, and our benches will be filled. We say, grant us but a charter, and we will build up the great medical institution of the state without costing the state one cent. Our proofs have been given for nearly twenty years.

We ask no money, no monopoly, no patronage; we are content to rely for reputation on our talents and science,

and for reward upon our services. We do not desire to shut up any other college, in order that students may have no school but ours to frequent. We do not seek to infringe their liberty for our profit, nor drag them by compulsion where they would not go of choice. For the honor of our state, for the honor of science, for the age of light in which we live, let it not go forth to the world, that in New-York was found a body so powerful and so injudicious, as to influence the legislature against a thriving healthy institution of science, for the sake of forcing into existence a favorite institution, that exhibited no commanding vigor of its own. If, as some contend, one medical institution only should be fostered, is not that one to be preferred which has already encompassed itself with public confidence and fame, rather than this other, which clings to the befitting stay of feebleness, *monopoly*? Which is more properly the great medical institution of the state, the one that towers above the forest, or that which dwindles in its shade? It was the answer of ~~Mr. Adams~~ to a similar application in favor of a monopoly and peculiar privileges in science, that he would preserve at least the republic of letters.

Your remonstrants humbly intreat that your honorable body will take the premises into consideration, and grant such redress in the same, as to your wisdom shall seem meet.

DAVID HOSACK, M. D. *Pro. of the Institutes,  
Practice of Physic and Clinical Medicine.*

WM. J. MACNEVEN, M. D. *Professor of Therapeutics and Materia Medica.*

VALENTINE MOTT, M. D. *Pro. of Surgery.*

JOHN W. FRANCIS, M. D. *Professor of Obstetrics and Forensic Medicine.*

*City of New-York, March 31, 1829.*

