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**IN THE SUPREME COURT OF THE STATE OF VERMONT**  
**CASE NO. 25-AP-148**

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**Hon. James H. Douglas, Special Administrator  
of the Estate of John Abner Mead  
*Plaintiff/Appellant***

**v.**

**The President & Fellows of Middlebury College  
*Defendant/Appellee***

APPEALED FROM: Vermont Superior Court, Civil Division, Addison Unit  
CASE NO. 23-CV-01214

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**APPELLANT'S PRINTED CASE**  
**VOL. III**

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Hon. James H. Douglas, Special  
Administrator of the Estate of John  
Abner Mead, *Appellant*

By: L. Brooke Dingledine, Esq.  
Valsangiacomo & Pelkey  
*Attorneys for Appellant*  
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<b>N</b>	Probate Order Appointing Administrator		Vol. 4 27-30	<b>324</b>

## EXHIBIT LIST

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GG	Last Will and Testament of John A. Mead

# EXHIBIT A

{B2833930.1 00307-1805}

STATE OF VERMONT

SUPERIOR COURT

Rutland      Unit

PROBATE DIVISION

Docket No.

In re ESTATE of:

John Abner Mead

John Abner Mead \_\_\_\_\_ was a resident of Rutland, Vermont \_\_\_\_\_  
Decedent \_\_\_\_\_ Town/State  
and died on January 12, 1920 \_\_\_\_\_ leaving assets to be administered with estimated values of:

Real Estate	\$ _____
Personal Estate	\$ _____ 5,000,000.00
Total	\$ _____ 5,000,000.00

Decedent left:  no known Last Will and Testament OR  
 Last Will and Testament dated March 19, 1919  
 Codicil(s) to the Will, if any, dated \_\_\_\_\_

Attached are:

1. Entry fee; checks or money orders payable to Vermont Superior Court
2. Certified copy of the death certificate
3. List of Interested Persons (form 700-00002)
4. ORIGINAL Will and any Codicils (if any)
5. For Ancillary (out-of-state) estate, include **authenticated copy of Will and probate from decedent's primary estate.**

Petitioner requests that the Will, if any, be allowed and an estate be opened and the following named person be appointed to administer the estate:

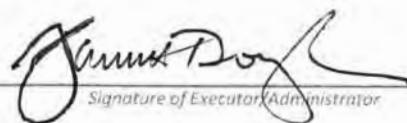
The Honorable James H. Douglas \_\_\_\_\_  
Proposed Executor/Administrator  
109 South Munger Street, Middlebury, VT 05753 \_\_\_\_\_  
Mailing Address  
802-443-5549 / James.douglas603@gmail.com \_\_\_\_\_  
Telephone/Email

This is the person named as executor in the Will.

**ACCEPTANCE OF APPOINTMENT**

I accept the appointment as Executor/Administrator and ask that the appointment documents be issued to me at the address above.

5/3/22  
Date

  
Signature of Executor/Administrator

**CONSENT OF SURVIVING SPOUSE, IF ANY, AND CONSENT OF ALL HEIRS AT LAW**

Please note that 14 V.S.A. Section 107(a) provides that if Consents are filed with the Court from all the heirs at law and the surviving spouse, if any, then a Will may be allowed without a hearing. If all consents are not obtained, then the Court shall schedule a hearing and notice shall be given as provided by the Rules of Probate Procedure.

We, the surviving spouse, if any, and the heirs at law of the decedent, consent to the Allowance of the Will, if any, the Petition to Open Decedent's Estate and the appointment of the above as Executor/Administrator.

I acknowledge I have been served with the Petition to Open Decedent's Estate in the above entitled action, including all papers referred to in the Petition. I waive the right to object to any action of the Court, regarding the Petition referred to above, and I waive the requirements for a Hearing regarding such Petition.

Signature

Print Name

Date

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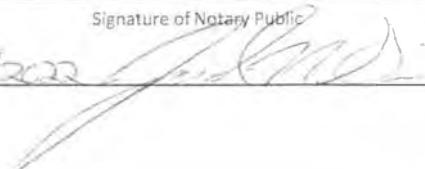
**Petitioner's signature must be notarized.**May 3, 2022  
Date

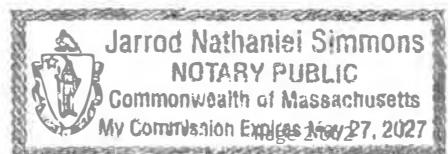
Signature of Petitioner

James L. Hinsman, Petitioner, 31 Barlow Street, Jamaica Plain, MA 02130

Mailing Address

(617) 953-7333 / [jameshinsman@yahoo.com](mailto:jameshinsman@yahoo.com)  
Telephone/Email**Signed and sworn to before me:**

Date	Signature of Notary Public	Expiration Date
05/03/2022		05/27/2027



700-00001 – Petition to Open Decedent's Estate (04/2020)

## STATE OF VERMONT

## CERTIFICATION OF VITAL RECORD

FILED: 5/10/2022 12:23 PM  
 Vermont Superior Court  
 Rutland Unit  
 22-PR-02895

## VERMONT CERTIFICATE OF DEATH

John Abner Mead

Aliases: None

Date of Death: January 12, 1920

Time of Death:

Age: Unknown

1441920203442  
State File Number

Date of Birth: April 1841

Birthplace: Fair Haven, VT

Sex: Male

Mother's/Parent's Birth Name: Lydia A. Gorham

Father's/Parent's Birth Name: Roswell Rowell Mead

Marital Status: Spouse/Civil Union Partner:

Residence: Rutland City, VT

Hispanic Origin:

Race:

Occupation:

Business/Industry:

Education:

Ever in U.S. Armed Forces:

Veteran of Any War:

Hospice Care (In past 30 days):

Place of Death: Rutland City, VT

Informant:

Relationship:

Disposition Date:

Place of Temporary Storage:

Method:

Place of Final Disposition:

Funeral Director/Authorized Person:

Address:

Cause of Death and Interval (Onset to Death):

Manner of Death:

A. Lobar Pneumonia (Unknown)

## Other Contributing Conditions:

Did Tobacco Use Contribute to Death:

Pregnant at Time of Death:

Date Pronounced Dead:

Time Pronounced Dead:

Medical Examiner Contacted:

Autopsy Performed: Unknown

Injury Date/Time:

Injury at Work:

Transportation Injury:

Injury Place:

Injury Location:

How Injury Occurred:

Medical Certifier:

Date Certified:

Other Attending Physician:

Registration:

*Jean DeCell*

Jean DeCell, State Registrar

Date Registered:

Printed from Vermont Electronic Death Registration System on: April 05, 2022

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE INFORMATION ON THE ORIGINAL CERTIFICATE ON FILE IN THE VERMONT DEPARTMENT OF HEALTH OR CUSTODIAL AGENCY.

DATE ISSUED: APR 05 2022

ATTEST:

*M. L. King, Jr.*  
Commissioner  
Vermont Department Of Health

This copy not valid unless prepared on engraved border displaying state seal of Vermont PC Vol. III - p. 009

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



STATE OF VERMONT

SUPERIOR COURT  
Rutland Unit

PROBATE DIVISION  
Docket No.:

In re ESTATE of:

John Abner Mead

**LIST OF INTERESTED PERSONS**

Petitioner, being first duly sworn, states that the following is a list of interested persons, as defined in 14 VSA § 311 & 314

1. The surviving spouse.
2. If there is no surviving spouse, or the surviving spouse is not the parent of all the decedent's children, then the interested persons must include all "heirs at law".
3. The "heirs at law" include:
  - a. All living children of the decedent;
  - b. All living grandchildren who are children of any deceased children; and
  - c. All living great grandchildren who are children of deceased grandchildren who are children of deceased children, etc.
4. "Children" includes all adopted children; it does not matter if the children have had no contact with the decedent, or if the Last Will and Testament, if any, would disinherit one or more of them.
5. If there are no living "issue" (children, grandchildren, etc), then the "heirs at law" are the living mother and father of the decedent.
6. If there are no issue and no parents, then the "heirs at law" include the living brothers and sisters of the decedent and the living issue of any deceased brothers and sisters.
7. If there are no issue, no parents, and no brothers and sisters of their issue, then the "heirs at law" are the next closest kin in equal degree.
8. All other persons or entities named in the Last Will and Testament, if any.

Name	Address	Interest/Relationship to Decedent	Date of Birth (if under 18 years)
Mary Mead Hinsman Raymond	3000 Galloway Ridge D-202 Pittsboro, NC 27312	Gr. Granddaughter	
David C. Hinsman	23 Bristol Road Plattsburgh, NY 12901	Great Grandson	
Carl B. Hinsman	43 Jalbert Road Barre, VT 05641	Great Grandson	
Estate of John A.M. Hinsman, Jr.	Glenda Hinsman, Executor 160 Vista Drive, Sayre, PA 18840	Gr Grndsn's Estate	
John A.M. Hinsman Jr. Rev. Trust	Bank of America, Trustee c/o Christopher Kinlaw, Trust Officer 100 Federal Street, MA5-100-09-14 Boston, MA 02110	Gr Grndson's Trust	
Glenda L. Hinsman	160 Vista Drive Sayre, PA 18840	Gr Grandson's wife	
John A. M. Hinsman, III	511 Beccaris Drive Rollingsford, NH 03869	Gr.Gr. Grandson	
James L. Hinsman	31 Barlow Street Jamaica Plain, MA 02130	Gr.Gr. Grandson	
Laura Hinsman Harshbarger	4140 Taylor Road Jamesville, NY 13078	Gr.Gr. Granddaugh	

Name	Address	Interest/Relationship to Decedent	Date of Birth (if under 18 years)

*Attach additional sheets if necessary*

Are any of the children of the decedent listed above, also children (either natural or adopted) of the surviving spouse?

YES

NO

If YES, please list names of children of both decedent and surviving spouse below:

\_\_\_\_\_

\_\_\_\_\_

I declare that the list of persons above (with additional sheets, if any, attached) is complete and accurate to the best of my knowledge, information, and belief, after diligent inquiry.

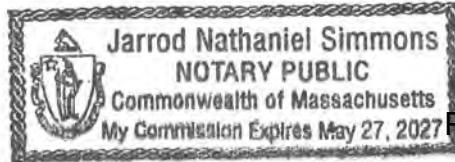
May 3, 2022

Date

Signature of Petitioner

Signed and sworn to before me:

Date	Signature of Notary Public	Expiration Date
05/03/2022		05/27/2021



Form PE17

**SUPERIOR COURT**

RUTLAND

Unit

**STATE OF VERMONT**

**PROBATE DIVISION**

Docket No. \_\_\_\_\_

**In re ESTATE OF**

Decedent John Abner Mead

### **MOTION TO APPOINT SPECIAL ADMINISTRATOR**

Petitioner requests the Court appoint a special administrator to take charge of this estate for the following reasons:

To prosecute legal claims of the Decedent for breach of contract and/or for breach of the conditions of the conditional gift of the Mead Chapel to Middlebury College.

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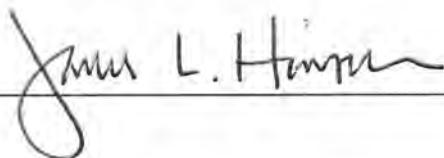
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Petitioner nominates the following named person:

Proposed Special Administrator The Honorable James H. Douglas	Mailing Address 109 South Munger Street
Telephone Number 802-443-5549	Email James.douglas603@gmail.co <sup>+</sup>

DATE: 5/4/2022

PETITIONER SIGNATURE: \_\_\_\_\_



Petitioner name - IF NOT NOMINATED SPECIAL ADMINISTRATOR James L. Hinsman	
Mailing Address 31 Barlow Street	
City, State, Zip Jamaica Plain, MA 02130	
Telephone Number (617) 953-7333	Email jameshinsman@yahoo.com

STATE OF VERMONT

SUPERIOR COURT  
Rutland      Unit

PROBATE DIVISION  
Docket No.:

In re ESTATE OF

*Decedent*  
John Abner Mead

ESTATE ADMINISTRATION BOND

The undersigned is/are obligated to the Vermont Superior Court, Probate Division, in the sum of \$ \_\_\_\_\_

- without surety  
 with \_\_\_\_\_ of \_\_\_\_\_ as personal surety,  
 with \_\_\_\_\_ of \_\_\_\_\_ as corporate surety,

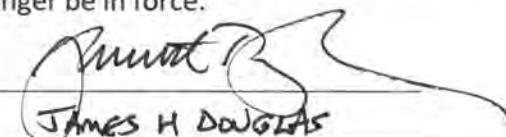
to secure the performance of the following duties:

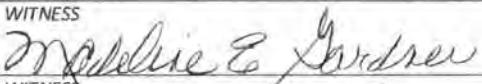
1. Within 60 days of the issuance of letters of administration, file with the Court an Inventory of all assets of the estate;
2. Administer the estate according to the Will and Codicils, if any, and the laws of the State of Vermont;
3. File an accounting with the Court within one year, annually thereafter, and at any other time when required by the Court;
4. Pay all taxes as required;
5. Pay over the balance of the estate according to the Will and Codicils, if any, and otherwise by law;
6. Perform all orders and decrees of the Court;
7. \_\_\_\_\_

When these duties are fully performed, this bond shall no longer be in force.

DATE: 5/9/22

EXECUTOR/ADMINISTRATOR SIGNATURE(S):

  
James H. Douglas

WITNESS 	PRINT NAME Madeline E. Gardner
WITNESS 	PRINT NAME RICHARD F. GARDNER

DATE: \_\_\_\_\_

SURETY SIGNATURE: \_\_\_\_\_

SURETY NAME
MAILING ADDRESS
CITY, STATE, ZIP

**STATE OF VERMONT**

**SUPERIOR COURT**

**PROBATE DIVISION**

Rutland      Unit

Docket No.:

**In re:**

Estate of John Abner Mead

Case Type:

Estate

Trust

Guardianship

**INVENTORY**

**INSTRUCTIONS: (PLEASE READ CAREFULLY)**

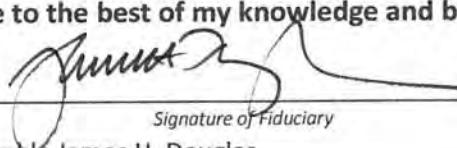
List all real and personal estate. Give the **fair market value** as of the decedent's date of death for decedent estates and as of date of fiduciary's appointment for all other cases. If you use an **appraiser**, the name and address of each appraiser and the items appraised must be attached to this inventory. **Real estate** descriptions must include type of deed, grantor(s) and Grantee(s), date of execution, Book and Page numbers and Town where recorded. **Bank accounts** should be identified by name of bank, type of account, and account number, and balance. Other investment accounts should be similarly identified. Any **liens** should be identified by name of lien-holder and approximate amount owed, within the property description. **The inventory must be signed and notarized, the original filed with the court and copies to all interested persons and a certificate of service, filed with the Court.**

Item #	Description of Item	Fair Market Value	Mortgage or Lien
1	Potential proceeds from civil lawsuit re: Mead Chapel	\$ 5,000,000.00	\$ 0.00
Total(s) Page 1		\$ 5,000,000.00	

Item #	Description of Item	Fair Market Value	Mortgage or Lien
Total(s) Page 1		\$ 5,000,000.00	
Total(s) Page 2			
Grand Total(s) Pages 1 & 2		\$ 5,000,000.00	

I hereby declare that this inventory is complete and accurate to the best of my knowledge and belief.

5/9/22  
Date

  
Signature of Fiduciary  
The Honorable James H. Douglas  
Printed Name

Signed and sworn to before me:

Date 5/9/22 Signature of Notary Public Madeline E. Gardner

Expiration Date  
1/31/23

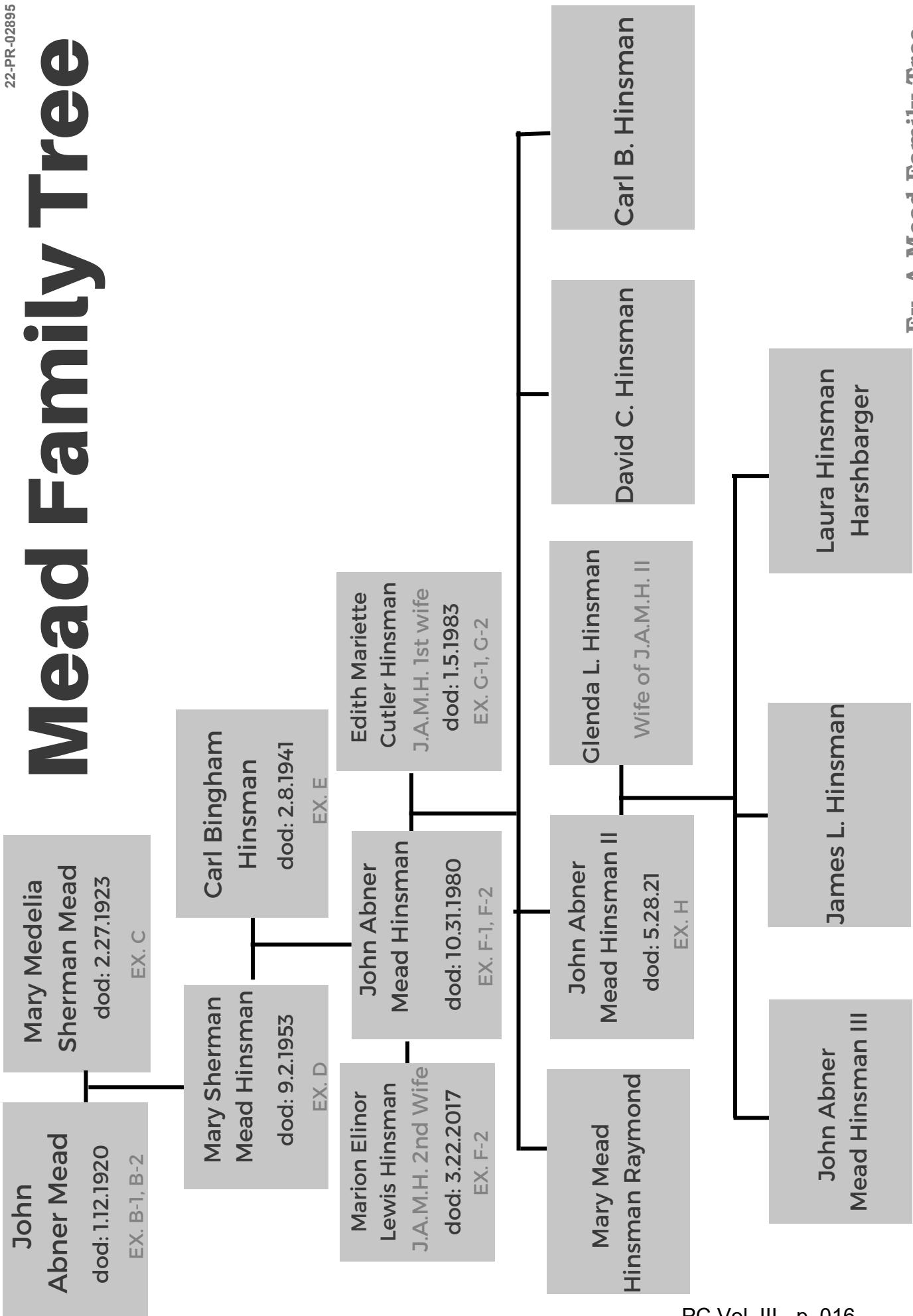


#### Appraisal Information

If any of the listed items were appraised, list item #, appraiser's name and address.

Item #	Appraiser's Name	Appraiser's Address

# Mead Family Tree



# EXHIBIT B

{B2833935.1 00307-1805}

No. 12166

ESTATE OF

Johie A. Meek  
City of Reedland

Administration Account

Filed January 6, 1920

Hearing before me, 1920  
personal and less than  
the amount of the claim  
of the widow record  
deed of title were never  
recorded and received  
deed.

J. G. Coughlin

## STATE OF VERMONT

Reftland  
Carl B. Hinman  
late of Reftland

DISTRICT, ss.

Executor

Administrator, Executor of the estate of John A. Mead

in said District, deceased, in account with said estate.

Filed Jan. 6, 1923.

To the Estate

Dr.

Cr.

Securities	Bonds	45	7	393	93
Do	Stocks	26	4	448	16
Nates & Mortgages		67	9	255	96
Real Estate		17	4	516	66
Personal Fam Property		7		359	70
Household Effects		1		138	50
Automobiles		4		000	
Cash		92		897	63
Securities	Stocks	25		950	50
Cash		705		69	
Gross Income 1920-1921-1922		26	4	453	69
Gross Estate		1972		120	42

Securities	Bonds	2866470
Nates & Mortgages		8371637
Gross Expenses Tax etc " 1920-1921-1922		31907628
Real Estate Sold Jackson Kill Ave		486666
Gross Cr.		43632351
Paid probate fees in closing estate		445350
Balance of Estate		44077101

Balance of Estate 153134341

Carl B. Hinman Executor

We the undersigned, residuary legatees and devisees and all persons interested in the distribution of the Estate of John A. Mead deceased, hereby assent to and approve the above account of Carl B. Hinman Executor, waive all other and further notice of accounting and decree and request the Probate Court to allow said account as rendered, as of Jan. 6, 1923 and make decree according to law.

Mary Mead HinmanMary Sherman Mead Estateby Fred C. Spencer Adams

12/166.

sets up, now estimates no beliefs on anything back into  
the 1970s to 1980s.

With all the belief in there no longer no age  
of 30, but

the 1970s, 1980s and 1990s  
beliefs to now the belief that

beliefs to the belief no legislation has been passed as its  
true belief at

of legislation as some sort of belief of  
political evolution but taken out because there are  
more and more believe that it is not true that the  
beliefs that have been passed are true about the  
legislation. It is not to filtered out nor updated because  
there are many other pieces of evidence to support the  
legislation but they have been passed with a certain  
amount of evidence, according to the evidence which can  
survive after the fall of governments, because angles but  
little belief to another

in this case the belief of the belief of the belief but

several pieces of evidence of course this would  
have and will be continued to be continued to be

to the end of the century by evidence from some belief to  
believe to yes, that is the belief of the belief of the  
belief, published in A. D. 1983. (SMA)

Vol. 154 Page 489

and Whereas, Carl B. Hinsman and Mary Mead Hinsman,  
Farm in Town of Rutland.

Land in Clarendon, Vermont,

as per inventory and appraisal on file in said Court.

And Whereas, Mary Sherman Mead, Mary Mead Hinsman,  
Carl B. Hinsman, J. A. M. Hinsman, Carl B. Hinsman and the Society  
for Social and Religious Worship in the east Parish of  
Rutland (The Congregational Church of Rutland) are all  
of the legatees and devisees mentioned in said will.

And Whereas, it has been made to appear to said  
Court that the said John Abner Mead, deceased, left him  
surviving his widow, Mary Sherman Mead, and as only next  
of kin and sole heir at law, Mary Mead Hinsman, wife of  
Carl B. Hinsman, of the City of Rutland, Vermont; that  
the said Mary Sherman Mead, living at the decease of the  
said testator, deceased on the 27th day of February, A.  
D. 1923, intestate, leaving as sole heir at law and only  
next of kin the said Mary Mead Hinsman, and that Fred C.  
Spencer of said City of Rutland, is the duly appointed,  
qualified and acting administrator of her estate.

Mead, widow, and the said Mary Mead Hinsman, daughter,  
of said testator, as intestate estate according to the

And Whereas, Carl B. Hinsman and Mary Mead Hinsman, his wife, parents of the said J. A. M. Hinsman, are the duly appointed and acting Trustees, without bonds, as provided in said Will, of the trust estate created by said will for the benefit of the said J. A. M. Hinsman.

And Whereas, the said Mary Sherman Mead and Mary Mead Hinsman have filed in said Court their request in writing marked "A", "M. M. H." and "M. S. M. by F. C. S., Admr." that certain stocks, bonds, mortgages, personal property and cash be decreed to them, respectively, as per said list, in addition to their interest in the real estate and other personal property to make up their respective distributive shares, as widow and heir at law as aforesaid.

And Whereas, there is no provision in said will for the disposition of what remains of said estate after the payment and satisfaction of the cash and specific legacies, said Court adjudges that such estate then remaining passes to and vests in the said Mary Sherman Mead, widow, and the said Mary Mead Hinsman, daughter, of said testator, as intestate estate according to the

laws of descent and distribution of intestate estates in force at the decease of the said John A. Mead.

Said Court does therefore hereby decree said stocks, bonds, mortgages, other personal property and cash, constituting the net residue of personal estate and said real estate, to the said Society for Social and Religious Worship in the East Parish of Rutland (the Congregational Church of Rutland, Vt.), Carl B. Hinsman, J. A. M. Hinsman, Mary Sherman Mead and Mary Mead Hinsman, legatees, heirs and distributees as aforesaid, in the following shares and proportions:-

To the Society for Social and Religious Worship in the East Parish of Rutland, Vermont, (The Congregational Church of Rutland, Vermont), legatee, exempt from inheritance tax, Fifty Thousand Dollars (\$50,000.00) the income to be used wholly for the maintenance and support of the Mead Community House of Rutland, under the conditions specified in the Sixth paragraph of Article Two of said Will.

To Carl B. Hinsman, husband of Mary Mead Hinsman, of the City of Rutland, Vermont, legatee, subject to the inheritance tax, as follows:-

Notes of the Howe Scale Company of Rutland,  
Vermont, \$ 545,065.96

Notes of the Rutland Mfg. Company, of Rut-  
land, Vermont, 60,000.00  
(being all of the notes of the said  
Howe Scale Company and Rutland Mfg.  
Company owned by the said Testator  
at the time of his decease; 2185 shares  
of the Common Stock of the Howe Scale  
Company, of Rutland, Vt. par, 218,500.00  
and

750 shares of the stock of the Baxter Na-  
tional Bank of Rutland, Vermont, par  
also 75,000.00

One long cable linked watch chain.

To J. A. M. Hinsman, legatee, subject to the inheritance  
tax, the watch and all other jewelry owned by the  
said testator at the time of his decease, except  
the large cable linked watch chain above specified,  
as per appraisers report and executor's inventory  
on file in said Court, also,

Fifty Thousand Dollars (\$50,000.00) in bonds issued by  
the L. & N. R. R. Company, and guaranteed by the  
Ill. Central R. R. Co. of Illinois, as follows:-

5½, 1953 \$50,000.00  
the same to be left in the hands of his father  
and mother, Carl B. and Mary Mead Hinsman, as  
Trustees, to serve without bonds and without  
consideration, but upon the conditions speci-  
fied in the Sixth paragraph of Article Two  
of said Will.

To the said Mary Sherman Mead, legatee, person-  
al property of said deceased in or per-  
taining to the home of said testator located

on the corner of Washington and Prospect Streets, in said City of Rutland, at the time of his decease, as per inventory and appraisal on file in said Court; also,

One Hundred Thousand Dollars (\$100,000.00) of bonds, according to the 4th. paragraph of Article 2 of said Will, described as follows:-

Windsor, Vt.,	4%	1936	\$20,000.00
Windsor, Vt.,	4 $\frac{1}{2}$	1925	10,000.00
Hardwick, Vt.	4	1933	20,000.00
State of Vermont,	4 $\frac{1}{2}$	1926	50,000.00

and as widow of said testator under the laws of Vermont governing the distribution of intestate estates in force at the decease of said Testator, Bonds as follows:-

Wattsburg, Vt.	4%	1923-33	11,000.00
St. Johnsbury, Vt.,	4	1944	3,000.00
Hartford, Vt.	4	1932-4	4,500.00
Orleans, Vt.,	4	1924-8	6,000.00
Essex Junction, Vt.	4	1926-30	9,000.00
Montpelier, Vt.	4	1929	8,000.00
Barre, Vermont	4	1934	1,500.00
Burlington, Vt.	4	1934	1,000.00
Cash on deposit in Rutland Savings Bank			30,100.00
" " " " Rutland Trust Co.			35,000.00

the same being decreed at the request of all heirs as her one-third (1/3) interest in the personal estate remaining in the hands of said executor after the payment and satisfaction of the specific and cash legacies, and an undivided one-half interest in the following described real estate.

The Mead Building, so called, on Merchants Row, City of Rutland, Vt.; Lots on Grove Street, Ward 9, City of Rutland, Vt.

Farm in Town of Rutland, Vt., and  
Farm land in the Town of Clarendon,  
Vt.,

all as per inventory and appraisal on file and of record  
in said Court.

To the said Mary Mead Hinsman, heir at law and only  
next of kin of said deceased, two-thirds  
(2/3) of said personal estate remaining af-  
ter the payment and satisfaction of said  
specific and cash legacies, as follows:-

Bonds:

Richford, Vt.,	\$20,000.00
State of Vermont,	50,000.00
U. S. Liberty 1st. 3½%	61,000.00
City of Rutland, Vt.,	5,000.00
Burlington, Vermont,	10,000.00
Federal Land Bank, Wichita,	5,000.00
U. S. Victories, 3d, 4th. & 5th.	3,250.00

Stocks:

75 shares Mexican s.s.	
100 " N. Y. Trap Rock.	
6000 " Denbigh Mining Co.	
400 " Penn R. R. Co. Par \$50.	
5 " Rutland Co. Natl. Bk." 100.	
75 " Killington " " " 100.	
Mortgage notes	12,600.00

J.F. Manning, (considered worthless)	12,600.00
United Marble Company(business paper) (considered worthless)	14,056.68
Charles A. Matthews	20,250.00
Charles A. Matthews	2,000.00
A. D. & Hattie Taggart	2,400.00
John & Grace Gill	4,000.00
Charles J. Mead	1,000.00
A. Blumberg	700.00
James E. Burke	1,400.00
W. I. & C. H. Sherman	1,680.00
Personal Farm Property	7,359.70
Automobiles	4,000.00

and an undivided one-half interest  
in the following real estate:-

The Mead Buliding, so called, on Merchants Row, in the City of Rutland, Vt.,

Lots on Grove Street, in Ward 9, in the City of Rutland, Vt.

Farm in the Town of Rutland, Vt.,

Farm land in the town of Clarendon, Vt.,

all as per inventory and appraisal on file and of record in said Court.

To Have And To Hold the same as aforesaid, to them, the said Society for Social and Religious Worship in the East Parish of Rutland, Vermont, and its successors in said trust; Carl B. Hinsman and Mary Mead Hinsman, Trustees for the benefit of J. A. M. Hinsman, and their successor or successors in said Trust, Carl B. Hinsman, Mary Herman Mead and Mary Mead Hinsman, and their respective heirs, executors, administrators and assigns forever, according to law and the provisions of said will.

And said Executor is ordered to pay over and deliver said estate according to said decree.

In Testimony Whereof, I hereunto affix the seal of said Court and subscribe my name, at the City of Rutland, in said District, on this 12th. day of March,

A. D. 1923.

(SEAL)

A. G. Coolidge, Judge.

# EXHIBIT C

{B2833948.1 00307-1805}

**VERMONT SUPERIOR COURT**

Rutland Unit  
83 Center St  
Rutland, VT 05701  
802-775-0114  
[www.vermontjudiciary.org](http://www.vermontjudiciary.org)

**PROBATE DIVISION**

Case No. 22-PR-02895

**Estate of: John Abner Mead (date of death 1/12/1920)**

**ENTRY REGARDING MOTION**

Title: Petition to Open an Estate and Appoint Fiduciary (Motion: 1)  
Filer: James Lamb Hinsman  
Filed Date: May 10, 2022

The motion is GRANTED.

A hearing was held on the petition brought by an heir of the decedent to re-open the estate and appoint a special administrator for the purposes of investigating and presenting potential claims against Middlebury College for an alleged breach of the terms of a conveyance made by the decedent while he was still alive. This does not involve a bequest of the estate.

The estate was opened in 1920 and the will allowed following testimony of witnesses. The Estate was administered and the assets known at that time were distributed as part of the distribution and the estate was closed in 1921.

Petitioners now believe that there is a potential claim to be made against Middlebury College for breach of an agreement between the decedent and the college as part of his donation of the chapel building to the college. Without passing judgment on the validity of any claims (which would not be under the jurisdiction of this court), the Court will re-open the estate of John Abner Mead and appoint Hon. James H. Douglas to serve as a special administrator to research and present any potential claims against the college and settle or prosecute those claims within his discretion.

Electronically signed on June 17, 2022 pursuant to V.R.E.F. 9(d)

A handwritten signature in black ink, appearing to read "Karl C. Anderson".

Karl C. Anderson  
Probate Judge

**VERMONT SUPERIOR COURT**

Rutland Unit  
83 Center St  
Rutland, VT 05701  
802-775-0114  
[www.vermontjudiciary.org](http://www.vermontjudiciary.org)

**PROBATE DIVISION**

Case No. 22-PR-02895

Estate of: John Mead

**LETTERS OF SPECIAL ADMINISTRATION**

TO: Hon. James H. Douglas

**Name:**

Hon. James H. Douglas

**Address:**

109 South Munger Street, Middlebury, VT 05753

This Court appoints you as special administrator of this estate.

**Limited purpose.**

You are granted full authority to collect and take charge of the following estate of the deceased for the following purpose: To represent the estate for the purpose of presenting and possibly prosecuting potential legal claims of the Decedent for breach of contract and/or for breach of the conditions of the conditional gift of the Mead Chapel to Middlebury College.

Electronically signed on June 17, 2022 pursuant to V.R.E.F. 9(d)

A handwritten signature of Karl C. Anderson.

Karl C. Anderson  
Probate Judge

VERMONT SUPERIOR COURT  
Rutland Unit  
83 Center St  
Rutland, VT 05701  
802-775-0114  
[www.vermontjudiciary.org](http://www.vermontjudiciary.org)



PROBATE DIVISION  
Case No. 22-PR-02895

Estate of: John Mead

### CERTIFICATE OF APPOINTMENT OF FIDUCIARY

I hereby certify that on June 20, 2022 , Hon. James H. Douglas of Middlebury, Vermont was appointed by the Court to serve as the Special Administrator for a Limited Purpose for this proceeding and has accepted the responsibilities and trust related to this position.

Based on the Court's records, I certify that the appointment has never been revoked and remains in full force and effect.

Electronically signed: 6/20/2022 12:25 PM pursuant to V.R.E.F. 9(d)

A handwritten signature in black ink that reads "Chantelle Z. Weir".

---

Probate Register  
Rutland Probate Division

# EXHIBIT D

{B2833953.1 00307-1805}

Rev, Dr. John M. Thomas, LL. D.,  
President of Middlebury College.

My Dear President Thomas:-

In commemoration of the fiftieth anniversary of my graduation from Middlebury College, and in recognition of the gracious kindness of my heavenly Father to me throughout my life, I desire to erect a chapel to serve as a place of worship for the college, <sup>the same</sup> to be known as the Mead Memorial Chapel. I have in mind a dignified and substantial structure, in harmony with the other buildings of the college, and expressive of the simplicity and strength of character for which the inhabitants of this valley and the State of Vermont have always been distinguished.

It was my great-great-grandfather, the first white settler of this valley, who brought the first copy of the Holy Bible into this unbroken wilderness and it was his wife, my great-great-grandmother, who gathered her <sup>long</sup> family about her in an Indian wigwam for the first Christian service of the Vermont pioneers of this immediate region. With this memory ever present, it has been my hope and prayer that I might be able and permitted to build for this college a suitable place for divine worship and that it might rise from the highest point on its campus as a symbol of the position, most prominent in every respect, which Christian character and religious faith should always maintain in its work for our youth.

I have in mind the furnishing of from \$50,000 to \$60,000 for the erection of such a structure, and I hereby suggest that the Trustees of the College secure appropriate plans for its erection which shall meet with my approval, and that said Board appoint a Building Committee at once, consisting of President Thomas, former President Brainerd and

myself to make the necessary contracts for such a structure and to supervise the erection of the same, and I will then bind myself and my estate to provide the necessary means for its erection and completion in accordance with the suggestions of this letter and with the contracts to be made by your committee.

Respectfully,



Rutland, Vt.  
May 11, 1914.

# EXHIBIT E

PRESIDENT'S OFFICE  
MIDDLEBURY COLLEGE  
MIDDLEBURY, VT.

May 15, 1914.

To the Trustees of Middlebury College:-

Your associate, Governor John A. Mead, has made it possible for me to make an announcement which will bring you all great satisfaction and encouragement, as it gives me the keenest pleasure. I enclose a copy of his letter to me signed May 11th which assures the erection of an appropriate and beautiful chapel for Middlebury College.

I have testified many times to the great need of such a building and the large possibilities for good in connection with it. We have all felt for many years that it was one of the most urgent needs of the college, and those who have been closest in touch with the daily life of the institution have felt the need most earnestly.

A chapel is not an income producing building and its erection should be accompanied by an endeavor to increase our endowment and secure a men's dormitory which would yield a revenue and provide for our increased student body. I very much hope that the General Education Board will now look with favor upon our application for a grant towards a fund of \$500,000, towards which we now have a good start in the \$10,000 recently contributed by Governor McCullough and the amount suggested by Governor Mead for the erection of a chapel. I will greatly appreciate the assistance of any of you toward this end and trust I may have your co-operation in promoting the movement which has been so well begun.

Faithfully yours,



P.S. May I hear from you immediately as to whether you will authorize the acceptance of Governor Head's proposition and the appointment of the Building Committee which he suggests?

# EXHIBIT F

{B2833953.1 00307-1805}

CHARTERED 1864

# The First National Bank

CAPITAL \$150,000  
SURPLUS \$50,000

North Bennington, Vt.

May 16th, 1914.

Rev. Dr. Thomas,

President Middlebury College,

Middlebury, Vt.

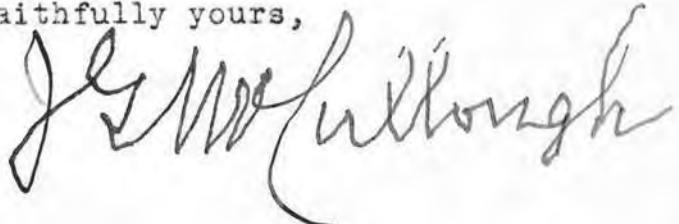
My dear Mr. President:

I am just in receipt of your letter of the 15th inst. enclosing a copy of Dr. Mead's letter to you in which latter letter the Doctor proposes to give the College a chapel building, and you ask me to join in authorizing the acceptance of Governor Mead's proposition and the approval of the appointment of <sup>the</sup> Building Committee suggested by him.

I gladly give my assent to both propositions and congratulate heartily both the College and Governor Mead upon this gift of the Governor and its acceptance by the College.

I am, as ever,

Faithfully yours,



# EXHIBIT G

{B2833953.1 00307-1805}

350 North Street, Burlington, Vt. May 16th 1914.

My dear President Thomas,

I most heartily give my voice in favor of the acceptance of Dr. Mead's offer to build a Chapel for Middlebury College and of the appointment of the Building Committee suggested by him.

I congratulate you and the College on this good fortune, especially on account of its coming just now when the clouds seemed for a while to be darkening the future. This will show conclusively that Middlebury College has friends of means and influence whose faith in the institution has not been shaken by recent criticisms. I trust that this will prove to be but a drop before the shower.

Yours very truly,

Rufus C. Flagg,

# EXHIBIT H

{B2833953.1 00307-1805}

FRANK C. PARTRIDGE

PROCTOR, VT.

May 16, 1914.

President John M. Thomas,  
Middlebury, Vermont.

Dear Dr. Thomas:

Your good news is received and I am delighted that your dream of a new chapel is to be realized. It is a generous and beautiful thing for Governor Mead to do and of course I agree, as one of the Trustees, to the acceptance of his proposition and the appointment of the building committed which he suggests.

Faithfully yours,

FCP H

Frank C. Partridge

—  
—  
—

(Please initial & return —)

# EXHIBIT I

{B2833953.1 00307-1805}

Manchester Vt. May 18th. 1914.

Dear Thomas:

I am more than glad to learn of the very generous and timely offer of Dr. Mead and of course I vote to accept it and also heartily approve of the committee he has suggested. It is much better to have a good committee of three than a larger number as you can all get together at any time and know exactly what is wanted. I had been hoping that Gov. Mead would do something generous for the college as I understand he is abundantly able and this is a more fitting gift for a memorial than a dormitory would have been though that also is badly needed and will come in time. The outlook for the college is greatly different than it was fifty or even ten years ago.

With great respect I am

Truly Yours:

D K Simonds

# EXHIBIT J

{B2833953.1 00307-1805}

GEORGE M. WRIGHT,  
ATTORNEY AND COUNSELLOR AT LAW  
280 BROADWAY  
NEW YORK  
TELEPHONE 169 WORTH

May 22, 1914.

Rev. John M. Thomas, D. D.,  
Middlebury,  
Vermont.

Dear Doctor Thomas:-

On my return from Battle Creek this morning I found your letter announcing the gift of Governor Mead to Middlebury College of a chapel. I am very much pleased and gratified to think that such a gift is about to be made and I shall certainly co-operate in every way that Govenor Mead desires. To that end I give my consent that the building committee which he suggests be named.

With sincere good wishes, I  
am

Yours very truly,

*George M Wright*

# EXHIBIT K

{B2833953.1 00307-1805}

The Chase National Bank  
NEW YORK

A. BARTON HEPBURN  
Chairman of the Board

May 18, 1914.

Dr. John M. Thomas,  
Middlebury, Vt.

My dear Dr. Thomas:

I am in receipt of your favor  
of the 15th, enclosing copy of Governor  
Mead's letter.

It is a truly generous offer  
on the part of the Governor, alike cred-  
itable to his respect for his forebears,  
his love for his Alma Mater and his  
kindly disposition to do a good, noble  
and gracious act to the entire commun-  
ity.

Of course I concur with you in  
granting his request, in accepting the  
gift, and appointing the building com-  
mittee named by him for the purpose of  
carrying the proposal into execution.

Very truly yours,



Middlebury-000018

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# EXHIBIT L

{B2833953.1 00307-1805}

23 Wall Street.  
New York.

May 19, 1914.

Rev. John M. Thomas, D.D., President,  
Middlebury College,  
Middlebury, Vermont.

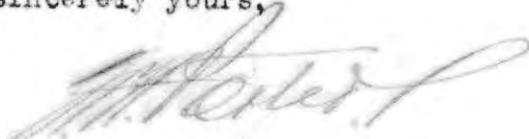
My dear Dr. Thomas-

I received in due course your letter of recent date enclosing copy of Gov. Mead's letter in which he proposes to donate to the College \$60,000 for the cost of a new Memorial Chapel to be erected upon the College grounds. I can readily appreciate the pleasure and satisfaction which this affords you, and which is, I am sure, keenly shared by the Trustees and every other friend of the College; and I beg to extend my most cordial congratulations. I most heartily favor the acceptance of Gov. Mead's proposition, and the appointment of the Building Committee which he suggests.

I shall be glad to do anything in my power to promote the movement for the desired fund of \$500,000, although I am not at all sure that I can obtain any large subscriptions.

With best wishes,

Very sincerely yours,



# EXHIBIT M

{B2833953.1 00307-1805}



# State of Vermont

State Prison,  
WINDSOR.  
R. H. WALKER, SUPT.

House of Correction,  
RUTLAND.  
M. H. LOUKES, SUPT.

Industrial School,  
VERGENNES,  
J. N. BARSS, SUPT.

## Board of Penal Institutions

JOHN E. WEEKS, CHAIRMAN . . . MIDDLEBURY  
HAMMOND T. BALDWIN, SECRETARY, . WELLS RIVER  
EDWIN J. DAVIS . . . CHESTER

Mr John C. Neal  
Rutland Vt.

My dear Gov. Neal.

Congratulations and  
many of them for the splendid gift to  
Middlebury College. This is a most  
wonderful reminder of your great loyalty  
to this institution, and one that can  
and will be instrumental in great good  
to the student body as long as time  
lasts. I almost envy your future, for  
who can foretell how many boys and  
girls will receive inspiration for the  
better things of life by reason of this  
marvelous place. Your honorable public career  
is certainly <sup>crowned</sup> glorified by this act. May the  
Heavenly Father in whom we believe, presene you  
life many years. Sincerely yours J.C. Neal

Mrs 17, 1914

# EXHIBIT N

{B2833953.1 00307-1805}

AMERICAN BOARD OF COMMISSIONERS  
FOR FOREIGN MISSIONS

FOREIGN DEPARTMENT

JAMES L. BARTON, D.D. SECRETARY  
ENOCH F. BELL ASSOCIATE SECRETARY

HOME DEPARTMENT

CORNELIUS H. PATTON, D.D. SECRETARY  
EDWARD LINCOLN SMITH, D.D. SECRETARY  
D. BREWER EDDY ASSOCIATE SECRETARY



CONGREGATIONAL HOUSE, 14 BEACON STREET  
BOSTON, MASSACHUSETTS

EDITORIAL DEPARTMENT

E. E. STRONG, D.D. SECRETARY EMERITUS  
WILLIAM E. STRONG SECRETARY

TREASURY DEPARTMENT

FRANK H. WIGGIN TREASURER  
JOHN G. HOSMER PUBLISHING AND  
PURCHASING AGENT

May 19, 1914.

Honorable John A. Mead, M.D., LL.D.,

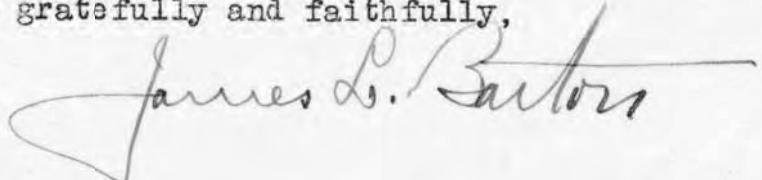
Rutland, Vermont.

My dear Governor Mead:-

I can hardly describe to you the thrill of satisfaction that I experienced when a letter from Dr. Thomas reported your magnificent gift to Middlebury College in the form of a Memorial Chapel. I know of nothing more fitting as a memorial - nothing that will be of greater value to the College in all the years to come. I know of no building that could be put up out from which will go more fundamental and permanent influences for social, civic and national righteousness, for our own country and for the world. I want to express my deep personal appreciation of this gift, as well as my appreciation as a member of the Board of Trustees. I am sure you will get great satisfaction in seeing the walls of the building rise, as you realize what they mean to the College, the State, the country and the world, in all the years to come.

I remain, my dear Governor Mead,

Yours most gratefully and faithfully,



# EXHIBIT O

{B2833953.1 00307-1805}

JOHN A. FLETCHER, TREASURER,  
MIDDLEBURY COLLEGE,  
MIDDLEBURY, VT.

May 23, 1914.

Dr. JOHN M. Thomas,  
Middlebury College,  
Middlebury, Vt.

My dear Mr. President:-

Replying formally to the welcome news contained in your message of the 15th., I wish to concur in the acceptance of the "Mead Memorial Chapel".

It is a splendid gift, and will be especially welcome to you, who have so long desired it. I congratulate you upon once more receiving the fruits of casting your bread upon the waters.

I trust that the General Education Board will now look with your favor upon your application for a grant toward a new fund, on contemplating this new evidence of the substantial and loyal support of our alumni.

Cordially yours,



# EXHIBIT P

{B2833953.1 00307-1805}

Doctor Mead:-

I esteem it a great privilege to appear in behalf of the President at the hand of your grandson, these keys representing and Fellows of Middlebury College and accept publicly your gift of this day beautiful sanctuary, that we have met to dedicate to the service of Almighty God. For many years, especially since the old chapel proved too small to hold even the half of our students, it has been the fond hope and the earnest prayer of the friends of the College, that in God's providence there might appear a man of the religious fervor and the financial ability requisite to meet this urgent need for a larger and more suitable edifice. To-day our ardent hopes are realized; our prayers are graciously answered. And to me it is especially gratifying that our benefactor is my beloved classmate, one to whom I am bound now for fifty six years by ties of the warmest friendship.

During these many years (which have passed with us so swiftly) the Heavenly Father has been pleased to grant you strength of mind and body, and varied opportunities for doing great service to your fellowmen. How well I recall the patriotic zeal with which, while yet a student in college, you enlisted in the ~~fight to prevent the dismemberment~~ <sup>war to maintain the union</sup> of these United States. Later, as a well-trained physician, you served in another war---against the diseases that distress mankind; and by sound judgment and kindly sympathy achieved an enviable reputation in this beneficent calling. Still later your executive talent enabled you to build up a great industry, whose products are now used in every civilized portion of the world. More recently you have served the Commonwealth of Vermont in ~~the~~ highest public office with business sagacity, with fidelity, and with honor. But the noblest deed of all---the one for which future generations will hold you ~~in~~ most <sup>in</sup> grateful remembrance---is the erection of this spacious and attractive Chapel, where the religious life of the College may find fitting expression and the stimulus of hallowed associations.

With grateful hearts, dear brother, we accept your generous gift; and we assure you of our earnest purpose so to utilize its opportunities for religious culture, as to promote the growth of earnest Christian character in the students of Middlebury College.---Here for generations yet to come the melodious bells of this Chapel shall sound out over the Campus and the Town the strains of Christian music, that from childhood have awakened in our souls the sentiments of faith and courage and earnest living. Through the coming years at morning prayer here shall

"the pealing organ blow  
To the full voic'd quire below,  
In service high, and anthems clear."

Here from Sabbath to Sabbath shall be proclaimed the blessed truths of the Gospel of Jesus Christ—opening the thoughtful student the glorious things of the Kingdom of God, awakening the spirit of reverence, of self-sacrifice, of brotherly love, and inciting to noble endeavor in the service of God and of man.

The Lord reward you, dear friend, for all that you have done, or may yet do, for the good of others; and may the years of earthly life that still remain be your best years, filled with blessed memories and abiding peace.

# EXHIBIT Q

{B2833953.1 00307-1805}

June 22, 1914.

The annual meeting of the President & Fellows of Middlebury College was held at the Natl. Bank of Middlebury, at 8 P.M. Monday, June 22, 1914.

Present:- Burns Thomas,  
McCullough, Stewart Bartels,  
Kreogg, Wright, Fair, Mad  
Childs, Flagg, Works, Abur-  
muth, Brainerd, Partridge  
and Fletcher.

Meeting opened with prayer by the President.

The record of the last meeting was read by the Secretary.

The Treasurer's report was re-  
viewed and placed on file.

Resolved that Mr D. L. Wells be  
made auditor at a compensation  
not to exceed \$50.- per year.

Auditor.

Officers and Committees were  
elected as follows:-

Officers

President	John M. Thomas
Secretary	John A. Fletcher
Treasurer	D. O. L. Wells
Auditor	D. L. Wells
Dept. Building & grounds	J. E. Works

Committees

Prudential Committee	
John M. Thomas	John A. Fletcher
John W. Stewart	John E. Works
Ezra Brainerd	Frank Q. Partridge

1914

## Committees.

Finance Committee

Geo. M. Wright	Jas. M. Gifford
Wm H. Doster	F. C. Partridge
A. B. Hepburn	

Building Committee - for  
the Mead Chapel

Geo. M. Thomas,	
Joe A. Mead	
Ezra Brainerd	
Jos. E. Weeks	(sublime)

## Committee of Instruction

Ezra Brainerd	
Branford Kellogg,	
H. W. Aburnell	( <sup>b. 34</sup> see below)

A.B. &amp; B.S.

Degrees

Voted to confer the Degree of A.B.  
and B.S. upon forty six (46) members  
of the graduating class as follows:

Harold Wallace Abbott	B.S.
Robert Edgar Brundt	A.B.
Willard Amasa Carpenter	B.S.
Henry Knudsen Casselton	A.B.
Lorraine Webster Clapp	"
Elton Frick Crook	B.S.
Richard Stewart Estes	A.B.
Brigginis Samm Fisher	B.S.
Robert Henry Hill	A.B.
Ralph Mayo Hutchins	B.S.
Wm Gleason Macfarlane	A.B.
Walter Irving McNeal	"
Max Daffield Miles	B.S.
Augustus Alfred Frost Monroe	"
George Herbert Tracy	A.B.
Alleyne Seymour	B.S.
Edward Robert Riggs	"
Horace Jackson Fair	"
Joe Chas. Eliot Foss	A.B.
	(continued)

Raymond Cyrus Whitney B.S. Degrees  
 Chas. Cushman Wilcox "  
Wm Francis Youngs " "

24 women, ael A.B.

Florine Mary Aseltine  
 Ellen Mary Bailey  
 Harriet Fletcher Blakeman  
 Helena Bell Carpenter  
 Elizabeth Chalmers  
 Sophie Noely De Bois  
 Alice Maria Easton  
 Amy Harriet Edmunds  
 Fabree Lefevre Esten  
 Hilda Agnes Farrel  
 May Mabeline Gerard  
 Janie Martha Graves  
 May Clema Guerin  
 Helen Irene Haugh  
 Charlotte Florine James  
 Gertrude Frances Pringle  
 Ethel Caroline Maydon  
 Ruth Adelle May  
 Florine Margaret Parker  
 Anna Estelle Perkins  
 May Agnes Shear  
 Anna Italy Suter  
 Gladys Wilson  
 Julia Rosewood Wood "

and upon Daniel Hoobrook Braun<sup>+</sup>  
 A.B., where he shall have com-  
 pleted his work, - likewise upon  
 Mabel Willson<sup>+</sup> A.B.

Voted to confer the Dign of  
 A.M. upon the following:-

Lorenzo T. Cole  
 Keith G. Atwood  
 M. Louise Chaffee  
 Theodore D. Croms

+ Completed work at Summer Session 1914.

Degrees  
 A.M.

1914

Degrees

Voted to confer the Degree of M.S.  
(in course) upon  
Margaret Farmerette Sheldon

New Instruc-  
tors.

Voted to approve the Presidents ap-  
pointments of instructors as follows:-  
Charlotte R. Perkins, Mathematics \$1,200.-  
Miss Marion Spaulding, Home Economics \$1,100.-

Mead  
(Chape)

The following resolution, introduced by  
Dr Bramhall, on motion of Dr Barton  
& Prof. Greeley, was adopted by a  
rising vote:-

"Whereas our esteemed colleague, the  
Honorable John Abner Head of the Class of  
1864, has signified to President Thielius  
his desire, in commemoration of the  
fiftieth anniversary of his graduation,  
to give a Chapel of Middlebury Col-  
lege, and his readiness to furnish the  
sum of from five thousand to sixty  
thousand dollars for the erection of  
such an edifice,

Resolved, that the President and  
Fellows of Middlebury College hereby  
accept of this munificent contribution  
with sincere gratitude, to bestow Dr &  
Mrs Head and their family for their  
deep interest in the religious welfare  
of the College, so confirming manifest-  
ed by this provision of a suitable place  
for divine worship."

Resolved that the Trustees through  
the Committee nominated by Dr Head  
will use their best endeavours to secure  
the erection of a dignified and substantial  
structure, in harmony with the  
other buildings of the College, and  
such as will merit the approval of  
the donor."

Dr. Mead made fitting response to this resolution. His letter of presentation follows in full:

Mead  
Chapel

Rev. Dr. John M. Thomas, L.L.D.  
President of Middlebury College.  
My dear President Thomas:-

In commemoration of the fiftieth anniversary of my graduation from Middlebury College, and in recognition of the gracious kindness of my Hometown Father to me through all my life, I desire to erect a Chapel to serve as a place of worship for the College, the name to be known as the "Mead Memorial Chapel". I have in mind a dignified and substantial structure, in harmony with the other buildings of the college, and expressive of the simplicity and strength of character for which the inhabitants of this valley and the State of Vermont have always been distinguished.

It was my great-great-grandfather, the first white settler of this valley, who brought the first copy of the Holy Bible into this unbroken wilderness and it was his wife, my great-great-grandmother, who gathered her large family about her in an Indian wigwam, for the first Christian service of the Vermont pioneers of this immediate region. With this memory ever present, it has been my hope and prayer that I might be able and permitted to build for this College a suitable place for divine worship and that it may

1914

Mead  
Chapel

rise from the highest point on its campus as a symbol of the position, most prominent in every respect, which Christian character and religious faith should always maintain in its work for our youth.

I have in mind the furnishing of from \$50,000.- to \$60,000.- for the erection of such a structure, and I hereby suggest that the Trustees of the Colby-Beecher appropriate funds for its erection which shall meet with my approval, and that said Board appoint a Building Committee at once, consisting of President Thomas, former Presidents Braisted and myself to make the necessary contracts for such a structure and to superintend the erection of the same, and I will then bind myself and my estate to provide the necessary means for its erection and completion in accordance with the suggestions of this letter and with the contracts to be made by your committee.

Very respectfully,  
(signed) John Aborn Mead

Rutland, Vt.

May 11, 1914.

On motion of Mr. Partridge, seconded by Dr. Abernethy, the Building Committee for the Mead Chapel was elected as above, Hiram Thomas, Braisted, Mead and Clark.

Mr. Coelius of the architectural firm of Allen & Coelius then appeared before the Board with tentative plans for the new Chapel, which were discussed at length.

Faculty  
letter.

The President read the report of the Faculty on the Carnegie Report and upon the merits of the different projects, which received due consideration.

Our motion of Dr Flagg, seconded by Miss McCullough & Wright. It was voted that the Doctor of Doctor of Science be conferred upon Dr Ezra Brownard (the latter having absented himself)

Degree  
Dr. Sc. to  
Dr Brownard

Adjourned to 4 P.M. the following day.

Attest  
John A. Fletcher,  
Secretary.

Tuesday, June 23, 1914

Not pursuant to adjournment,  
at the President's Office in the  
Chapel at 4 P.M. Tuesday,  
June 23d, 1914.

Present, Miss Thomas,  
Stewart, Fair, Edmunds, Killogg,  
Flagg, Barton, Obernewy, Brown-  
ard, Mead, Wright, Clark,  
Partridge, Fletcher.

Our motion of Dr Brownard, it  
was voted to connect Pearson's  
Hall & Battell Cottage with the  
main heating plant by pipe line.

Extension  
of  
Heating Plant  
Conduit

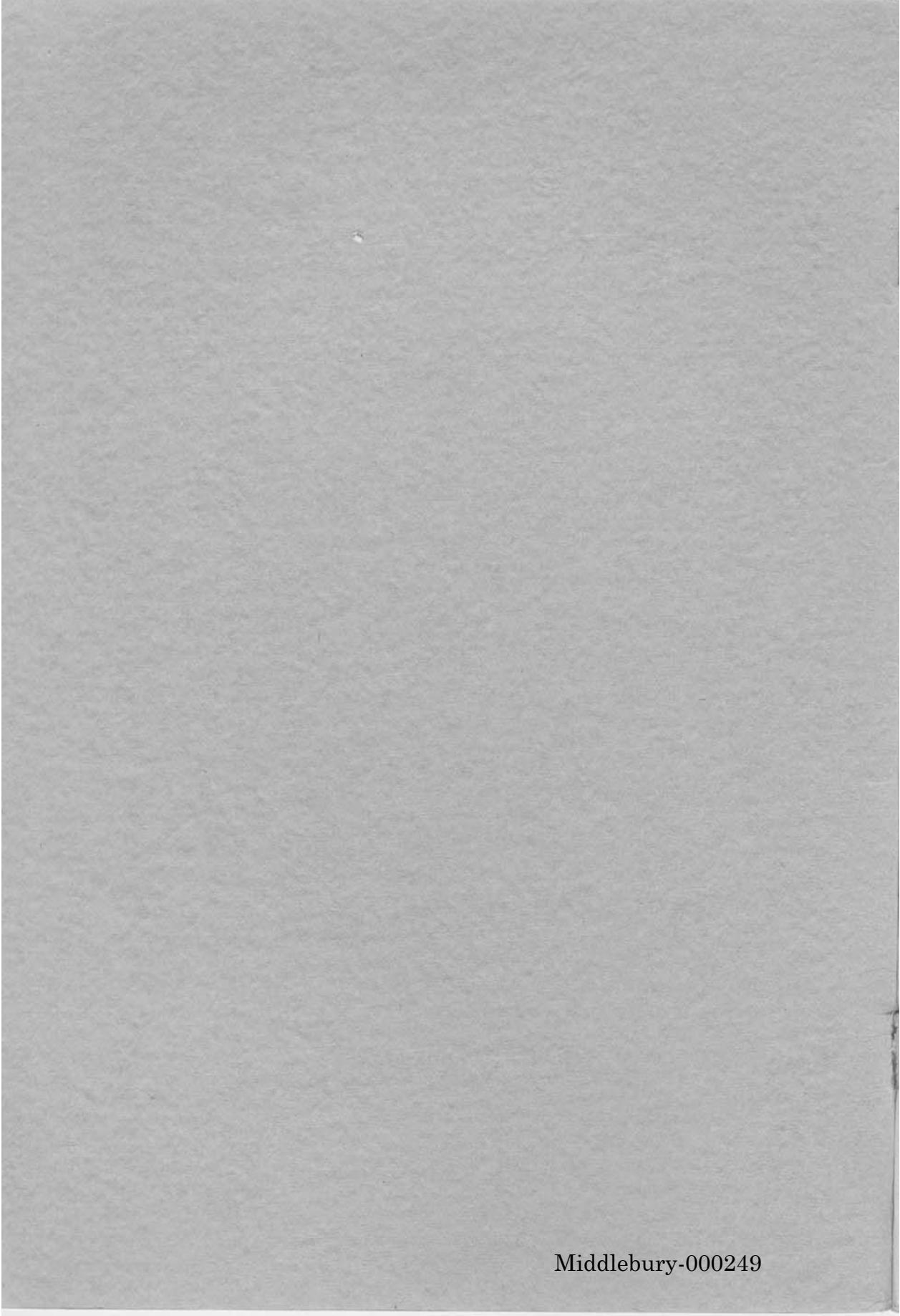
# EXHIBIT R

{B2833953.1 00307-1805}

MIDDLEBURY COLLEGE  
TREASURER'S REPORT

MAY 31, 1915

Middlebury-000248



Middlebury-000249

MIDDLEBURY COLLEGE  
TREASURER'S REPORT

MAY 31, 1915

Middlebury-000250

Middlebury-000251

JUNE 10, 1915.

*To the President and Fellows of Middlebury College:*

The Treasurer begs to submit the following report for the fiscal year ending May 31, 1915.

In current income and disbursement there appears a surplus of \$1,224.09. On account of the unusual conditions and the uncertain outlook at the beginning of the year, it was deemed wise to pursue a conservative course with the aforesaid result. The increase in semester bills, the cessation of the Battell annuity and other causes have made it possible.

The Capital Investment account, page 9, shows a net loss of \$25,126.03. This is accounted for by the disbursement for the Chemical Building and the new conduit from the heating plant to Battell Cottage. The appropriation was made for the Chemical Building in the preceding year, but owing to delay in its completion the charge to the Corporation Funds was made the past year.

The conduit cost \$9,833.31, of which current disbursement bore \$5,638.88, as indicated. The balance was met from Corporation Funds.

On the profit side the value of the lot, on which House No. 6 stands, is added,—to place it upon the same basis with the other houses, which include the land value; and the Music Studio, which since its overhauling has been listed at the too low figure of \$1,075.00, has been given a fairer valuation of \$2,000.00.

A comparison of the funds and plant in the years 1905 and 1915 is given on page 10.

Middlebury-000252

The Womens' College sinking fund, now standing at \$8,194.47, will be increased by the result of the year's operations, probably to over \$11,000, which is to apply on losses to the Corporation Funds incurred for the benefit of the Women's College.

Dr. Mead has obligated himself to the College for the construction of the Mead Memorial Chapel to the extent of \$61,031, remittances for which are made to the Treasurer as required.

In the assets of the balance sheet, page 14, the valuation of the securities has not been changed from the figure at which secured, although in some issues the quotations show a considerable shrinkage at the present time.

Respectfully,

JOHN A. FLETCHER, Treasurer.

Middlebury-000253

Income and Disbursement for the Fiscal Year, Ending  
May 31, 1915.

INCOME.

Corporation Funds' income . . . . .	\$ 4,278 85
Trust Funds' income (see in detail) . . . . .	22,786 12
State appropriation for scholarships . . . . .	4,800 00
State appropriation, other . . . . .	24,000 00
Students' semester bills . . . . .	\$40,074 15
less scholarships . . . . .	8,760 00
	<hr/>
Graduate students . . . . .	145 00
Alumni Fund income . . . . .	1,191 50
Gifts for current use . . . . .	520 00
Boardman Fund income . . . . .	1,646 88
*Farm, net . . . . .	508 54
Miscellaneous . . . . .	189 33
	<hr/>
	\$91,380 37

DISBURSEMENT.

Advertising . . . . .	\$ 125 50
Birds'-eye-view photos . . . . .	320 16
Boardman annuity . . . . .	\$1,500 00
suspense . . . . .	146 88
	<hr/>
Bulletins, including annual catalog . . . . .	2,209 80
Campus . . . . .	661 50
Commencement . . . . .	459 97
Construction, Painter Hall . . . . .	\$784 80
other . . . . .	150 47
	<hr/>

\*Farm inventory shows an increase.

Middlebury-000254

Construction, one-sixth cost of conduit from heating plant to Battell Cottage	\$1,638 88
Additional appropriation for conduit . . . . .	<u>4,000 00</u>
	\$5,638 88
Dean's office . . . . .	699 29
Dean's office, women . . . . .	1 50
Delegates . . . . .	108 76
Departments of Instruction :	
Biology . . . . .	\$ 110 14
Chemistry . . . . .	1,348 05
Drawing and surveying . . . . .	175 49
Forestry . . . . .	10 75
Greek . . . . .	20 14
Home Economics . . . . .	366 43
Latin . . . . .	72 37
Mathematics . . . . .	13 91
Music . . . . .	15 55
Pedagogy . . . . .	41 54
Physical Education . . . . .	51 50
Physics . . . . .	462 95
Political Science . . . . .	19 50
General . . . . .	<u>62 34</u> 2,770 66
Dramas . . . . .	2 80
Farmers' Institute . . . . .	9 03
Fuel . . . . .	\$3,150 21
less two ninths charged the halls for Women . . . . .	<u>700 00</u> 2,450 21
Furnishings and equipment . . . . .	422 35
Hamlin Commons :	
Deficit . . . . .	\$1,360 74
Balance with Miss Bristol . . . . .	<u>275 44</u> 1,636 18
Insurance . . . . .	651 35

Middlebury-000255

## Library :

Binding . . . . .	\$ 239 68
Books . . . . .	1,931 26
Equipment . . . . .	46 01
Periodicals . . . . .	446 44
Service, extra . . . . .	190 74
Supplies . . . . .	129 97
	<u>\$2,984 10</u>

## Light :

Electric current . . . . .	\$784 40
Lamps, repairs, etc. . . . .	215 04
	<u>999 44</u>

## Music—studio :

Fuel . . . . .	\$186 38
Insurance . . . . .	68 80
Light . . . . .	30 95
Janitor . . . . .	80 72
Other maintenance . . . . .	48 16
	<u>415 01</u>

New Eng. College Entrance Certif. Board	. . .	26 40
President's house, construction, etc.	. . . .	420 50
President's office	. . . . .	587 98
Prizes	. . . . .	206 00
Reading-room	. . . . .	28 38
Registrar's office	. . . . .	247 98
Repairs and maintenance	. . . . .	1,543 59

## Salaries :

President and instruction . . . . .	\$48,447 50
Other . . . . .	10,571 60
	<u>59,019 11</u>

Middlebury-000256

Summer Session (see in detail) . . . . .	1,353 29
Supplies . . . . .	317 32
Taxes . . . . .	\$430 96
less to farm . . . . .	85 73
Treasurer's office . . . . .	345 23
Warner Hall, balance of equipment . . . . .	265 54
Water . . . . .	33 75
Miscellaneous . . . . .	200 00
	412 57
	<hr/>
	\$90,156 28
Current surplus . . . . .	\$1,224 09

Middlebury-000257

### Profit and Loss—Capital Investment Account.

#### PROFIT.

Roman Drama, lumber rebate . . . . .	\$ 42 06
Value of lot added to House No. 6, Bryant, not heretofore included . . . . .	525 00
Added valuation in Music-studio . . . . .	925 00
Surplus for year as above . . . . .	<u>1,224 09</u>
	\$2,716 15

#### LOSS.

Cost of Chemical Building over \$50,000 . . . . .	\$ 9,971 77
Chemical Building equipment . . . . .	13,675 98
Conduit construction, Heating-plant to Battell Cottage . . . . .	9,833 31
less one-sixth (pro rata share for the Mead Memorial Chapel) charged current construction . . . . .	1,638 88
and additional current appropriation for the same . . . . .	<u>4,000 00</u> <u>5,638 88</u> <u>4,194 43</u>
	<u>27,842 18</u>
Net decrease in investment funds . . . . .	\$25,126 03

Middlebury-000258

Comparison of Funds and Plant in the Years  
1905 and 1915.

	1905.	1915.
Corporation Funds . . . . .	\$185,230 71	\$ 94,935 22
Trust Funds . . . . .	<u>228,990 29</u>	<u>424,048 43</u>
	414,221 00	518,983 65
Plant . . . . .	<u>233,500 00</u>	<u>518,455 92</u>
Total . . . . .	<u>\$647,721 00</u>	<u>\$1,037,439 57</u>

**Gifts.**

From George M. Wright, Esq., '76, for books for the Department of Economics . . . . .	\$ 150 00
From Mrs. Carrie A. Hadley, for fitting up rooms of the Middlebury Union in Painter Hall . . . . .	150 00
From friends in Wallingford, Ct., for a scholarship . . . . .	100 00
From Mrs. Chas. M. Mead, for non-fiction books for the Library . . . . .	50 00
From a friend for the development of Porter Field . . . . .	3,000 00
From Mortimer R. Proctor, Esq., for the beginning of a Professorship of American History fund . . . . .	100 00
From James M. Gifford, Esq., '77, for the Hudson Professorship fund . . . . .	500 00
From F. C. Partridge, Esq., '81, for the Student Loan fund . . . . .	100 00
From Hon. John A. Mead, '64, toward the building of the Mead Memorial Chapel . . . . .	1,077 16
From students for equipment in the Department of Chemistry . . . . .	34 00
From the Carnegie Foundation for a retiring allowance . . . . .	1,750 00
From alumni and friends for the Alumni Income fund for current use, except \$45 . . . . .	1,236 50
From alumni and friends for the Gymnasium fund . . . . .	109 00
From alumni for the G. E. B. fund . . . . .	35 00
	<hr/>
	\$8,391 66

Middlebury-000260

## Balance Sheet

### RESOURCES.

Plant . . . . .	. . . . .	\$518,455 92
Mortgages . . . . .	. . . . .	403,700 00
Notes . . . . .	. . . . .	146 00
Stocks and bonds . . . . .	. . . . .	85,533 75
Premiums . . . . .	. . . . .	2,486 67
Real-estate . . . . .	. . . . .	63,857 50
Cash . . . . .	. . . . .	12,023 75
Due from students . . . . .	. . . . .	1,922 24
Sundry debits . . . . .	. . . . .	1,270 33
		\$1,089,396 16
		\$1,089,396 16

### LIABILITIES.

Capital in plant . . . . .	. . . . .	\$518,455 92
Corporation funds . . . . .	. . . . .	94,935 22
Trust funds . . . . .	. . . . .	424,048 43
Profit in trust funds . . . . .	. . . . .	3,675 25
Other permanent funds . . . . .	. . . . .	30,600 00
Women's College sinking fund . . . . .	. . . . .	8,194 47
Porter Field development fund . . . . .	. . . . .	1,826 96
Halls for women . . . . .	. . . . .	6,599 19
Other credits . . . . .	. . . . .	1,060 72
		\$1,089,396 16
		\$1,089,396 16

Middlebury-000261

### Balance Sheet—in Detail.

Plant:—men's campus . . . . .	\$414,772 92
womens' campus . . . . .	103,683 00
	<hr/>
	\$518,455 92

#### Real-estate Mortgages:—

Idaho . . . . .	4,000 00
Iowa . . . . .	6,000 00
Minnesota . . . . .	67,600 00
Missouri . . . . .	16,100 00
Nebraska . . . . .	10,600 00
New York . . . . .	152,500 00
North Dakota . . . . .	85,300 00
Oklahoma . . . . .	21,700 00
South Dakota . . . . .	19,100 00
Texas . . . . .	8,500 00
Vermont . . . . .	12,300 00
Notes . . . . .	<hr/> 146 00

#### Municipal Bonds:—

5 Kalkaska, Mich., 6 per cent. . . . .	5,000 00
5 Grand Ledge, Mich., 6 per cent. . . . .	5,000 00
3 Waterville, Minn., 5½ per cent. . . . .	<hr/> 3,000 00
	13,000 00

#### Railway and Other Corporation Bonds:—

3 Springfield, Vt., traction 5 per cent. . . . .	1,500 00
1 A., Top. & St. Fe 4 per cent. adj. . . . .	1,000 00
15 Everett, Wash., Ry. & Elec. Light, 5 per cent. . . . .	15,000 00
15 Everett, Wash., water	

5 per cent. . . . .	\$15,000 00
4 Va. Midland 5s, 1936 .	4,000 00
5 N. Y. Cent. Equip. 5s,	
1950 . . . . .	5,000 00
4 R. I. Suburban 4s, 1950	4,000 00
10 St. L. & San F. Ref. 4s,	
1951* . . . . .	8,600 00
5 So. Ry. Devel. and Gen.	
4s, 1956* . . . . .	4,083 75    \$58,183 75

## Stocks :—

125 Pennsylvania Ry. Co. .	12,500 00
8 Nat. Bank of Middlebury	800 00
7 Killington Nat. Bank,	
Rutland . . . . .	500 00
6 Concord, N.H., gas-light	300 00
1 Old Middlebury Marble	
Co. . . . .	<u>250 00</u> <u>14,350 00</u> <u>\$85,533 75</u>

Premiums, on Penn. Stock\* . . . . .    2,486 67

\*Purchase price

## Real Estate :—

43 Lease lots, Albany, Vt.	8,600 01
33 " " other .	<u>4,577 49</u> <u>13,177 50</u>

## Middlebury Houses and Land :—

1 President's house .	6,000 00
2 Hamlin Commons .	1,000 00
3 Wright . . . . .	4,220 00
4 Burrage . . . . .	5,680 00
5 Cady - Cunningham,	
double . . . . .	8,585 00
6 Bryant . . . . .	3,500 00

Middlebury-000263

7	Robinson . . .	.\$ 1,800 00
10	Tenement on hill .	500 00
11	" " "	900 00
12	Voter . . .	2,500 00
15	Farm (Womens' College) . . .	3,900 00
	Farm (Porter) . . .	9,095 00
17	Music Studio . . .	2,000 00
	Battell Forest Land .	<u>1,000 00</u>
		\$50,680 00
		\$63,857 50

## Cash :—

On hand and exchange . . . . .	116 08
Nat. Bank of Middlebury . . . .	6,824 90
Columbia Trust Co. . . . .	<u>5,082 77</u> 12,023 75

Due from Students . . . . .	1,922 24
-----------------------------	----------

## Miscellaneous :—

Bookstore . . . . .	441 34
Chemical Bldg. fire account . . .	376 28
Sundry debits . . . . .	<u>452 71</u> 1,270 33
	\$1,089,396 16

Middlebury-000264

### Liabilities.

Capital in Plant: (see in detail) men . . . . .	\$414,772 92
women . . . . .	<u>103,683 00</u> \$518,455 92
Corporation Funds . . . . .	94,935 22
Trust Funds :—	
Corporation Benefits . . . . .	166,827 50
Endowments . . . . .	174,948 14
Student Benefits . . . . .	47,872 79
Scholarships . . . . .	32,000 00
Prize . . . . .	<u>2,400 00</u> 424,048 43
Profit in Trust Funds . . . . .	3,675 25
Boardman Fund . . . . .	30,000 00
G. E. B. Fund,—suspense . . . . .	145 94
Hudson Fund . . . . .	500 00
Other funds . . . . .	145 00
Womens' College sinking fund . . . . .	8,194 47
Porter Field development fund . . . . .	1,826 96
Halls for Women . . . . .	6,599 19
Sundry credits . . . . .	869 78
	<u>\$1,089,396 16</u>

Middlebury-000265

### List of the Trust Funds.

	AMOUNT.	SHARE OF INCOME.
<b>Corporation Benefits:</b>		
Subscription of 1848	\$18,750 00	\$1,007 34
Nahum Peck	100 00	5 37
Subscription of 1886-7	25,700 00	1,380 75
B. P. Stone	3,692 50	198 38
Centennial	13,085 00	702 99
Gen. Education Board	50,000 00	2,686 30
Alumni and Friends' Fund in G. E. B. F'd	25,500 00	1,370 00
Henry M. Barnum	30,000 00	166,827 50
	<hr/>	<hr/>
<b>Endowments:</b>		
Math. and Nat. Philos.	700 00	37 61
G. N. Boardman (lib.)	250 00	13 43
Jos. Burr (Professorship)	12,000 00	644 74
John C. Baldwin "	22,500 00	1,208 84
N. S. S. Beman "	3,300 00	177 29
Levi P. Morton "	10,000 00	537 28
Jas. B. Jermain "	37,500 00	2,014 70
A. Barton Hepburn (Professorship)	35,000 00	1,880 40
Solomon Stoddard (Latin)	400 00	21 49
Ezra J. Warner (Science Hall)	23,798 14	1,278 60
Paige-Wright (Professorship)	19,000 00	1,020 80
M. Louise Carr Memo- rial (Library)	500 00	26 86
J. G. McCullough (Gymnasium)	10,000 00	174,948 14
	<hr/>	<hr/>
		537 28
		9,399 32

Middlebury-000266

## Student Benefits :—

Charitable Society	\$4,011 77	\$215 53
Isaac Warren	3,000 00	161 17
Literary	740 00	39 75
Catherine E. Waldo	10,000 00	537 25
John C. Baldwin	28,121 02	1,510 82
B. Smith	1,000 00	53 72
A. P. Stafford	1,000 00	53 72
	47,872 79	2,571 96

## Scholarships :—

Subscription of 1852	25,000 00	1,343 12
Thaddeus Fairbanks	2,000 00	107 45
Levi P. Morton	2,000 00	107 45
Allen Penfield	1,000 00	53 72
Emma P. Willard	2,000 00	107 45
	32,000 00	1,719 19

## Prize Funds :—

Parkerian	300 00	16 11
Thos. A Merrill	1,500 00	80 58
Dea. Boardman, Peace	600 00	2,400 00
	36 00	132 69
	\$424,048 43	\$22,786 12

## Securities Allotted to the Trust Funds.

Municipal bonds	.	.	.	.	.	.	.	\$ 13,000 00
Railroad and other Corporation bonds	.	.	.	.	.	.	.	32,400 00
New York City mortgages	.	.	.	.	.	.	.	152,500 00
Other mortgages	.	.	.	.	.	.	.	228,550 00
Cash—suspense	.	.	.	.	.	.	.	1,273 68
								\$427,723 68*

\*Covers profit in Trust Funds.

## Plant.

### MEN'S CAMPUS.

Chapel . . . . .		\$25,000 00	
equipment . . . . .		<u>3,500 00</u>	\$28,500 00
Starr Hall . . . . .		15,000 00	
equipment . . . . .		<u>1,000 00</u>	16,000 00
Painter Hall . . . . .		18,000 00	
equipment . . . . .		<u>1,000 00</u>	19,000 00
Starr Library . . . . .		50,000 00	
equipment . . . . .		<u>5,000 00</u>	55,000 00
Library of Books . . . . .			27,000 00
Warner Science Hall . . . . .		70,000 00	
equipment . . . . .		<u>12,500 00</u>	82,500 00
Museum and Laboratories in Warner Hall . . . . .			11,500 00
Gymnasium . . . . .		52,034 77	
equipment . . . . .		<u>2,148 85</u>	54,183 62
Chemical Building . . . . .		59,971 77	
equipment . . . . .		<u>13,675 98</u>	73,647 75
Heating Plant . . . . .			37,441 55
Campus . . . . .			5,000 00
Porter Athletic Field . . . . .			5,000 00
			<u><u>                        </u></u>
			\$414,772 92

Middlebury-000268

## WOMEN'S CAMPUS.

Battell Cottage . . . . .	23,363	28	
equipment . . . . .	2,664	74	26,028 02
Pearsons Hall . . . . .	66,494	55	
equipment . . . . .	7,198	51	73,693 06
Hillside Cottage . . . . .			3,961 92
			-----
			\$103,683 00
Total, . . . . .			\$518,455 92

Middlebury-000269

## Insurance.

Chapel (flat)	.	.	.	.	\$17,000 00	
contents	.	.	.	.	1,625 00	\$18,625 00
Starr Hall (flat)	.	.	.	.		10,000 00
Painter Hall (flat)	.	.	.	.		10,000 00
Starr Library (flat)	.	.	.	.	10,000 00	
Books in Library	.	.	.	.	15,000 00	25,000 00
Warner Science Hall	.	.	.	.	55,000 00	
museum	.	.	.	.	3,100 00	
equipment,	.	.	.	.	5,000 00	63,100 00
Gymnasium (flat)	.	.	.	.		10,000 00
Chemical Building (flat)	.	.	.	.	20,000 00	
equipment	.	.	.	.	8,000 00	28,000 00
Heating Plant	.	.	.	.		2,500 00
Heating Plant boilers (indemnity)	.	.	.	.		10,000 00
Battell Cottage	.	.	.	.	16,000 00	
contents	.	.	.	.	2,000 00	18,000 00
Pearsons Hall (flat)	.	.	.	.	31,000 00	
contents	.	.	.	.	4,000 00	35,000 00
Hillside Cottage	.	.	.	.	3,000 00	
contents	.	.	.	.	500 00	3,500 00
						\$233,725 00

Middlebury-000270

### Net Charges to Students, Classified.

	Men.	Women.	Total.
Tuition, net . . . . .	\$11,269 65	\$12,844 00	\$24,113 65
Room-rent* . . . . .	2,555 00		2,555 00
Laboratories :—			
Physics . . . . .	115 00	5 00	120 00
Biology . . . . .	250 00	260 00	510 00
Chemistry . . . . .	1,140 00	26 00	1,166 00
Surveying . . . . .	115 50	50	116 00
Home Economics . . . . .		270 00	270 00
Household Chemistry . . . . .		450 00	450 00
Music . . . . .	(—17 00)	142 00	125 00
Graduation . . . . .	363 00	407 00	770 00
Extra courses . . . . .	648 50	470 00	1,118 50
(net) . . . . .	\$16,439 65	\$14,874 50	\$31,314 15

\*Womens' dormitories not here included.

### Net Charges to Students for the Last Ten Years.

1905-06	. . . . .	\$4,904 91
1906-07	. . . . .	5,194 87
1907-08	. . . . .	5,696 74
1908-09	. . . . .	11,095 02
1909-10	. . . . .	15,604 02
1910-11	. . . . .	19,687 61
1911-12	. . . . .	23,913 12
1912-13	. . . . .	27,211 54
1913-14	. . . . .	27,285 38
1914-15	. . . . .	31,314 15

**Table of Income and Disbursement for the  
Last Ten Years.**

Year	Income	Disbursements	Surplus	Deficit
1905-06	\$28,496 63	\$31,364 52		\$2,867 89
1906-07	28,490 76	28,153 37	\$337 39	
1907-08	29,299 60	30,140 83		841 23
1908-09	36,072 07	36,197 09		125 02
1909-10	54,781 99	54,754 72	27 27	
1910-11	59,113 30	59,852 95		739 65
1911-12	69,498 62	73,151 39		3,652 77
1912-13	71,763 32	74,872 61		3,109 29
1913-14	89,142 11	91,532 77		2,390 66
1914-15	91,380 37	90,156 28	1,224 09	

**Summer Session.**

From the Director	.	.	.	.	\$1,754 50	
less disbursement	.	.	.	.	155 67	\$1,598 83
State Summer School	.	.	.	.		250 00
						\$1,848 83
DISBURSEMENT.						
Advertising	.	.	.	.	.	148 56
Bulletins	.	.	.	.	.	388 50
Postage	.	.	.	.	.	75 38
Printing	.	.	.	.	.	91 40
Salaries	.	.	.	.	.	2,385 90
Sundry service	.	.	.	.	.	87 44
Supplies and miscellaneous	.	.	.	.	.	24 94
						3,202 12
Deficit	.	.	.	.	.	\$1,353 29

Middlebury-000272

## Halls For Women.

### RECEIPTS

Balance May 29, 1914 . . . . .	\$4,581 85
Guests . . . . .	159 40
Students' board and room . . . . .	23,280 40
Summer Session, net . . . . .	211 02
Miscellaneous . . . . .	228 78
	<hr/>
	28,461 45

### DISBURSEMENT

Construction . . . . .	666 97
 Fuel :—	
Share at heating plant . . . . .	\$700 00
Furnace last Fall . . . . .	185 77
Hillside, range, etc. . . . .	635 83
	<hr/>
Furnishings & equipment . . . . .	1,521 60
Insurance . . . . .	534 90
Laundry . . . . .	338 67
	<hr/>
Laundry . . . . .	431 00
 Light :—	
Electric current . . . . .	444 35
Lamps, etc. . . . .	81 75
	<hr/>
Repairs and maintenance . . . . .	526 10
	<hr/>
Repairs and maintenance . . . . .	571 11
 Salaries :—	
Janitors . . . . .	540 75
Maids . . . . .	1,087 78
Matrons . . . . .	950 00
Students . . . . .	993 64
	<hr/>
	3,572 17

Middlebury-000273

Supplies . . . . .	10,990	27
Telephone . . . . .	86	93
Water . . . . .	80	00
Women's College sinking fund . . . . .	2,325	66
Miscellaneous . . . . .	133	40
 Balance :—		
Mrs. Mills . . . . .	83	48
Treasurer . . . . .	6,599	19
	6,682	67
	<hr/>	
	\$28,461	
	45	

Middlebury-000274

### State Account.

#### RECEIPTS.

State Scholarships . . . . .	\$ 4,800 00
State appropriation for the departments of pedagogy, forestry and other subjects related to the industries of Vermont . . . . .	13,600 00
State appropriation for instruction in subjects essential for teaching in Vermont High Schools and Academies . . . . .	10,400 00
State for State Summer School . . . . .	250 00
	<hr/>
	29,050 00

#### DISBURSEMENT.

Scholarship : men . . . . .	2,080 00
women . . . . .	2,720 00
<hr/>	
Salaries :—	
Pedagogy . . . . .	3,800 00
Home Economics, Mathematics and Surveying and Drawing . . . . .	3,401 00
French and German . . . . .	2,762 72
Latin and Chemistry . . . . .	3,500 00
History, English, Public Speaking and Music . . . . .	5,685 30
Geology and Natural History . . . . .	2,725 26
	<hr/>
Supplies, etc., for the departments of Forestry, Home Economics, Pedagogy, Drawing and Surveying . . . . .	472 43
Books on education . . . . .	300 00
State Summer School . . . . .	250 00
Cost of Summer Session, net . . . . .	1,353 29
	<hr/>
	\$29,050 00

Middlebury-000275

### Hamlin Commons.

RECEIPTS.

(Miss Bristol)

Board . . . . .	\$5,969 22
-----------------	------------

DISBURSEMENT.

(Treasurer)

Equipment . . . . .	\$121 55
Fuel . . . . .	277 34
Insurance . . . . .	78 75
Repairs and maintenance . . . . .	138 82
Salary . . . . .	500 00
Supplies . . . . .	519 72
	<hr/>
	\$1,636 18

(Miss Bristol)

Laundry . . . . .	79 75
Light and heat . . . . .	56 04
Salaries and wages :—	
students . . . . .	947 17
other . . . . .	530 03
	<hr/>
Supplies . . . . .	4,076 34
Miscellaneous . . . . .	4 45
	<hr/>
	5,693 78      7,329 96
Deficit . . . . .	· · · · ·      1,360 74
Debit balance with Treasurer	1,636 18
Credit “ “ Miss Bristol	275 44
	<hr/>

STATE OF VERMONT      }  
COUNTY OF ADDISON,    } ss.

I, John A. Fletcher, Treasurer of Middlebury College, do solemnly swear that the foregoing report is true to the best of my knowledge, and belief.

JOHN A FLETCHER, TREASURER.

Subscribed and sworn to before me this ninth day of June, A. D.  
1915.

ROBERT F. PINNEY,  
Notary Public.

Middlebury-000277

## AUDITOR'S REPORT.

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*To The President and Fellows of Middlebury College :*

GENTLEMEN :

This is to certify that I have examined the securities listed in the foregoing report of the Treasurer as follows :

Real Estate mortgages . . . . .	\$403,700 00
Stock and Bonds . . . . .	85 533 75

(except stocks and bonds listed at book value at \$38,183.75  
in Safe Deposit vault in New York City and vouched for  
by George M. Wright, Esq.)

That I have verified the bank balances :

at Columbia Trust Co. . . . .	\$5,082 77
at National Bank of Middlebury . . . . .	6,824 90

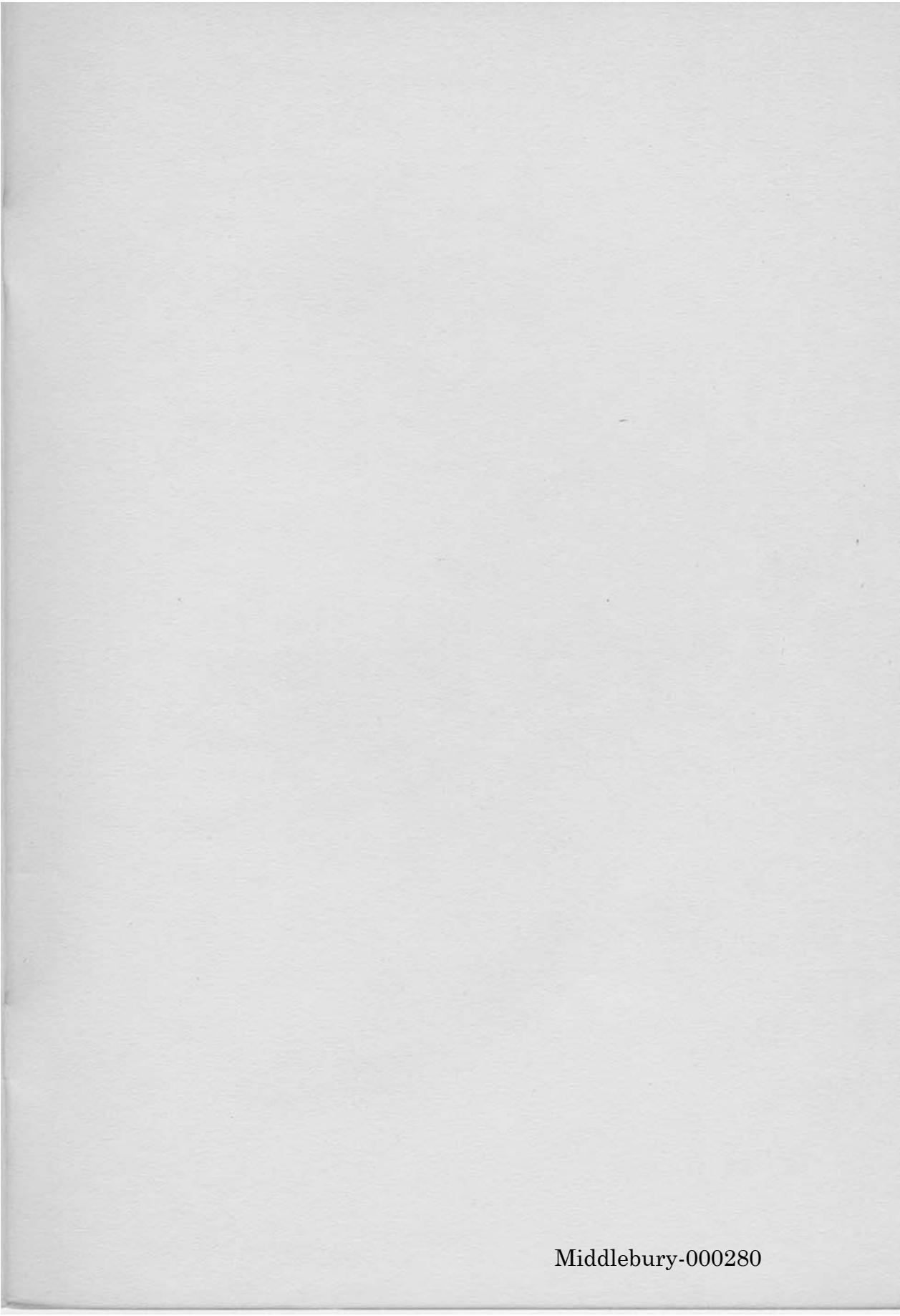
And that I have also examined the vouchers for the cash disbursements of the fiscal year, all of which are found correct.

Respectfully submitted,

D. L. WELLS, Auditor.

Middlebury-000278

Middlebury-000279



Middlebury-000280

Middlebury-000281

Middlebury-000282

Middlebury-000283

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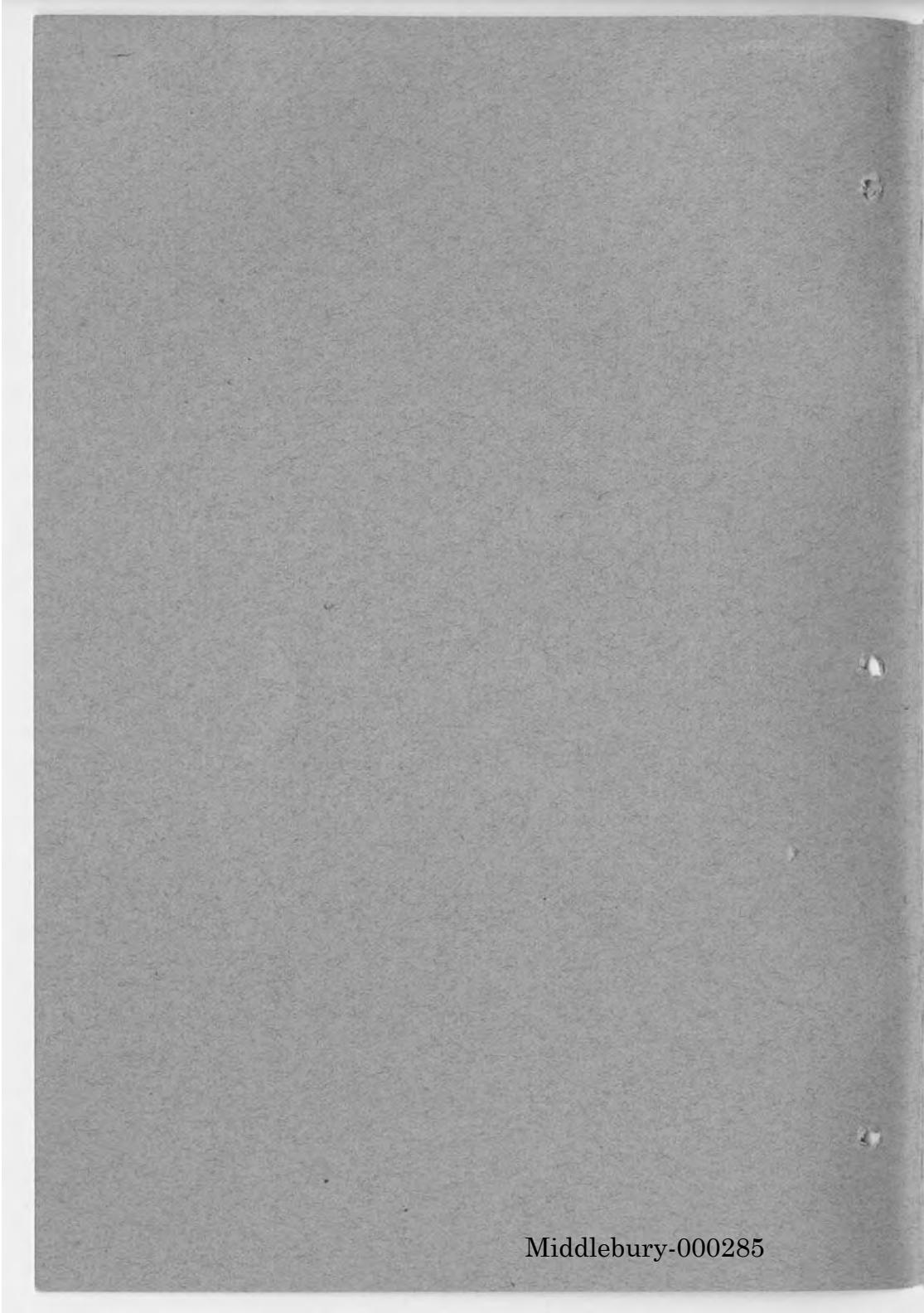
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MIDDLEBURY COLLEGE

TREASURER'S REPORT

MAY 31, 1916

Middlebury-000284



Middlebury-000285

MIDDLEBURY COLLEGE  
TREASURER'S REPORT

MAY 31, 1916

Middlebury-000286

MAY 31, 1916.

*To the President and Fellows of Middlebury College:*

The Treasurer herewith begs to present the report of the financial condition of the College at this date and of the financial transactions for the fiscal year ending this day.

Respectfully submitted,

JOHN A. FLETCHER, Treasurer.

Middlebury-000287

### Income and Expense for the Fiscal Year.

#### INCOME.

From the Corporation Funds . . . . .	\$ 4,237 46
From the Trust Funds . . . . .	23,634 67
From the Boardman Fund . . . . .	1,693 19
State appropriation for scholarships . . . . .	4,800 00
State appropriation, other . . . . .	24,000 00
Students' semester bills . . . . .	\$40,793 75
less scholarships . . . . .	8,840 00
	31,953 75
Graduate students . . . . .	236 66
Alumni Fund . . . . .	504 00
Gifts for current use . . . . .	330 00
Farm, net . . . . .	1,194 75
Miscellaneous . . . . .	197 61
	\$92,782 09

#### EXPENSE.

Advertising . . . . .	\$ 140 24
Boardman annuity . . . . .	\$ 750 00
profit and loss . . . . .	163 75
	913 75
Bulletins . . . . .	2,064 53
Campus, includes new road, etc. . . . .	1,424 25
Choir . . . . .	413 22
Commencement . . . . .	503 09
Construction :—Chemical Bldg., bal. . . . .	\$ 84 38
Hepburn Hall conduit . . . . .	1,581 40
Mead Chapel " . . . . .	928 23
Other . . . . .	73 55
	2,667 56

Middlebury-000288

Dean's office . . . . .	\$ 610 75
" women . . . . .	114 25
Delegates . . . . .	138 31
Departments of Instruction :—	
Biology . . . . .	\$ 67 87
Chemistry . . . . .	2,190 44
Drawing and Surveying . . . . .	68 38
Geology . . . . .	94 55
Home Economics . . . . .	298 44
Latin . . . . .	11 77
Modern Languages . . . . .	22 57
Pedagogy . . . . .	242 75
Physical Education . . . . .	106 03
Physics . . . . .	428 42
Other . . . . .	13 10
General . . . . .	163 80
	3,708 12
Dramas . . . . .	67 05
Farmers' Institute . . . . .	15 95
Fuel . . . . .	\$ 5,469 29
less a sixth to Women's	
Halls . . . . .	\$911 55
less suspense . . . . .	266 64
	1,178 19
	4,291 10
Furnishings and equipment . . . . .	
Grading . . . . .	1,441 56
Gymnasium conduit repairs . . . . .	537 11
Hamlin Commons, see in detail . . . . .	226 56
Insurance . . . . .	1,001 03
Library :—Binding . . . . .	1,333 55
Books . . . . .	152 02
Equipment . . . . .	1,846 70
Periodicals . . . . .	13 45
Service, extra . . . . .	633 14
	239 79

Middlebury-000289

Library :—Supplies . . . .	\$ 209 61
Miscellaneous . . . .	13 38
	_____
	\$3,108 09
Light :—	
Electric current . . . .	1,059 85
Lamps, repairs, etc. . . .	170 18
	_____
	1,230 03
Music Studio :—	
Fuel . . . . .	143 85
Light . . . . .	42 30
Janitor . . . . .	108 00
Repairs . . . . .	159 63
Water . . . . .	10 00
	_____
	463 78
New Eng. College Entrance Certif. Board . . . .	38 40
Porter Field, current . . . . .	71 83
President's house . . . . .	111 07
President's office . . . . .	475 04
Prizes . . . . .	186 00
Reading room . . . . .	48 45
Registrar's office . . . . .	333 58
Repairs and maintenance . . . . .	1,572 64
Salaries : President and instruction . . . .	52,568 50
Other . . . . .	11,925 67
	_____
	64,494 17
Summer Session, bal. 1915, see in detail . . . .	273 03
Supplies . . . . .	254 00
Taxes . . . . .	416 29
less to farm . . . . .	83 56
	_____
	332 73
Treasurer's office . . . . .	462 55
Water . . . . .	202 00
Water ditch . . . . .	42 78
Miscellaneous . . . . .	610 76
	_____
	\$95,922 91
Deficit . . . . .	\$3,140 82

Middlebury-000290

### Profit and Loss—Capital Investment Account.

PROFIT.

By sale of N. Y. City bonds, 4s	.	.	.	.	.	\$ 46 67
Gift of library fund for the Trust Funds	.	.	.	.	.	1,500 00
						<hr/> <u>1,546 67</u>

LOSS.

Deficit as above	.	.	.	.	.	.	3,140 82
Net decrease	.	.	.	.	.	.	1,594 15

NOTE:—By the death of Dr. and Mrs. Boardman the Boardman Fund of \$30,000 passes from the Annuity Funds to the Trust Funds.

### Comparison of Funds and Plant in the Years 1905 and 1916.

	1905	1916
Corporation Funds	\$185,230 71	\$ 91,841 07
Trust Funds	<u>228,990 29</u>	<u>455,548 43</u>
	<u>414,221 00</u>	<u>547,389 50</u>
Plant	<u>233,500 00</u>	<u>703,040 30</u>
	<u>\$647,721 00</u>	<u>\$1,250,429 80</u>

Middlebury-000291

## Gifts.

From Hon. A. B. Hepburn, '71, Hepburn Hall and Commons . . . . .	
From Hon. John A. Mead, '64, the Mead Memorial Chapel . . . . .	
From a friend for the development of Porter Field	\$2,500 00
From Mrs. Chas. M. Mead for standard books for the library . . . . .	25 00
From Dr. M. Allen Starr, for equipment for the library . . . . .	205 20
From a friend for a permanent library fund, the income to be used for the purchase of non-fiction books . . . . .	1,500 00
From Dr. John M. Thomas, '90, for the Horace W. Bailey collection of Vermont pamphlets . . . . .	25 00
From James M. Gifford, Esq., '77, for the same . . . . .	100 00
From George M. Wright, Esq., '76, for the same . . . . .	100 00
From the Carnegie Foundation for a retiring allowance . . . . .	1,750 00
From the Carnegie Endowment for International Peace for a summer course . . . . .	150 00
From a friend in Middlebury, Vt., for a scholarship . . . . .	100 00
From friends in Wallingford, Conn., for a scholarship . . . . .	100 00
From alumni and friends for the Hudson Professorship Fund . . . . .	1,858 00
From alumni and friends for the Alumni Income Fund . . . . .	459 00
From alumni and friends for the G. E. B. Fund . . . . .	55 00
From alumni and friends for the Gymnasium Fund . . . . .	68 00
From a friend for a prize for the best note book in zoology . . . . .	5 00
From a friend for the Student Loan Fund . . . . .	15 00
Exclusive of buildings . . . . .	\$9,015 20

Middlebury-000292

### Balance Sheet.

RESOURCES.

Plant, Schedule A . . . . .	\$703,040 30
Real-Estate Mortgages, Schedule B . . . . .	414,900 00
Notes . . . . .	253 00
Stocks, Schedule C . . . . .	14,350 00
Bonds, Schedule D . . . . .	79,046 25
Real Estate, Schedule E . . . . .	63,857 50
Cash . . . . .	\$293 78
Columbia Trust Co. . . . .	730 41
	1,024 19
Premiums (Pennsylvania stock) . . . . .	2,486 67
Due from students . . . . .	1,299 54
Book-store . . . . .	664 39
Summer Session, 1916, suspense . . . . .	587 03
Due from Athletic Association . . . . .	450 00
Fuel, suspense . . . . .	266 64
Other Debits . . . . .	110 52
	\$1,282,336 03

Middlebury-000293

## LIABILITIES.

Plant Capital . . . . .	\$703,040 30
Corporation Funds . . . . .	91,841 07
Trust Funds, Schedule F . . . . .	455,548 43
Profit in Trust Funds . . . . .	3,675 25
Other Funds :	
American History . . . . .	100 00
Henry Hudson . . . . .	2,358 00
Gen. Ed. Board, special . . . . .	118 94
Women's College Sinking . . . . .	12,414 35
Chemical Building . . . . .	1,574 97
Student Aid . . . . .	220 50
Porter Field Development . . . . .	619 64
Other Accounts :	
Gifts, suspense . . . . .	310 00
Mead Memorial Chapel . . . . .	1,451 54
Women's Halls . . . . .	7,017 38
Due Nat. Bank of Middlebury . . . . .	1,250 73
Sundry credits. . . . .	794 93
	_____
	\$1,282,336 03

Middlebury-000294

### Plant—Schedule A.

#### MEN'S CAMPUS.

##### LAND.

Campus . . . . .	\$5,000 00
Porter Athletic Field with Grand Stand	5,000 00
	\$10,000 00

##### BUILDINGS.

Chapel . . . . .	25,000 00
Starr Hall . . . . .	15,000 00
Painter Hall . . . . .	18,000 00
Starr Library . . . , .	50,000 00
Warner Science Hall . . . . .	70,000 00
Gymnasium . . . . .	52,034 77
Chemical Building . . . . .	60,056 15
Heating Plant with conduits . . . .	37,441 55
Mead Memorial Chapel, not complete .	60,000 00
Hepburn Hall and Commons, not complete	110,000 00
	497,532 47

##### EQUIPMENT.

Library of Books, number 45,000	33,000 00
<b>Apparatus :—</b>	
Biology . . . . .	\$ 2,400 00
Chemistry . . . . .	5,000 00
Physics . . . . .	4,000 00
Home Economics . . . . .	700 00
Draw'g and Survey'g . . . . .	300 00
Music . . . . .	1,000 00
	13,400 00
Museum . . . . .	5,000 00

Middlebury-000295

## Furniture, etc.:—

Chapel . . . . .	\$3,500 00
Starr Hall . . . . .	1,000 00
Painter Hall . . . . .	1,000 00
Starr Library . . . . .	5,000 00
Warner Science Hall . . . . .	12,500 00
Gymnasium . . . . .	2,148 85
Chemical Building . . . . .	13,675 98
	—————
	\$38,824 83
	—————
	\$90,224 83
	—————
	\$597,757 30

## WOMEN'S CAMPUS.

## LAND.

Campus . . . . .	\$ 1,000 00
------------------	-------------

## BUILDINGS.

Battell Cottage . . . . .	\$23,363 28
Pearsons Hall . . . . .	66,494 55
Hillside Cottage . . . . .	3,961 92
	—————
	93,819 75

## EQUIPMENT.

## Furniture, etc.

Battell Cottage . . . . .	2,664 74
Pearsons Hall . . . . .	7,198 51
Hillside Cottage . . . . .	600 00
	—————
	10,463 25
	—————
	105,283 00
	—————
Total . . . . .	\$703,040 30

Middlebury-000296

### Real Estate Mortgages—Schedule B.

Idaho . . . . .	\$ 4,000 00
Iowa . . . . .	6,000 00
Minnesota . . . . .	76,000 00
Missouri . . . . .	21,600 00
Nebraska . . . . .	9,100 00
New York . . . . .	152,000 00
North Dakota . . . . .	89,000 00
Oklahoma . . . . .	21,700 00
South Dakota . . . . .	15,700 00
Texas . . . . .	8,500 00
Vermont . . . . .	11,300 00
<hr/>	
	\$414,900 00

### Stocks—Schedule C.

Pennsylvania Ry. Co.	125 shares	\$12,500 00
National Bank Middlebury	8 "	800 00
Killington National Bank,		
Rutland	5 "	500 00
Concord N. H. Gas Light Co.	6 "	300 00
Middlebury Marble Co.	1 "	250 00
<hr/>		
		\$14,350 00
Premium on Pennsylvania Stock	.	\$ 2,486 67

Middlebury-000297

### Bonds—Schedule D.

Municipal :—

3 Kalkaska, Mich., 6 per cent . . .	\$3,000 00
5 Grand Ledge, Mich., 6 per cent . . .	5,000 00
3 Waterville, Minn., 5½ per cent . . .	3,000 00
	—————
	\$11,000 00

Railway and other Corporation :—

3 Springfield, Vt., traction 5s . . .	1,500 00
1 A. Top. & St. Fe adj., 4s . . .	1,000 00
15 Everett, Wash. Ry. & Elec. Light 5s	15,000 00
15 Everett, Wash., Water 5s . . .	15,000 00
4 Virginia Midland 5s . . . .	4,000 00
5 N. Y. Central Equip. 5s 1950 . . .	5,000 00
4 R. I. Suburban 4s 1950 . . .	4,000 00
10 St. L. & San F. ref. 4s 1951*	8,600 00
5 So. Ry. Devel. & gen. 4s 1956*	4,083 75
5 Balt. & Ohio gen. & ref. 5s A 1995*	5,100 00
5 N. Y. Central ref. & imp. 4½s 2013*	4,762 50
	—————
	68,046 25
	—————
	\$79,046 25

\*Purchase price.

Middlebury-000298

### Real Estate—Schedule E.

Lease Lots:—

43 in Albany, Vt.	. . . . .	\$8,600 01
33 in other towns, Vt.	. . . . .	4,577 49
		\$13,177 50

Middlebury Houses and Land:—

No. 1 President's house	. . . . .	\$6,000 00
2 Hamlin Commons	. . . . .	1,000 00
3 Wright	. . . . .	4,220 00
4 Burrage	. . . . .	5,680 00
5 Cady-Cunningham, double	. . . . .	8,585 00
6 Bryant	. . . . .	3,500 00
7 Robinson	. . . . .	1,800 00
10 Tenement on hill	. . . . .	500 00
11 " "	. . . . .	900 00
12 Voter	. . . . .	2,500 00
15 Farm (Women's College)	. . . . .	3,900 00
Farm (Porter)	. . . . .	9,095 00
17 Music Studio	. . . . .	2,000 00
Battell Forest Land	. . . . .	1,000 00
		50,680 00
		\$63,857 50

Middlebury-000299

## Trust Funds—Schedule F.

	AMOUNT.	SHARE OF INCOME.
Corporation Benefits:		
Subscription of 1848	\$18,750 00	\$1,048 09
Nahum Peck	100 00	5 57
Subscription of 1886-7	25,700 00	1,429 73
B. P. Stone	3,692 50	205 42
Centennial	13,085 00	727 93
Gen. Education Board	50,000 00	2,781 56
Alumni and Friends'		
Fund in G. E. B. F'd	25,500 00	1,418 60
Henry M. Barnum	30,000 00	166,827 50
		1,668 94
		\$9,280 84

## Endowments:

Math. and Nat. Philos.	700 00	38 94
G. N. Boardman (lib.)	250 00	13 91
Jos. Burr (Professorship)	12,000 00	667 58
John C. Baldwin "	22,500 00	1,251 71
N. S. S. Beman "	3,300 00	183 58
Levi P. Morton "	10,000 00	556 31
Jas. B. Jermain "	37,500 00	2,086 18
A. Barton Hepburn (Professorship)	35,000 00	1,947 10
Solomon Stoddard (Latin)	400 00	22 25
Ezra J. Warner (Science Hall)	23,798 14	1,323 92
Paige-Wright (Professorship)	19,000 00	1,056 99
M. Louise Carr Memo- rial (Library)	500 00	27 82
J. G. McCullough (Gymnasium)	10,000 00	556 31

Middlebury-000300

Library*	\$1,500 00	\$ 41 73
Geo. Nye & Anne Walker†		
Boardman (Professorship)	30,000 00	\$206,448 14
		<hr/>
		\$9,774 33

## Student Benefits :—

Charitable Society	\$4,011 77	\$223 18
Isaac Warren	3,000 00	166 90
Literary	740 00	41 17
Catherine E. Waldo	10,000 00	556 31
John C. Baldwin	28,121 02	1,564 35
B. Smith	1,000 00	55 63
A. P. Stafford	1,000 00	47,872 79
		<hr/>
		\$2,663 17

## Scholarships :—

Subscription of 1852	25,000 00	1,390 78
Thaddeus Fairbanks	2,000 00	111 26
Levi P. Morton	2,000 00	111 26
Allen Penfield	1,000 00	55 63
Emma P. Willard	2,000 00	32,000 00
		<hr/>
		1,780 19

## Prize Funds :—

Parkerian	300 00	16 69
Thomas A. Merrill	1,500 00	83 45
Dea. Boardman, Peace	600 00	2,400 00
		<hr/>
		36 00
		136 14
		<hr/>
	\$455,548 43	\$23,634 67

\* Income for part year.

† Fund has its special securities and its income is considered below.

Middlebury-000301

### Securities Allotted to the Trust Funds.

Municipal Bonds . . . . .	\$ 11,000 00
Railroad and other Corporation bonds . . . . .	32,400 00
New York City mortgages . . . . .	152,000 00
Other mortgages . . . . .	233,450 00
Cash—suspense . . . . .	373 68
	—————
	*\$429,223 68

\* Covers profit in Trust Funds.

### Boardman Fund.

Fund . . . . .	\$30,000	Income . . . . .	\$1,693 19
The securities for the fund consist of :—			
Railway bonds . . . . .			\$13,000 00
Mortgages . . . . .			17,000 00
			—————
			\$30,000 00

Middlebury-000302

### Insurance on Plant.

#### BUILDINGS.

Chapel, flat . . . . .	\$17,000 00
Starr Hall, flat . . . . .	10,000 00
Painter Hall, flat . . . . .	10,000 00
Starr Library, flat . . . . .	10,000 00
Warner Science Hall . . . . .	55,000 00
Gymnasium, flat . . . . .	10,000 00
Chemical Building, flat . . . . .	20,000 00
Heating Plant . . . . .	2,500 00
Mead Memorial Chapel, flat . . . . .	20,000 00
	\$154,500 00
Battell Cottage . . . . .	16,000 00
Pearsons Hall, flat . . . . .	31,000 00
Hillside Cottage . . . . .	3,000 00
	50,000 00

#### EQUIPMENT.

Chapel Contents . . . . .	2,000 00
Books in library . . . . .	15,000 00
Warner Hall Equipment . . . . .	5,000 00
Museum . . . . .	5,000 00
Chemical Building Equipment . . . . .	8,000 00
Heating Plant Boiler (Indemnity) . . . . .	10,000 00
Chime of Bells . . . . .	5,000 00
	50,000 00
Battell Cottage Contents . . . . .	2,000 00
Pearsons Hall " . . . . .	4,000 00
Hillside Cottage " . . . . .	500 00
	6,500 00
	\$261,000 00

Middlebury-000303

### Summer Session. 1915.

RECEIPTS.

From the Director . . . . .	\$2,808 50
From the Carnegie Endowment for International Peace . . . . .	150 00
	—————
	\$2,958 50

DISBURSEMENTS.

Advertising . . . . .	59 60
Bulletins . . . . .	390 50
Postage . . . . .	39 37
Printing and Stationery . . . . .	57 98
Salaries . . . . .	3,079 64
Sundry Service . . . . .	72 06
Supplies . . . . .	6 17
Telephone . . . . .	17 15
Miscellaneous . . . . .	55 52
	—————
	3,777 99
Deficit , . . . . .	\$819 49

NOTE.—To offset this deficit there was an apparent profit at the Women's Halls in the boarding department for the summer session of \$1,240.52.

## Halls for Women.

## RECEIPTS.

Balance May 31, 1915	.	.	.	.	.	\$ 6,682 67
Guests	.	.	.	.	.	322 26
Students' board and room	.	.	.	.	.	23,079 00
Summer Session, net	.	.	.	.	.	1,240 52
Miscellaneous	.	.	.	.	.	381 08
						<hr/>
						\$31,705 53

## DISBURSEMENTS.

Construction	.	.	.	.	.	62 07
Fuel :—						
Share at heating plant	.	.	.	.	\$911 55	
Hillside, range, etc.	.	.	.	.	822 87	<hr/>
						\$1,734 42
Furnishing and equipment	.	.	.	.	.	1,098 59
Insurance	.	.	.	.	.	364 00
Laundry	.	.	.	.	.	555 25
Light :—						
Electric current	.	.	.	.	447 65	
Lamps, etc.	.	.	.	.	43 95	<hr/>
						491 60
Repairs and maintenance	.	.	.	.	.	562 44
Salaries :—						
Janitors	.	.	.	.	641 50	
Maids	.	.	.	.	1,130 02	
Matrons	.	.	.	.	945 00	
Students	.	.	.	.	1,082 84	<hr/>
						3,799 36
Supplies	.	.	.	.	.	11,425 90
Telephone	.	.	.	.	.	83 46
Water	.	.	.	.	.	80 00

Middlebury-000305

Women's College Sinking Fund . . . . .	4,219 88
Miscellaneous . . . . .	69 73
Balance :—	
Mrs. Mills . . . . .	141 45
Treasurer . . . . .	<u>7,017 38</u>
	<u>7,158 83</u>
	\$31,705 53

### Hamlin Commons.

RECEIPTS.			
Board . . . . .	\$5,760 61		
Miscellaneous . . . . .	40 00	\$5,800 61	
DISBURSEMENTS.			
Equipment . . . . .	\$79 21		
Fuel . . . . .	202 20		
Laundry , . . . . .	101 50		
Light . . . . .	59 62		
Repairs and Maintenance . . . . .	52 08		
Salaries :—			
Matron . . . . .	\$500 00		
Students . . . . .	782 88		
Other . . . . .	<u>593 35</u>	1,876 23	
Supplies . . . . .	4,194 29		
Water . . . . .	24 00		
Miscellaneous . . . . .	<u>35 40</u>	<u>6,624 53</u>	
Deficit . . . . .		823 92	
Balance with Miss Bristol . . . . .	452 55		
Less on hand at beginning of year . . . . .	275 44	177 11	
			\$1,001 03

Middlebury-000306

### Net Charges to Students, classified.

		Men.	Women.	Total.
Tuition, net	.	\$11,860 78	\$12,803 22	\$24,664 00
Room-rent*	.	3,113 75		3,113 75
Laboratories :—				
Physics	.	55 00	15 00	70 00
Biology	.	245 00	255 00	500 00
Chemistry	.	1,178 00	401 00	1,579 00
Geology	.	30 00		30 00
Draw'g and Survey'g		86 00	1 00	87 00
Home Economics			217 00	217 00
Music	.	20 00	230 00	250 00
Graduation	.	308 00	385 00	693 00
Extra courses	.	310 00	440 00	750 00
		<hr/> \$17,206 53	<hr/> \$14,747 22	<hr/> \$31,953 75

\*Women's dormitories not here included.

### Net Charges to Students for the last Ten Years.

1906-07	.	.	.	.	.	.	.	\$ 5,194 87
1907-08	.	.	.	.	.	.	.	5,696 74
1908-09	.	.	.	.	.	.	.	11,095 02
1909-10	.	.	.	.	.	.	.	15,604 02
1910-11	.	.	.	.	.	.	.	19,687 61
1911-12	.	.	.	.	.	.	.	23,913 12
1912-13	.	.	.	.	.	.	.	27,211 54
1913-14	.	.	.	.	.	.	.	27,285 38
1914-15	.	.	.	.	.	.	.	31,314 15
1915-16	.	.	.	.	.	.	.	31,953 75

Middlebury-000307

Table of Current Income and Expense for the Last Ten  
Years.

Year	Income	Expense	Surplus	Deficit
1906-07	28,490 76	28,153 37	\$ 337 39	
1907-08	29,299 60	30,140 83		841 23
1908-09	36,072 07	36,197 09		125 02
1909-10	54,781 99	54,754 72	27 27	
1910-11	59,113 30	59,852 95		739 65
1911-12	69,498 62	73,151 39		3,652 77
1912-13	71,763 32	74,872 61		3,109 29
1913-14	89,142 11	91,532 77		2,390 66
1914-15	91,380 37	90,156 28	1,224 09	
1915-16	92,782 09	95,922 91		3,140 82

Middlebury-000308

### State Account.

#### RECEIPTS.

State Scholarships . . . . .	\$ 4,800 00
State appropriation for the department of pedagogy, forestry and other subjects related to the industries of Vermont . . . . .	13,600 00
State appropriation for instruction in subjects essential for teaching in Vermont High Schools and Academies . . . . .	10,400 00
	<u>\$28,800 00</u>

#### DISBURSEMENT.

Scholarships :—Men . . . . .	2,400 00
Women . . . . .	<u>2,400 00</u>
	4,800 00
Salaries :—	
Pedagogy . . . . .	5,300 00
Home Economics, Mathematics and Drawing and Surveying . . . . .	3,600 00
French and German . . . . .	3,143 69
Latin and Chemistry . . . . .	2,479 84
History, English, Public Speaking and Music . . . . .	5,913 82
Geology and Natural History . . . . .	<u>2,702 42</u> 23,139 77
Supplies, etc., for the departments of Pedagogy and Modern Languages . . . . .	265 32
Summer Session, balance 1915, net . . . . .	273 03
Bookson education . . . . .	300 00
State Board expenses . . . . .	<u>21 88</u>
	\$28,800 00

Middlebury-000309

STATE OF VERMONT      }  
COUNTY OF ADDISON,      } ss.

I, John A. Fletcher, treasurer of Middlebury College, do solemnly  
swear that the foregoing report is true to the best of my knowledge,  
and belief

JOHN A. FLETCHER, TREASURER.

Subscribed and sworn to before me this ninth day of June, A. D.  
1916.

ROBERT D. HOPE,  
Notary Public.

Middlebury-000310

### AUDITOR'S REPORT.

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*To the President and Fellows of Middlebury College :*

GENTLEMEN:

This is to certify that I have examined the securities listed in the foregoing report of the Treasurer as follows:

Real Estate Mortgages,	- - - - -	\$414,900 00
Stocks and Bonds,	- - - - -	93,396 25
Notes,	- - - - -	253 00

(except stocks and bonds listed at book value at \$48,046.25  
in safe deposit vault in New York City and vouched for by  
Mr. Mason Wheeler of the office of James M. Gifford, Esq.)

That I have verified the bank balances:

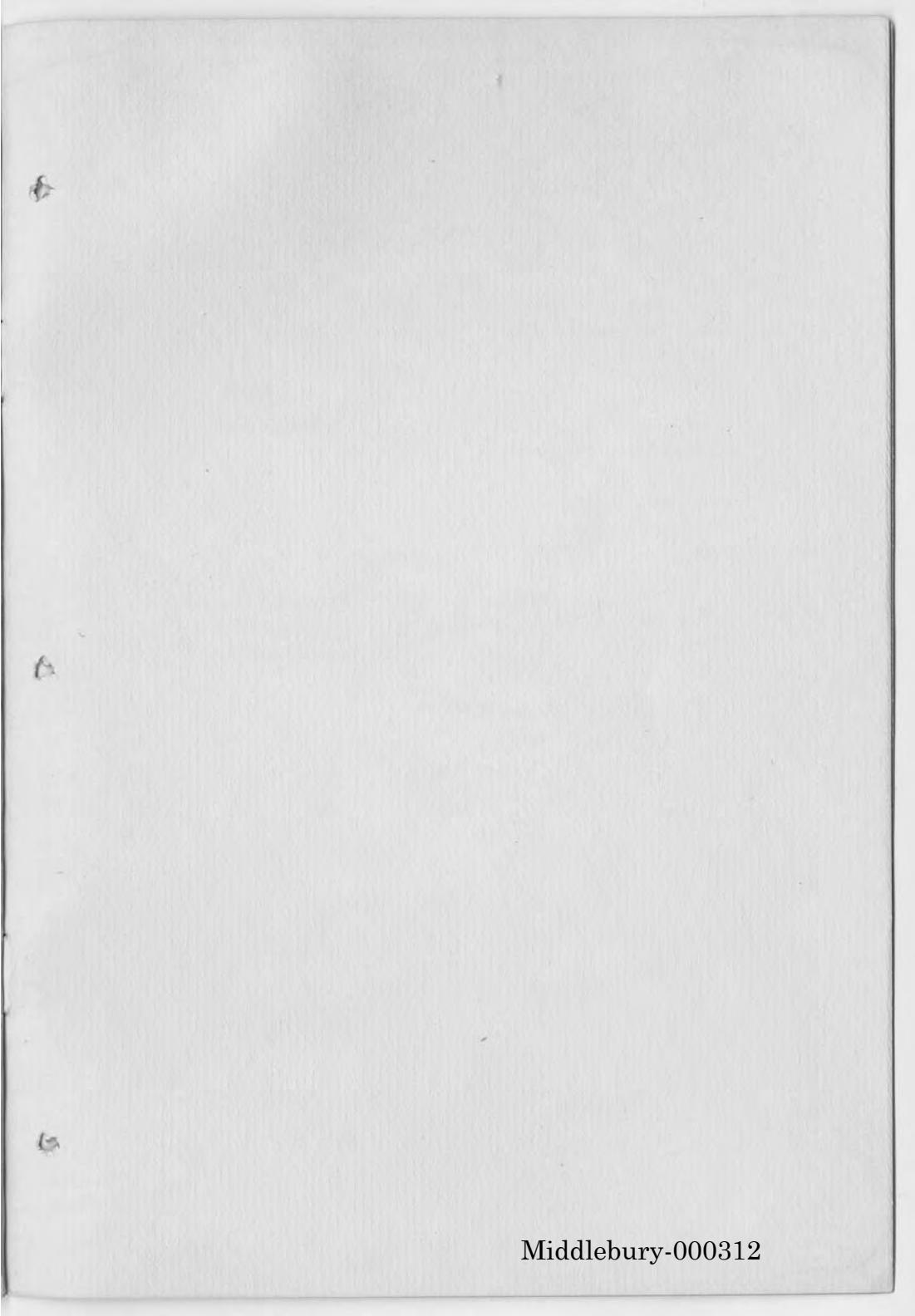
at Columbia Trust Co.	- - - - -	730 41
at National Bank of Middlebury (an overdraft)		1,250 73

And that I have also examined the vouchers for the cash disbursements of the fiscal year, all of which are found correct.

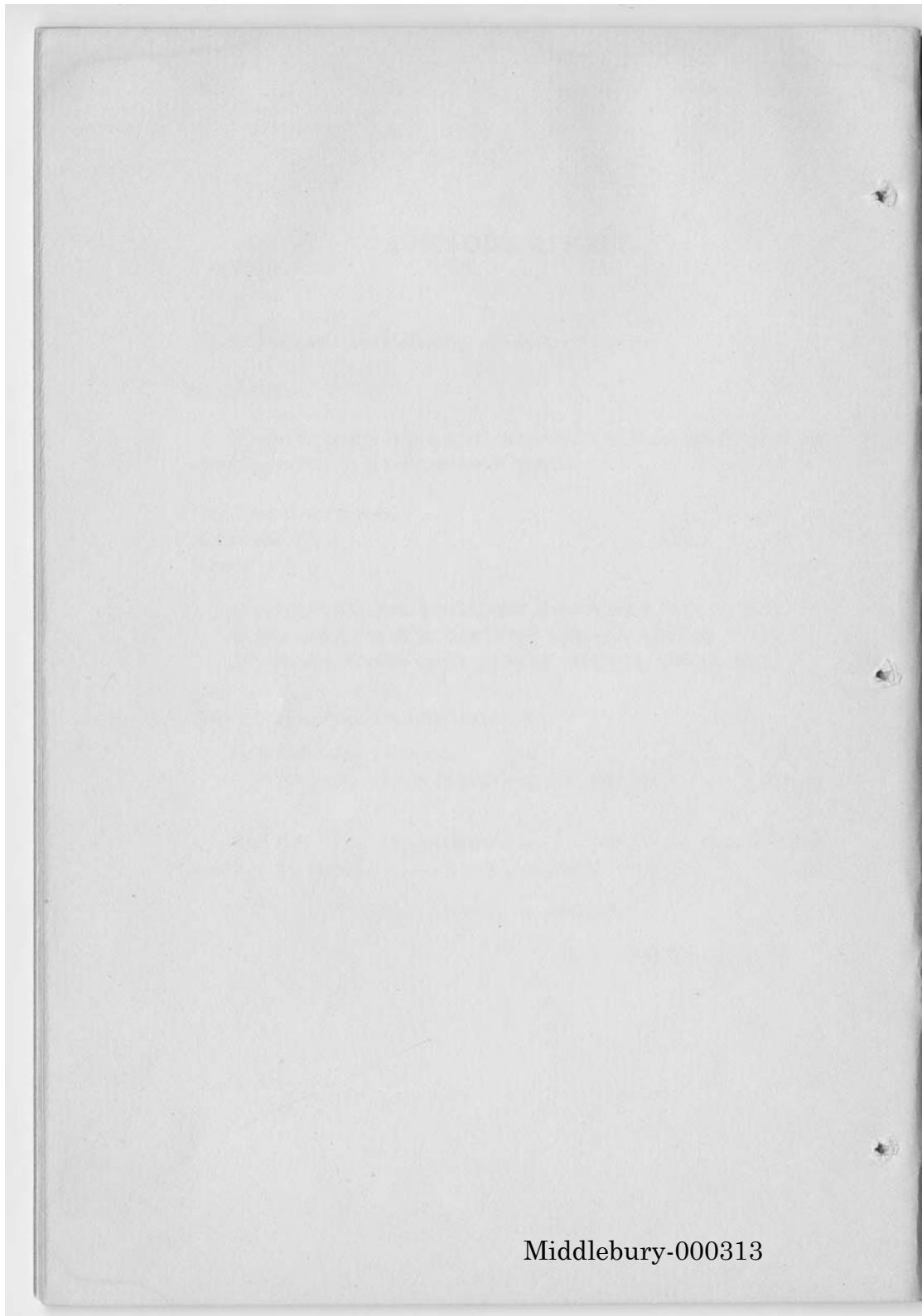
Respectfully submitted,

D. L. WELLS, Auditor.

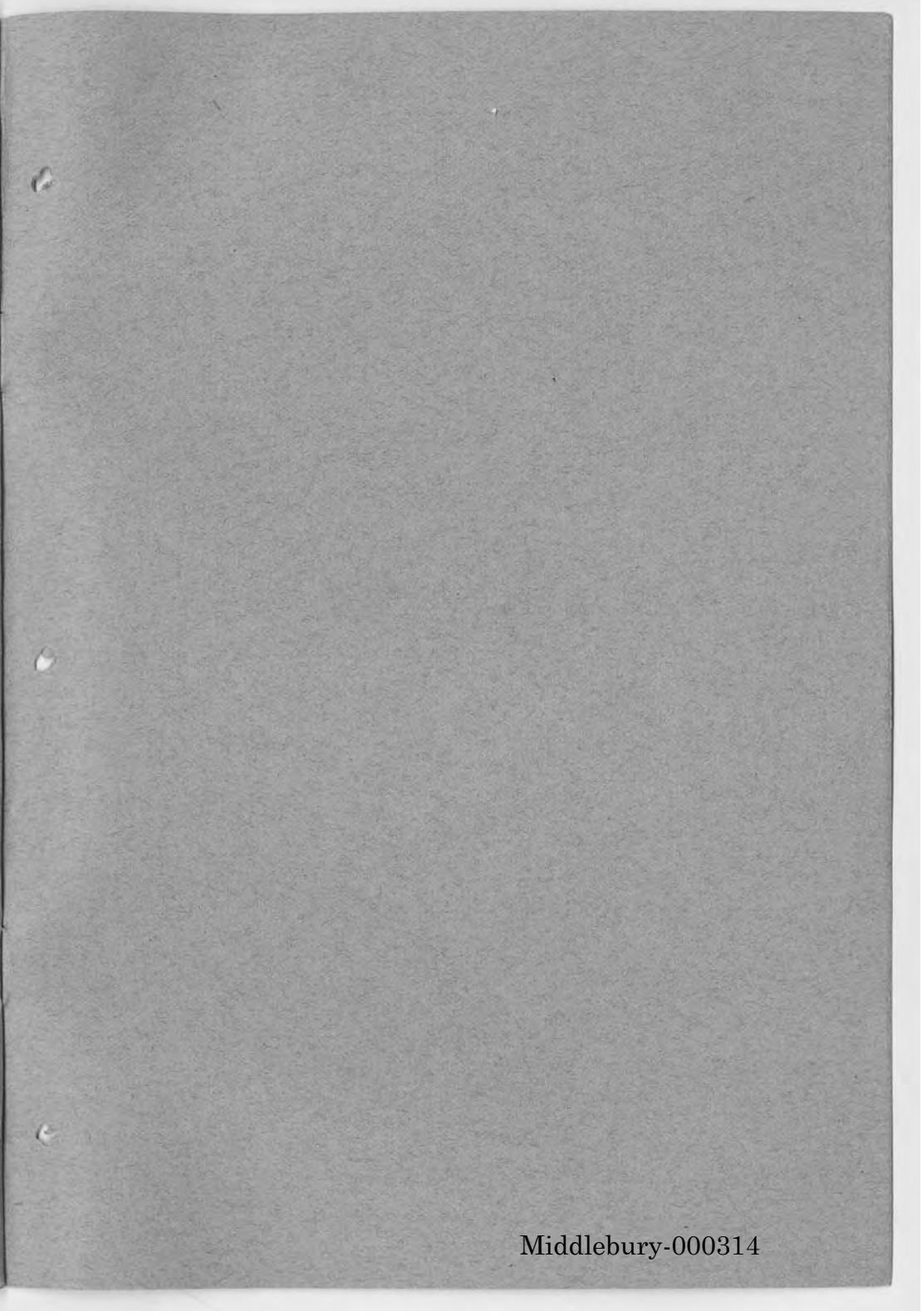
Middlebury-000311



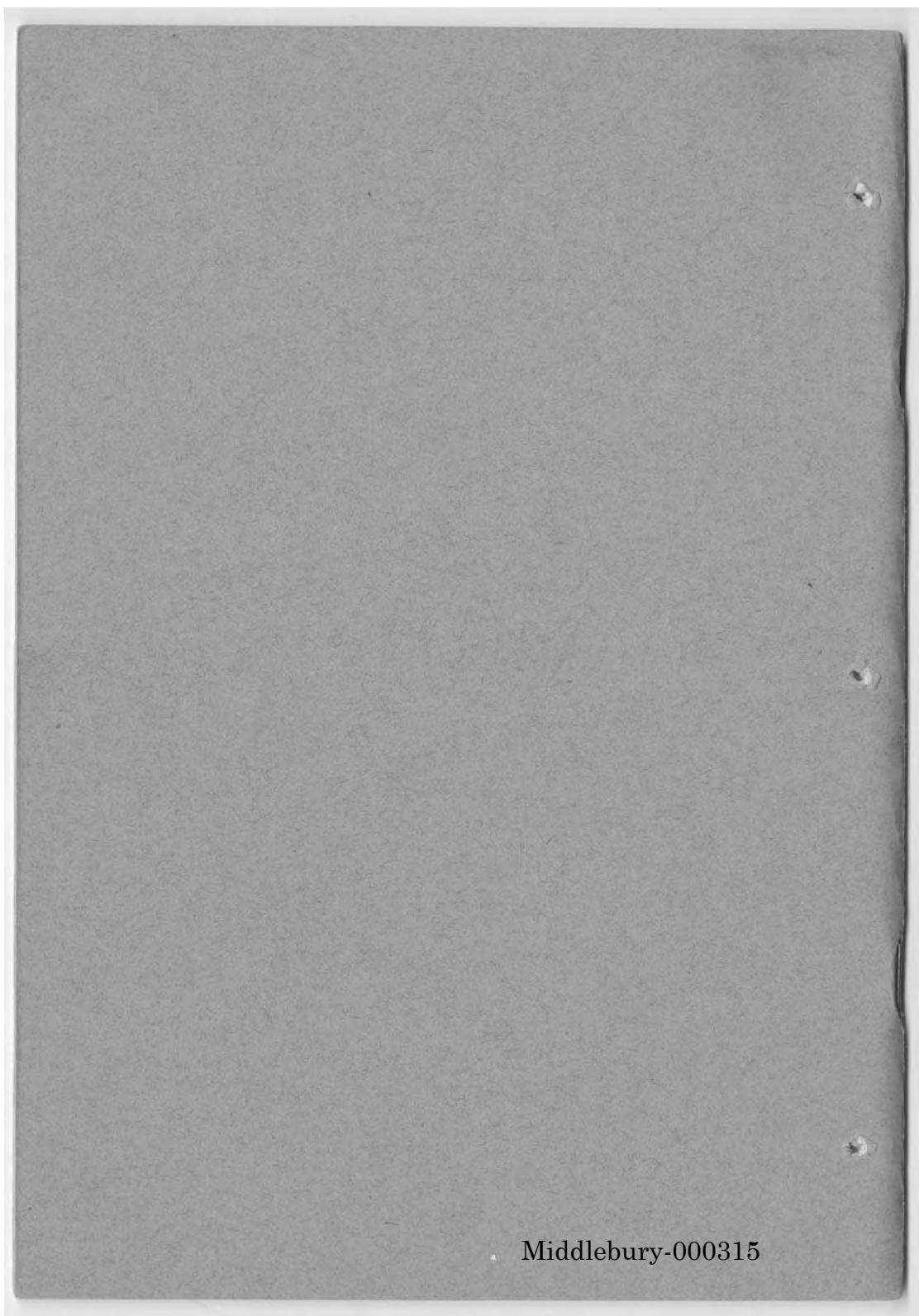
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Middlebury-000314



Middlebury-000315

# EXHIBIT T

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REPORT  
OF THE  
PRESIDENT  
OF  
Middlebury College

Middlebury, Vermont  
1916

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Middlebury-000203  
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## PRESIDENT'S REPORT

For several years the alumni and friends of Middlebury College have been informed of the condition of the institution through bulletins and circular letters, but no annual President's reports have been issued. It seems advisable at the present time to chronicle the progress which has been made and to present some of the problems which confront the college.

### ATTENDANCE

The registration for the current year is shown in the following summary by classes and comparison with 1915-16.

	SUMMARY BY CLASSES					
	Men	Women	Total	1915-16	Gain	Loss
Seniors	36	32	68	61	7	..
Juniors	35	36	71	77	..	6
Sophomores	53	47	100	76	24	..
Freshmen	79	54	133	129	4	..
	—	—	—	—	—	—
	203	169	372	343	35	6
Summer Session and Graduate Students						
	185	157	342	28	..	—
	—	—	—	—	—	—
	557	500	1057	63	6	—
Counted twice	24	32	56	8	..	—
	—	—	—	—	—	—
Net total	533	468	981	71	6	—
Net gain				65		

The total attendance is the largest in the history of the college and the net gain, 65, is much the largest effected in one year except the year the Summer Session was organized. The number of men is 16 larger than ever before, the number of women 5 larger. Particularly gratifying is the larger proportion of Freshmen continuing in the Sophomore year, which is doubtless due to more rigid enforcement of entrance requirements.

The steady and healthful growth of the college is exhibited in the following table:

COMPARISON OF ENROLLMENT 1908-1916  
(Undergraduates only; excluding summer session)

Year	Men	Women	Total	Gain over preceding year	
				Number	Per cent
1908	115	107	222	..	....
1909	125	131	256	34	15.3
1910	142	133	275	19	7.4
1911	158	147	305	30	10.9
1912	173	147	320	15	4.9
1913	176	151	327	7	2.1
1914	175	164	339	12	3.6
1915	187	156	343	4	1.2
1916	203	169	372	29	8.4

Since 1900 the college has grown from 123 to 372, or including the Summer Session to 533. The growth has been both from Vermont and from other States, the increase the past year from Vermont being from 154 to 172. The States from which students come are as follows:

**GEOGRAPHICAL DISTRIBUTION**  
(Undergraduates)

	Men	Women	Total
Vermont	89	83	172
Massachusetts	31	32	63
New York	34	19	53
Connecticut	18	11	29
New Jersey	17	4	21
New Hampshire	5	15	20
Maine	2	3	5
Pennsylvania	2	2	4
Rhode Island	2	0	2
California	1	0	1
Illinois	1	0	1
Ohio	1	0	1
	—	—	—
	203	169	372

The problem of the college is not to secure attendance, but to provide adequate facilities and endowment. The number of young people seeking a college education of the type offered at Middlebury is increasing rapidly. The college is becoming better and more favorably known, not only in eastern and northern Vermont, whence we derived only few students up to a few years ago, but also in southern New England, New York and New Jersey. A college of five or six hundred students within a few years is a reasonable anticipation.

**INCREASED RECEIPTS FROM FEES**

The receipts from tuition and other fees have more than kept pace with the growth of the college. The rates have not been materially advanced, but scholarships have

not been assigned beyond the income of funds for that purpose and the college has collected its bills better. A system of advance payment of college charges was inaugurated three years ago and has worked well. The income from tuition has grown from \$1,080 in 1908 to \$24,664 in 1915, and in 1916 will exceed \$26,000. The total receipts from students last year, including charges for room and board at the women's halls, were \$56,976.61, which will be further increased this year by room rents from Hepburn Hall.

The question may be raised whether our charges should not be increased. The charge for tuition at Middlebury, \$100 a year, is low in comparison with many colleges, as may be noted from the following list:

Amherst	140	*Norwich	165
Bates	75	Smith	150
Bowdoin	100	University of Vermont	110
Brown	105	Wellesley	200
Clark	50	Wesleyan	140
Dartmouth	140	Williams	175
Mt. Holyoke	150		

On the other hand it is difficult for a large number of excellent and promising students to meet the present charge. A tradition of economy has attached to Middlebury for over a century. It is not associated with one name, as that of Mary Lyon at Mount Holyoke, but it has been the consistent policy of the college from the beginning. Some of our alumni can remember when tuition was \$27 a year. In view of the large number of Vermont students of modest means the tuition should not be raised until it is absolutely necessary.

---

\*Includes room rent.

We are under no obligation, however, to provide living expenses at less than cost. Because of the increase of prices, the charge for board at Hepburn Commons will be advanced to \$4, and for room and board at the women's halls to \$280 a year. The rates for some of the rooms at Hepburn Hall will also be advanced.

#### ADDITIONS TO PLANT

The grounds and buildings of the college have been increased in recent years as shown in the following table:

Year	Addition	Value	Source
1909	Battell Campus, 35 acres	\$5,000.00	Gift
1909	Battell Cottage	23,363.28	General funds
1910	Music Studio	2,000.00	General funds
1910	Pearsons Hall	66,494.55	Gift
1912	Gymnasium	52,034.77	Gift and Subscription
1912	Heating Plant	37,441.55	General funds
1912	Porter Field, 79 acres	14,095.00	Gift
1913	Chemistry Build- ing	60,056.15	Subscription
1913	Hillside Cottage	3,961.92	General funds
1916	Mead Memorial Chapel	75,000.00	Gift
1916	Hepburn Hall	116,000.00	Gift
1916	Fertig Property, 100 acres	8,100.00	Gift
			\$463,547.22

In ten years we have enlarged our campus from 30 acres to grounds of 244 acres and added nine buildings costing \$436,352.22.

The two buildings completed this year are proving exceedingly helpful. When the colonial style of architecture was adopted for the Mead Memorial Chapel and the drawings showed a structure of the New England meeting-house type, many feared that the chapel we had so long desired would turn out to be a bare, forbidding church, with nothing to inspire feelings of reverence or to stimulate worship. The result, however, especially the treatment of the interior, proves that the classic New England style of church building may be made to express modern feeling for beauty and dignity in worship. The stately, graceful arches, the deep chancel, and the dark, rich coloring unite to convey the impression of solemn reverence the moment one enters the door. The effect of the daily services in the new chapel upon the entire student body has been marked. The refining influence, and I think also the moral and spiritual influence, has been noticeable. The attitude of the students in reverence during the services and in hearty participation leaves little to be desired.

The daily chapel is now held at 10 A. M., two recitations preceding it, and two following before luncheon. The change from the early hour following a hurried breakfast has been a great improvement. A vespers service, attendance at which is required of all unless excused for valid cause, is held each Sunday at 5 P. M. These services are conducted ordinarily by Professor Harrington or myself. A few friends have provided the means for several distinguished preachers during the year. It would be very helpful if the college had a permanent fund, the income of which would provide for a Board of Preachers, as well as for the other expenses connected with the chapel, which now amount to about \$1,700 a year.

Middlebury-000209  
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The Hepburn Dormitory and Commons has also proved a most valuable addition to our college plant. Every room was taken at the beginning of the year and we have already a waiting list. The substantial fireproof construction justifies itself in the matter of quiet alone. The presence of a matron in the building, with complete janitor service, has been welcomed by the occupants. The attractive commons, especially the recreation room decorated with trophies from Mr. Hepburn's hunting expeditions, helps to create a distinctive atmosphere about the hall and to make it a pleasing home, not merely a place to live in. The improvement in college life from this building leads to the hope that the college may keep ahead of the attendance in providing suitable residences for its students. Without another similar building in a few years there will be no room for Freshmen in our dormitories, and they will again be scattered in homes in the village, a practice which we have found highly undesirable. We have already reached the point where a larger number of women can not be admitted without a new building.

#### STUDENT RESIDENCES

A faculty committee on student residences has done some excellent work during the past year. They have organized self-governing associations in each of the dormitories. They have counselled with the fraternities as to the number of occupants of each house and as to sanitary regulations and in all cases their cooperation has been cordially welcomed and has been found helpful.

With one possible exception, no fraternity at Middlebury has a suitable home. A residence built for a family of five or six does not make a good house for a fraternity having from fifteen to twenty-five active members. Specifications are unnecessary. If the alumni desire the undergrad-

uate members of the organizations with which they are affiliated to live in fraternity houses, they should provide structures built for the purpose. These should insure sanitary sleeping quarters and quiet studies, in addition to such general social rooms as are thought desirable. I do not believe that large common sleeping rooms, with beds as in a hospital ward, such as have been introduced into some college fraternity houses, are advisable. The construction should be fireproof, and the houses should be located on, or adjacent to, college property. A house should be limited to ten or twelve occupants, leaving always a proportion of the membership to share the general life of the college, and for the same reason there should be no kitchen and dining facilities. A fraternity house should be a home, not a club house. If these conditions can be met, a few fraternity houses would be helpful additions to the college plant. They should be simple in design, consonant with other buildings of the college, and there should be no rivalry as to which organization can secure the largest or most elaborate structure.

#### FURTHER ADDITIONS TO PLANT

A growing college demands more room and a college located in a small country town, where it is necessary to provide residences for students, must do more building than an urban university. Middlebury College is at the present time severely handicapped by the lack of convenient administrative offices, and the work of several important departments would be much more efficient if they could be provided with suitable quarters.

Our only administrative and general recitation building is the old chapel, erected in 1836 under the superintendency of Ira Stewart, father of the late Senator Stewart. Its location and its commanding form determine it as the

permanent administrative center of the institution. Nothing should be done either to change its exterior or to disturb the historical associations of the interior. But by a few simple changes, mostly of partitions and not very expensive, it could house convenient administrative offices, while still furnishing quarters for several departments.

The college offices are now located as follows:

President's office—Chapel, third floor.

Dean's office—Painter Hall, middle division.

Assistant Dean's office—Painter Hall, middle division.

Dean of women—Chapel, fourth floor.

Treasurer's office—Battell Block, in the village.

Registrar's office—Painter Hall, middle division.

Assistant to President—Painter Hall, north division.

Bureau of Appointments—Chapel, first floor.

Director of Summer Session—Starr Hall, north division.

All of these officers have constant need of consultation and of access to records in the offices of their associates, and the waste of time and energy consequent upon their location in separate buildings and on different floors may be imagined. The inconvenience affects students not less than college officers. No business corporation would tolerate conditions under which your President and his associates are at present working.

It might seem a simple matter to make the alterations necessary to bring the offices together, but the old chapel is already so crowded for recitation rooms that not another foot can be taken for administrative purposes. Neither does Painter Hall afford the necessary space. The only solution seems to be a new recitation building into which departments now using the chapel can be moved and allowing us to take an entire floor of the chapel for offices.

Apart from the need of more convenient offices there is urgent need of different quarters for the expanding departments of Pedagogy, History, Economics, and Political Science. All of these departments are now established in the chapel, without offices or seminar rooms for small classes. Consultation with students, a most important part of the work of a college, is difficult under such circumstances. The use of illustrative material is inconvenient when the instructor enters a room just vacated by another class and gives way at the close of the hour to still another. Under the old practice, when professors simply heard students recite from text books, any room vacant for the period would suffice for his exercises, but modern teaching requires a place where the instructor can display maps, charts and diagrams and gather his students about him with library and other material for study with them. The excellent training given by Professor Sanford in our department of Latin and by Mr. Cady in Freshman English would have been impossible had we not been able to furnish them with space for laboratory work with their students. We should expect similar results in other departments from increase of their facilities. Particularly is this true for our department of Pedagogy, whose exceptional success and usefulness merit encouragement and which is severely handicapped from the lack of a psychological laboratory.

It will be noticed that the departments above named are all intimately connected with Vermont and affect the work of the college as a Vermont institution. Pedagogy is supported by the State and its mission is to assist in the up-building of Vermont schools. The specialty of our department of History has been American History, with special reference to that of Vermont. The studies in Political Sci-

ence and Economics have also intimate bearing upon the life and problems of our own State.

I suggest therefore a recitation building to be known as Vermont Hall, to be devoted to those studies of special importance to us as a Vermont institution, and to symbolize our loyalty to the State to which we owe so much, and to further especially those studies by which we shall prepare young men and women for intelligent and useful citizenship in the Green Mountain State. It should be built as far as possible of Vermont material and in the style of architecture our forefathers practiced. It might well enshrine a portrait of Daniel P. Thompson of the class of 1820, author of "The Green Mountain Boys," the book which created the fame of the founders of our commonwealth and made Vermont the symbol of courage and strength, and it might appropriately contain a tablet with this sentence from that immortal work:

"And scarcely had the storm of war passed over, and the sunlight of peace begun to break in on their infant settlement, before they united, with a zeal as extraordinary, considering their circumstances and means, as it was commendable, in rearing, by private munificence alone, a collegiate institution which for many succeeding years did more, probably, toward elevating the moral and literary character of Vermont than any one cause operating within her borders."

The college has added no structure for its general studies, apart from the sciences, since 1836. We have provided laboratories for natural and physical science, erected residences and a gymnasium and a heating plant, but we still teach History and Philosophy and Political Science in the building in which our oldest living graduates pursued them. It is time we made more adequate provision for

the humanities, those studies to which we are especially devoted and by which our alumni nourished their strength.

The college should also be provided with an infirmary and some provision for its maintenance. Every year we are obliged to send students to the Mary Fletcher Hospital at Burlington, thirty-five miles distant. It has been suggested that the college unite with the community in a general hospital.

#### ENDOWMENT FUNDS

The productive funds of Middlebury College amount to \$566,056.04. Of these \$461,800.62 are trust funds, the income of which alone may be used for particular objects, and \$104,255.42 are "Corporation Funds," which are unrestricted. Of the trust funds \$79,872.79 are scholarships and "student benefits," the income of which is applied in paying the tuition of students. Endowment funds have been increased only \$150,715.27 since 1908. The increase in annual income from \$29,299.60 to \$92,782.09 has been principally from receipts for tuition and appropriations from the State. The above figures do not include the Joseph Battell estate, described in a later section of this report.

The need of increased permanent funds is urgent. Our maximum professor's salary is \$2,000. Other colleges located in small communities are paying \$3,000 and in some cases \$3,500. We can not always trust to local attachment and loyalty to secure the men we want at disproportionate salaries. We ought at once to raise the maximum to at least \$2,500, but this would involve an annual expense of \$5,500, or an endowment of \$110,000. We have at present sixteen Assistant Professors at salaries ranging from \$1,200 to \$1,600. Some of these men have been on the staff from six to eight years and deserve promotion to full Professor-

ships. Several of them have entire charge of the work of departments, their titles indicating merely their faculty rank, not the measure of their responsibilities. In the rapid growth of the college we have been able to call in this relatively large number of young men, and we must advance them to Professorships or expect to lose them. It would be unwise policy not to retain valuable men who have passed through their period of training. A college may properly have a succession of assistants or instructors, young men who work under the direction of others, but to lose a competent man who has had charge of a department is always a misfortune. Simply to promote to Professorships the men who are acting as heads of departments would require an annual expenditure of \$10,000, or an endowment of \$200,000.

We should also provide instruction in several fields which we now neglect. One of these is European History. Our curriculum has been strong in American History, but in European History we have had only a general course, covering both the mediaeval and modern periods. No argument is needed to prove the desirability, at this time especially, of opportunities of much more thorough study of the life of European nations.

We should also have an instructor giving his entire time to Botany. Through ex-President Brainerd and former Professor Burt, Middlebury College has acquired an international reputation in botanical science. The effort to combine adequate teaching in Botany with Zoology under one man has not been found practical and as soon as possible we should have an instructor in each of these sciences.

Both in History and Botany, therefore, we should have new Professorships, which should not be less than \$50,000.

The growth of the college will also make other instructors necessary in the departments which have the largest number of students. The general expenses, for administration, care of buildings and grounds, supplies for laboratories, support of the library, are bound to increase, as they have in the past. Few of the established Professorships are adequately endowed, having been founded when salaries were smaller and rates of interest higher.

All in all the addition of a million dollars to our present endowment would only place the college on a suitable foundation for its present work. That this sum is not extravagant is clear from the following table of the endowment of a few colleges of the approximate size of Middlebury and the same general character.

	Students	Endowment	Per student	Annual income from endowment per student
Bowdoin	434	\$2,401,653	\$5,533	\$276
Amherst	505	3,000,000	5,940	297
Wesleyan	480	2,414,768	5,030	251
Williams	549	2,338,500	4,259	213
Middlebury	372	566,056	1,521	76

Two years ago a beginning was made of the foundation of a Henry Norman Hudson Professorship of English Literature. Thus far alumni and friends have subscribed \$7,354 toward the suggested \$50,000, of which \$2,800 has been paid. Our work in English, in which we have three Professors, is entirely unendowed and the effort to establish a chair to bear the name of the great Shakespearean scholar of our alumni should not be allowed to lapse.

**CONDITIONAL GIFTS**

A form of benefaction which has many advantages is the gift with annuity condition. The college is prepared to execute an agreement to pay interest to a donor, at a rate higher than can usually be received from conservative investments, during his life and that of named dependents or beneficiaries, the principal to become eventually the property of the college. The assets of the college are sufficient to make such annuities entirely safe. The giver is sure of a fixed income without care or responsibility for the investment, and at his death the college receives the benefaction immediately, without the delay and expense incident to the administration of an estate, and without reduction for inheritance taxes. The giver has the satisfaction of knowing that his gift will be bestowed as he intends promptly and without diminution.

The late Rev. George N. Boardman, D. D., '47, executed such an agreement with the college, and at his death and that of Mrs. Boardman, the George Nye and Anne Walker Boardman Professorship of Philosophy was immediately established. The donors received during their lives the equivalent of interest at five per cent.

A form for conditional annuity gifts will be found in the appendix to this report, together with forms for bequest.

**RELATION TO THE STATE**

The question of the relation of the State of Vermont to higher education, which gave considerable anxiety to the three colleges of Vermont a few years ago, seems to have been settled. The annual appropriation of \$28,800 to Middlebury College, of which \$4,800 is for scholarships, was confirmed and made permanent by the last legislature. It

may be hoped that the subject will not be agitated further. Additional scholarships are much needed with the increasing number of Vermont students, and Middlebury College has fewer scholarships than either of the other institutions. Doubtless there are pressing needs in all the Vermont colleges. But the State is already bestowing a liberal sum upon her colleges and there is a general feeling that the amount should not be increased. There exists a kindly disposition toward all the institutions and gratification with the spirit of cooperation between them. To make further appeals at this time would stir old controversies and be in every way unwise. We have received generous help from the State and our present duty is to undertake further progress by our own efforts.

The special work designated to us by the State, our department of teacher training, continues to be successful. The number of students taking courses in the department is 146, making it one of the largest in New England. For several years we have had a satisfactory arrangement for practice teaching with the Middlebury High School, carrying on all the work in several departments through student teachers under careful supervision by a Professor of the department. We are thus enabled to send out a considerable number of trained teachers who have had actual teaching experience under expert direction. That the work is successful is indicated by the demand for our graduates, a demand which is increasing each year.

Closely connected with our work in teacher training is the Summer Session, whose patronage is largely teachers in actual service. The attendance last summer was 183. The Middlebury Summer Session seems to be tending in the direction of specialization in modern languages. The schools of German and French, to which separate buildings

are devoted and where these languages are spoken exclusively, are becoming widely known, and unquestionably they are exerting strong influence in the improvement of modern language teaching. There are no subjects in which improvement is more needed, since it is universally admitted that much of the modern language study in American high schools has been a waste of time. Next summer a school of Spanish will be instituted and the French and German schools continued under the same auspices as heretofore.

A study of the Junior High School was made during the last Summer Session by a group of twenty-five teachers under the direction of Professor Frank E. Howard of our department. Some careful work was done in studying the problems of this proposed new division of time between elementary and secondary education, and the results have been embodied in a bulletin which should prove helpful to communities establishing such schools.

#### THE EGBERT STARR LIBRARY

The use made of the library taxes the capacity of the building, a gratifying situation although one resulting in much inconvenience. An addition to the library building to include a larger faculty room and several seminar rooms, as well as additional shelving, would be desirable. In the meantime through the generosity of Dr. M. Allen Starr the present necessities have been met by the addition of a third stack, virtually a third story in the stack room, of the same art metal construction with translucent glass floors. The relief from the previous crowded condition of the shelves will be very great. The lighting system has also been improved and the plumbing replaced. The total cost is in the vicinity of \$5,000.

A noteworthy addition to the library the past year has been the Horace Ward Bailey collection of Vermont pamphlets. These represent the labors for many years of an enthusiast in Vermont history, a sturdy, homespun Vermonter, who perhaps did as much as any man of recent times to further interest in the history of our State. The pamphlets embrace every phase of Vermont history and include many unusual and interesting items. It is hoped this gift will be the foundation of a much more extensive collection of material bearing on the history of Vermont.

#### THE JOSEPH BATTELL ESTATE

The largest gift or bequest ever made to Middlebury College is that of our late alumnus and trustee, Hon. Joseph Battell. The bequests and devises to the college and the residuary estate, which were conveyed to us October 2, 1916, amount to \$402,124.05. It is certainly one of the most remarkable and generous gifts ever made for benevolent purposes in Vermont. The character of the estate, however, and the directions concerning its use, are such as to render its financial value to the college somewhat problematical.

Of the estate transferred to us \$338,813 is real estate. A portion of this, inventoried at \$106,200, is in Middlebury village and may be expected to yield a fair rate of income. Other outlying and scattered properties amounting to about \$20,000 may either be sold or made to yield a fair return. There are also securities and bank accounts amounting to \$46,634.20. But the major portion of the estate consists of wild or forest land, with Bread Loaf Inn, farms and equipment. The holdings amount to over 25,000 acres and include lands in eleven townships. They extend from Duxbury and Lincoln on the north to Mount Horrid, op-

posite Brandon, on the south, a distance of over twenty miles. The estate is the largest portion of the great green forest which gave Vermont its name now remaining under one control. It includes whole mountains, such as Bread Loaf, as fresh and unspoiled as when they came from the hand of their creator. It stretches along the highest ridge of the Green Mountains, where is the wildest and most romantic scenery in the State. The sources of innumerable brooks and streams, which water the valleys along which are many of the best farms of Vermont, lie within the estate.

Mr. Battell spent time and fortune for fifty years to place himself in position to make this bequest. He acquired his lands piece by piece, here a little and there a little, as sections beautiful for their situation or their timber growth impressed him, and especially when any tract of virgin forest seemed to be in danger of destruction. He bought, not timber, but scenery. Accessibility to market did not influence him but rather openness to vision from prominent roads, or places frequented by visitors. Patriotically and generously, for half a century, he sought to preserve the natural beauties of Vermont in the region of his birth and his home.

Under the will the lands come to the college in two portions, those specially devised for designated purposes and those under the residuary clause, which are unaccompanied by directions as to their use. The boundaries of the respective areas have not yet been determined, so that a statement of their relative size can not be made.

The motives which actuated Mr. Battell in setting apart certain of these lands are stated in the following clauses:

"Being impressed with the evils attending the extensive destruction of the original mountain forests of our country."

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"Being mindful of the benefits that will accrue to, and the pleasure that will be enjoyed by, the citizens of the State of Vermont and the visitors within her borders, from the preservation of a considerable tract of mountain forest in its virgin and primeval state."

"Believing that the popularity of Middlebury College will be thereby greatly enhanced."

In order to accomplish these objects the lands described are given to the President and Fellows of Middlebury College and their successors forever, "in trust as a park for the benefit of said Middlebury College and the students thereof, subject to such reasonable rules and regulations as the trustees for the time being of said Middlebury College may make."

He makes it "a condition of this devise that said trustees shall, at reasonable times and under reasonable regulations fixed by said trustees, allow the citizens of Vermont and visitors within her limits, access to said park and enjoyment of the privileges thereof."

He also says that "it shall be the duty of said trustees to preserve as far as reasonably may be the forests on said park, and neither to cut nor permit to be cut thereon any trees whatsoever except such as are dead or down and such as it may be necessary to cut in making and repairing needful roads; it being a principal object of this devise to preserve intact said wild lands, especially the Hancock part thereof, as a specimen of the original Vermont forests."

It is clearly the duty of the college to accept this trust which was evidently designed to be of great benefit to the institution in its educational work. It was far from Mr. Battell's desire or intention to impose a burden upon the college. Those who knew him best can testify how earnestly it was upon his heart to further the prosperity of the

college. It is plain from his will that Mr. Battell intended his bequest to yield a substantial income. He directs that \$1,000 a year be expended for the benefit of worthy young women of Addison County in securing an education. The balance of the net annual income is directed to be devoted to the general uses and purposes of the college. He anticipated an income from the portions set apart as a park, since he prescribes that if Middlebury College is ever divided into separate institutions for men and women that portion thus set apart be for the use of the men's college, and the income of the other portions be for the women's college. Apparently he expected approximately as much income from the park portions as from the other.

Shortly before his death Mr. Battell prepared a deed of his forest lands to the college, in which he prescribed that they be managed "according to the best scientific methods of forestry and the conservation of natural resources as they are understood and practiced at the present time, and as the same may be understood and practiced in the future." That deed was not executed, but it may be assumed that its terms define the purpose of his benefactions as he had come to see them.

Having in mind the purpose of the bequest, as above summarized, and the instructions as to its use, the duty of the college in discharge of its trust may be outlined as follows:

1. To preserve intact the portion defined as visible from "Silent Cliff" in Hancock, as a specimen of the original Vermont forest in its virgin and primeval state. It was one of the main features of the Vermont forest park which Mr. Battell desired to create that such a tract of original forest should be preserved, and this purpose should be car-

ried out, whether it be found profitable or unprofitable to do so.

It may be suggested that a perfectly natural forest, with great trees left to fall and decay and undesirable species often crowding out those more useful and attractive, is not nearly so beautiful as a productive forest carefully tended and improved with a view to the production of the greatest possible amount of timber of the most valuable kinds. This may be true, as it is true that a natural and neglected forest is not of so much benefit to the public, either educationally or industrially, as a forest managed according to scientific and business methods. But not too many things are done in this world from motives of sentiment, and purely as a matter of sentiment the college can afford to preserve one noble tract in the Green Mountains free from any disturbance by the hand of man. We might not be able to accept such a trust if we could not at the same time manage the remainder of the lands as a commercial forest, as is outlined in the following paragraphs.

2. The further duty of the college is to treat the rest of the wild lands, those unrestricted as well as those directed to be preserved, as a field for scientific forestry, never denuding any land and always having in mind its park character, harvesting the timber as it comes to maturity, but seeking always to improve the land as forest, both by the character of the cutting and by extensive planting.

It might be urged that the injunction against cutting any trees is general, and therefore forbids any practical use of the land, such as is contemplated in scientific forestry. That provision however can not be so treated without doing violence to the sentence in which it occurs and also to the provision as a whole. It is a fundamental law of inter-

pretation that a provision must be interpreted, if possible, so as to give effect to all of its parts.

Mr. Battell's real purpose must be interpreted out of his will as a whole. It cannot be made to turn upon any one expression to the exclusion of others and their natural inferences. Each expression must be interpreted in connection with all of the rest and due weight must be given to each and every part and not to any one particular phrase.

The prohibition against cutting trees is a part of a sentence which begins with the limitation "so far as reasonably may be." It is to be noted also that the reason he states why no trees are to be cut is because he desires "to preserve intact said wild lands, especially the Hancock part thereof, as a specimen of the original Vermont forest." His reference to the Hancock part thereof shows that he contemplated the possibility of a different treatment for other parts of the land; and his desire to preserve "a specimen of the original Vermont forest" or, as he also expresses it, "forest in its virgin and primeval state," is naturally limited to the first growth timber sections.

Scientific forestry is simply the best practical way to preserve perpetually forest land and make it yield the largest possible pleasure and benefit to successive generations. It would best fit the idea of "a park for the benefit of said Middlebury College and the students thereof" to use it as the field for the operation of forestry. That would most truly make it a park for the students of the college, affording them a place for practice at all times and possibly for remunerative work in vacation time. Used for such a purpose the college would possess something unique in the college world, which would greatly enhance the popularity of the college, as Mr. Battell desired.

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The management of these productive forests should keep two objects in mind:

1. The preservation of the beauty of the forests in accordance with the desire of the donor.
2. The production of the greatest possible amount of timber of the most valuable kinds which will yield the greatest permanent profit.

These objects are not mutually exclusive. Modern forestry does not contemplate barren mountain sides from which the timber has been all "skinned off," inviting destructive forest fires, but rather the regular harvesting of a crop of timber with extreme care for its reproduction. If the principles of silviculture are adhered to, the Battell forests can be kept permanently beautiful while yielding a substantial income from merchantable timber and furnishing an object lesson of scientific forestry to the people of Vermont. As has been already suggested, a productive forest thoroughly managed according to scientific principles is even more beautiful than wild lands left to neglect and decay.

The first step should be the accurate definition of the lands by the establishment of permanent boundaries, marking all corners in a substantial way, and the preparation of maps of all holdings on a uniform large scale. These maps should show the main features of the topography including roads and trails. The United States topographic sheets will be of great assistance, although these are not yet available for all of the areas. A beginning in the preparation of maps has been made by ex-President Brainerd and Professor Swett, in which previous work by Dr. Brainerd extending over many years has been of great assistance.

As soon as possible a systematic estimate of the standing timber should be undertaken. We should be able to point

out on maps the main forest types, e. g., spruce slopes, hardwood forests, old pastures, etc. With this information we will know what our present working capital is and will be able to plan on the amount which can be cut each year without reducing the capital. The annual cut can only be determined by a careful study of the forest growth. No cuttings should be made without reference to the reproduction of valuable species. No areas should be cut clean unless they are immediately restocked with desirable varieties. Fortunately for most of this area natural reproduction can be relied upon if cuttings are made in a scientific manner.

Some attention should immediately be given to fire protection. The danger from fire is not so great on this main ridge of the Green Mountains as in other areas, but there is still considerable risk. The entire tract should be patrolled during the dry season and telephone lines established. The State Forestry Department has offered to maintain a patrolman over half of the area if the college will provide for a patrolman over the other half.

Fortunately the college has been able to retain the services of Mr. Thomas E. Boyce, long the faithful secretary of Mr. Battell, who is thoroughly familiar with the methods he long practiced and under whose direction the lands have been managed thus far as Mr. Battell himself was accustomed. The plan above outlined would demand in addition the services of a trained forester, who would undoubtedly find ample scope for his efforts on this area of 25,000 acres. The expense for a competent man would be between \$1,500 and \$2,500 a year.

It will be seen that the expense to develop this property in a proper manner will be considerable. For the first ten years it will be desirable to reinvest a large part of the income from the forests in its permanent management. These

expenditures, however will be an investment which will materially add to the income producing capacity of the forest later on. All forestry is predicated on present sacrifice for the sake of greater future profit. In the long run, however, it is believed that these holdings will be of great value to the institution. Mr. Austin F. Hawes, State Forester, has assured me that they should easily yield \$1 per acre in net income, while the lands are still being improved, and that eventually the return should be very much larger. The taxes on these lands amount to about \$4,000 a year and this sum should be received each year from now on from timber cuttings, and in addition any further sum incident to the care of the forests.

If any doubt exists as to whether the college is free to treat these lands in a reasonable and practical manner, so as to derive the benefits which Mr. Battell anticipated from them, a clear and authoritative interpretation should be sought. The whole subject merits careful consideration on the part of the trustees of the college, and the above suggestions are set forth, not as final or conclusive, but as the beginning of serious consideration of a subject of great importance to the college.

#### BEQUEST FOR NATIONAL PARK

A devise of 1,800 acres in Lincoln and 2,130 acres in Warren, inventoried at \$26,090, to the United States for a National Park has not been accepted and these lands are still in the hands of the executors. Efforts have been made to secure an examination of these lands by the Department of the Interior, which is entrusted with the administration of National Parks, but it seems that congressional action is necessary to obtain even an inspection and report on such a proposed gift, and Congress has as yet taken no action.

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These lands are on the main ridge of the Green Mountains, and include Potato Hill (Mount Abraham) and Ellen Mountain, which are the two peaks of Lincoln Mountain, the higher being 4,078 feet. The Long Trail of the Green Mountain Club extends the entire length of the tract. The nearest railroad station is Bristol, eight miles distant. The tract is irregular in shape, the lots are not all contiguous, and the main portion does not touch the public highway at any point. The principal feature of the park as a recreation ground would be the view from the summits of the mountains.

If the United States accepts this devise and establishes a National Park in Vermont, the project should be enlarged to embrace a much larger area of the Green Mountains. I venture to suggest that an endeavor be made to include in the proposed park a strip along the height of land extending from the tract devised by Mr. Battell southwards at least as far as the highway from Brandon to Rochester. I have in mind the crest of the ridge, extending down the mountain on either side sufficiently to allow the construction of a scenic highway along its entire length. Such a Green Mountain National Park would admit of a magnificent drive through the highest and wildest land in the State, commanding views of both Lake Champlain and the White Mountains, and through most of its length through grand virgin forests. It would speedily become one of the most popular recreational features in the entire country. It would lend distinction to Vermont as a recreation region and benefit the entire State. Within easy reach of the great centers of population it would be of value to countless numbers who can not visit the National Parks of the west.

Distinction must be drawn between a National Forest and a National Park. The former is a region managed by

the Government through the Forest Bureau, Department of Agriculture, as a commercial forest, with no provision for recreation. A National Park, on the other hand, is purely a recreation ground, where forest operations are not allowed, but where roads are constructed, hotels opened, and every provision made for the enjoyment of grand and unusual natural scenery.

It is undoubtedly the latter, a National Park, which Mr. Battell had in mind in his generous and patriotic gift to the United States. His noble purpose should not be allowed to fail, but should be enlarged to meet the improved methods of transportation which have been effected since his will was written. A National Park extending for twenty-five miles along the summit of our mountains, approachable at three points both from the east and from the west from three main highways over passes of the Green Mountains, easily accessible therefore to all travelers by our main north and south State roads, is something which should appeal to every patriotic Vermonter, and one might expect that the project would commend itself to lovers of natural beauty and of the great outdoors throughout the entire nation. Middlebury College would render a notable public service if it could assist in any way toward the establishment of such a park.

#### CHANGES IN THE FACULTY

Wilbur G. Foye, Ph. D., has taken charge of the Department of Geology. Dr. Foye is a graduate of Colby College and holds the degrees of A. M. and Ph. D. from Harvard. His previous teaching experience was at the Mt. Hermon School. Under the Shaler Fund of Harvard University he conducted geological investigations in the Fiji Islands.

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Mr. Lewis J. Hathaway has succeeded Mr. Edward Royce in the Department of Music. Mr. Hathaway is a graduate of the New England Conservatory of Music and for many years taught successfully at Montpelier Seminary. In addition to courses in music and instruction in piano he serves as organist at the Mead Memorial Chapel and has charge of the chapel choir.

Mr. Roy C. Phillips, A. M., is the present instructor in Romance Languages, giving his principal attention to Spanish. He is a graduate of Brown University and holds the degree of A. M. from Harvard.

Mr. Arthur B. King, A. B., is serving as assistant to the President. Since his graduation from Middlebury in 1912, Mr. King has taught in the Huntington School, Boston. He has charge of correspondence with incoming students and assists the President in various ways.

Miss Mary B. Oliver, A. B., is assisting Miss Graham in Home Economics and has charge of the women students in Freshman English.

In the death of Archibald D. Wetherell, who has been head of the History Department since the death of Professor Walter E. Howard, Middlebury College has lost one of her ablest and most useful teachers. Quiet and retiring in manner, shrinking from publicity, he was little known to the outside world, but by his enthusiasm for his science, his originality of method, his logical force, and his genius in the mastery and presentation of fact, he won the respect and stirred the interest of his students to a rare degree. His influence was altogether wholesome and uplifting. He was a constantly growing man. He was a noble patriot and his passion was the study of the life of the American people. I believe if his life had been spared he would have made a distinguished name in American history. His

death occurred at the Mary Fletcher Hospital, Burlington,  
December 12, 1916.

JOHN M. THOMAS.

Middlebury, Vermont, January 1, 1917.

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## APPENDIX

### REPORT OF THE REGISTRAR

In addition to the tables concerning attendance in the early pages of the foregoing report, the following statistics are selected from the report of Miss Jennie H. Bristol, Registrar:

#### TOTAL ENROLLMENT, 1908-17

Year	Men	Women	Total Under-graduates	Graduate Students	Summer Session Students (less duplicates)	Grand Total
1908-09	115	107	222	6	0	228
1909-10	125	131	256	12	66	334
1910-11	142	133	275	18	76	364
1911-12	158	147	305	18	90	408
1912-13	173	147	320	10	61	391
1913-14	176	151	327	18	101	441
1914-15	175	164	339	9	93	441
1915-16	187	156	343	8	117	468
1916-17	203	169	372	2	159	533

#### RELATIVE NUMBER OF MEN AND WOMEN STUDENTS

Year	Men	Women
1908	52%	48%
1909	49%	51%
1910	52%	48%
1911	52%	48%
1912	54%	46%
1913	54%	46%
1914	52%	48%
1915	55%	45%
1916	55%	45%

## PROPORTION OF ATTENDANCE FROM VERMONT, 1916-17

	Total	Per cent
Vermont	172	46.2
States other than Vermont	200	53.8

## SCHOOLS APPROVED BY THE NEW ENGLAND COLLEGE ENTRANCE CERTIFICATE BOARD FROM WHICH STUDENTS WERE RECEIVED IN 1916-17

VERMONT	Students	NEW HAMPSHIRE	Students
Spaulding High, Barre	1	Concord High	1
Bellows Falls High	2	Phillips Exeter Acad-	
Brandon High	1	emy	1
Burlington High	1		—
Chester High	1		2
Hartford High	1		
Middlebury High	6		
Montpelier High	1		
Montpelier Seminary	1		
People's Academy, Morrisville	1	MASSACHUSETTS	
Pittsford High	1	Dean Academy, Frank-	
Troy Conference Acad- emy, Poultney	2	lin	1
Randolph High	3	Hingham High	1
Richford High	2	Lee High	1
Rutland High	7	Malden High	1
St. Johnsbury Academy	1	Maynard High	1
Stowe High	1	Drury High, North Adams	1
Vergennes High	2	Northfield Seminary	2
	—	Waltham High	2
	35	Webster High	1
	—		—
	35		11

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CONNECTICUT	Students	Central District High, Wallingford	
Danbury High	1	Crosby High, Water-	1
Meriden High	2	bury	2
New Britain High	1		—
			7

## RELIGIOUS AFFILIATION

Congregational	141
Methodist	58
Episcopal	36
Catholic	35
Baptist	33
Presbyterian	25
Universalist	13
Unitarian	9
Christian	4
Christian Science	4
Jewish	4
Advent	2
Dutch Reformed	3
Evangelical	1
Lutheran	1
Unanswered	3
	—
	372

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## AGES OF STUDENTS, DECEMBER, 1916

## DISTRIBUTION BY CLASSES

Age in years	Seniors		Juniors		Sophomores		Freshmen		Totals		Total
	Men	Wom.	Men	Wom.	Men	Wom.	Men	Wom.	Men	Wom.	
28	1	..	..	1	..	..	..	..	2	..	2
27	1	..	..	..	..	..	..	..	1	..	1
26	1	..	1	..	..	..	..	..	2	..	2
25	2	..	..	1	2	1	1	..	5	2	7
24	4	..	..	..	1	1	2	..	7	1	8
23	4	1	5	2	4	..	2	1	15	4	19
22	12	7	5	8	5	4	7	2	29	21	50
21	7	17	10	8	10	6	7	3	34	34	68
20	4	6	11	12	14	9	10	9	39	36	75
19	..	1	2	4	12	21	19	14	33	40	73
18	..	..	1	1	4	4	22	15	27	20	47
17	..	..	..	..	..	1	7	7	7	8	15
16	..	..	..	..	..	..	2	8	2	3	5
	<b>36</b>	<b>82</b>	<b>36</b>	<b>53</b>	<b>47</b>	<b>79</b>	<b>54</b>	<b>203</b>	<b>169</b>	<b>872</b>	
Average age	22.5	21.	21.	20.8	20.6	19.8	19.3	18.7	20.5	19.9	20.2

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## THE FACULTY

Officers of Instruction	1915-16			1916-17		
	Men	Wom.	Total	Men	Wom.	Total
Professors	9	..	9	11	..	11
Assistant Professors	16	2	18	14	1	15
Instructors	3	..	3	3	1	4
Assistants	..	..	..	1	..	1
Total	28	2	30	29	2	31
Officers of Administration	3	3	6	4	3	7
Total	31	5	36	33	5	38
Duplication	1	1	2	1	..	1
—	—	—	—	—	—	—
Net total	30	4	34	32	5	37

## NUMBER OF STUDENTS IN CLASSES

No. in class	1st Semester 1915-16		1st Semester 1916-17	
	%	No. of classes	%	No. of classes
1-9	40%	37	40%	35
10-19	30%	27	24%	21
20-29	13%	12	11%	10
30-39	2%	2	10%	9
40-	15%	14	15%	13
—	—	92	—	88

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## ENROLLMENT BY DEPARTMENTS

Department	First Semester			
	1915-16	1916-17	Gain	Loss
Biology	45	43	..	2
Chemistry	180	161	..	19
Drawing and Surveying	36	27	..	9
Economics	71	65	..	6
English	276	361	85	..
Fine Arts	8	10	2	..
Geology	39	12	..	27
German	114	97	..	17
Greek	23	19	..	4
History	152	168	16	..
Home Economics	35	60	25	..
Latin	126	146	20	..
Mathematics	210	228	18	..
Music	8	34	26	..
Pedagogy	110	146	36	..
Philosophy	49	47	..	2
Physical Education	106	107	1	..
Physics	39	51	12	..
Political Science	66	62	..	4
Romance Languages	164	152	..	12
	—	—	—	—
	241	102		
	102			
Net gain		139		

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## MAJORS AND MINORS—1916-17

Majors	1917		1918		1919		Total
	Men	Wom.	Men	Wom.	Men	Wom.	
Biology	2	1	3	3	0	3	12
Chemistry	16	0	18	1	26	2	63
Drawing and Surveying							
Economics	4	1	4	1	3	0	18
English	21	12	11	13	29	15	101
Fine Arts	0	0	0	0	0	0	0
Geology	0	2	0	0	0	1	3
German	4	9	5	6	5	8	37
Greek	1	0	1	0	0	0	2
History	6	8	4	9	12	11	50
Home Economics	0	6	0	6	0	10	22
Latin	0	7	2	10	3	10	32
Mathematics	2	2	0	5	6	5	20
Music	0	1	0	1	0	3	5
Pedagogy	2	13	2	10	4	19	50
Philosophy	1	0	4	0	2	0	7
Physics	0	0	1	0	1	0	2
Political Science	4	0	3	0	4	0	11
Romance Languages	5	2	5	4	5	7	28
	—	—	—	—	—	—	—
	70	64	64	70	102	94	*464

Minors	1917		1918		1919		Total
	Men	Wom.	Men	Wom.	Men	Wom.	
Biology	2	2	2	3	5	7	21
Chemistry	12	5	5	2	6	7	37
Drawing and Surveying	2	0	0	0	5	0	7
Economics	11	2	3	1	7	3	27
English	4	3	5	5	7	6	30
Fine Arts	0	0	0	2	0	0	2
Geology	2	6	1	3	1	1	14
German	1	4	2	2	5	5	19
Greek	3	0	2	3	0	3	11
History	5	2	4	1	10	5	27
Home Economics	0	2	0	2	0	13	17
Latin	3	12	7	13	6	15	56
Mathematics	13	10	16	15	25	11	90
Music	0	0	0	0	1	0	1
Pedagogy	3	10	6	13	4	10	46
Philosophy	4	1	2	0	4	0	11
Physics	3	0	2	0	1	0	6
Political Science	2	0	5	0	11	0	18
Romance Languages	0	5	2	5	4	8	24
	—	—	—	—	—	—	—
	70	64	64	70	102	94	*464

\*There are 299 students in the three classes tabulated. Since each student has two majors and two minors, the total should be 478. The difference is explained by the fact that students admitted to advanced standing are not required to register majors and minors.

## TREASURER'S REPORT

A complete financial statement is issued each year. Copies of the report for the year closing May 31, 1916, will be sent on application to the Treasurer. The following is a summary:

The income for the year was \$92,782.09, of which the principal items were \$27,872.13 from endowments, \$28,-800 from the State, and \$31,958.75 from students.

The expenses were \$95,922.91, leaving a deficit of \$3,-140.82, which was charged to unrestricted funds. The larger items of expense were as follows:

Salaries	\$64,494.17
Bulletins	2,064.53
Construction	2,667.56
Department supplies	3,708.12
Fuel	4,291.10
Hamlin Commons, deficit	1,001.03
Insurance	1,888.55
Library	3,108.09
Light	1,230.03
Repairs	1,572.64

Besides the Mead Memorial Chapel and Hepburn Dormitory and Commons, gifts were received during the year amounting to \$9,015.20.

The total property of the college May 31, 1916, was \$1,282,836.03, of which \$703,040.30 was in buildings and grounds, \$461,800.62 in trust funds, \$104,255.42 in unrestricted corporation funds, and \$13,239.29 in other funds and credits.

The investments included \$414,900 in real estate mortgages, \$14,350 in stocks, \$79,046.25 in bonds, and \$63,-

857.50 in productive real estate, chiefly professors' houses.

A partial list of the trust funds is as follows:

Burr Professorship, Natural History	\$12,000.00
Baldwin Professorship, Physics	22,500.00
Levi P. Morton Professorship, French	10,000.00
James B. Jermain Professorship	37,500.00
A. Barton Hepburn Professorship	35,000.00
Paige-Wright Professorship	19,000.00
Boardman Professorship	30,000.00
E. J. Warner, Science Hall maintenance	23,798.14
J. G. McCullough, Gymnasium maintenance	10,000.00
Student Benefits	47,872.79
Scholarships	32,000.00
Parker Prize Fund	300.00
Merrill Prize Fund	1,500.00

Insurance to the amount of \$261,000 is carried on the various buildings and contents. The accounts were audited by Mr. D. L. Wells, who certified them to be correct, and the securities on hand and the bank balances as stated.

JOHN A. FLETCHER, Treasurer.

## FORM FOR CONDITIONAL ANNUITY GIFTS

Whereas,                          of                          in  
the State of                          has this day given to the  
President and Fellows of Middlebury College, a corpora-  
tion established under the laws of the State of Vermont,  
and located at Middlebury in said State, the sum of  
dollars, said sum becoming by said gift the absolute prop-  
erty of said College and to be devoted to its uses and  
purposes,

Now, therefore, in consideration of said gift, the said  
President and Fellows agree to pay to the said  
during                          natural life, the annual sum of  
dollars in quarterly payments of                          dollars  
each, commencing with the                          day of  
A. D. 19    and ending with the regular quarterly day of  
payment next preceding                          decease.

Such payments shall be made at the office of the Treas-  
urer of said college, in Middlebury, Vermont, unless other-  
wise requested in writing; in which latter case the payment  
shall be transmitted in any ordinary or usual way, as in-  
structed.

As the above payments are made for the sole benefit  
of said                          during                          natural life it is de-  
clared to be the intention of the parties hereto that no  
obligation whatever is, nor shall be considered hereby to  
have been, assumed by the President and Fellows of Mid-  
dlebury College to the heirs, executors, administrators, or  
assigns of said                          for any of the said  
quarterly payments that shall not have been called for by  
the said                          as above provided during  
lifetime.

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Witness the signatures and seals of the respective parties this      day of      19   .

Signed, sealed, and delivered in the presence of \_\_\_\_\_  
The President and Fellows of Middlebury College  
by \_\_\_\_\_

\_\_\_\_\_ TREASURER.

#### FORMS OF BEQUESTS

The corporate title of Middlebury College is "The President and Fellows of Middlebury College."

The following forms are suggested:

I give and bequeath to The President and Fellows of Middlebury College, a corporation of the State of Vermont, the sum of      dollars, to be used by the Trustees of said College for such purposes and in such manner as they shall deem appropriate.

I give and bequeath to The President and Fellows of Middlebury College, a corporation of the State of Vermont, the sum of      dollars, to be invested by the Trustees of said College, and the income thereof to be applied to the payment of the salaries of teachers in Middlebury College as the Trustees may deem expedient.

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# EXHIBIT U

{B2833953.1 00307-1805}

PRESIDENT'S OFFICE,  
THE HOWE SCALE COMPANY,  
RUTLAND, VERMONT.

Rutland, Vt., May 18, 1914.

Doctor John M. Thomas,  
Middlebury, Vt.

My Dear Friend:-

You said something about trouble in getting more than one architect to figure on the chapel. I confess what you said had startled me a little bit and I have taken a little pains to ascertain if there was anything specially unusual existing among architects, and this afternoon have learned that there is a perfect combination among many of the leading architects that if one has been called upon to figure, that no other member of that society will make drawings or estimates without there is really a combination between them, and whatever the second man does is fully known to the first. You may be aware of this arrangement, but I must confess it was new to me, and I probably should not have learned of the same had it not been for the stray remark which you made. This then is the situation. I write to advise you of this condition and also to ask if you were advised of the same before?

With best wishes, I am,

Yours truly,



PRESIDENT'S OFFICE,  
THE HOWE SCALE COMPANY,  
RUTLAND, VERMONT.

Rutland, Vt., May 26, 1914.

Doctor John M. Thomas,  
President of Middlebury College,  
Middlebury, Vt.

My Dear Doctor:-

Yours of the 25th at hand and noted. I am pleased that the advisory committee from the faculty will be only too willing to assist in our endeavors to make the chapel a structure of which we shall all be proud.

As to the Rising & Nelson Slate Co., they wrote me a very nice letter and they are quite prominent people in our county. I advised them that I would write you at once as to the above and this will help to make friends with them for the next few months, when possibly we may need the same.

As to the heating system, surely we cannot get these different parts in shape any too early and not be held up at some unfortunate time during the construction of the building.

I shall be pleased to see the new sketch of the chapel by Messrs. A. & C. when they have the same to submit.

Two young gentlemen called here yesterday with sketches of the chapel, whom I have never seen or heard of before. They were very anxious to be permitted to make some drawings. I told them I knew of no objection, though I tried to convince them that their chances for doing anything substantial would be very very small.

You advise that you have letters from various members of the board, etc. If not too much trouble, should be pleased to receive copies of the same.

Thanking you in advance for this favor, I remain,

Yours very truly,

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PRESIDENT'S OFFICE,  
THE HOWE SCALE COMPANY,  
RUTLAND, VERMONT.

Rutland, Vt., July 6, 1914.

Doctor John M. Thomas,  
Middlebury, Vt.

My Dear Friend:-

I have just received your favor of the 1st inst., in fact, on my return from New York, where I attended the funeral of our Mr. W. C. Page, who has been connected with our company as manager of the New York house for thirty-seven years. Possibly you may have met him when you were at our store some few months since. I am pleased to learn that you are located at last at your island home and now that you will enjoy life for a few weeks to the very limit. Surely both you and Mrs. Thomas are entitled to all the good time that kind Providence will give you.

I have noted Mr. Collens' letter and the blank form of contract which he has submitted and it simply reminds me of the form of contract which the Government is very apt to insist upon being used if you were to sell anything to any of their departments. It is what we in business life call "a jug-handle" to the very limit - all on one side. I must confess to you that I am very tired and in fact have been gone for three days, and I find myself buried in work, but my first impression was that it would take quite a large amount of our sum specified for the chapel to care for the demands of Mr. Collens. This reads very differently from his talk and I thought his talk was pretty near the limit, so far as I was concerned. I have had a great deal of experience with contracts of this nature and I simply wish to state that if sign the contract drawn after these lines, you are tied hand and foot. If you will read it over carefully, you will see that there is not a

(J. M. T. #2)

hole for you to escape through, while they have got every condition protecting themselves.

It is something like the fire insurance policy where the party receiving the same asked if there was any possibility in law of his recovering from a loss should one happen while he was ~~protected~~ by that policy. The agent himself said, no, that he didn't think there was, and he said, if you find any weakness of that kind, let me know and we will have it protected at once.

I am almost inclined to feel that there was something ~~as to this~~ <sup>of this nature</sup> blank form which our friends have submitted. I feel that we should be very very careful with these people or anybody else in the making of contracts. I have been bit once and I feel that is sufficient for me. I am strongly impressed that we should not tie ourselves to Mr. Collens until we have in black and white exactly how our plans are to be governed. He spoke about 6% on the price of the building for his services and then his necessary expenses, but if you will read over his list of charges and see how he protects them in every way possible and he does not in any way protect the second party, I think you will realize that we are in an embarrassing position.

I wish you would read this over two or three times very carefully and at your leisure and try to look at it from the other side of the fence, and see if you feel at all different. As I understand, we have no contract at present with Mr. Collens; in fact, we have nothing to show for any service he has given us.

With kind regards to Mrs. Thomas, yourself and family, kindly believe me,

*D. Witten Street*

Yours most respectfully,

*Donald M. Ward*

PRESIDENT'S OFFICE,  
THE HOWE SCALE COMPANY,  
RUTLAND, VERMONT.

Rutland, Vt., Aug. 20, 1914.

Doctor John M. Thomas,

Middlebury, Vt.

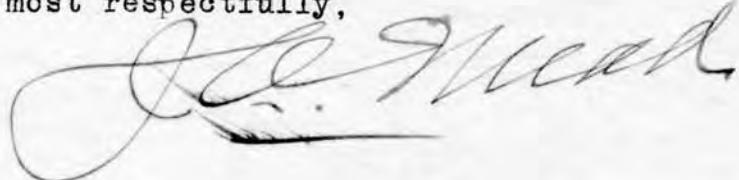
My Dear Friend:-

I have just received a package of blue prints from Allen & Collens and some specifications pertaining to the same. I have no doubt but what they have sent you duplicate copies of everything that was mailed to me. I have not had time to consider them even for a moment with our Mr. Lyman, but shall do so at my very first opportunity. We are sadly behind in our new building, which we hoped would be finished by Sept. 1st certainly, and now if it is finished by Dec. 1st I am sure we will be very fortunate. There have been so many delays that I have almost despaired of completing same before severe cold weather is upon us.

I wrote you some time since with reference to the by-laws governing the architects of this country and I believe I have not heard from you with reference to the same. I infer that you are having a pleasant outing on your island and that you and yours are enjoying life to the very limit.

With very kind regards to Mrs. Thomas and your family, and with best wishes to you all, I remain,

Yours most respectfully,



PRESIDENT'S OFFICE,  
THE HOWE SCALE COMPANY,  
RUTLAND, VERMONT.

Rutland, Vt., Aug. 24, 1914.

Doctor John M. Thomas,  
Middlebury, Vt.

My Dear Doctor:-

Your favor of the 22nd is at hand this morning. Many thanks for the same. I regret that we should receive these plans just at this most unfortunate time for us. I think I never saw the business conditions of America in the shape they are to-day. I hardly know which way to turn or what to do. The scale company recently started in Bennington, who have their shops all complete and claimed they were doing a fine business, closed down for good some two weeks ago. E. & T. Fairbanks & Co. of St. Johnsbury I understand are now only running five hours a day and they have laid off a very large proportion of their help. The Fairbanks Co.'s shops at Binghamton, N. Y., are closed down tight and the same report is as to their shops at Sherbrooke, Canada. Thus you will notice the general conditions pertaining to scale business, and I think that their affairs to-day are fully as favorable as that of any other class of manufacturers in this country outside of the textiles. We hardly dare export goods, as we fear for the credit which can be obtained. The moratorium which has been enacted in Germany and Austria is liable also to prevail with the other countries. Thus we are in all kinds of trouble and hardly know which way to turn.

I have an appointment for to-morrow which will occupy every moment of my time from noon until evening. Thus it would be impossible for me to do anything outside on that date. Just the first moment that I can get to go over this subject with Mr. Lyman, I certainly

(J. M. T. #2)

will do so. He is here working for us and I can but feel would be only too willing to give me any information we might want. I should not for a moment think of trusting my judgment on these plans and I do feel that if there are contracts to be made, that we at least here would never ask for the architects to make them. I certainly should be pleased to meet you and Ex-President Brainerd at the earliest opportunity possible. If you are to be at home a week from Tuesday, would you kindly advise, when I will endeavor to arrange to see you, or hoping that you might come to Rutland. I note also that we have no contract as yet with Allen & Collens, though I do feel that this is a subject which must have attention and at once. You have had more experience in this kind of work than the writer and wish you would look over the rules which I sent you and be prepared for such suggestions as may occur to you. Do you think we could do much this season? I thought possibly we might get in the foundation and get the work started, and perhaps conditions might be such that we could go along with the building, though I have doubted it. I should be pleased to hear from you fully with any suggestions which might occur to you or Ex-President Brainerd.

With very kind regards, I am,

Yours most respectfully,



PRESIDENT'S OFFICE,  
THE HOWE SCALE COMPANY,  
RUTLAND, VERMONT.

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Rutland, Vt., Aug. 26, 1914.

Doctor John M. Thomas,

Middlebury, Vt.

My Dear Friend:-

I have yours of the 25th referring particularly to the new drawings, etc. I surely wish that we could get this thing out of the way and fully started, if such a thing is possible under present conditions, though I have felt that we were so late that we should not be able to do very much this season. I have wondered why it was that the architects delayed so long in their plans. Surely we are losing all the best of the year. As you state, it is now nearly two months since the original plans were approved. Possibly we might get in the foundation this year and if we had a proper contract made and everything buttoned up, so to speak, we would have everything in shape to move off rapidly in the spring.

We have had here in our factory one misfortune after another following us until we are in all kinds of trouble just at present.

Shall be pleased to hear from you when it is convenient for you and President Brainerd to come down.

With very best wishes, I am,

Yours most respectfully,

*John D. Howe*

PRESIDENT'S OFFICE,  
THE HOWE SCALE COMPANY,  
RUTLAND, VERMONT.

Rutland, Vt., Oct. 2, 1914.

Doctor John M. Thomas,

Middlebury, Vt.

My Dear Friend:-

I have just had a long talk with our Mr. Milo Lyman and am quite a little surprised at what he has been telling me. To be really frank with you, he was a little disappointed, I might say irritated, when Mr. Collens asked him if he could build the staging by which he could put up or construct the spire to the chapel. He said, "after he had asked me that question, I felt I would not say very much more to him", and thus you noticed that he closed his mouth right then and there. Now he comes to me this morning and says that there would be no question whatever about his being able to build that chapel and he says under the circumstances he would like to do it and will simply charge me just exactly what we are paying him here, but that I should pay him for his board up there, which will be reasonable, and his carfare backwards and forwards, and he would have to come home every Saturday; and he goes on and gives me a long history of what he should advise doing and has told me some things that I must confess I didn't know very much about whatever. The long story is in substance that he says he will guarantee to save us the commissions that these other man expect to make, and in addition he also says that he will save us the stealage which will be made out of the building, and guarantee a better building than we had before. Now, I think the next time we meet, that we had better have Mr. Lyman with us and with just your committee there, consisting of Doctor Brainerd, Judge Weeks and yourself, to see Mr. Lyman and he will talk freely with us, and you can be assured that he won't say that he

(J. M. T. #2)

can put up that chapel without he is capable of doing every part of it. He hasn't talked with me this freely at any time, but he was a little bit startled when Mr. Collens asked him if he knew how to build the staging for the purpose of erecting the spire. He says he doesn't want any architect fussing around him - if he will give him his plans; and he states in addition that he should want some of these plans changed in his opinion quite a little from what they are to-day. He says no ordinary man from his plans could make out a bill of timber without quite a little work, unless they were very very familiar with the structure to be made.

I simply give you this in a hurried way and wish you would consider the same and let me hear from you. I should be specially pleased to know what Mr. Partridge says as to the marble and I shall also take it up with Mr. Bowker to know what his views are.

Yours very truly,

*John Deane*

PRESIDENT'S OFFICE,  
THE HOWE SCALE COMPANY,  
RUTLAND, VERMONT.

Rutland, Vt., Oct. 5, 1914.

Doctor John M. Thomas,

Middlebury, Vt.

My Dear Friend:-

Your favor of the 3rd inst. at hand and contents noted. I can only add from what I wrote in former letter, that Mr. Hinsman is only too anxious to attempt the building of the chapel, though I confess I dislike beyond expression having him leave us on any occasion whatever, as we want him so badly right here; but I am willing to make the sacrifice if it is necessary. As I may have stated, I feel that I must keep the sum within the amount which I have specified. I thought first of \$50,000 and talked of that, and then it was stated between \$50,000 and \$60,000 and it has gone to that sum and I am willing to stand for that amount, but I must draw the line there. I wish to say to you confidentially that I have something in mind that I would like to do for Rutland and would like to start the same now, but this horrid war has obliged me to wait to see what the future may have in store for us. Thus, I wish you would keep in mind that I want to limit my gift to the amount above specified. I do feel that we should keep within this amount and can do so if the thing is properly handled. I am now quite busily occupied in Mr. Hinsman's, (my son-in-law) campaign for the State Senate, as I do feel that it is very necessary for our college and for the protection of the business men of our state that we should have a full and strong representation in the senate for mutual protection, and thus it takes quite a little time, as it were, to sort of look after his campaign. He is a good fighter for somebody else but a very poor one when it comes to a personal matter.

(J. M. T. #2)

Referring to the statement made and of your affairs, as to Mr. Lyman's not wanting to have an architect a "fussing around", you need not worry for a moment about that. Mr. Lyman will do anything within the bounds of reason that I ask him to and he will make any change on this building that we may wish, or submit to any suggestions from ~~others~~ if ~~you~~ <sup>think</sup> is thought best to put him to work. I wish you would forget this part of it.

I regret that Mr. Partridge did not seem inclined to make some concession on the marble part, as I was in hopes he would do so and quite generously.

As to Mr. Bowker, I have the specifications here waiting for him to take the same. He has been out of town for two or three days and thus I have not been able to reach him. Shall without doubt see him to-day.

Yours very truly,



PRESIDENT'S OFFICE,  
THE HOWE SCALE COMPANY,  
RUTLAND, VERMONT.

Rutland, Vt., Oct. 30, 1914.

Doctor John M. Thomas,

Middlebury, Vt.

My Dear Friend:-

I received your favor of the 27th inst. and have read the same over several times and hardly know what response to make. I note that you have heard from Mr. Collens and he is anxious to proceed with the building. That is very natural. I rode in the seat with Mr. Rogers to Brandon the other night and had a long talk with him. He is anxious to take the contract, but I do feel that you could make a better one than he has named, although I asked him if he would be willing to go ahead with the foundation part this fall, and he said very plainly, no. He said that before we knew it we should have freezing weather and that would be worse when attempting a concrete foundation. I had been hoping that we might by some means get the foundation in this year and would be perfectly willing so to do at this very moment. I can but recall Mr. Collens' statement when he was with us at commencement - that he would have the plans all complete in from four to six weeks, and you realize the length of time which expired before we could get them. I do not like this feature of it for a moment. It seems as though he was holding us off.

As regards the architect's supervision, my special thought at present is to be able to have the building erected within the \$60,000 limit, because, to be frank with you, I have felt that this was the very farthest that I could go. You will recall that when we spoke about this in New York, I said from \$50,000 to \$60,000. I was hoping,

(J. M. T. #2)

naturally, that we might limit it to the \$50,000, but the size of the building, etc., very naturally has carried it beyond that point; but I do feel that I must draw the line on the \$60,000 and leave the building all in first class shape. The moment you can make contracts which will cover this and cover the little details pertaining to the same, I shall be as much delighted as you will. It is with this end in view that we were trying to cut down some expenses.

You will remember that Mr. Rogers told me that he would send me the bill of the timber at once so that the same could be purchased. I have already virtually contracted for this lumber and have written Mr. Rogers already asking for the bill to which he referred, but have not heard from him. If you gentlemen in Middlebury feel that you have got this expense account down to that point where we surely can land within the \$60,000, I am perfectly willing to step one side and have nothing further to do with it, it being understood that the general features of the building should remain about as has been already specified. I will not stand in the way in any respect for a moment. So do not say that what is or is not done is "for me to decide."

Referring again to Mr. Collens' general supervision, his statement that he could arrange to have a fixed sum which he would charge when he came for advice, I should think would be desirable.

In this connection, I would state that we are <sup>now</sup> in this political fight up to our eyes and I trust that you will appreciate that one thought I had in mind, was to have somebody who would be friendly to our college, and Mr. Hinsman was the man. I have already had a long talk with Doctor Wright of Brandon, who will without doubt be elected to the senate, and he is entirely in sympathy with us. We are having quite a

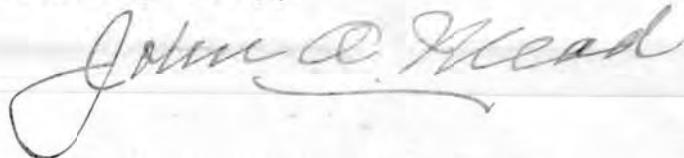
(J. M. T. #3)

struggle here in Rutland as between the progressives and the democrats, but I feel that we are quite sure to win out, although the fight is desperate. It is for this reason that every single moment has been occupied and let the results be what they will, I shall be perfectly satisfied with the verdict of the people. Then I shall have more time to take up these other subjects.

I wish you and Messrs. Brainerd and Weeks would thoroughly consider this subject and I assure you I shall join you most heartily in anything which would hasten the construction of the chapel and leave the same within the limits we have mentioned.

With best wishes, I am,

Yours very truly,

A handwritten signature in cursive ink, appearing to read "John A. Mead".

PRESIDENT'S OFFICE,  
THE HOWE SCALE COMPANY,  
RUTLAND, VERMONT.

Rutland, Vt., Nov. 4, 1914.

Doctor John M. Thomas,

Middlebury, Vt.

My Dear Friend:-

Mr. Rogers has just been with me for an hour or so, and gave me the bill of lumber that he will want for the chapel. I have suggested his seeing you and any arrangement you may make will be entirely satisfactory to me, it being understood that you will be able to complete the building within the sum specified, viz., the \$60,000. I feel as though I should not go beyond that sum and thus hope that everything will be so governed as to make the building ~~and~~ come within the amount stated. He states that he would pay \$25.00 for this lumber on the grounds, that the same can be moved from the depot to the lot at 50¢ per thousand feet, and I will find out this afternoon what the freight will be from here to Middlebury, and thus know what our saving would be. I can buy the lumber on board cars here at \$20.00 per M.

Now that election is past, I am at liberty to further consider this subject and to do whatever is necessary. He advises that he should like to make all his excavating this fall and might do a little more, though he doubts it very much. It has occurred to me that about the first thing now to do was to arrange a contract for the marble and it seems as though we could do something with Mr. Partridge.

With best wishes, I am,

Yours most respectfully,



PRESIDENT'S OFFICE,  
THE HOWE SCALE COMPANY,  
RUTLAND, VERMONT.

Rutland, Vt., Nov. 6, 1914.

Doctor John M. Thomas,  
Middlebury, Vt.

My Dear Friend:-

Many thanks for yours of the 5th inst., referring to the fact that I may see you and Mr. Rogers here to-day. I rather think that we shall be able to save nearly \$3 a thousand on the lumber. I have just got a freight rate from the Rutland people, which I think would give us about \$3 net profit, and with some sixty to seventy thousand feet, this would be something worth saving, though it would be some little trouble to handle the same at this end. I agree with you fully that we want to get all we can out of this \$60,000, ~~but~~ I wanted this to cover all the little necessaries which we should want, viz., organ and such like.

Mr. Hinsman is surely very fortunate in having received so large a vote and he and Mr. Wright are solid on the educational question, as I have been over the subject with them both. I think they will be able to carry the other two from our county.

Yours very truly,



PRESIDENT'S OFFICE,  
THE HOWE SCALE COMPANY,  
RUTLAND, VERMONT.

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Rutland, Vt., Nov. 11, 1914.

Doctor John M. Thomas,  
Middlebury, Vt.

My Dear Doctor:-

I have just received your favor of the 10th inst., as I am leaving for Boston in a very few minutes, and simply write to acknowledge receipt of the same. Am pleased that the architect has made quite a reduction from his bill, as it seems as though he could very well afford to do, and your arrangement for expert work meets our judgment in every way. I feel that if we keep a cutting off the corners, we shall get this down to within the \$60,000 so that we can use this difference for little things, which I am sure will be useful.

I have a price on the lumber which I will not put in black and white just now, but I think it will look very interesting to you. I have Mr. Rogers' bill and I went over the same on Monday, and a party has agreed to send me an accepted bill for the same, which will save us quite a little.

With best wishes, I am,

Yours very truly,

John A. Mead.

PRESIDENT'S OFFICE,  
THE HOWE SCALE COMPANY,  
RUTLAND, VERMONT.

Rutland, Vt., Nov. 25, 1914.

Doctor John M. Thomas,

Middlebury, Vt.

My Dear Friend:-

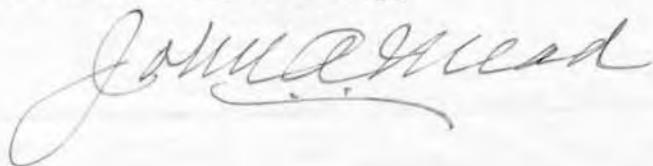
Yours of the 24th I find on my return to town and I am delighted to learn that there is a prospect of saving quite a snug sum on our contracts and I felt very sure that we could do so. If we jump at a man's first figures, we generally find ourselves left before we get through dealing with him.

I sincerely wish that Mr. Partridge could see his way clear to meet the price of stone which is made by the western people, and when we realize the difference in freight rate, it does seem as though they could do so.

I shall hope to see you on Tuesday evening or Wednesday morning of next week without fail. I am pleased to learn that you are to be with us and shall surely endeavor to be present if I am in town.

With best wishes, I am,

Yours most respectfully,



# EXHIBIT V

{B2833953.1 00307-1805}



KALEIDOSCOPE



# 1916 Kaleidoscope

Middlebury College  
Annual

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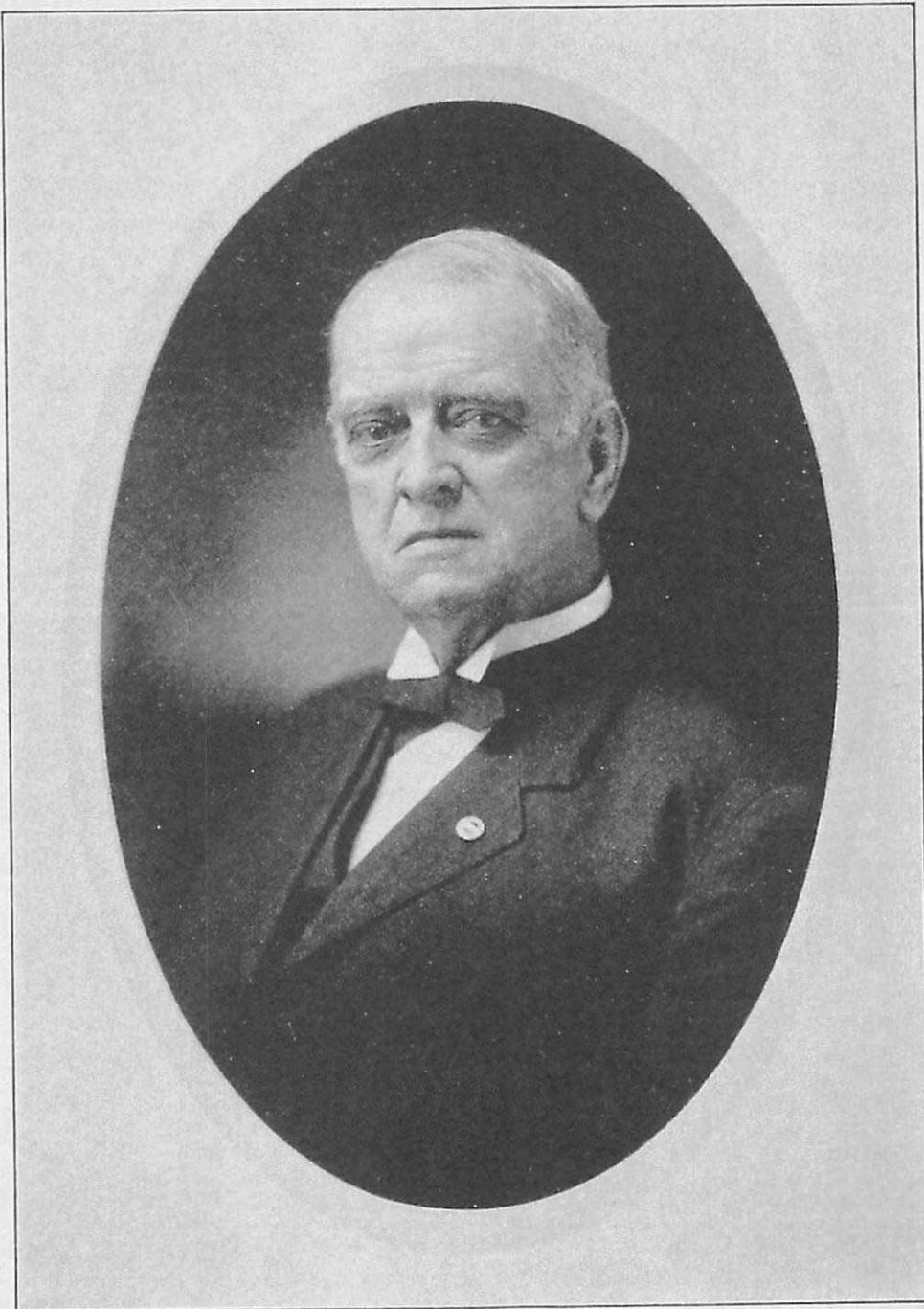
Vol. XXI

Edited by the Class of 1916

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Middlebury, Vermont  
1915



To

Hon. John Abner Mead, A. M., M. D., LL. D.

of the Class of 1864, who, as Alumnus and Trustee,  
has served his Alma Mater faithfully and well, and  
as donor of the Mead Memorial Chapel has  
proven one of her most munificent bene-  
factors, this volume of the

Kaleidoscope

is respectfully dedicated.

# Exhibit 4 - 022

PRESIDENT'S OFFICE  
THE HOWE SCALE COMPANY  
RUTLAND, VERMONT.

Rutland, Vt., Dec. 11, 1914.

J. James Floyd, Editor,  
Middlebury College,  
Middlebury, Vt.

My Dear Sir:-

Your esteemed favor of the 2nd inst. received this A. M. and I hasten to respond to the very kind and appreciative thought expressed in said letter. It will be my pleasure to mail you the photograph desired, as per your suggestion, and through the Kaleidoscope to express to the members of the Junior Class, to the Faculty, the Alumnæ and Alumni of our beloved college, my high appreciation of the many kind words spoken and for the innumerable letters received commanding this gift to our Alma Mater. I have realized for many years that the only enduring source of happiness springs not from selfish acts, but is only attained by doing for others where no return can be expected, and the greater is the pleasure when you so govern your acts, that mankind may rise to a higher lever - that other lives may be happier and more useful because you have lived and have seen and realized an opportunity. It was this thought which inspired my desire to assist the students of Middlebury college in having a place of worship where they could all assemble in one auditorium for this inspiration; that the duties of each day might begin with a religious thought, which we all realize is the foundation of all true knowledge.

Assuring you of my very high regards, I remain,

Most respectfully,

*John C. Mead.*



## The President and Fellows of Middlebury College

Rev. John M. Thomas, D.D., LL.D., <i>President</i>	Middlebury
Hon. John W. Stewart, LL.D.	Middlebury
*Hon. Joseph Battell, A.M.	Middlebury
Brainerd Kellogg, LL.D.	Morristown, N. J.
Ezra Brainerd, D.D., LL.D.	Middlebury
Hon. David K. Simonds, A.B.	Manchester
Erastus H. Phelps, A.M.	Fair Haven
Hon. John A. Mead, A.M., M.D., LL.D.	Rutland
Henry H. Vail, LL.D.	New York, N. Y.
George M. Wright, LL.D.	New York, N. Y.
Rev. James L. Barton, D.D., LL.D.	Boston, Mass.
M. Allen Starr, M.D., Ph.D., LL.D.	New York, N. Y.
James M. Gifford, LL.D.	New York, N. Y.
Hon. John G. McCullough, LL.D.	Bennington
Julian W. Abernethy, Ph.D.	Burlington
John A. Fletcher, A.B.	Middlebury
Rev. Rufus C. Flagg, D.D.	Burlington
Hon. A. Barton Hepburn, LL.D., D.C.L.	New York, N. Y.
Hon. John E. Weeks, A.M.	Middlebury
Hon. Frank C. Partridge, LL.D.	Proctor
William H. Porter, LL.D.	New York, N. Y.
Hon. Bert L. Stafford, A.B.	Rutland

John A. Fletcher  
*Secretary and Treasurer*

Charles E. Pinney  
*Auditor*

\*Deceased.



## Editor's Foreword

In view of the rapid expansion and development of Middlebury College within the past few years, particularly since the entry of the class of nineteen sixteen, we feel that no apology is necessary, in presenting to the student body, faculty, alumni and alumnae, the first edition of the KALEIDOSCOPE as a distinctly college, rather than class annual. It is fitting that the evolution of the annual should keep pace with the growth of our institution. With this object in view, the class of nineteen sixteen has waived its claim to the time-honored tradition of publishing a class annual, and has endeavored to make the present volume more representative of the college as a whole.

It has been the ambition of the board to produce a book that would reflect credit upon our class, as well as measure up to the ever-rising standards of alma mater. We trust that our efforts will mean more than a mere record of college activities; that this volume will enable us, at some future time, to recall with pleasure and to live anew the spirit of undergraduate days.

Our task is finished, and to the members of the board it has been a source of genuine pleasure. For the benefit of the class we may add that the fellow who wrote the grinds was no respecter of persons. And though he committed nothing with malice aforethought, he has followed the impulse of his better judgment and taken up a temporary, but safer abode elsewhere. Conscious of its many imperfections, but realizing that we must inflict it upon you, the board presents herewith the twenty-first volume of THE KALEIDOSCOPE.

# Exhibit 4 - 025

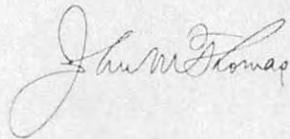
PRESIDENT'S OFFICE  
MIDDLEBURY COLLEGE  
Middlebury, Vt.

January 22, 1915.

To the Editors of the Kaleidoscope,  
Middlebury College, Class of 1916.

The years in which you have been students of Middlebury have been a period of progress, almost unexampled in the history of the college, of much encouragement, hard work, serious responsibility, and no small anxiety. You entered the largest class but one received in Middlebury - to this date. We had just completed the General Education Board Fund of \$200,000. The McCullough Gymnasium was just ready for use and we had acquired the Porter Field, which you have seen transformed to a real athletic field. You watched the Chemistry building grow and have had the first two years' use of its advantages. The Music building has been opened and the girls have overflowed into Hillside Cottage. Before you graduate we shall doubtless be using the new Mead Memorial Chapel, making the college plant almost a third larger than in your freshman year.

It is not only larger, but certainly also better - very much better. Some of the teachers who have helped you most have come to us during your course. It is harder to get into Middlebury and it takes more work to stay. There are more courses and better ones - and they are very much better arranged in the new group system. We have been investigated and pronounced a good small college - which is all we want to be. We are sure of the loyalty of our alumni and of the people of Vermont, and have more friends than ever before. Success to the future Middlebury and to all her friends and children, and may none be more loyal than the Class of 1916!



# EXHIBIT W

{B2833953.1 00307-1805}

December 18, 1914.

A meeting of the Board of Trustees  
of Middlebury College was held  
at No 60 Broadway, in the City of  
New York, on the 18th day of December  
A.D. 1914.

Present:-

President Thomas in the chair  
Dr Kellogg  
Mr Postle  
Mr Hepburn  
Geo. H. Cuelough  
Mr Fay  
Dr Stan  
Mr Wright  
Mr Abernethy  
Mr Gifford

Mr Gifford acted as Secretary  
of the meeting.

Secretary.

A motion, duly seconded, it was  
Resolved that the College con-  
cerned with the construction of the  
Chapel with the understanding  
that \$60,000.- would be contributed  
by Dr Mead; the balance estimat-  
ed at about \$1,000.- to be contribut-  
ed by the College.

Mead Chap.  
e. s.

s.

President Thomas reported  
Prof Spelling's inability to spend  
his Sabbatical vacation abroad  
and his request that he be given  
six months to be spent in the  
Country.

Skillings.  
vacation.

A motion, duly seconded, it  
was  
Resolved that such leave be  
granted at half salary.

1914

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Engineering  
department

Relation of  
the College  
to the State.

Affiliation  
with UVM  
& Norwich.

On motion, duly seconded,  
Resolved that the Department of Engi-  
neering be discontinued as a department,  
and the work of surveying and drawing  
be done under that title.

Dr. Thomas reported with reference to  
the relation of the College to the State of Ver-  
mont, and the following resolution was  
offered and unanimously passed:-

Whereas, it is important for the interest  
of education in Vermont that the univer-  
sities and colleges of the State be brought  
into some form of affiliation; and

Whereas, in recent correspondence of  
President Benton and Thomas sugges-  
tions have been made which give  
promise of a useful outcome of no-  
tifications between representatives  
of the several institutions; therefore

Resolved, that the Trustees of Middlebury  
College express themselves in favor of an  
endeavor to bring about an affiliation  
of the University of Vermont and State  
Agricultural College, Norwich University  
and Middlebury College, and declare  
their desire to co-operate with the Trustees  
of the other universities in bringing about  
such an affiliation; and

Resolved, that a copy of this action be  
communicated to the University of Vermont  
and Norwich University.

On motion, duly seconded, the Trustees  
adjourned

Attest

(signed) James M. Clifford,  
J. A. Fletcher, Secy

# EXHIBIT X

{B2833953.1 00307-1805}

Rutland, vt., Jan. 13, 1915.

The President and Fellows of Middlebury College,  
Middlebury, Vermont.

Gentlemen:-

In consideration of the contract of the Committee for the Erection of the Mead Memorial Chapel at Middlebury College with Thomas W. Rogers of Brandon, Vt., whereby the same is to be erected in accordance with plans and specifications of Allen & Collens, architects, at a cost of \$51,945, I agree to furnish funds for the discharge of this contract and for the expenses connected with the erection of this chapel, to the amount of \$60,000, as may be required during the construction and in accordance with the terms of the above contract, binding myself, my heirs and my assigns as above specified. It is agreed on the part of said Trustees that they are to complete said chapel, making it complete in every way, as to grounds, furnishings, etc., for the purposes of a college chapel, as voted at the meeting of the Trustees of said college held in New York City Dec. 18, 1914, and as defined in correspondence between the President of Middlebury College and myself.

Yours very truly,

(Signed) John A. Mead.

# EXHIBIT Y

{B2833953.1 00307-1805}

C O P Y

Mrs. Head and myself agree to have the windows in the chapel (two on either side) and to have the ten pilasters (five on either side), same to be built in accordance with the original plans shown in photo number 1 as to bases and caps and width, and we are to pay \$1031 for the same in addition to the original gift of \$60,000. The trustees agree to finish the chapel as agreed and to instal a pipe organ to cost at least \$5000.

(Signed) John A. Head

2/27/15

Rutland, Vt.

# EXHIBIT Z

{B2833953.1 00307-1805}

Voted to approve the action of the  
President in securing the services  
of Mr. Murch as an assistant in  
Physical training & for other services  
at a salary of \$1,000.-

Murch

~~As motion of Misses Panting &~~  
~~Brainerd it was voted that Miss~~  
~~Throop be not continued as Dean~~  
~~of Women,~~

Miss Throop.

And voted that the President be  
instructed to secure a new Dean  
in her place.

New Dean.

Voted, that the Trustee accept  
and gratitutes Dr. Mead's gift  
and to add \$1,031<sup>#</sup> to the gift of  
the Chapel, and agree to instate  
thruin a pipe organ to cost  
\$5,000.-

Mead Chap.  
et.

Added gift.

Pipe Organ.

A discussion of Mr. Battell's  
bequeathal bequeath to the College  
followed.

Battell Will.

Meeting adjourned.

Attest

John G. Fletcher  
Secretary

# EXHIBIT AA

{B2833953.1 00307-1805}

Rutland, Vt., June 21, 1915.

Pres. John M. Thomas,  
Middlebury, Vermont.

My dear Friend;

There is one matter in connection with the new chapel which has not yet been determined, that of a bell. I have been considering this subject carefully for some time and I feel it would be very appropriate to have a chime of bells, distinctive from anything in the village and of sufficient compass to sound out over the campus and village the beautiful hymns associated with Christian worship. I feel that such a chime would convey a helpful message to a great many who would never come within the walls of the chapel, as well as to successive generations of students, and become in time one of the most hallowed memories of Middlebury College. If acceptable to the members of the Board of Trustees, Mrs. Mead and I would be pleased to add a chime of bells to our gift of the Mead Memorial Chapel.

Yours most respectfully,

# EXHIBIT BB

{B2833953.1 00307-1805}

June 23d, 1915.

Pursuant to adjournment, the Trustees met at ten o'clock A.M. Wednesday June 23d at the President's office at the Chapel.

Present:- Mrs. Thomas, Mead, <sup>Resent.</sup>  
Starr, Kellogg, Wright, Bramhall,  
Stafford, Clifford Fair, Partney,  
Hephburn, Weeks and Fletcher

Dr Thomas read the following letter from Dr Mead:-

"There is one matter in connection with the new chapel, which has not yet been determined, that of a bell. I have been considering this subject carefully for some time and I feel it would be very appropriate to have a clime of bells, distinctives from anything in the village and of sufficient compass to sound out over the campus & village the beautiful hymns associated with Christian worship. I feel that such a clime would convey a hopeful message to a great many who would never enter within the walls of the chapel, as well as to successive generations of student, and become in time one of the most hallowed memorials of Middlebury College. If accepted by the Board of Trustees, Mrs Mead and I would be pleased to add a clime of bells to our gift of the Mead Memorial Chapel."

Letter  
from Dr  
Mead.

It was voted that the gifts of Dr & Mrs Mead be gratefully accepted.

Meeting adjourned

Acting John C. Fletcher  
Chair

# EXHIBIT CC

{B2833953.1 00307-1805}

Mr. President, Members of the Class of '64 and  
Friends.

*Reserve the Dine*

\*  
As the devout Hebrew, wandering in distant  
climes far from the home of his fathers, ever  
turns his face, at sunset hour, toward the "sacred  
city" to offer his evening devotions, so to-day  
do we, the former students of Middlebury, on  
this anniversary day, stirred and thrilled by  
the glorious memories of the past, return in-  
stinctively to the shrine of our college life -  
to revisit the old Halls of Learning, now so  
sacred - to grasp again the hands of the few re-  
mainning friends, and to consecrate again our lives  
to the high ideals which for more than a century  
have inspired the students of our beloved Alma  
Mater.

As we have been approaching this milestone  
of our busy lives, - the Commencement of 1914, -  
I have anticipated special pleasure in being per-  
mitted to place my offering upon the "altar" of  
my academic life, and on this day, the fiftieth

I classmate & friends  
Dr. Horner's ~~classmate~~ & friend  
of the University  
and members of the Faculty  
and friends of the University.

The year has passed 28 rapidly & I  
should say especially, since the  
beginning of the year when a  
book of poems, entitled "The Poet's Corner"  
~~for August~~ was placed  
in my ~~room~~ ~~office~~ on the highest shelf of our  
on the floor where made  
it was seen it was ordered that  
from the hollowed ground beneath  
where a man had died, &  
was dedicated to our Poets friend  
there dedicated to our Poets friend  
our respect & appreciation. Not exceeding  
to any beloved classmate & friend  
or any brother to whom I am giving  
for whom my love & admiration go  
down with every passing year, & to all  
others and with all my heart  
as Professor Pease, during a tour  
or studies of Europe - Our Poets friend  
a German Poet writes here that it should  
be a sacred duty & privilege for  
associated with our labor

anniversary of my graduation, when so large a per cent. of my classmates living can be present, to remove the soil and lay the corner stone of a Memorial Chapel which will rise from the highest portion of this Campus.

The history of my ancestors is such as to make it specially appropriate for me to assume this duty, for, as I stated in my letter to our President, Doctor Thomas, it was my great-great-grandfather, the first white settler on the Otter Creek, who brought the first copy of the Bible into this valley, and it was his wife, the mother of the first white child born in the valley, with her daughters gathered about her in an Indian wigwam, upon one side of which was seated the squaw and the papooses of the then Chief of the Caugnawagas, who read by the light of a pine torch a chapter from this Bible, and then kneeling with her daughters in a circle, she offered the first prayer, so far as history or tradition teaches, ever uttered in this valley.

A few months afterward, Rev. Benajah Root, a

2  
to people their Country & with an instruc-  
-ment of great good to those of this gen-  
eration & to all those of the greatest  
future.

It was the casting of the Seed upon  
the waters which should mature to  
us the many thousands who will succeed  
us as members of this College & whose  
their influence & teaching should  
remain to remain a blessing to  
many others in distant lands & for  
many generations yet to come who  
will never know when or where  
the sacred Seed was planted.

As to your Seed and flower bed, I send you  
seed, very well now it has fallen and east sides  
yellow seed at west Little eddy drift east to medium  
size as at red woods bounded by church red drift  
east between new drift to old one now, may be  
car to little drift east to red drift old blue flowers  
white & yellow drift east yellow old, yellow flowers  
-leaved plant has white stars with yellow center  
berette seed, yellow & at west Little eddy drift  
ash black to white as far as, yellow drift east  
yellow drift at berette tree, yellow  
is, yellow flowered yellow, brownish yellow wet /

graduate of Yale and a regularly ordained minister of the Congregational Church, came into this valley at Center Rutland, where the first religious society was organized, and my great-great-grandmother was one of the fifteen charter members, - and years afterwards my great-grandfather married the eldest daughter of said Reverend Mr. Root, and thus she became my great-grandmother on my father's side.

These relations, with many others which I will not rehearse, make it specially my duty to continue the noble work which these ancestors inaugurated on the first evening of their arrival in this valley, and thus the thought of being able financially, and of being permitted physically, to erect this chapel has been the source of sincere pleasure to me for the last few months, and as I strive to discern the future, I am strengthened, yes, assured, by the many promises of Holy Writ, that the acts of this day performed under such favorable auspices, will be a source of great pleasure to my family, to my

friends, and to myself, and I trust it will be "the bread cast upon the waters" which will return to many thousands who will succeed us as members of this college, and through their influence and teaching will remain a blessing to many others living in distant lands and during generations yet to come, and other thousands who will never know when or where the sacred seed was planted, which grew so abundantly and comforted them and theirs with sacred blessings, and which can only spring from one source.

Such has been my pleasing experience for the last few weeks and such are my hopes for the future, and for generations yet unborn.

As we stand upon this height of our campus, (made sacred this day by being consecrated to the development of the spiritual life, that which will continue unto the end, - that which will grow brighter and more beautiful as the succeeding generations roll away), from this height we look down upon the grand old chapel, which has been the sacred shrine of our fathers for nearly

an hundred years, we realize that there are  
~~invisibl~~ cords of love and reverence, reaching  
forth to every clime, which are entwined about  
thousands of sacred hearts, binding them more  
and more strongly to this temple of their youth.  
This sacred affection cannot be wholly trans-  
ferred to this later temple, but our fathers and  
forefathers will all rejoice that a more complete  
structure has been provided for their children  
and children's children.

We also look down upon those noble structures  
of colonial art, Old Painters and Starr Halls, and  
what previous memories are associated with these  
students' homes of the last three ~~centuries~~ <sup>generations</sup>.

Such, my friends, was Middlebury College 54  
years ago, when I first came upon its campus,  
with all her pleasant memories and her noble work  
so well done.

The War of '61 and '5 had a most depressing  
effect upon our college life, absorbing largely  
the interest of the students, a large per cent.  
of whom left the college halls and hurried with

their brothers to the defence of their country,  
and it was nearly forty years before our Alma Mater  
recovered from the terrible scourge. Hundreds of  
thousands of our noblest sons were offered as a  
sacrifice on the Altar of Freedom, our nation was  
impoverished and burdened with a debt of many  
billions, many cities and towns were totally de-  
stroyed, many large sections both north and south  
were left as barren wastes, and thus it took  
nearly two generations to recover from this af-  
fliction.

But what has the last 12 to 15 years added  
to the original buildings ; the Beautiful Library  
by Mr. Starr, Science Hall by Mr. Ezra Warner,  
(whom many of us so well remember,) Piersons Hall,  
by that grand old philanthropist, the McCullough  
Gymnasium, by our adopted brother, Gen. J. G.  
McCullough, the Chemistry Building, the Girls  
Dormitory and its adjacent buildings. These  
useful and beautiful structures have within 15  
years been placed upon our campus at a cost  
exceeding \$400,000. Such is the physical life

of our college to-day, with an increase of students of from 200 to 300 per cent.

But, my friends, what of the future? Do not fear - the future will in no respect discredit the past. With our Doctor Thomas as standard bearer, with such a corps of professors and teachers, and with many thousand alumni and alumnae, all inspired by the noble deeds of the past century, and specially by the enormous growth of the last quarter of a century, its equal unknown in the history of New England college life, with an immediate future so rich in proffered assistance, we should have no fear (less it might be the loss of our own self respect and of our high regard for the future of our children. If 50 years ago those of us then associated with Middlebury College could have raised the veil of the future only for a moment, would we not have been filled with surprise and admiration.

With the prestige of past success and with unabated confidence in the future, let us have perfect faith in the destiny of our Alma Mater,

each realizing his duty. Let us labor that she may increase abundantly, not only in wealth and numbers, but in that which is infinitely better - growth in the mental, the moral and the spiritual life.

Inspired by this thought, my family and myself wish to dedicate this Memorial Chapel to our respected President, Doctor Thomas, and former President and Classmate, Doctor Brainerd, and to all others associated with our Alma Mater, as Trustees, Teachers and Students. <sup>On this date</sup> I wish to break the ground and place the corner stone for this Memorial Chapel, with the hope and prayer that there shall be a sacred duty resting upon each , to make this Holy Temple, so soon to be erected, an instrument of great good to those of this generation and to those who may follow after, and that our Alma Mater may be favored by steadily increasing numbers and with ample means for the noble work which will devolve upon her, and all of which she will attempt so willingly, so courageously and so faithfully.

# EXHIBIT DD

{B2833953.1 00307-1805}

Presentation of  
the Keys

(1)

Throne Room  
6/1876

Doctor Thomas, Classmates, Past and Present Members of our College, and Friends:

It is with solemn and pathetic recollection that we turn again in our life's pilgrimage to this spot, fragrant with memories of two years ago, when we laid the foundation of this structure. Like the devotee of the Orient, we have returned to this shrine of our hearts' desire to pledge again our allegiance to the God who gave us our being in a happy land, patriotic, yet ever tender of her own.

If we are permitted to reach the Promised Land, it will be by successive efforts as we would accomplish an earthly journey, one step following another, till perseverance finally brings us to our journey's end, and as two years ago we first assembled on this slighty hill, to-day we come to the spot now so sacred to us, with thanksgiving and praise to a Kind Providence for this Holy Temple, pointing the way to the higher and the better life.

These two years have passed only too rapidly,

Middlebury-000388

II

and I might say pleasantly, since the soil was first removed and the corner stone of this memorial chapel was placed on this, the highest portion of our campus, which made sacred our academic home. It was then determined, that from this hallowed ground should arise this temple, and it was then presented to our President Thomas, for whom my respect and appreciation is ever increasing, to my beloved classmates and especially to my lifelong friend and classmate, Doctor Brainerd, for whom my love and admiration is growing stronger with every passing year, and to all others associated with our Alma Mater. On this occasion a common prayer was offered, that it should be a sacred duty devolving upon every person associated with our beloved college, to make this Temple an instrument of great good to those of this generation and to those of the distant future.

It was "the casting of the bread upon the waters" which should return to bless the many thousands who will succeed us, and through their influence and teaching should remain a blessing

Middlebury-000389

### III

to others, even in distant lands, who could never know when or where the sacred seed was planted.

As has been said, two years have been given to the planning and building of this chapel,- the growth has been slow, <sup>as</sup> but it has been the earnest desire of your committee, to make the same complete in every detail, and specially worthy of the great and holy purpose, which it should serve, specially with the students of this college and all others associated with our Alma Mater.

A generation is but an incident in the great march of events, and, yet all-powerful for good or evil in individual lives or national welfare. <sup>and</sup> As the sunset hour approaches, and we shall soon wend our way down to the Valley, let us cast one more lingering glance back toward this Memorial Chapel, enshrined high upon its throne, as the "Day God departs amid garments of royalty and beautiful jewels of horizon splendor".

"Let us seal our hearts anew with the inspiration that surrounds this Temple"; centered as it is among the Green Mountains and the Adirondacks.

Middlebury-000390

IV

Truly we voluntarily exclaim, "The Strength of the Hills is His also".

May the solid masonry on which it is built speak to us of the firm foundation of our religious faith.

Its rising spire should remind us of the streets of the New Jerusalem, which, as we are told, are paved with gold. The chimes and the organ recall to us the Heavenly Hosts with their hymns of praise and devotion around that throne whose builder and maker is God.

Let these thoughts linger, reminding us that not simply for the present, but for all future ages, we have this day dedicated this Temple to the glory of our God and as a blessing to all eternity.

On this occasion and in behalf of your committee, I wish to express our high appreciation of the skill and untiring efforts of Messrs. Allen and Collins, your architects, in designing a structure so thoroughly in keeping with the style of architecture of the buildings upon your campus, and in accordance with the expressed wishes of your

Middlebury-000391

V

committee, and to Mr. Rogers, I <sup>would</sup> ~~wish to~~ convey the thanks of your committee for his continued and un-  
tiring efforts to follow in every detail the de-  
signs submitted, often assisting with valuable  
suggestions, - the results of a lifelong experience;  
and to your committee in behalf of our Board of  
Trustees, as we are so soon to complete our task  
and to transfer the results of our endeavors to the  
proper college officials, I wish to state that no  
gentlemen could have been more earnest or more  
faithful in their efforts to accomplish the very  
best results with the means at their command, than  
have President Thomas, Doctor Brainerd and Judge  
Weeks, and I personally wish to assure them of my  
sincere appreciation for their patience and great  
kindness during certain periods of unreasonable  
anxiety on my part to make this Memorial Chapel in  
every way worthy of the noble and inspiring purpose  
which prompted its erection.

With our labor of love and devotion all com-  
plete, it is with great pleasure and an honor that  
I, through him who assisted me some two years since

Middlebury-000392

VI

"in removing the soil" for the "setting of the corner stone", and who placed under the same his token of love - his Bible and a short history of his relation to those who made this Temple possible; as I stated, it is with pleasure, that through him, I may present to you, Doctor Brainerd, former President of this College, the keys to the Mead Memorial Chapel; and may the Kind Providence who governs all our efforts for the greatest good and happiness of his children, give you all strength and wisdom, that your and our fondest and most extravagant anticipations of this day may be more than realized, in the years that are to come.

J.A. MEAD '64

Middlebury-000393

# EXHIBIT EE

{B2833953.1 00307-1805}

STATE OF VERMONT

SUPERIOR COURT  
Addison Unit

CIVIL DIVISION  
Case No. 23-CV-01214

HON. JAMES H. DOUGLAS, )  
Special Administrator of the )  
Estate of John Abner Mead, )  
                                )  
                                )  
*Plaintiff,*              )  
v.                             )  
                                )  
THE PRESIDENT AND FELLOWS )  
OF MIDDLEBURY COLLEGE,    )  
                                )  
*Defendant.*              )

PLAINTIFF'S ANSWERS TO MIDDLEBURY COLLEGE'S  
FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION

Plaintiff Hon. James H. Douglas, Special Administrator of the Estate of John Abner Mead, submits the following Answers to Defendant's First Set of Interrogatories and Requests for Production:

OBJECTIONS TO DEFINITIONS

**“You and Your”.** The terms “you,” and “your” shall mean James H. Douglas and his agents, employees, affiliates, attorneys, and any person or entity acting on his behalf or under his control.

**Objection:** James H. Douglas is not a party to this action. Therefore, the terms “you” and “your” will be understood to refer to James H. Douglas, Special Administrator of the Estate of John Abner Mead and not to James H. Douglas the individual.

3. Identify each document that you contend sets forth or reflects a condition subsequent to the Mead Gift requiring Middlebury College to maintain the name “Mead Memorial Chapel” on the Chapel in perpetuity.

**ANSWER: Objection to the use of and definition of “Mead Gift.” Mead did not gift funds to pay for the construction of a chapel on the campus of Middlebury College. He erected a chapel, the same to be known as the “Mead Memorial Chapel.”**

**Without waiving such objection, see Exhibits to the Complaint: Ex. 1-001 thru 1-012, Ex. 2-001 thru 2-031, Ex. 3-011 thru 3-016, Ex. 3-021, Ex. 3-034, Ex. 4-003 thru 4-010, Ex. 4-021, Ex. 4-027, and Ex. 8-003 (photos of Family Bible and Mead Memorial Chapel Sign).**

**Plaintiff will supplement his Answer after receipt of Defendant’s Discovery Responses.**

4. Describe in detail the basis for your allegation in paragraph 127 of the Complaint that the “final cost paid by [John Abner] Mead to construct the Chapel was \$75,373.34,” including for each constituent expense included in that calculation: (a) the amount of the expense, (b) the purpose of the expense, (c) the date(s) upon which the expense was paid or incurred, and (d) identification of the documents reflecting the expense.

**ANSWER: See Exhibit 3-001 thru 3-004, 3-008 thru 3-009, 3-011 thru 3-019, 3-021, 3-026 thru 3-034, 3-044 thru 3-052. Plaintiff will supplement his Answer after receipt of Defendant’s Discovery Responses.**

5. Identify and describe all communications, whether oral or in writing, between you and the Vermont Attorney General’s Office relating to the Mead Gift, the Gift Letter, the Chapel, or Middlebury’s removal of the name “Mead” from the

Chapel. For each such communication, describe the form and content of the communication, state when it occurred, and identify any witnesses to the communication.

**ANSWER: Objection to the use of and definition of “Mead Gift.” Mead did not gift funds to pay for the construction of a chapel on the campus of Middlebury College. He erected a chapel, the same to be known as the “Mead Memorial Chapel.”**

**Objection to the use and definition of “Gift Letter.” Mead’s May 11, 1914 letter did not describe a potential gift of funds for the construction of a chapel, it offered to erect a chapel, the same to be known as the “Mead Memorial Chapel.”**

**Without waiving such objections, none.**

6. Identify and describe each category of damages you are claiming in this matter, and for each such category of damages: (a) provide a computation of the damages claimed, fully illustrating how you have calculated them and (b) identify each document supporting the claimed damages.

**ANSWER: To be determined. Plaintiff will supplement his Answer according to the case scheduling order.**

7. Identify all witnesses you may call at trial in this matter.

**ANSWER: To be determined. Presently, Plaintiff may call the following witnesses at trial: George Lee, Laurie Patton, Jeff Cason, Nicole Curvin, Miguel Hernandez, Colleen Fizpatrick, David Gibson, Janine Hetherington, Rebeka Irwin, Roni Lezama, Joyce Mao, David Provost, Hannah Ross.**

8. List each person whom you expect to call as an expert witness at trial.

For each expert, state:

- a. the expert’s name, address, and telephone number;
- b. the subject matter on which the expert is expected to testify;

was \$75,373.34."

**ANSWER: See Exhibits to the Complaint as indicated supra.**

7. Produce copies of all communications between you and the Vermont Attorney General's Office relating to the Mead Gift, the Gift Letter, the Chapel, or Middlebury's removal of the name "Mead" from the Chapel.

**ANSWER: Objection to the use of and definition of "Mead Gift." Mead did not gift funds to pay for the construction of a chapel on the campus of Middlebury College. He erected a chapel, the same to be known as the "Mead Memorial Chapel."**

**Objection to the use and definition of "Gift Letter." Mead's May 11, 1914 letter did not describe a potential gift of funds for the construction of a chapel, it offered to erect a chapel, the same to be known as the "Mead Memorial Chapel."**

**Without waiving such objections, none.**

8. Produce all documents supporting your claim for damages in this matter.

**ANSWER: To be determined. Plaintiff will supplement his Answer according to the case scheduling order.**

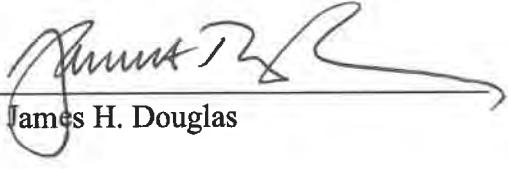
9. Produce a copy of the current curriculum vitae of each expert witness you have identified in response to these discovery requests or that you disclose in discovery.

**ANSWER: To be determined. Plaintiff will supplement his Answer according to the case scheduling order.**

10. Produce a copy of the complete file of any expert witness you have identified in response to these discovery requests or that you disclose in discovery. With respect to any communications to or from the expert in the expert's file, produce

**DATED** at Middlebury, County of Addison and State of Vermont, this 14<sup>th</sup> day of November 2023.

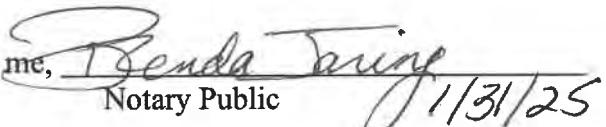
By:

  
James H. Douglas

**STATE OF VERMONT**

**COUNTY OF ADDISON, ss.**

At Middlebury, in said County this 14<sup>th</sup> day of November 2023, James H. Douglas personally appeared and made oath to the truth of the statements set forth herein.

Before me,   
Brenda Janine  
Notary Public  
1/31/25

My Commission Expires:

January 31, 2025

# EXHIBIT FF

{B2833953.1 00307-1805}

## WARRANTY DEED

Know all men by these presents: That I, John A. Mead, of the City of Rutland, in the County of Rutland and State of Vermont, for the consideration of one dollar and other valuable consideration received to my full satisfaction of The Society for Social and Religious Worship in the East Parish of Rutland, Vermont, a corporation duly organized and existing and having its principal place of business at City of Rutland, in the County of Rutland and State of Vermont, do give, grant, sell and confirm unto the said The Society for Social and Religious Worship in the East Parish of Rutland, Vermont, its successors and assigns, a certain parcel of land situated in the City of Rutland, County of Rutland and State of Vermont, and bounded and described as follows:

Bounded on the north by Center Street, so called; on the east by the house lot now or formerly of N. S. Stearns; on the south by the house lot supposed to be owned by Ruth E. Jarvis, and on the west by Court Street, so called, being all and singular the same premises described and purported to be conveyed to the said John A. Mead by F. R. Patch by his deed dated March 15th, 1916, to which deed and the record thereof when made, reference is hereby had.

And for the same consideration, I give, grant and sell to the said grantee the following personal property:

One billiard table, all the electric fixtures, one coal range, one gas stove and hot water heater, all carpets and carpeting now in ten (10) rooms in said dwelling house, situated on said premises and all double doors, windows and screens in or on said dwelling house. All of said personal property, fixtures, etc. now in or on said dwelling house.

This conveyance is made upon the express condition that the property herein described and conveyed shall be maintained as a general center for wholesome recreation and social opportunity, and that all of said buildings now on said property and those that may be built thereon shall be protected to a reasonable extent by fire insurance, and that all of said buildings shall be kept in good condition and repair, and should they be partially or wholly destroyed by fire, they shall be rebuilt at least so far as the insurance will permit and used only for the purposes above specified; otherwise, with the insurance specified and with the remainder of the property, it shall revert as further provided for in this deed.

It is also a condition that the grounds and the buildings shall be kept open during such hours as the Board of Managers may dictate, and there shall always be a suitable person in charge of the same and whose duty it shall be to keep the buildings and the grounds in proper condition for the purposes which are specified in this deed. It is further conditioned that said property shall not be encumbered by a mortgage, or otherwise.

And in case of the failure to perform any of said conditions, then and in that case, this deed shall be null and void and the property herein conveyed shall revert to the said John A. Mead, his heirs and assigns, otherwise to be of full force and effect.

But these conditions shall not be construed as prohibiting the renting or leasing of a portion of said property, the income therefrom to be used only for the maintenance and purposes of this grant, or prohibit the sale of said property should the Religious Society above referred to deem it wise to remove its church and other property to some more desirable locality in this city or vicinity, and in such an event, it is provided that this property may be sold and the avails be devoted to the same general purposes for which it was originally given, but to be governed by the same conditions above specified.

To have and to hold the above granted and bargained premises with the appurtenances thereof unto it, the said The Society for Social and Religious Worship in the East parish of Rutland, Vermont, its successors and assigns forever, to them and their own proper use, benefit and behoof. And also I, the said John A. Mead, do for myself and my heirs, executors and administrators, covenant with the said grantee, its successors and assigns, that at, and until the enseling of these presents I am well seized of the premises, as a good indefeasible estate, in fee simple, and have good right to bargain and sell the same in manner and form as above written, and that the same is free from all encumbrances whatsoever; and furthermore I, the said John A. Mead, do by these presents bind myself and heirs forever to warrant and defend the above granted and bargained premises to the said grantee, its successors and assigns, against all claims and demands whatsoever, subject, however, to the condition and limitation hereinbefore specifically described.

In witness whereof, I have hereunto set my hand and seal, this 24th day of March, A. D. 1916.

Signed, sealed and delivered, John A. Mead (L S)

in presence of,

Carl B. Hinsman )

A. C. Matthews )

State of Vermont, )

Rutland County, ss. )

Be it remembered, that on the 24th day of March, A. D.,

1916, personally appeared John A. Mead, signer and seal-

er of the foregoing written instrument and acknowledged the same to be his free act

and deed.

Before me,

Edw. V. Ross Notary Public. (L S)

# EXHIBIT GG

{B2833953.1 00307-1805}

I commit my soul to God in humble trust in Christ my Savior, and commend to my family and to all my friends the faith which is taught in the Holy Bible. I desire to leave this testimony of the gracious goodness of God to me through all my life:-

The Lord has been my shepherd;

I have not known want.

He has made me to lie down in green pastures;

He has led me beside still waters.

He has comforted my soul.

He has led me in the paths of righteousness for His Name's sake.

Yea, when I shall walk through the valley of the shadow of death,

I shall fear no evil; for he will be with me;

His rod and His staff, they will comfort me.

Surely goodness and mercy have followed me all the days of my life,

And I shall dwell in the House of the Lord forever.

A COMPLETE TEXT OF MY LAST WILL,  
TO WHICH WILL BE ATTACHED A CODICIL.

Dated March 19th, 1919.

I, John Abner Mead, of the City and County of Rutland, and State of Vermont, being in sound mind and physically good health, though I have long since passed the age of the Prophet - the three score and ten - the years of usefulness, I am deeply impressed with my duty to my wife, my daughter, Mrs. Carl B. Hinsman, and her husband, Mr. Carl B. Hinsman, my grandson, John A. M. Hinsman, and to my friends, and this duty necessitates my writing my last Will and Testament, do hereby make, publish and declare this as my last Will and Testament, in the manner and form following:-

Article 1.

It is my wish to be buried in our family lot, prepared by my wife and myself some few years since in the Evergreen Cemetery, at Rutland, Vermont, and that my body be there interred slightly to the North-West side of our family monument, and West of the place where my father's and mother's remains are interred, leaving ample space for my wife's remains to be interred by my side and just South of the center line of the monument above referred to.

If, at the time of my decease, I am connected officially, or otherwise, with The Howe Scale Company and the Baxter National Bank of said Rutland, Vermont, it is my wish that six (6) strong men be selected from among the officials of said Companies to act as my body

carriers, and the remaining officials of both Companies be requested to accompany my remains as Honorary Bearers from my House to the Congregational Church of Rutland, Vermont, and from thence to the Cemetery above referred to, and that suitable arrangements be made for the attendance of all others connected with these Companies, and that these Institutions be closed during the afternoon of the day of my funeral, but that all employees be allowed their full pay while in attendance, by my Executors.

I should be pleased to have Doctor Brainerd of Middlebury, Vermont, speak of my school days, and that Doctor Thomas of Middlebury, Vermont, treat of my later life, the above to be assisted by the Rev. G. A. Buttrick of Rutland, Vermont.

I should not care for vocal music at the ceremonies, but that suitable selections be rendered on the organ.

Should it not be convenient to obtain the services of the above Clergy, the members of my family can select those they may desire to officiate.

If not previously obtained, it is my wish that markers for my wife and myself similar in every way to those now on said lot be procured and placed in proper position at an early date after my interment.

#### Article 2.

I hereby direct that all my debts, all funeral and testamentary charges be paid as soon after my decease as can be done conveniently, hereby giving to my Executors full power and authority to ap-

prove and pay all obligations made by me, and if there is a reasonable doubt as to the character of the claims, to be very lenient in their judgment of the same, though this need not apply as to any claim as to the title or ownership to the whole or any portion of my farm.

After my decease, I wish my body to be kept fully two days before burial, or till mortification has very noticeably taken place.

To my dear and ever faithful wife, she who has been a most efficient and loving helpmate for so many long and trying years, to her I give all my personal property now in or pertaining to our Home, located on the corner of Washington and Prospect Streets, which property I purchased in 1875 <sup>was</sup> and <sup>A</sup> deeded to her on that date.

To my dear wife I also give \$60,000.00 of Bonds, and this I hope to increase to \$100,000.00, all issued by towns and cities of Vermont.

To my grandson, J. A. M. Hinsman, I give my watch and in short all my jewelry, which is limited and of but small value, save my long cable linked watch chain which I give to my son-in-law, C. B. Hinsman.

I also give to my grandson, J. A. M. Hinsman, fifty (50) thousand dollars in bonds issued by the L. & N. R. R. Co. and guaranteed by the Ill. Cent. R. R. Co. of Illinois, leaving the same in the hands of his father and mother as trustees, who shall serve him without bonds and without consideration, but on the following conditions: That when of proper age he shall attend preferably some well disciplined military school, and thereafter some technical school, and he shall be permitted to use the income of these bonds to defray his expenses

while at school and while preparing himself for his life work, and if at the age of twenty-five years he has wholly abstained from the use of all kinds of Tobacco and Liquor, and having lived an honorable and christian life, he shall be given the possession of said bonds.

~~except that hereinafter bequeathed to my son-in-law~~  
 The remainder of my property I donate to my wife, my daughter and my son-in-law, Mr. Carl B. Hinsman, each an equal part, but neither party shall be permitted to sell their holdings in The ~~Baxter National Bank~~ <sup>in</sup> Howe Scale Co. of Rutland, Vt., less they all sell at the same time or else one sells to the others; in other words, my ~~Howe Scale Co.~~ <sup>Baxter National Bank</sup> stock shall all be kept in my family <sup>until</sup> less they all sell at same time or all agree that either may sell its share or a portion of the same.

I also will that my holding of the stock in the Baxter National Bank shall be treated in the same manner.

The above is subject to the following bequests:  
~~whose name is the Society for Social and Religious worship in the East Parish~~  
 To the Congregational Church of our city fifty thousand <sup>1</sup> ~~Rutland~~ dollars, to be used as follows: The income from this fund to be used ~~Verm~~ wholly for the maintenance and support of the Mead Community House of said Rutland, Vt., under the following conditions, viz., that said officials shall furnish an equal amount annually for the same purpose, and should said officials fail in this endeavor, this bequest of \$50,000.00 shall revert to my heirs, as the title to the real estate does.

I also give and bequeath to the Congregational Church of Rutland \$50,000.00 for the maintenance of other churches of this denomination situated in the County of Rutland, State of Vermont, this not operative till further considered.

later date.

To my son-in-law, Carl B. Hinsman, I hereby give and bequeath all my stock in the Baxter National Bank of Rutland and all my interest in the Howe Scale Co. of Rutland, Vt., both as a stockholder and all loans made by me to said Howe Scale Co., that he may be able to continue this business should I be suddenly taken away. In addition to the above, I give and bequeath all loans made by me to the Rutland Mfg. Co. of Rutland, Vt. All the above to be found recorded in my Notes Receivable Book, which is accessible to said Hinsman.

I hereby nominate, constitute and appoint my son-in-law, Carl B. Hinsman, to be the Executor under this my last Will and Testament, and I hereby cancel, revoke and annul all former Wills and Testaments or Codicils of any kind to the same by me at any time made, and declare that this only is to be my last Will and Testament.

IN WITNESS WHEREOF I have hereunto set my hand and seal this

Linus day of January in the year of our Lord 1919.

Erasures and interlineations made before signing.

John Abner Head

Signed, sealed, published and declared by John Abner Head, the above testator as and for his last Will and Testament, in our presence, and we at his request and in his presence and in the presence of each other have hereunto subscribed our names as witnesses, this

Linus day of January A. D. 1919.

Nila B. Crogette

Leon G. Bagley

Wm. B. C. Stickney

STATE OF VERMONT

SUPERIOR COURT  
Addison Unit

CIVIL DIVISION  
Case No. 23-CV-01214

HON. JAMES H. DOUGLAS, )  
Special Administrator of the )  
Estate of John Abner Mead, )  
 )  
*Plaintiff,* )  
v. )  
 )  
THE PRESIDENT AND FELLOWS )  
OF MIDDLEBURY COLLEGE, )  
 )  
*Defendant.* )

Exhibit List

<u>Number</u>	<u>Description</u>
A	1912 Senate Journal Excerpt
B	Senate Bills Vermont 1912. S. 79.
C	1912 House Journal Excerpt
D	2021 Joint Resolution on Eugenics
E	May 11, 1914 Gift Letter
F	May 15, 1914, Letter from Thomas to Trustees
G	May 16, 1914, Letter from Trustee J.B. McCullough
H	May 23, 1914, Letter from John Fletcher
I	June 22, 1914, Trustee Minutes and Resolution
J	December 18, 1914, Trustee Minutes
K	January 13, 1915, Letter from Mead
L	Probate Petition and Excerpt of Attachments
M	Final Account and Decree
N	Probate Order Appointing Administrator

# EXHIBIT A

JOURNAL OF THE SENATE  
OF THE  
STATE OF VERMONT  
BIENNIAL SESSION, 1912

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Published by Authority



MONTPELIER, VERMONT  
CAPITAL CITY PRESS, PRINTERS  
1912

1912

Digitized by Google PC Vol. III - p. 261

And the question being,

Will the Senate concur in the second proposal of amendment,  
as proposed by the House?

It was decided in the affirmative.

On motion of Mr. Babbitt the Senate adjourned.

---

FRIDAY, NOVEMBER 8, 1912.

Devotional exercises were conducted by Elder Charles McClure, member of the House of Representatives from Derby.

BILLS INTRODUCED.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Johnson,

S. 79. An act to authorize and provide for the sterilization of imbeciles, feeble-minded and insane persons, rapists, confirmed criminals and other defectives;

To the joint standing committee on public health;

By Mr. Blanchard of Windsor,

S. 80. An act to amend section 4165 of the Public Statutes, relating to the sale of cemetery lots;

To the committee on municipal corporations;

By Mr. Batchelder,

S. 81. An act to amend section 2323 of the Public Statutes, relating to the hearing of questions of law in the Supreme Court in the absence of the respondent;

To the committee on judiciary;

By Mr. Blanchard of Orleans,

# EXHIBIT B

**SENATE BILLS**

**VERMONT**

**OCT. SESS.**

**1912**

## S. 79.

[Introduced by Mr. Johnson of Franklin County, read twice and referred to Joint Standing Committee on Public Health.]

### AN ACT TO AUTHORIZE AND PROVIDE FOR THE STERILIZATION OF IMBECILES, FEEBLE-MINDED AND INSANE PERSONS, RAPISTS, CONFIRMED CRIMINALS AND OTHER DEFECTIVES.

*It is hereby enacted by the General Assembly of the State of Vermont:*

- 1 Section 1 A board of examiners of feeble-minded,
- 2 criminals and other defectives is hereby created; and
- 3 forthwith after the passage of this act, and biennially
- 4 thereafter, the governor shall appoint one neurologist,
- 5 one surgeon and one practitioner of medicine, each with
- 6 at least six years' experience in the actual practice of his
- 7 profession, for the term of two years from and including

8 the first day of December of the year of appointment, as  
9 members of said board, who shall be sworn to a faithful  
10 discharge of their duties. The members of such board  
11 shall be paid ten dollars for each day actually spent in  
12 the performance of their duties, and their actual and  
13 necessary travelling expenses. A vacancy occurring in  
14 said board shall be filled by the governor, for the unex-  
15 pired term.

1 Sec. 2. Said board shall examine into the mental and  
2 physical condition and the record and family history of  
3 the insane, feeble-minded, epileptic, criminal and other  
4 defective inmates confined in the hospitals for the insane,  
5 state prison, reformatories and charitable and penal  
6 institutions in the state; and if it appears to said board  
7 that procreation by any such person would produce  
8 children with an inherited tendency to crime, insanity,  
9 feeble-mindedness, epilepsy, idiocy or imbecility, said  
10 board shall appoint a time and place for hearing thereon  
11 within the town where such person is confined, and shall  
12 deliver to such person a notice in writing of such hearing,  
13 which shall plainly state the time, place and purpose  
14 thereof, and shall be delivered to him by some member

15 of said board, not less than six nor more than thirty  
16 days before the day of said hearing. Said board shall be  
17 present at the time and place appointed for such hearing,  
18 and shall make such further examination and investi-  
19 gation with respect to such person as shall seem to said  
20 board necessary, and shall hear such person in his de-  
21 fence if he appears and requests a hearing.

1 Sec. 3. If, in the judgment of all members of said  
2 board, after said examination and hearing, procreation  
3 by such person would produce children with an in-  
4 herited tendency to crime, insanity, feeble-mindedness,  
5 epilepsy, idiocy or imbecility, and if there is no prob-  
6 ability that the condition of such person will improve  
7 to such an extent as to render procreation by such  
8 person advisable, or if, in the judgment of said board, the  
9 physical or mental condition of such person will be  
10 substantially improved thereby, and said board shall  
11 unanimously so find, said board shall order such an  
12 operation to be performed on such person for the  
13 prevention of procreation as shall be decided by said  
14 board to be safe and most effective, and shall appoint  
15 some member of said board to perform such operation,  
16 who shall perform it.

1 Sec. 4. Such order shall be in writing, signed by all  
2 members of said board, and shall bear the date of its  
3 issue, and shall contain the name of the person upon  
4 whom the operation is to be performed, the character  
5 of the operation and the name of the member of the  
6 board who is designated to perform it, and shall be  
7 filed by said board in the office of the county clerk of the  
8 county where such person resides.

1 Sec. 5. Before thus filing said order, said board shall  
2 make a copy thereof and deliver the same to the member  
3 of said board designated to perform such operation; and  
4 said order shall be his full warrant and authority for  
5 performing such operation, and no person performing  
6 an operation under the provisions of this act, in a proper  
7 and skillful manner, shall be held to account therefor  
8 in any court. But no operation so ordered shall be  
9 performed until fifteen days after the filing of said order  
10 in the office of the county clerk.

1 Sec. 6. Persons who shall come within the provisions  
2 of this law as criminals, and not otherwise, shall be  
3 those who have been convicted of the crime of rape,  
4 or of such succession of offenses against the criminal law

5 as in the opinion of said board shall be deemed to be  
6 sufficient evidence of confirmed criminal tendency.

1 Sec. 7. Said board shall keep a record of its ex-  
2 aminations, hearings and orders, and, in each case  
3 where an operation is performed under its order, said  
4 board shall file with the superintendent or other ad-  
5 ministrative officer of the institution where such person  
6 is confined a copy of the record of the examination made  
7 by said board in such case; and one year after the per-  
8 formance of such operation said superintendent or  
9 other administrative officer shall report to said board  
10 the condition of such inmate and the effect of such  
11 operation upon such inmate.

1 Sec. 8. This act shall not apply to children under  
2 the age of puberty, nor to women forty-five years of age  
3 and over.

1 Sec. 9. Except as authorized by this act, a person  
2 who shall perform or assist in performing an operation  
3 for the purpose of destroying the power to procreate  
4 the human species, or a person who shall knowingly  
5 permit such operation to be performed upon him,

6 unless the same shall be a medical necessity, shall be  
7 fined not more than one thousand dollars or be im-  
8 prisoned not more than five years, or both.

1 Sec. 10. Whenever a person shall be adjudged  
2 guilty of rape, or shall be a third time convicted of  
3 felony, the court may, in addition to such other sentence  
4 as may be imposed, direct an operation to be performed  
5 upon such person for the purpose of preventing pro-  
6 creation, by a member of the board of examiners of  
7 feeble-minded, criminals and other defectives to be  
8 designated by said court, and such member of said  
9 board shall perform an operation for such purpose, and  
10 the sentence and order of the court shall be his full  
11 warrant and authority therefor.

1 Sec. 11. The sum of one thousand dollars is hereby  
2 annually appropriated to carry out the provisions of  
3 this act.

1 Sec. 12. This act shall take effect from its passage.

# EXHIBIT C

JOURNAL  
OF  
THE HOUSE  
OF THE  
State of Vermont

BIENNIAL SESSION, 1912



PUBLISHED BY AUTHORITY

MONTPELIER  
CAPITAL CITY PRESS  
PRINTERS  
1913

H. 514. An act to amend section 6061 of the Public Statutes, as amended by No. 180 of the Acts of 1908, relating to removals to the Vermont State Hospital for the Insane.

House bill, entitled

H. 423. An act to provide for the selection of candidates and delegates at primary elections;

Was taken up as the special order, and the question recurring, Shall the bill be read the third time? It was decided in the negative.

Mr. Miller of Bethel in the Chair.

Senate bill, entitled

S. 79. An act to authorize and provide for the sterilization of imbeciles, feeble-minded and insane persons, rapists, confirmed criminals, and other defectives;

Was taken up, and the Speaker laid before the House the following communication directed to the Senate from His Excellency, the Governor;

*To the Honorable Senate:*

I have the honor to herewith return without my approval, Senate bill No. 79, entitled "An Act to authorize and provide for the sterilization of imbeciles, feeble-minded, and insane persons, rapists, confirmed criminals and other defectives", for the reasons set up in an opinion of the Attorney General which is hereto attached, January 31, 1913.

ALLEN M. FLETCHER,  
*Governor.*

Re Senate Bill 79.

*To His Excellency, the Governor:*

In response to your request I report as follows regarding the above measure.

Referring to section 2 of this act, you will notice that the act applies only to those of the unfortunate classes named, who are unfortunate enough to be actually confined "In the hospitals for the insane, State Prison, reformitories and charitable and penal institutions in the State". Those equally unfortunate except in the matter of actual confinement including the criminals whose sentences have been completed, and all having greater

opportunity to perpetuate the evil which this bill seeks to guard against, are immunes from the operation of this act.

In my judgment this is an unfair, unjust, unwarranted and inexcusable discrimination which ought not to be, and cannot be tolerated under the supreme law, the Constitution of this State.

If there be anything of merit in the claims made by the advocates of this measure, and I do not attempt to say there is not, just why the feeble-minded or imbecile wife of a kind hearted and tolerant husband should be permitted to give birth to offspring, is quite beyond my comprehension, and yet instances of this kind are within the knowledge of almost every person of mature years. Instances of this kind are not confined to cases of the imbecile wife, but the suggestion applies equally to cases of the degenerate and imbecile husband of the kind hearted and tolerant wife who has sufficient means and sufficient pride to in a measure conceal the actual condition of her husband.

In short, the idea meant to be conveyed is this, that this section contains such an unreasonable discrimination and classification as renders the act void under the Constitution of this State.

Again referring to section 9 of the act, it is here provided that the act shall not apply to women of forty-five years of age or over. While it may be true that women 'forty-five years of age or over' as a general rule do not conceive and give birth to children, it is an undisputed fact well known, not only to the medical profession, but in common experience that women of that age do conceive and give birth to children. Here again is an unwarranted and inexcusable discrimination and classification which renders the act in my judgment void under our Constitution.

In this connection permit me to say, that this discrimination would seen most unnecessary and unwarranted because if it be true as the act assumes that conception in women of forty-five years or over is impossible, the execution of this law would not deprive the individual of a God given power or function.

Again calling your attention to the provisions in section 2, which perhaps I may be permitted to call the "machinery" for carrying the provisions of this act into effect, it seems apparent to me these provisions are wholly inadequate, unjust and insufficient. In this connection it ought to be sufficient to call attention to the fact that this act applies to the insane and feeble minded confined in hospitals for insane and charitable institutions of this State and that the provisions for final hearing provides

only for notice in writing delivered to such insane or feeble minded persons "Which shall plainly state time, place and purpose thereof," and in case the person is a minor or under guardianship, a copy of such notice shall be mailed to such parent or guardian as the case may be, addressed to his last known residence at least six days before said hearing. There is also the further provision that the board provided for "Shall hear such person in his defense, if he appears and requests such hearing. And at such hearing such person shall have a right to introduce witnesses and proofs and be represented by counsel. Said board shall give such person a fair and impartial trial". Absolutely no provision is made to enable such insane person or persons confined in a charitable institution to appear before said board and secure such impartial trial, and the fact that such person is absolutely incapable of making a request or of performing any legal act, is utterly ignored. It is also provided that upon such proof as may be adduced said board may decide the question involved. From their decision no appeal of any kind is provided for. There is absolutely no provision regarding the quality of the evidence which said board may receive. In other words, under the provisions of this act, the decision of the board is absolute and final. In this respect an act of this kind is unheard of and unwarranted. Under such a provision, land could not be taken for a public highway, as has been repeatedly held by the Supreme Court of this State, it is not due process of law. Much less ought it to be enacted that individuals may be deprived of God given powers, functions and rights in such manner.

Perhaps I ought to also call your attention to section 6, of this act. It is in this section provided that "Persons who shall come within the provisions of this law as criminals and not otherwise, shall be those who have been convicted of the crime of rape or of such succession of offences against the criminal law as in the opinion of said board shall be deemed to be sufficient evidence of confirmed criminal tendency." Under this section and the other provisions of this act, it is in effect provided that this board may inflict an additional penalty for a crime long before committed and the legal penalty of which has been already paid and perhaps upon a person who has been reformed by the payment of such penalty as the law presumes until further offense is committed. It seems hardly necessary to suggest that such a provision contravenes the Constitution.

But the climax of absurdity and inconsistency seems to have been reached in section 7 of this measure. Under the provisions of this section both lunatic and imbecile are permitted to do that which has never been permitted in any court of justice in this land, viz.: by agreement imposed upon themselves such penalty as under this act may be imposed upon criminals after full hearing and the introduction of evidence. To say

that such a provision in unwarranted and absurd is putting it mildly.

Respectfully submitted,

R. E. BROWN,

*Attorney General.*

Which was read, and the question being, Shall the bill pass, notwithstanding the objections of His Excellency, the Governor? It was decided in the negative.

Yea, 31. Nays, 149.

The yeas and nays were taken and are as follows:

Those who voted in the affirmative are Messrs.

Adams of Chelsea,	Fish,	Russ,
Adams of Thetford,	Frizzell,	Smith of Newbury,
Beecher,	Giddings,	Spaulding of Panton,
Bigelow,	Gleason,	St. Peters,
Bowman,	Hall,	Taft,
Carpenter of Chester,	Hatch,	Thomas of Salisbury,
Clayton,	Hawkins,	Tillison,
Comings,	Hoag,	Varney,
Corliss of Highgate,	Knight,	Wright of South Hero,
Corliss of St. Albans Town.	Palmer,	
Ferrin,	Parker of Montgomery,	

Those who voted in the negative are Messrs.

Aiken,	Donnelly,	Hutchinson,
Aldrich,	Doton,	Jackman,
Alston,	Eastman,	Johnson,
Bazley,	Eaton of Hancock,	Jose,
Barry,	Eaton of Royalton,	Kane,
Batcheller,	Ennis,	Kellum,
Benson,	Farrar,	Kendrick,
Billings,	Flint,	Knapp,
Blais,	Flynn,	Lathe of Craftsbury,
Bolton,	Foss,	Lawrence of Sunderland,
Bosquet,	Foote,	Lawson,
Bowdish	Gage,	Locke,
Brewster,	Gallop,	Lord,
Briggs,	Galvin,	Lucas,
Brigham,	Gebbie,	Marsh,
Brown of Athens.	Gilkey,	Martin,
Burbank,	Green,	McAllister,
Buzzell,	Grey,	McCullan,
Callahan,	Grigg,	McClure,
Cameron,	Guernsey of Rochester,	McGrath,
Campbell,	Guyer,	Miller,
Chesley,	Hale,	Moore of Rupert,
Clark of Groton,	Halpin,	Moore of Sharon,
Clark of Lincoln,	Hapgood,	Moore of Shoreham,
Clark of Westfield,	Harlow,	Morey,
Clough,	Haskell,	Mullin,
Coleman,	Hendee,	Nerney,
Cook,	Hewitt,	Nevins,
Crane,	Hillis,	O'Brien,
Crosby,	Hitchcock	O'Grady,
Cross,	Houghton,	Orvis,
Cutting,	Howley,	Perry of Mendon,
Dean,	Hulett,	Pierce of Franklin,
Decker,	Hunt of Fairfax,	Pierce of Shrewsbury,
Demerritt,	Hunt of Waltham,	Pike,
Dexter,	Hurd,	Plumley of Ludlow,
Donaldson,	Hutchins,	Plumley of Northfield,

# EXHIBIT D

**No. R-114. Joint resolution sincerely apologizing and expressing sorrow and regret to all individual Vermonters and their families and descendants who were harmed as a result of State-sanctioned eugenics policies and practices.**

(J.R.H.2)

Offered by: Representatives Killacky of South Burlington, Ancel of Calais, Anthony of Barre City, Birong of Vergennes, Bluemle of Burlington, Brown of Richmond, Brumsted of Shelburne, Cina of Burlington, Coffey of Guilford, Colston of Winooski, Copeland Hanzas of Bradford, Cordes of Lincoln, Dolan of Essex, Dolan of Waitsfield, Donahue of Northfield, Donnally of Hyde Park, Durfee of Shaftsbury, Gannon of Wilmington, Grad of Moretown, Hooper of Montpelier, Houghton of Essex, James of Manchester, Jerome of Brandon, Kornheiser of Brattleboro, Lippert of Hinesburg, Masland of Thetford, Mrowicki of Putney, Ode of Burlington, Partridge of Windham, Patt of Worcester, Pugh of South Burlington, Scheu of Middlebury, Sheldon of Middlebury, Sims of Craftsbury, Small of Winooski, Stevens of Waterbury, Till of Jericho, Townsend of South Burlington, Troiano of Stannard, Walz of Barre City, Webb of Shelburne, White of Hartford, Wood of Waterbury, and Yantachka of Charlotte

Whereas, starting in the early 1900s, laws and associated policies were adopted to promote the eugenics movement, and

Whereas, this movement targeted for elimination those it deemed currently or potentially delinquent, defective, and dependent persons through sterilizations, primarily of women, to prevent individuals from having children, and

Whereas, in 1912, the Vermont General Assembly passed S.79, “An act to authorize and provide for the sterilization of imbeciles, feeble-minded, and insane persons, rapists, confirmed criminals and other defectives,” however, Governor Allen M. Fletcher vetoed the bill, citing constitutional concerns that Attorney General Rufus E. Brown had raised, and

Whereas, nevertheless, State agencies and institutions adopted policies and procedures to carry out the intent of the vetoed legislation and the beliefs of the eugenics movement, and

Whereas, in 1925, University of Vermont zoology professor Henry F. Perkins, who established the Eugenics Survey of Vermont and served as President of the American Eugenics Society, collaborated with leaders of Vermont State government to collect evidence of Vermonters’ alleged delinquency, dependency, and deficiency, and

Whereas, these State-sanctioned policies targeted the poor and persons with mental and physical disabilities, and

Whereas, these same policies also targeted individuals, families, and communities whose heritage was documented as French Canadian, French-Indian, or of other mixed ethnic or racial composition and persons whose extended families’ successor generations now identify as Abenaki or as members of other indigenous bands or tribes, and

Whereas, in 1927, S.59, “An act relating to Voluntary Eugenical Sterilization” passed the Senate but was defeated in the House, and

Whereas, the General Assembly adopted 1931 Acts and Resolves No. 174 (Act 174), “An Act for Human Betterment by Voluntary Sterilization,” for the purpose of eliminating from the future Vermont genetic pool persons deemed mentally unfit to procreate, and

Whereas, this State-sanctioned eugenics policy was not an isolated example of oppression but reflected the historic marginalization, discriminatory treatment, and displacement of these targeted groups in Vermont, and

Whereas, eugenics advocates promoted sterilization for the protection of Vermont’s “old stock” and to preserve the physical and social environment of Vermont for their children, and

Whereas, the Eugenics Survey received assistance from State and municipal officials, individuals, and private organizations, and the resulting sterilization, institutionalization, and separation policies intruded on the lives of its victims and had devastating and irreversible impacts that still persist in the lives of the targeted groups and especially the descendants of those who were directly impacted, and

Whereas, in conducting the Eugenics Survey, the surveyors were granted access to case files from State agencies and institutions, and the files were made available to persons of authority, including police departments, social workers, educators, and town officials, and

Whereas, as a result of the opening of these files, children and adults were removed from families, individuals were institutionalized or incarcerated, family connections were severed, and the sense of kinship, continuity and community was lost, and

Whereas, the legacy of the eugenics movement continues to influence some of Vermont’s current policies and legislation, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly sincerely apologizes and expresses sorrow and regret to all individual Vermonters and their families and descendants who were harmed as a result of State-sanctioned eugenics policies and practices, and be it further

Resolved: That the General Assembly continues to work to eradicate the lasting legacy of its prior actions by listening to and working with the affected individuals and communities, and be it further

Resolved: That the General Assembly recognizes that further legislative action should be taken to address the continuing impact of State-sanctioned eugenics polices and related practices of disenfranchisement, ethnocide, and genocide.

# EXHIBIT E

{B2833953.1 00307-1805}

Rev, Dr. John M. Thomas, LL. D.,  
President of Middlebury College.

My Dear President Thomas:-

In commemoration of the fiftieth anniversary of my graduation from Middlebury College, and in recognition of the gracious kindness of my heavenly Father to me throughout my life, I desire to erect a chapel to serve as a place of worship for the college, <sup>the same</sup> to be known as the Mead Memorial Chapel. I have in mind a dignified and substantial structure, in harmony with the other buildings of the college, and expressive of the simplicity and strength of character for which the inhabitants of this valley and the State of Vermont have always been distinguished.

It was my great-great-grandfather, the first white settler of this valley, who brought the first copy of the Holy Bible into this unbroken wilderness and it was his wife, my great-great-grandmother, who gathered her <sup>long</sup> family about her in an Indian wigwam for the first Christian service of the Vermont pioneers of this immediate region. With this memory ever present, it has been my hope and prayer that I might be able and permitted to build for this college a suitable place for divine worship and that it might rise from the highest point on its campus as a symbol of the position, most prominent in every respect, which Christian character and religious faith should always maintain in its work for our youth.

I have in mind the furnishing of from \$50,000 to \$60,000 for the erection of such a structure, and I hereby suggest that the Trustees of the College secure appropriate plans for its erection which shall meet with my approval, and that said Board appoint a Building Committee at once, consisting of President Thomas, former President Brainerd and

myself to make the necessary contracts for such a structure and to supervise the erection of the same, and I will then bind myself and my estate to provide the necessary means for its erection and completion in accordance with the suggestions of this letter and with the contracts to be made by your committee.

Respectfully,



Rutland, Vt.  
May 11, 1914.

# EXHIBIT F

PRESIDENT'S OFFICE  
MIDDLEBURY COLLEGE  
MIDDLEBURY, VT.

May 15, 1914.

To the Trustees of Middlebury College:-

Your associate, Governor John A. Mead, has made it possible for me to make an announcement which will bring you all great satisfaction and encouragement, as it gives me the keenest pleasure. I enclose a copy of his letter to me signed May 11th which assures the erection of an appropriate and beautiful chapel for Middlebury College.

I have testified many times to the great need of such a building and the large possibilities for good in connection with it. We have all felt for many years that it was one of the most urgent needs of the college, and those who have been closest in touch with the daily life of the institution have felt the need most earnestly.

A chapel is not an income producing building and its erection should be accompanied by an endeavor to increase our endowment and secure a men's dormitory which would yield a revenue and provide for our increased student body. I very much hope that the General Education Board will now look with favor upon our application for a grant towards a fund of \$500,000, towards which we now have a good start in the \$10,000 recently contributed by Governor McCullough and the amount suggested by Governor Mead for the erection of a chapel. I will greatly appreciate the assistance of any of you toward this end and trust I may have your co-operation in promoting the movement which has been so well begun.

Faithfully yours,



P.S. May I hear from you immediately as to whether you will authorize the acceptance of Governor Head's proposition and the appointment of the Building Committee which he suggests?

# EXHIBIT G

CHARTERED 1864

# The First National Bank

CAPITAL \$150,000  
SURPLUS \$50,000

North Bennington, Vt.

May 16th, 1914.

Rev. Dr. Thomas,

President Middlebury College,

Middlebury, Vt.

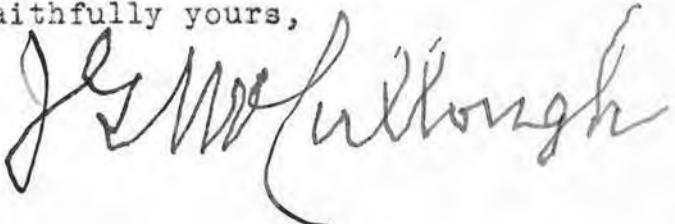
My dear Mr. President:

I am just in receipt of your letter of the 15th inst. enclosing a copy of Dr. Mead's letter to you in which latter letter the Doctor proposes to give the College a chapel building, and you ask me to join in authorizing the acceptance of Governor Mead's proposition and the approval of the appointment of <sup>the</sup> Building Committee suggested by him.

I gladly give my assent to both propositions and congratulate heartily both the College and Governor Mead upon this gift of the Governor and its acceptance by the College.

I am, as ever,

Faithfully yours,



# EXHIBIT H

{B2833953.1 00307-1805}

JOHN A. FLETCHER, TREASURER,  
MIDDLEBURY COLLEGE,  
MIDDLEBURY, VT.

May 23, 1914.

Dr. John M. Thomas,  
Middlebury College,  
Middlebury, Vt.

My dear Mr. President:-

Replying formally to the welcome news contained in your message of the 15th., I wish to concur in the acceptance of the "Mead Memorial Chapel".

It is a splendid gift, and will be especially welcome to you, who have so long desired it. I congratulate you upon once more receiving the fruits of casting your bread upon the waters.

I trust that the General Education Board will now look with ~~your~~ favor upon your application for a grant toward a new fund, on contemplating this new evidence of the substantial and loyal support of our alumni.

Cordially yours,

A large, flowing cursive signature in black ink, appearing to read "John A. Fletcher".

# EXHIBIT I

{B2833953.1 00307-1805}

June 22, 1914.

The annual meeting of the President & Fellows of Middlebury College was held at the Natl. Bank of Middlebury, at 8 P.M. Monday, June 22, 1914.

Present:- Burns Thomas,  
McCullough, Stewart Bartels,  
Kreogg, Wright, Fair, Mad  
Childs, Flagg, Works, Abur-  
muth, Brainerd, Partridge  
and Fletcher.

Meeting opened with prayer by the President.

The record of the last meeting was read by the Secretary.

The Treasurer's report was re-  
viewed and placed on file.

Resolved that Mr D. L. Wells be  
made auditor at a compensation  
not to exceed \$50.- per year.

Auditor.

Officers and Committees were  
elected as follows:-

Officers

President	John M. Thomas
Secretary	John A. Fletcher
Treasurer	D. O. L. Wells
Auditor	D. L. Wells
Dept. Building & grounds	J. E. Works

Committees

Prudential Committee	
John M. Thomas	John A. Fletcher
Joe W. Stewart	John E. Works
Ezra Brainerd	Frank Q. Partridge

1914

## Committees.

Finance Committee

Geo. M. Wright	Jas. M. Gifford
Wm H. Doster	F. C. Partridge
A. B. Hepburn	

Building Committee - for  
the Mead Chapel

Geo. M. Thomas,	
Joe A. Mead	
Ezra Brainerd	
Jos. E. Weeks	(sublime)

## Committee of Instruction

Ezra Brainerd

Branson Kellogg,

H. W. Aburnley. (see below) <sup>b. 34</sup>

A.B. &amp; B.S.

Degrees

Toted to confer the Degree of A.B.  
and B.S. upon forty six (46) members  
of the graduating class as follows:

Harold Wallace Abbott	B.S.
Robert Edgar Brundy	A.B.
Willard Amasa Carpenter	B.S.
Hawc Knudsen Casselton	A.B.
Lorraine Webster Cluff	"
Elton Frick Crook	B.S.
Richard Stewart Estes	A.B.
Brigginis Samm Fisher	B.S.
Robert Henry Hill	A.B.
Ralph Mayo Hutchins	B.S.
Wm Gleason Macfarlane	A.B.
Walter Irving McNeal	"
Max Daffield Miles	B.S.
Augustus Alfred Frost Trumaine	"
George Herbert Tracy	A.B.
Alleyne Seymour	B.S.
Edward Robert Riggs	"
Horace Jackson Fair	"
Joe Chas. Eliot Foss	A.B.

(continued)

Raymond Cyrus Whitney B.S. Degrees  
 Chas. Cushman Wilcox "  
Wm Francis Youngs " "

24 women, ael A.B.

Florine Mary Aseltine  
 Ellen Mary Bailey  
 Harriet Frances Blakeman  
 Helena Bell Carpenter  
 Elizabeth Chalmers  
 Sophie Noely De Bois  
 Alice Maria Easton  
 Amy Harriet Edmunds  
 Fabree Lefevre Esten  
 Hilda Agnes Farrel  
 May Mabeline Gerard  
 Janie Martha Graves  
 May Clema Guerin  
 Helen Irene Haugh  
 Charlotte Florine James  
 Gertrude Frances Pringle  
 Ethel Caroline Maydon  
 Ruth Adelle May  
 Florine Margaret Parker  
 Anna Estelle Perkins  
 May Agnes Shear  
 Anna Italy Suter  
 Gladys Wilson  
 Julia Rosewood Wood "

and upon Daniel Hoobrook Braun<sup>+</sup>  
 A.B., where he shall have com-  
 pleted his work, - likewise upon  
 Mabel Willson<sup>+</sup> A.B.

Voted to confer the Dign of  
 A.M. upon the following:-

Lorenzo T. Cole  
 Keith G. Atwood  
 M. Louise Chaffee  
 Theodore D. Croms

+ Completed work at Summer Session 1914.

Degrees  
 A.M.

1914

Degrees

Voted to confer the Degree of M.S.  
(in course) upon  
Margaret Farmerette Threlaw

New Instruc-  
tors.

Voted to approve the Presidents ap-  
pointments of instructors as follows:-  
Laurlyn R. Perkins, Mathematics \$1,200.-  
Miss Marion Spaulding, Home Economics \$1,100.-

Mead  
(Chape)

The following resolution, introduced by  
Dr Bramhall, on motion of Dr Burton  
& Prof. Greeley, was adopted by a  
rising vote:-

"Whereas our esteemed colleague, the  
Honorable John Abner Head of the Class of  
1864, has signified to President Threlaw  
his desire, in commemoration of the  
fiftieth anniversary of his graduation,  
to erect a Chapel of Middlebury Col-  
lege, and his readiness to furnish the  
sum of from five thousand to sixty  
thousand dollars for the erection of  
such an edifice,

Resolved, that the President and  
Fellows of Middlebury College hereby  
accept of this munificent contribution  
with sincere gratitude, to back Dr &  
Mrs Head and their family for their  
deep interest in the religious welfare  
of the College, so confirming manifest-  
ed by this provision of a suitable place  
for divine worship."

Resolved that the Trustees through  
the Committee nominated by Dr Head  
will use their best endeavours to secure  
the erection of a dignified and substantial  
structure, in harmony with the  
other buildings of the College, and  
such as will merit the approval of  
the donor."

Dr. Mead made fitting response to this resolution. His letter of presentation follows in full:

Mead  
Chapel

Rev. Dr. John M. Thomas, L.L.D.  
President of Middlebury College.  
My dear President Thomas:-

In commemoration of the fiftieth anniversary of my graduation from Middlebury College, and in recognition of the gracious kindness of my Hometown Father to me through all my life, I desire to erect a Chapel to serve as a place of worship for the College, the name to be known as the "Mead Memorial Chapel". I have in mind a dignified and substantial structure, in harmony with the other buildings of the college, and expressive of the simplicity and strength of character for which the inhabitants of this valley and the State of Vermont have always been distinguished.

It was my great-great grandfather, the first white settler of this valley, who brought the first copy of the Holy Bible into this unbroken wilderness and it was his wife, my great-great grandmother, who gathered her large family about her in an Indian wigwam for the first Christian service of the Vermont pioneers of this immediate region. With this memory ever present, it has been my hope and prayer that I might be able and permitted to build for this College a suitable place for divine worship and that it may

1914

Mead  
Chapel

rise from the highest point on its campus as a symbol of the position, most prominent in every respect, which Christian character and religious faith should always maintain in its work for our youth.

I have in mind the furnishing of from \$50,000.- to \$60,000.- for the erection of such a structure, and I hereby suggest that the Trustees of the Colby-Beecher appropriate funds for its erection which shall meet with my approval, and that said Board appoint a Building Committee at once, consisting of President Thomas, former Presidents Braisted and myself to make the necessary contracts for such a structure and to superintend the erection of the same, and I will then bind myself and my estate to provide the necessary means for its erection and completion in accordance with the suggestions of this letter and with the contracts to be made by your committee.

Very respectfully,  
(signed) John Aborn Mead

Rutland, Vt.

May 11, 1914.

On motion of Mr. Partridge, seconded by Dr. Abernethy, the Building Committee for the Mead Chapel was elected as above, Hiram Thomas, Braisted, Mead and Clark.

Mr. Coelius of the architectural firm of Allen & Coelius then appeared before the Board with tentative plans for the new Chapel, which were discussed at length.

The President read the report of the Faculty on the Cammin Report and upon the merits of the different moves, which reward due consideration.

Faculty  
letter.

Our motion of Dr Flagg, seconded by Miss McCullough & Wright. It was voted that the Doctor of Doctor of Science be conferred upon Dr Ezra Brownard (the latter having absented himself)

Degree  
Dr. Sc. to  
Dr Brownard

Adjourned to 4 P.M. the following day.

Attest  
John A. Fletcher,  
Secretary.

Tuesday, June 23, 1914

Not pursuant to adjournment,  
at the President's Office in the  
Chapel at 4 P.M. Tuesday,  
June 23d, 1914.

Present, Miss Thomas,  
Stewart, Fair, Simonds, Killogg,  
Flagg, Barton, Obernewy, Brown-  
ard, Mead, Wright, Clark,  
Partridge, Fletcher.

Our motion of Dr Brownard, it  
was voted to connect Pearson's  
Hall & Battell Cottage with the  
main heating plant by pipe line.

Extension  
of  
Heating Plant  
Conduit

# EXHIBIT J

{B2833953.1 00307-1805}

December 18, 1914.

A meeting of the Board of Trustees  
of Middlebury College was held  
at No 60 Broadway, in the City of  
New York, on the 18th day of December  
A.D. 1914.

Present:-

President Thomas in the chair  
Dr Kellogg  
Mr Postle  
Mr Hepburn  
Geo. H. Cuelough  
Mr Fay  
Dr Stan  
Mr Wright  
Mr Abernethy  
Mr Gifford

Mr Gifford acted as Secretary  
of the meeting.

Secretary.

A motion, duly seconded, it was  
Resolved that the College con-  
cerned with the construction of the  
Chapel with the understanding  
that \$60,000.- would be contributed  
by Dr Mead; the balance estimat-  
ed at about \$1,000.- to be contribut-  
ed by the College.

Mead Chap.  
e. s.

s.

President Thomas reported  
Prof Spelling's inability to spend  
his Sabbatical vacation abroad  
and his request that he be given  
six months to be spent in the  
Country.

Skillings.  
vacation.

A motion, duly seconded, it  
was  
Resolved that such leave be  
granted at half salary.

1914

40

Engineering  
department

Relation of  
the College  
to the State.

Affiliation  
with UVM  
& Norwich.

On motion, duly seconded,  
Resolved that the Department of En-  
gineering be discontinued as a department,  
and the work of surveying and drawing  
be done under that title.

Dr. Thomas reported with reference to  
the relation of the College to the State of Ver-  
mont, and the following resolution was  
afforded and unanimously passed:-

Whereas, it is important for the interest  
of education in Vermont that the univer-  
sities and colleges of the State be brought  
into some form of affiliation; and

Whereas, in recent correspondence of  
President Benton and Thomas sugges-  
tions have been made which give  
promise of a useful outcome of no-  
tifications between representatives  
of the several institutions; therefore

Resolved, that the Trustees of Middlebury  
College express themselves in favor of an  
endeavor to bring about an affiliation  
of the University of Vermont and State  
Agricultural College, Norwich University  
and Middlebury College, and declare  
their desire to co-operate with the Trustees  
of the other universities in bringing about  
such an affiliation; and

Resolved, that a copy of this action be  
communicated to the University of Vermont  
and Norwich University.

On motion, duly seconded, the Trustees  
adjourned

Attest

(signed) James M. Clifford,  
J. A. Fletcher, Secy

MRCM00111-0p0299

# EXHIBIT K

{B2833953.1 00307-1805}

Rutland, vt., Jan. 13, 1915.

The President and Fellows of Middlebury College,  
Middlebury, Vermont.

Gentlemen:-

In consideration of the contract of the Committee for the Erection of the Mead Memorial Chapel at Middlebury College with Thomas W. Rogers of Brandon, Vt., whereby the same is to be erected in accordance with plans and specifications of Allen & Collens, architects, at a cost of \$51,945, I agree to furnish funds for the discharge of this contract and for the expenses connected with the erection of this chapel, to the amount of \$60,000, as may be required during the construction and in accordance with the terms of the above contract, binding myself, my heirs and my assigns as above specified. It is agreed on the part of said Trustees that they are to complete said chapel, making it complete in every way, as to grounds, furnishings, etc., for the purposes of a college chapel, as voted at the meeting of the Trustees of said college held in New York City Dec. 18, 1914, and as defined in correspondence between the President of Middlebury College and myself.

Yours very truly,

(Signed) John A. Mead.

# EXHIBIT L

{B2833930.1 00307-1805}

SUPERIOR COURT  
Rutland Unit

STATE OF VERMONT

PROBATE DIVISION  
Docket No.

In re ESTATE of:

John Abner Mead

John Abner Mead \_\_\_\_\_ was a resident of Rutland, Vermont \_\_\_\_\_  
Decedent \_\_\_\_\_ Town/State  
and died on January 12, 1920 leaving assets to be administered with estimated values of:

Real Estate	\$ _____
Personal Estate	\$ <u>5,000,000.00</u>
Total	\$ <u>5,000,000.00</u>

Decedent left:  no known Last Will and Testament **OR**  
 Last Will and Testament dated March 19, 1919  
 Codicil(s) to the Will, if any, dated \_\_\_\_\_

Attached are:

1. Entry fee; checks or money orders payable to Vermont Superior Court
2. Certified copy of the death certificate
3. List of Interested Persons (form 700-00002)
4. **ORIGINAL** Will and any Codicils (if any)
5. *For Ancillary (out-of-state) estate, include **authenticated copy of Will and probate from decedent's primary estate.***

Petitioner requests that the Will, if any, be allowed and an estate be opened and the following named person be appointed to administer the estate:

The Honorable James H. Douglas  
Proposed Executor/Administrator  
109 South Munger Street, Middlebury, VT 05753  
Mailing Address  
802-443-5549 / James.douglas603@gmail.com  
Telephone/Email

This is the person named as executor in the Will.

**ACCEPTANCE OF APPOINTMENT**

I accept the appointment as Executor/Administrator and ask that the appointment documents be issued to me at the address above.

5/3/22  
Date

  
Signature of Executor/Administrator

**CONSENT OF SURVIVING SPOUSE, IF ANY, AND CONSENT OF ALL HEIRS AT LAW**

Please note that 14 V.S.A. Section 107(a) provides that if Consents are filed with the Court from all the heirs at law and the surviving spouse, if any, then a Will may be allowed without a hearing. If all consents are not obtained, then the Court shall schedule a hearing and notice shall be given as provided by the Rules of Probate Procedure.

We, the surviving spouse, if any, and the heirs at law of the decedent, consent to the Allowance of the Will, if any, the Petition to Open Decedent's Estate and the appointment of the above as Executor/Administrator.

I acknowledge I have been served with the Petition to Open Decedent's Estate in the above entitled action, including all papers referred to in the Petition. I waive the right to object to any action of the Court, regarding the Petition referred to above, and I waive the requirements for a Hearing regarding such Petition.

Signature

Print Name

Date

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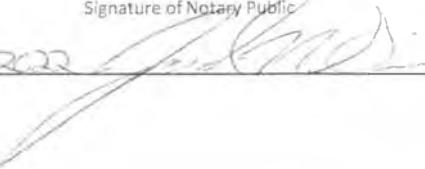
**Petitioner's signature must be notarized.**May 3, 2022  
Date

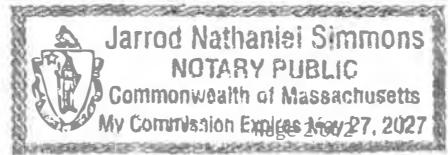
Signature of Petitioner

James L. Hinsman, Petitioner, 31 Barlow Street, Jamaica Plain, MA 02130

Mailing Address

(617) 953-7333 / [jameshinsman@yahoo.com](mailto:jameshinsman@yahoo.com)  
Telephone/Email**Signed and sworn to before me:**

Date	Signature of Notary Public	Expiration Date
05/03/2022		05/27/2027



700-00001 – Petition to Open Decedent's Estate (04/2020)

## STATE OF VERMONT

## CERTIFICATION OF VITAL RECORD

FILED: 5/10/2022 12:23 PM  
 Vermont Superior Court  
 Rutland Unit  
 22-PR-02895

## VERMONT CERTIFICATE OF DEATH

John Abner Mead

Aliases: None

Date of Death: January 12, 1920

Time of Death:

Age: Unknown

1441920203442  
State File Number

Date of Birth: April 1841

Birthplace: Fair Haven, VT

Sex: Male

Mother's/Parent's Birth Name: Lydia A. Gorham

Father's/Parent's Birth Name: Roswell Rowell Mead

Marital Status: Spouse/Civil Union Partner:

Residence: Rutland City, VT

Hispanic Origin:

Race:

Occupation:

Business/Industry:

Education:

Ever in U.S. Armed Forces:

Veteran of Any War:

Hospice Care (In past 30 days):

Place of Death: Rutland City, VT

Informant:

Relationship:

Disposition Date:

Place of Temporary Storage:

Method:

Place of Final Disposition:

Funeral Director/Authorized Person:

Address:

Cause of Death and Interval (Onset to Death):

Manner of Death:

A. Lobar Pneumonia (Unknown)

## Other Contributing Conditions:

Did Tobacco Use Contribute to Death:

Pregnant at Time of Death:

Date Pronounced Dead:

Time Pronounced Dead:

Medical Examiner Contacted:

Autopsy Performed: Unknown

Injury Date/Time:

Injury at Work:

Transportation Injury:

Injury Place:

Injury Location:

How Injury Occurred:

Medical Certifier:

Date Certified:

Other Attending Physician:

Registration:

*Jean DeCell*

Jean DeCell, State Registrar

Date Registered:

Printed from Vermont Electronic Death Registration System on: April 05, 2022

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE INFORMATION ON THE ORIGINAL CERTIFICATE ON FILE IN THE VERMONT DEPARTMENT OF HEALTH OR CUSTODIAL AGENCY.

DATE ISSUED: APR 05 2022

ATTEST:

*M. L. King, Jr.*  
Commissioner  
Vermont Department Of Health

This copy not valid unless prepared on engraved border displaying state seal of Vermont PC Vol. III - p. 305

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



STATE OF VERMONT

SUPERIOR COURT  
Rutland Unit

PROBATE DIVISION  
Docket No.:

In re ESTATE of:

John Abner Mead

**LIST OF INTERESTED PERSONS**

Petitioner, being first duly sworn, states that the following is a list of interested persons, as defined in 14 VSA § 311 & 314

1. The surviving spouse.
2. If there is no surviving spouse, or the surviving spouse is not the parent of all the decedent's children, then the interested persons must include all "heirs at law".
3. The "heirs at law" include:
  - a. All living children of the decedent;
  - b. All living grandchildren who are children of any deceased children; and
  - c. All living great grandchildren who are children of deceased grandchildren who are children of deceased children, etc.
4. "Children" includes all adopted children; it does not matter if the children have had no contact with the decedent, or if the Last Will and Testament, if any, would disinherit one or more of them.
5. If there are no living "issue" (children, grandchildren, etc), then the "heirs at law" are the living mother and father of the decedent.
6. If there are no issue and no parents, then the "heirs at law" include the living brothers and sisters of the decedent and the living issue of any deceased brothers and sisters.
7. If there are no issue, no parents, and no brothers and sisters of their issue, then the "heirs at law" are the next closest kin in equal degree.
8. All other persons or entities named in the Last Will and Testament, if any.

Name	Address	Interest/Relationship to Decedent	Date of Birth (if under 18 years)
Mary Mead Hinsman Raymond	3000 Galloway Ridge D-202 Pittsboro, NC 27312	Gr. Granddaughter	
David C. Hinsman	23 Bristol Road Plattsburgh, NY 12901	Great Grandson	
Carl B. Hinsman	43 Jalbert Road Barre, VT 05641	Great Grandson	
Estate of John A.M. Hinsman, Jr.	Glenda Hinsman, Executor 160 Vista Drive, Sayre, PA 18840	Gr Grndsn's Estate	
John A.M. Hinsman Jr. Rev. Trust	Bank of America, Trustee c/o Christopher Kinlaw, Trust Officer 100 Federal Street, MA5-100-09-14 Boston, MA 02110	Gr Grndson's Trust	
Glenda L. Hinsman	160 Vista Drive Sayre, PA 18840	Gr Grandson's wife	
John A. M. Hinsman, III	511 Beccaris Drive Rollingsford, NH 03869	Gr.Gr. Grandson	
James L. Hinsman	31 Barlow Street Jamaica Plain, MA 02130	Gr.Gr. Grandson	
Laura Hinsman Harshbarger	4140 Taylor Road Jamesville, NY 13078	Gr.Gr. Granddaugh	

Name	Address	Interest/Relationship to Decedent	Date of Birth (if under 18 years)

Attach additional sheets if necessary

Are any of the children of the decedent listed above, also children (either natural or adopted) of the surviving spouse?

YES

NO

If YES, please list names of children of both decedent and surviving spouse below:

I declare that the list of persons above (with additional sheets, if any, attached) is complete and accurate to the best of my knowledge, information, and belief, after diligent inquiry.

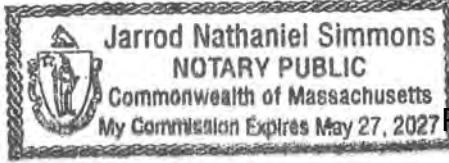
May 3, 2022

Date

Signature of Petitioner

Signed and sworn to before me:

Date	Signature of Notary Public	Expiration Date
<u>05/03/2022</u>	<u>Jarrod Nathaniel Simmons</u>	<u>05/27/2021</u>



Form PE17

**SUPERIOR COURT**

RUTLAND

Unit

**STATE OF VERMONT**

**PROBATE DIVISION**

Docket No. \_\_\_\_\_

**In re ESTATE OF**

Decedent John Abner Mead

### **MOTION TO APPOINT SPECIAL ADMINISTRATOR**

Petitioner requests the Court appoint a special administrator to take charge of this estate for the following reasons:

To prosecute legal claims of the Decedent for breach of contract and/or for breach of the conditions of the conditional gift of the Mead Chapel to Middlebury College.

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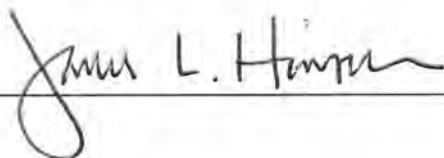
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Petitioner nominates the following named person:

Proposed Special Administrator The Honorable James H. Douglas	Mailing Address 109 South Munger Street
Telephone Number 802-443-5549	Email James.douglas603@gmail.co <sup>+</sup>

DATE: 5/4/2022

PETITIONER SIGNATURE: \_\_\_\_\_



Petitioner name - IF NOT NOMINATED SPECIAL ADMINISTRATOR James L. Hinsman	
Mailing Address 31 Barlow Street	
City, State, Zip Jamaica Plain, MA 02130	
Telephone Number (617) 953-7333	Email jameshinsman@yahoo.com

STATE OF VERMONT

SUPERIOR COURT  
Rutland Unit

PROBATE DIVISION  
Docket No.:

In re ESTATE OF

*Decedent*  
John Abner Mead

ESTATE ADMINISTRATION BOND

The undersigned is/are obligated to the Vermont Superior Court, Probate Division, in the sum of \$ \_\_\_\_\_

- without surety  
 with \_\_\_\_\_ of \_\_\_\_\_ as personal surety,  
 with \_\_\_\_\_ of \_\_\_\_\_ as corporate surety,

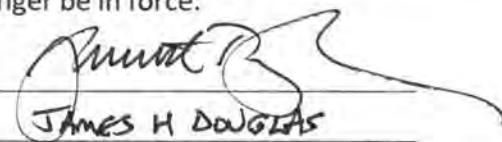
to secure the performance of the following duties:

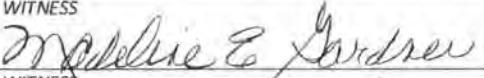
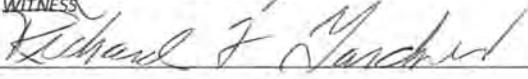
1. Within 60 days of the issuance of letters of administration, file with the Court an Inventory of all assets of the estate;
2. Administer the estate according to the Will and Codicils, if any, and the laws of the State of Vermont;
3. File an accounting with the Court within one year, annually thereafter, and at any other time when required by the Court;
4. Pay all taxes as required;
5. Pay over the balance of the estate according to the Will and Codicils, if any, and otherwise by law;
6. Perform all orders and decrees of the Court;
7. \_\_\_\_\_

When these duties are fully performed, this bond shall no longer be in force.

DATE: 5/9/22

EXECUTOR/ADMINISTRATOR SIGNATURE(S):

  
James H. Douglas

WITNESS 	PRINT NAME Madeline E. Gardner
WITNESS 	PRINT NAME RICHARD F. GARDNER

DATE: \_\_\_\_\_

SURETY SIGNATURE: \_\_\_\_\_

SURETY NAME
MAILING ADDRESS
CITY, STATE, ZIP

STATE OF VERMONT

SUPERIOR COURT

PROBATE DIVISION

Rutland

Unit

Docket No.:

In re:

Estate of John Abner Mead

Case Type:

Estate

Trust

Guardianship

INVENTORY

**INSTRUCTIONS: (PLEASE READ CAREFULLY)**

List all real and personal estate. Give the **fair market value** as of the decedent's date of death for decedent estates and as of date of fiduciary's appointment for all other cases. If you use an **appraiser**, the name and address of each appraiser and the items appraised must be attached to this inventory. **Real estate** descriptions must include type of deed, grantor(s) and Grantee(s), date of execution, Book and Page numbers and Town where recorded. **Bank accounts** should be identified by name of bank, type of account, and account number, and balance. Other investment accounts should be similarly identified.

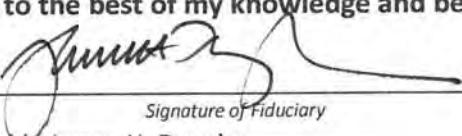
Any **liens** should be identified by name of lien-holder and approximate amount owed, within the property description. **The inventory must be signed and notarized, the original filed with the court and copies to all interested persons and a certificate of service, filed with the Court.**

Item #	Description of Item	Fair Market Value	Mortgage or Lien
1	Potential proceeds from civil lawsuit re: Mead Chapel	\$ 5,000,000.00	\$ 0.00
Total(s) Page 1		\$ 5,000,000.00	

Item #	Description of Item	Fair Market Value	Mortgage or Lien
Total(s) Page 1		\$ 5,000,000.00	
Total(s) Page 2			
Grand Total(s) Pages 1 & 2		\$ 5,000,000.00	

I hereby declare that this inventory is complete and accurate to the best of my knowledge and belief.

5/9/22  
Date

  
Signature of Fiduciary

The Honorable James H. Douglas  
Printed Name

Signed and sworn to before me:

Date: 5/9/22 Signature of Notary Public: Madeline E. Gardner

Expiration Date: 1/31/23

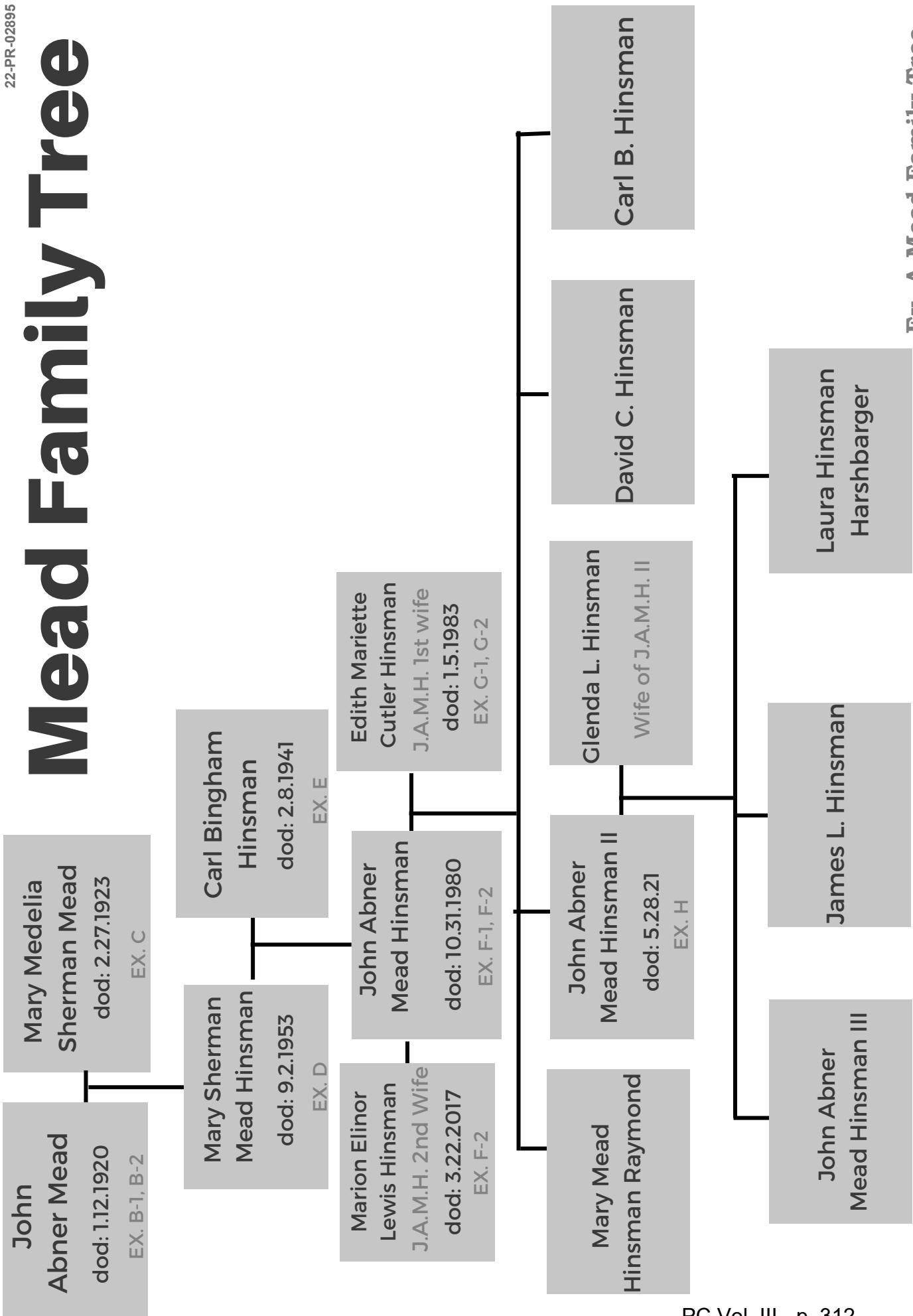


#### Appraisal Information

If any of the listed items were appraised, list item #, appraiser's name and address.

Item #	Appraiser's Name	Appraiser's Address

# Mead Family Tree



# EXHIBIT M

{B2833935.1 00307-1805}

No. 12166

ESTATE OF

Johie A. Meek  
City of Reedland

Administration Account

Filed January 6, 1920

Hearing before me, 1920  
personal and less than  
the amount of the claim  
of the widow record  
and fees were never  
recorded and received.

Examined on oath, allowed and ordered to  
be recorded and received.

D. J. Coughlin

## STATE OF VERMONT

Reftland  
Carl B. Hinman  
late of Reftland

DISTRICT, ss.

Executor

Administrator, Executor of the estate of

John A. Mead

in said District, deceased, in account with said estate.

Filed Jan. 6, 1923.

To the Estate

Dr.

Cr.

Securities	Bonds	45	7	393	93
Do	Stocks	26	4	448	16
Nates & Mortgagies		67	9	255	96
Real Estate		17	4	516	66
Personal Fam Property		7		359	70
Household Effects		1		138	50
Automobiles		4		000	
Cash		92		897	63
Securities	Stocks	25		950	50
Cash		705		69	
Gross Income 1920-1921-1922		26	4	453	69
Gross Estate		1972		120	42

Securities	Bonds	2866470
Nates & Mortgagies		8371637
Gross Expenses Tax etc " 1920-1921-1922		31907628
Real Estate Sold Jackson Kill Ave		486666
Gross Dr.		43632351
Paid probate fees in closing estate		445350
Balance of Estate		44077101

Balance of Estate 153134341

Carl B. Hinman Executor

We the undersigned, residuary legatees and devisees and all persons interested in the distribution of the Estate of John A. Mead deceased, hereby assent to and approve the above account of Carl B. Hinman Executor, waive all other and further notice of accounting and decree and request the Probate Court to allow said account as rendered, as of Jan. 6, 1923 and make decree according to law.

Mary Mead Hinman

Mary Sherman Mead Estate

by Fred C. Spencer Adams

12/166.

sets up non estoppel no defense on continuing basis even  
if it's not timely to do so.

With all the facts at present no defense available  
at this time.

Non estoppel is good up to point

of non estoppel to now end of trial

likely to be still no liability has been proven as far as his  
actions at

of plaintiff as well as right of him even of  
alleged negligence by reason of plaintiff being off work  
-are still has damages available to plaintiff and still not  
been paid his amount of fees court fees of expenses  
planned. It's not to be noted yet what plaintiff  
fees, court fees of expenses to plaintiff right has  
amount been paid yet has been paid by plaintiff, if  
expenses, according cited evidence of which can  
allowing for the way of gathering "plaintiff expenses but  
little less to another

in his case up to date of hearing fees but

other fees of gathering course this would

face and will be continued I, plaintiff would not

to this end to remain up to date by giving him to  
allow to pay itself and no additional fees of plaintiff

other expenses. A. D. 1983. (SAL)

Vol. 154 Page 489

and Whereas, Carl B. Hinsman and Mary Mead Hinsman,  
Farm in Town of Rutland.

Land in Clarendon, Vermont,

as per inventory and appraisal on file in said Court.

And Whereas, Mary Sherman Mead, Mary Mead Hinsman,  
Carl B. Hinsman, J. A. M. Hinsman, Carl B. Hinsman and the Society  
for Social and Religious Worship in the east Parish of  
Rutland (The Congregational Church of Rutland) are all  
of the legatees and devisees mentioned in said will.

And Whereas, it has been made to appear to said  
Court that the said John Abner Mead, deceased, left him  
surviving his widow, Mary Sherman Mead, and as only next  
of kin and sole heir at law, Mary Mead Hinsman, wife of  
Carl B. Hinsman, of the City of Rutland, Vermont; that  
the said Mary Sherman Mead, living at the decease of the  
said testator, deceased on the 27th day of February, A.  
D. 1923, intestate, leaving as sole heir at law and only  
next of kin the said Mary Mead Hinsman, and that Fred C.  
Spencer of said City of Rutland, is the duly appointed,  
qualified and acting administrator of her estate.

Mead, widow, and the said Mary Mead Hinsman, daughter,  
of said testator, as intestate estate according to the

And Whereas, Carl B. Hinsman and Mary Mead Hinsman, his wife, parents of the said J. A. M. Hinsman, are the duly appointed and acting Trustees, without bonds, as provided in said Will, of the trust estate created by said will for the benefit of the said J. A. M. Hinsman.

And Whereas, the said Mary Sherman Mead and Mary Mead Hinsman have filed in said Court their request in writing marked "A", "M. M. H." and "M. S. M. by F. C. S., Admr." that certain stocks, bonds, mortgages, personal property and cash be decreed to them, respectively, as per said list, in addition to their interest in the real estate and other personal property to make up their respective distributive shares, as widow and heir at law as aforesaid.

And Whereas, there is no provision in said will for the disposition of what remains of said estate after the payment and satisfaction of the cash and specific legacies, said Court adjudges that such estate then remaining passes to and vests in the said Mary Sherman Mead, widow, and the said Mary Mead Hinsman, daughter, of said testator, as intestate estate according to the

laws of descent and distribution of intestate estates in force at the decease of the said John A. Mead.

Said Court does therefore hereby decree said stocks, bonds, mortgages, other personal property and cash, constituting the net residue of personal estate and said real estate, to the said Society for Social and Religious Worship in the East Parish of Rutland (the Congregational Church of Rutland, Vt.), Carl B. Hinsman, J. A. M. Hinsman, Mary Sherman Mead and Mary Mead Hinsman, legatees, heirs and distributees as aforesaid, in the following shares and proportions:-

To the Society for Social and Religious Worship in the East Parish of Rutland, Vermont, (The Congregational Church of Rutland, Vermont), legatee, exempt from inheritance tax, Fifty Thousand Dollars (\$50,000.00) the income to be used wholly for the maintenance and support of the Mead Community House of Rutland, under the conditions specified in the Sixth paragraph of Article Two of said Will.

To Carl B. Hinsman, husband of Mary Mead Hinsman, of the City of Rutland, Vermont, legatee, subject to the inheritance tax, as follows:-

Notes of the Howe Scale Company of Rutland,  
Vermont, \$ 545,065.96

Notes of the Rutland Mfg. Company, of Rut-  
land, Vermont, 60,000.00  
(being all of the notes of the said  
Howe Scale Company and Rutland Mfg.  
Company owned by the said Testator  
at the time of his decease; 2185 shares  
of the Common Stock of the Howe Scale  
Company, of Rutland, Vt. par, 218,500.00  
and

750 shares of the stock of the Baxter Na-  
tional Bank of Rutland, Vermont, par  
also 75,000.00

One long cable linked watch chain.

To J. A. M. Hinsman, legatee, subject to the inheritance  
tax, the watch and all other jewelry owned by the  
said testator at the time of his decease, except  
the large cable linked watch chain above specified,  
as per appraisers report and executor's inventory  
on file in said Court, also,

Fifty Thousand Dollars (\$50,000.00) in bonds issued by  
the L. & N. R. R. Company, and guaranteed by the  
Ill. Central R. R. Co. of Illinois, as follows:-

5½, 1953 \$50,000.00  
the same to be left in the hands of his father  
and mother, Carl B. and Mary Mead Hinsman, as  
Trustees, to serve without bonds and without  
consideration, but upon the conditions speci-  
fied in the Sixth paragraph of Article Two  
of said Will.

To the said Mary Sherman Mead, legatee, person-  
al property of said deceased in or per-  
taining to the home of said testator located

on the corner of Washington and Prospect Streets, in said City of Rutland, at the time of his decease, as per inventory and appraisal on file in said Court; also,

One Hundred Thousand Dollars (\$100,000.00) of bonds, according to the 4th. paragraph of Article 2 of said Will, described as follows:-

Windsor, Vt.,	4%	1936	\$20,000.00
Windsor, Vt.,	4 $\frac{1}{2}$	1925	10,000.00
Hardwick, Vt.	4	1933	20,000.00
State of Vermont,	4 $\frac{1}{2}$	1926	50,000.00

and as widow of said testator under the laws of Vermont governing the distribution of intestate estates in force at the decease of said Testator, Bonds as follows:-

Wattsburg, Vt.	4%	1923-33	11,000.00
St. Johnsbury, Vt.,	4	1944	3,000.00
Hartford, Vt.	4	1932-4	4,500.00
Orleans, Vt.,	4	1924-8	6,000.00
Essex Junction, Vt.	4	1926-30	9,000.00
Montpelier, Vt.	4	1929	8,000.00
Barre, Vermont	4	1934	1,500.00
Burlington, Vt.	4	1934	1,000.00
Cash on deposit in Rutland Savings Bank			30,100.00
" " " " Rutland Trust Co.			35,000.00

the same being decreed at the request of all heirs as her one-third (1/3) interest in the personal estate remaining in the hands of said executor after the payment and satisfaction of the specific and cash legacies, and an undivided one-half interest in the following described real estate.

The Mead Building, so called, on Merchants Row, City of Rutland, Vt.; Lots on Grove Street, Ward 9, City of Rutland, Vt.

Farm in Town of Rutland, Vt., and  
Farm land in the Town of Clarendon,  
Vt.,

all as per inventory and appraisal on file and of record  
in said Court.

To the said Mary Mead Hinsman, heir at law and only  
next of kin of said deceased, two-thirds  
(2/3) of said personal estate remaining af-  
ter the payment and satisfaction of said  
specific and cash legacies, as follows:-

Bonds:

Richford, Vt.,	\$20,000.00
State of Vermont,	50,000.00
U. S. Liberty 1st. 3½%	61,000.00
City of Rutland, Vt.,	5,000.00
Burlington, Vermont,	10,000.00
Federal Land Bank, Wichita,	5,000.00
U. S. Victories, 3d, 4th. & 5th.	3,250.00

Stocks:

75 shares Mexican s.s.	
100 " N. Y. Trap Rock.	
6000 " Denbigh Mining Co.	
400 " Penn R. R. Co. Par \$50.	
5 " Rutland Co. Natl. Bk." 100.	
75 " Killington " " " 100.	
Mortgage notes	12,600.00

J.F. Manning, (considered worthless)	12,600.00
United Marble Company(business paper) (considered worthless)	14,056.68
Charles A. Matthews	20,250.00
Charles A. Matthews	2,000.00
A. D. & Hattie Taggart	2,400.00
John & Grace Gill	4,000.00
Charles J. Mead	1,000.00
A. Blumberg	700.00
James E. Burke	1,400.00
W. I. & C. H. Sherman	1,680.00
Personal Farm Property	7,359.70
Automobiles	4,000.00
and an undivided one-half interest in the following real estate:-	

The Mead Buliding, so called, on Merchants Row, in the City of Rutland, Vt.,

Lots on Grove Street, in Ward 9, in the City of Rutland, Vt.

Farm in the Town of Rutland, Vt.,

Farm land in the town of Clarendon, Vt.,

all as per inventory and appraisal on file and of record in said Court.

To Have And To Hold the same as aforesaid, to them, the said Society for Social and Religious Worship in the East Parish of Rutland, Vermont, and its successors in said trust; Carl B. Hinsman and Mary Mead Hinsman, Trustees for the benefit of J. A. M. Hinsman, and their successor or successors in said Trust, Carl B. Hinsman, Mary Herman Mead and Mary Mead Hinsman, and their respective heirs, executors, administrators and assigns forever, according to law and the provisions of said will.

And said Executor is ordered to pay over and deliver said estate according to said decree.

In Testimony Whereof, I hereunto affix the seal of said Court and subscribe my name, at the City of Rutland, in said District, on this 12th. day of March,

A. D. 1923.

(SEAL)

A. G. Coolidge, Judge.

# EXHIBIT N

{B2833948.1 00307-1805}

**VERMONT SUPERIOR COURT**

Rutland Unit  
83 Center St  
Rutland, VT 05701  
802-775-0114  
[www.vermontjudiciary.org](http://www.vermontjudiciary.org)

**PROBATE DIVISION**

Case No. 22-PR-02895

**Estate of: John Abner Mead (date of death 1/12/1920)**

**ENTRY REGARDING MOTION**

Title: Petition to Open an Estate and Appoint Fiduciary (Motion: 1)  
Filer: James Lamb Hinsman  
Filed Date: May 10, 2022

The motion is GRANTED.

A hearing was held on the petition brought by an heir of the decedent to re-open the estate and appoint a special administrator for the purposes of investigating and presenting potential claims against Middlebury College for an alleged breach of the terms of a conveyance made by the decedent while he was still alive. This does not involve a bequest of the estate.

The estate was opened in 1920 and the will allowed following testimony of witnesses. The Estate was administered and the assets known at that time were distributed as part of the distribution and the estate was closed in 1921.

Petitioners now believe that there is a potential claim to be made against Middlebury College for breach of an agreement between the decedent and the college as part of his donation of the chapel building to the college. Without passing judgment on the validity of any claims (which would not be under the jurisdiction of this court), the Court will re-open the estate of John Abner Mead and appoint Hon. James H. Douglas to serve as a special administrator to research and present any potential claims against the college and settle or prosecute those claims within his discretion.

Electronically signed on June 17, 2022 pursuant to V.R.E.F. 9(d)

A handwritten signature in black ink, appearing to read "Karl C. Anderson".

Karl C. Anderson  
Probate Judge

**VERMONT SUPERIOR COURT**

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**PROBATE DIVISION**

Case No. 22-PR-02895

Estate of: John Mead

**LETTERS OF SPECIAL ADMINISTRATION**

TO: Hon. James H. Douglas

**Name:**

Hon. James H. Douglas

**Address:**

109 South Munger Street, Middlebury, VT 05753

This Court appoints you as special administrator of this estate.

**Limited purpose.**

You are granted full authority to collect and take charge of the following estate of the deceased for the following purpose: To represent the estate for the purpose of presenting and possibly prosecuting potential legal claims of the Decedent for breach of contract and/or for breach of the conditions of the conditional gift of the Mead Chapel to Middlebury College.

Electronically signed on June 17, 2022 pursuant to V.R.E.F. 9(d)

A handwritten signature of Karl C. Anderson.

Karl C. Anderson  
Probate Judge

VERMONT SUPERIOR COURT  
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PROBATE DIVISION  
Case No. 22-PR-02895

Estate of: John Mead

## CERTIFICATE OF APPOINTMENT OF FIDUCIARY

I hereby certify that on June 20, 2022 , Hon. James H. Douglas of Middlebury, Vermont was appointed by the Court to serve as the Special Administrator for a Limited Purpose for this proceeding and has accepted the responsibilities and trust related to this position.

Based on the Court's records, I certify that the appointment has never been revoked and remains in full force and effect.

Electronically signed: 6/20/2022 12:25 PM pursuant to V.R.E.F. 9(d)

A handwritten signature in black ink that reads "Chantelle Z. Weir".

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Probate Register  
Rutland Probate Division