Saville (J. H.)

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WASHINGTON, D. C., *Feb.* 19, 1885.

SAMUEL V. NILES, ESQ.,

President of the Board of Directors, Children's Hospital.

SIR: As you are well aware, I was prevented by severe illness from attending the meeting of the Board, held on the 14th inst., at which the report of the special committee upon the election of December 1, 1884, was presented, and was, therefore, unable to submit my objections to it at that meeting. As you also know, I wrote you on Monday morning, the 16th inst., asking for a copy of it, but could not get it because, as you stated, it was "in the hands of the printer." It is manifest now that I was not to be allowed to see it until it was printed and circulated.

I procured and used proxies at the late election, as I had a perfect right to do, both by law and by custom, and I am entirely satisfied with the correctness of my position on this point. If the Board of Directors, as your committee claim, is alone the Hospital, with full power of self-perpetuation, I think that fact should appear beyond cavil in its charter and by-laws; but I, for one, am unalterably opposed to any such scheme, and I believe the majority of the contributing members are of my opinion.

I do not propose to comment upon the constitution of the committee as appointed by you with yourself as chairman, except to remark the absence from it of every member of the Board who has shown the slightest disposition to consider the questions presented with judicial fairness, and the presence on it of Mr. Perry, and Mr. Fendall—both active participants, with yourself, in securing the very action of the Board the validity of which they were expected to pass upon. I understand that the fifth member, Dr. Johnston, requested to be excused from serving, and he does not sign the report.

Your committee's report, in its malignant personalities, reads like the labored efforts of Dr. Garnett's paid attorney rather than the unbiased conclusions of a quasi judicial body. As some of these personalities are directed against me, and as they have been printed and circulated broadcast for a manifestly spiteful purpose, I feel constrained to point out a few of its many wanton and malicious misrepresentations. To notice all of them would require as much space as the committee's report.

Your committee say: "Mr. Saville then, in explanation of his announcement of Mr. Harkness' resignation, stated that Mr. Harkness had tendered his resignation in writing, but that he (Mr. Saville) had failed to bring it with him." This statement is absolutely untrue, as the minutes of this meeting, which were in your committee's possession when this report was prepared, clearly show. In performing my official duty as Secretary, it became necessary for me to announce the vacancies to be filled at the pending election. The minutes of that meeting show that I announced the Harkness vacancy as existing by reason of *his failure to pay his annual dues as a contributing member*. As chairman of the meeting, you ruled that the vacancy did exist, and this ruling was sustained by the meeting, as your committee admit. In my remarks on Mr. Fendall's appeal from your ruling, I alluded to my correspondence with Mr. Harkness on the subject of his *fines for non-attendance at the Board meetings*, (a notice of these fines having been inadvertently sent to him at the same time that all others were notified of like fines,) and I stated that he had sent me a letter tendering his resignation, and that I had replied, begging him to withdraw it. I did not present it to the meeting or propose that it should be accepted. You personally know that the day before the election I told you of the facts in the Harkness case, and suggested that you obtain from him his formal resignation. You agreed to do so, but by Monday morning you changed your mind and sent me a message to that effect.

At the meeting of the Board, Dec. 8th, I did present Mr.

Harkness' letter as part of the Secretary's records, but I did *not* present it as his resignation, because that would have been folly in the light of the fact that his place had been declared vacant at the meeting of Dec. 1st, and Dr. Garnett had been elected to the vacancy.

The notice to Mr. Harkness, as a member of the Board, sent after the election, and which your committee seems to think inconsistent with my position in regard to this vacancy, was sent upon the theory that until his successor was duly notified and had accepted the office, Mr. Harkness was, by courtesy at least, still a member of the Board, and entitled to be present at its meetings.

Your committee seek by inference to hold me responsible for not sending Mr. Harkness a notice with respect to his dues. At least one of your committee, Mr. Fendall, well knew, and the others ought to have known, that at the time these notices were sent out *he*, Mr. Fendall, was the Secretary of the Board, and if Mr. Harkness did *not* receive the usual notice the fault was Mr. Fendall's and not mine, as it was his duty to send out these notices. I point this out merely to show the spirit of unfairness which characterizes your report from beginning to end.

As a matter of fact I did not discover that Mr. Harkness had not paid his dues until the Saturday evening before the meeting, when I was engaged in making a list of the contributing members for the annual report, and I communicated the fact to you the very next day, as before stated.

In two or three places your committee say that when I presented the proxies I stated that I had "nothing to do with the procuring of the said proxies."

This statement is a willful, malicious and deliberate misrepresentation. What I did say was that *a majority of them* had been obtained by others, and you and your committee well know this to be the exact fact.

Your committee, in its efforts to make the failure to reelect Dr. Garnett appear as something unprecedented, say "It has been the custom, never until now departed from, to

re-elect annually, as a matter of course, those Directors whose terms expired." The cases of the late Jno. L. Kidwell and Dr. J. O. Brodhead, both of whom were dropped when their terms expired without their knowledge or consent, show how accurate this statement of your committee is. You were a member of the Board when this was done, and Mr. Fendall became the successor of Dr. Brodhead.

Again, your committee say, referring to the contest between Drs. Lovejoy and Thompson, when proxies were freely used without question, "Both parties to the contest, however, had notice that they would be used." Every one who remembers that contest knows that this statement is not true. Mr. Fendall was one of the active spirits in securing proxies to vote for Dr. Lovejoy, and he well knows that the other side had been actively and secretly securing proxies for several days before it was discovered, and that he was not slow to take advantage of such discovery, as soon as made, without notice to his opponents.

I shall not undertake to point out the wide variance from the facts in your committee's reference to the personal difficulty between Dr. Garnett and myself. It is enough to say that this subject was not referred to the committee, and that my position in relation to it is clearly defined in my reply to Dr. Garnett.

Upon the many other inferences and inuendoes composing this report, I shall not take time or space to comment. I only say this much by way of protest, and to demand that you will cause this letter to be placed along with this report in the archives of the Hospital, that I may not appear, even by silence, to admit that it is either just, truthful or fair.

Yours, &c.,

J. H. Saville.

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