

the Medical and Chirurgical Faculty of Maryland. These Governors were created a body corporate by the name of 'The Regents of the College of Medicine of Maryland.' The College of medicine is contemplated by the act as a body *distinctly to be recognised*, and as the *substantial* portion of the creation under the act, although enjoying corporate immunities and conveniences only in its combination with the Board of Examiners. This College of Medicine is by the decision of the Court of Appeals, settled to be the same with the Faculty of Physic; and the terms 'College' and 'Faculty,' in the act of 1807 referred to, are adjudged to be convertible terms, (see decision page 13.)

¶The "College of Medicine" was by the act creating the University (1812 ch. 159) expanded into an University, by being authorised to annex to itself the three Faculties of Divinity, Law, and Arts and Sciences. The members of the College of Medicine or of the Faculty of Physic, together with the members of the other three Faculties were, by the act for the University, constituted a corporation by the style of "The Regents of the University of Maryland." The corporation of the University was duly organized under this act, and was prosperously administered, by its legal and chosen government—the Regents, until the year 1826. Then was past, the obnoxious and now as the undersigned believe, repudiated and entirely annulled act of 1825, ch. 190, by which a government as the substitute of the Regents was instituted, emanating directly from the State, and called "Trustees of the University of Maryland," and for the purpose of more easy and effectual action and complely to fill the place of the superseded Regents, were made a corporate body. In other words the theory of the act of 1825 was that the University was a public corporation, to be regulated, moulded, or even extinguished at the pleasure of the State, and its property to be controlled and applied as to the State might seem expedient. This theory is upon several grounds established to be unsound by the decision referred to, and the act is declared to be absolutely invalid, beyond the reach of remedy, even from the sanction of the opinions, or from any long and marked acquiescence if such even existed, of the individual members of the Faculty of Physic, or of every other Faculty in the University. Every possible circumstance of such suppletory character in aid of the act, would seem to have been brought to bear in the testimony in the cause, and deliberately weighed by the court, and rejected as unavailing, to implicate fatally the Regent corporation, and on its extinction to raise up the Trustee corporation,