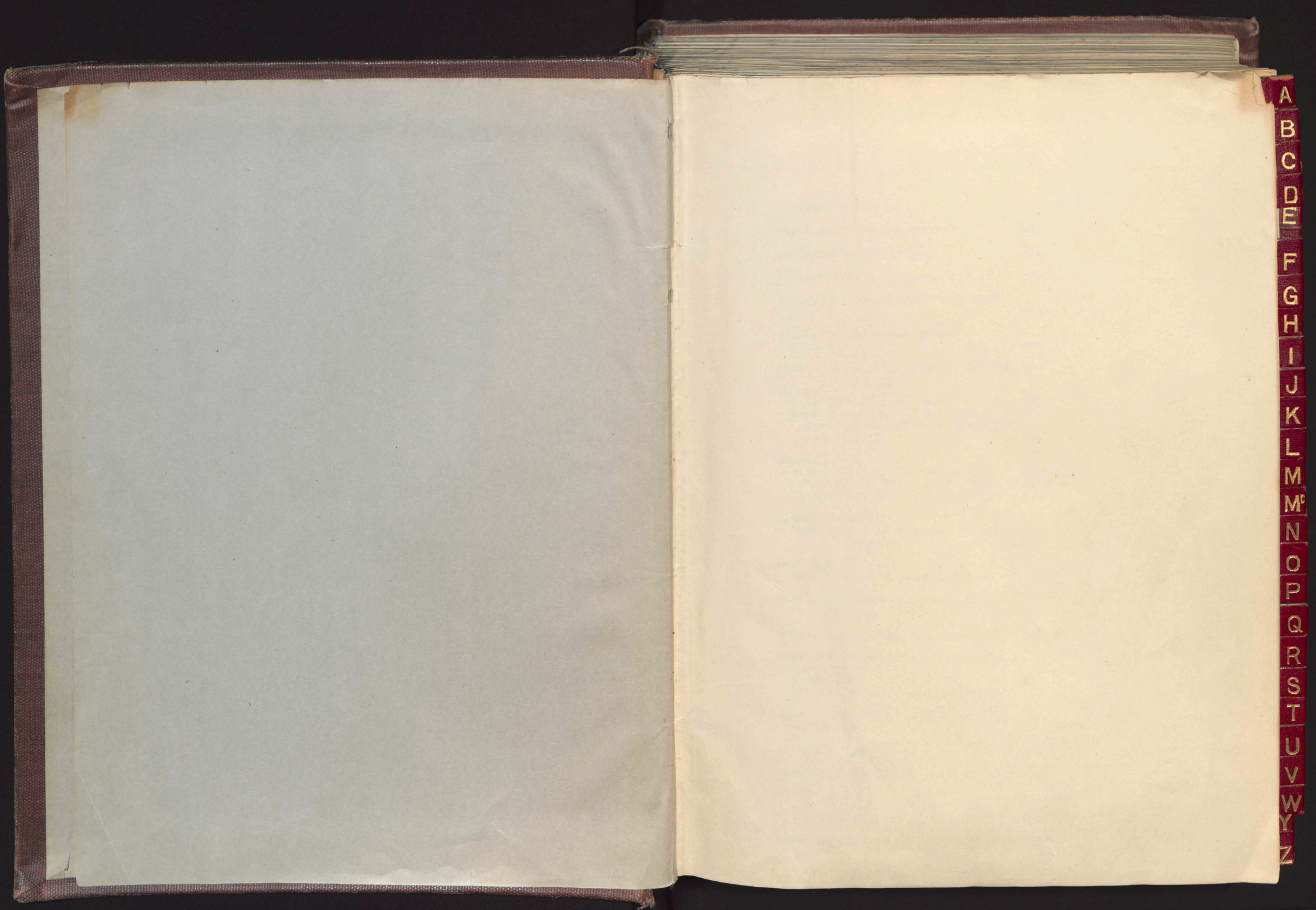


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Powell, J. A.	231
Power, M. H.	258,439
Prescott, H. W.	149,363



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Small, A. W.	7,81,116,118, 121,141,148,169, 405,441
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Smith, J. M. P.	148
Smith, P. F., Jr.	145
Smith, W. A.	198,201,253,434
Smith, T. V.	144,180,228,298
Smithies, E. M.	152
Soares, T. G.	48,150
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Spencer, W. H.	143,257,260, 363,440
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Temple, A.	146
Tenny, F.	405
Thomas, T. Y.	439
Thompson, H. B.	230,441
Thompson, J. W.	148
Thomson, A. D.	23
Thomson, O.	146
Thursby, C.	294
Todd, J.	154
Torrey, F.	428
Travis, M.	232
Trilling, M.	147
Troxell, E. E.	143
Tryon, R. M.	152
Tufts, J. H.	81,112,116,118, 450,471
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Whittlesey, D. S.	148,262,259,298
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Williams, E.	100
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Wright, Q.	180,349
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The University of Chicago  
MINUTES OF THE BOARD OF TRUSTEES

January 9, 1923

The regular monthly meeting of the Board of Trustees was held in the Board Room on Tuesday, January 9, 1923, at 2 p.m.

There were present: Mr. Swift, in the chair, Messrs. Bond, Dickerson, Felsenthal, Gilkey, Grey, Holden, MacLeish, Post, Rosenwald, Ryerson, Scott and Sherer; also Messrs. Heckman and Plimpton.

Messrs. Donnelley, Hutchinson, Judson, Shull and Smith sent word of their inability to be present.

Prayer was offered by Mr. Gilkey.

The minutes of the meeting held December 12, 1922, were approved.

The Secretary presented the minutes of meetings of standing committees held since the meeting of the Board held December 12, 1922.

The Secretary presented a minute from the Committee on Expenditures recommending the commutation of extra vacation credit of George W. Bartelmez, \$355.55 net; of R.J. Bonner, \$555.55, net.

It was moved and seconded to concur in the recommendation, and to authorize the payment to George W. Bartelmez of \$533.33, less one-third for cash, \$355.55, net; and to R.J. Bonner of \$833.33, less one-third for cash, \$555.55, net, and, a vote having been taken, the motion was declared adopted.

The Secretary presented a minute from Committee on Finance and Investment recommending the adoption of the recommendation of the Auditor that the receipts and expenditures of the Athletic Department

Athletic  
Funds,  
Accounting  
for outside  
the Budget



THE UNIVERSITY OF CHICAGO  
MINUTES OF THE BOARD OF TRUSTEES

January 9, 1923

The regular monthly meeting of the Board of Trustees was held in the Board Room on Tuesday, January 9, 1923, at 2 P.M.

Those were present: Mr. Swift, in the chair; Messrs. Bond, Dickerson, Fainstich, Goff, Gray, Holman, Macdonald, Post, Rosenwald, Swenson, Swift and Thayer; Miss Messrs. Heston and Livingston.

Messrs. Donnelly, Hutchinson, Johnson, Shull and Swift said word of their inability to be present. Prayer was offered by Mr. Glick.

The minutes of the meeting held December 12, 1922, were approved.

The Secretary presented the minutes of meeting of the Board held December 12, 1922.

The Secretary presented a minute from the Committee on Expenditures recommending the commission of \$250,000 to the University of Chicago.

It was moved and seconded to accept the recommendation, and so authorized the payment to the University of Chicago.

#2 - Board of Trustees  
January 9, 1923

be accounted for outside the budget.

It was moved and seconded to concur in the recommendation and to instruct the Auditor to account for the funds of the Athletic Department without placing them in the regular University budget, and, a vote having been taken, the motion was declared adopted.

The Secretary presented the following correspondence with the General Education Board:

November 20, 1922.

Mr. Wallace Buttrick,  
General Education Board,  
61 Broadway,  
New York City.

My dear Mr. Buttrick: Under the terms of the contract between the University of Chicago on the one part and the General Education Board and the Rockefeller Foundation on the other hand, as I understand it there are three conditions involved in the payment by the Board and the Foundation respectively to the University of their contributions of one million dollars each.

These conditions I understand to be: (1) that the sum of \$3,300,000 be paid over to the University of Chicago on or before January 1, 1923, by other donors than the said Board and Foundation; (2) that the University set aside from other funds than those above named \$80,000 a year for its medical work; (3) that the organizations of the Medical Schools be carried out in accordance with the understanding involved in the full time plan.

With regard to point (1), I am herewith enclosing a statement in regard to the payments into the University treasury of contributions from others than the General Education Board and the Rockefeller Foundation.

In regard to point (2), I am herewith enclosing a statement from the University Auditor showing the actual appropriations for the various departments underlying the Medical School to which I understand point (2) refers. Of course these sums are actually set aside in the various budgets, and will continue to be set aside for these purposes. You will notice that the total during the last fiscal year ending June 30, 1922, was \$164,874, and that we estimate the appropriation of the current year for said departments at \$170,000.

In regard to point (3), this matter you will remember was discussed in New York in October at the conference at which were present the President of the

General  
Education  
Board,  
Corre-  
spondence  
with  
Reference  
to Funds  
Pledged  
to the  
Medical  
Schools



January 9, 1923

Rockefeller Foundation, the President of the General Education Board, Secretary Flexner of the General Education Board, and the President of the University of Chicago.

This statement is submitted for such action as the General Education Board may think proper.

(Signed) Harry Pratt Judson,  
President, University of Chicago  
Harold H. Swift,  
President, Board of Trustees

November 24, 1922.

President Harry Pratt Judson,  
University of Chicago,  
Chicago, Ill.

Dear President Judson:

At a meeting of the General Education Board held November 23, 1922, the officers presented your letter of November 20, whereupon the following action was taken:

"Whereas, Under the terms of an agreement between the General Education Board and the University of Chicago under date of September 17, 1917, the General Education Board agreed to pay One Million Dollars (\$1,000,000) to the University of Chicago on the following conditions:

1) Provided that it shall have set aside annually for the medical schools the sum of Eighty Thousand Dollars (\$80,000) from other income; and

2) That on or before January 1, 1923, the University of Chicago should have collected a supplemental sum of Three Million Three Hundred Thousand Dollars (\$3,300,000) for buildings, equipment and endowment for its medical schools, not including One Million Dollars (\$1,000,000) pledged by the Rockefeller Foundation, and

3) That the organization of the medical schools of the University shall have been completed to the satisfaction of the Board and the Rockefeller Foundation in general accordance with the plan set forth in memorandum annexed to the agreement, and

"Whereas, it appears that the first condition has been met, and the second condition will be fully met by January 2, 1923,

"Be it resolved, that the Executive Officers be, and they hereby are, authorized to pay interest at the rate of five per cent (5%) for one year from January 1, 1923, on the principal of the pledge of the General Education Board which shall become due on January 1, 1923, unless the principal of the pledge is paid within that period, in which event interest shall cease on the date of such payment."

(Signed) Abraham Flexner.



January 9, 1923

January 11, 1923.

Mr. J.S. Dickerson,  
Office of the Secretary,  
My dear Mr. Dickerson:

Herewith I am transcribing for the minutes of the Board of Trustees an action of the Rockefeller Foundation taken at the meeting of December 6, 1922. From the official minutes the following is a transcript:

"Resolved, that the matter of the appropriation of \$1,000,000 to the University of Chicago for payment of the Foundation's pledge of September 17, 1917, be referred to the Executive Committee with power."

(Signed) H.P. Judson

The letters were received and ordered placed on file.

The Secretary presented the following correspondence with Dr. Frank Billings and other subscribers of the million-dollar Fund for the Albert

Merritt Billings Hospital:

December 14, 1922.

Mr. J. Spencer Dickerson,  
Secretary of the University of Chicago,  
Chicago, Ill.

My dear Mr. Dickerson:

The attached letter signed by the subscribers of one million dollars to the University of Chicago for the Albert Merritt Billings Hospital is self-explanatory.

The letter was prepared by me after conference with Mr. C.K.G. Billings and Mr. C.H. Ruddock. I forwarded it to the two gentlemen named and they signed it and also did Mr A.B. Ruddock who has just returned from China.

(Signed) Frank Billings.

New York, N.Y. Chicago, Ill. Santa Barbara, Cal.  
December 14, 1922.

Mr. J. Spencer Dickerson,  
Secretary of the Board of Trustees,  
The University of Chicago.

Dear Mr. Dickerson:

The undersigned subscribers to the fund to erect a memorial hospital - the Albert Merritt Billings Hospital - on the Midway at the University of Chicago, hereby revoke the condition upon which the subscriptions were made by us, in regard to the employment of full-time teachers by the University of Chicago in the main clinical departments of the medical school. In the revocation of this condition we desire

Albert  
Merritt  
Billings  
Hospital,  
Corre-  
spondence  
Concerning  
Conditions  
of Sub-  
scriptions



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January 9, 1923

that the question as to the employment of full-time or part-time clinical instructors of the medical school of the University of Chicago be left to the judgment and discretion of the Board of Trustees of the University.

In other words, we the subscribers to the building fund of the Albert Merritt Billings Hospital of the University of Chicago desire that our subscriptions be recognized as given without any condition as to the employment of full-time or part-time clinical teachers.

Respectfully yours,  
(Signed) C.K.G. Billings  
C.H. Ruddock  
Frank Billings  
A.B. Ruddock

December 21, 1922.

Dr. Frank Billings,  
1550 North State Parkway,  
Chicago, Ill.

My dear Dr. Billings:

A copy of the letter addressed to the Board of Trustees on behalf of the donors of the fund for the Albert Merritt Billings Hospital is received. I have read the statement with care. I must say that I regret the second sentence. For the donors to waive their own condition, and to state their reasons for such waiving is of course entirely proper. At the same time the second sentence brings to my mind the reference to the condition made to the gifts from the eastern boards. These boards may or may not have been wise in their conditions. My judgment, however, is, to raise the question at this time would involve doubt as to securing prompt payment of the principal sums and very serious doubt as to the likelihood of our securing the large help which we need in completing the additional funds necessary to establish the medical work here.

Very truly yours,  
(Signed) Harry Pratt Judson.

December 23, 1922.

Mr. Harry Pratt Judson,  
President of the University of Chicago.  
The University of Chicago, Chicago.

My dear President Judson:

In answer to your letter of December 21, in regard to a letter dated December 14, 1922, and signed by the contributors to the building fund of the Albert Merritt Billings Hospital, permit me to say that the motive behind this letter did not imply any opinion in regard to the value of full-time clinical teaching as



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January 9, 1923

compared with part-time teachers in the clinical branches. Its purpose was to free the donors of any responsibility in regard to the organization of the medical school of the University of Chicago and to place that responsibility upon the Board of Trustees of the institution.

This leads naturally to the conclusion that the statement in the letter from the donors is not intended to in any way influence a change in the conditions made by the General Education Board and the Rockefeller Foundation, in the gifts made by them to the medical schools of the University.

Very sincerely yours,  
(Signed) Frank Billings.

December 27, 1922.

Dr. Frank Billings,  
1550 North State Parkway,  
Chicago, Ill.

My dear Dr. Billings:  
Thank you for your note of the 23rd instant. This covers the ground completely, and secures the protection that I think important with reference to our future plans.

Very truly yours,  
(Signed) Harry Pratt Judson.

The correspondence was received and ordered

placed on file.

The Auditor reported in this connection that there had been paid to the University before January 1, 1923, on subscriptions to the fund for the Medical Schools \$3,327,000.

The Secretary presented a minute from the Committee on Buildings and Grounds recommending that the Business Manager be authorized to negotiate for the purchase of property on University Avenue between Fifty-fifth and Fifty-sixth Streets.

It was moved and seconded to concur in the recommendation and to authorize the Business Manager to negotiate for the purchase of the property on University Avenue, and, a vote having been taken, the motion was declared adopted.

University  
Avenue  
Property.  
Authority  
to  
Negotiate  
Purchase  
of



# #7 - Board of Trustees

January 9, 1923

The Secretary submitted the following report:

December 26, 1922.

Mr. J.S. Dickerson, Secretary,  
University of Chicago.

In accordance with the action of the Committee on Expenditures on December 20, I have arranged, through the Purchasing Agent, for the sale to Dr. Psota, of the Entomology Collection for the sum of \$400 cash. This sale was made with the approval of Professors Lillie and Stieglitz.

(Signed) Wallace Heckman.

It was moved and seconded to approve the sale of the Entomology Collection for \$400 as reported, and, a vote having been taken, the motion was declared adopted.

The Secretary reported that the dinner given on December 14, 1922, to members of the faculties by the Trustees had proved successful. About 260 persons had been present. The cost was \$508.

The Secretary presented letters from Professors Coulter and Small accepting their membership on the Library Commission appointed at the meeting of the Board held December 12, 1922, and from Associate Professor Bartelmez expressing his appreciation of the leave of absence granted him by the Board.

The Auditor presented a statement concerning the MacLeish Building Fund.

The report was received and ordered placed on file.

The Secretary presented the following recommendations of the President of the University:

Dr. Kenneth Fowler was reappointed to an instructorship in the Department of Pathology at the last meeting for one year from January 1, 1923, without change in salary. I recommend that the salary be advanced from \$2,000 to \$2,400 per year.

Entomological  
Collection,  
Sale of

Trustees'  
Dinner  
to the  
Faculties

J.M.  
Coulter

A.W.  
Small

G.W.  
Bartelmez

Trust  
Fund  
Report,  
MacLeish  
Building  
Fund

K.Fowler



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January 9, 1923

The appointment of Marion E. Clark to an instructorship in the Department of Home Economics in the School of Education for the Winter and Spring Quarters, 1923. Salary at the rate of \$2,000 per year provided in the budget. This appointment is in place of Mildred Talbot resigned.

It is recommended that \$1,000 be appropriated for the work of the Department of Hygiene and Bacteriology in the special investigation in respiratory diseases aided by the Metropolitan Life Insurance Company which lasted until January 1, 1923. The Metropolitan Life Insurance Company is still supporting the work in large part and has made its fourth annual grant (\$3,000).

It is recommended that Associate Professor Frederick Starr be retired at his own request October 1, 1923, with financial arrangements in accordance with the statute. He will reach the age of sixty-five September 2, 1923.

It is recommended that Arthur H. Compton, Professor and Head of the Department of Physics in Washington University, St. Louis, Mo. be appointed to a professorship in Physics from July 1, 1923 at a salary of \$6,000. This is in accordance with the action of the Board at the meeting in May, 1922 which authorized the appointment of three professors in the Department of Physics. Professor Swann has already been appointed. Professor Compton has been called to a professorship in the University of California at a salary of \$6,000 and provision for entire moving expenses from St. Louis to Berkeley. He is one of the most brilliant young research men of the country, and under the circumstances I recommend that he have a special allowance of \$500 for moving expenses from St. Louis to Chicago.

Appointment of Robert T. Crane, of the University of Michigan, to do special work in the Department of Political Science during the Winter Quarter, 1923, at a salary of \$800 provided in the budget.

Appointment of Mrs. Anna Y. Reed as Assistant Professor in Education for one year from July 1, 1922, with salary at the rate of \$2,000 per year to give two-thirds instruction in accordance with the authority granted at the meeting of the Board held September 13, 1921.

It was moved and seconded to make the appointments and to increase the salary as recommended and, a vote having been taken, the motion was declared adopted.

It was moved and seconded to retire Associate Professor Starr on October 1, 1923, as recommended.

M.E.  
Clark

Department  
of  
Hygiene  
and  
Bacteri-  
ology

F.Starr

A.H.  
Compton

R.T.  
Crane

Mrs. Anna  
Y. Reed



January 9, 1923

ed and to request the Secretary to write to him a letter appreciative of his services, and, a vote having been taken, the motion was declared adopted.

It was moved and seconded to appropriate \$1,000 from General Reserve to continue the investigation of respiratory diseases by the Department of Hygiene and Bacteriology, and, a vote having been taken, the motion was declared adopted.

The Secretary presented the following recommendation of the President of the University:

On the basis of the accompanying memorial from the Departments of Political Science, Political Economy and Sociology I respectfully recommend that the Board of Trustees request the Laura Spelman Rockefeller Memorial to provide the funds to finance the same from February 1, 1923, to July 1, 1924.

January 5, 1923.

To the President and Board of Trustees of the University of Chicago.

The undersigned, representing the Departments of Political Science, Sociology and Anthropology, and Political Economy, request approval and support of a research organization.

We are convinced that the time is ripe for a marked advance in the scientific methods and achievements of the Social Sciences; that such an advance will provide new and very significant contributions to social welfare; and that there is here a proper field for co-operative action. We, therefore, wish to combine and to extend quite markedly certain of our research enterprises by forming a strong research organization under the joint control and management of these departments.

The initial task of this organization would be that of a comprehensive and objective study of the social life of our own city. Our purpose is to use this great laboratory in the process of collecting and analyzing masses of data which may be expected to throw light on the forces operating in society. The study of Chicago is to be undertaken, then, as a study of certain vital phenomena of modern social living. This seems to us our appropriate first step, taken in the hope and expectation that our activities, in the hope and expectation of other research groups in added to the activities of other research groups in this field will accumulate masses of new data, fund

Laura Spelman Rockefeller Memorial, Request to

Study of Social Life of Chicago



#10 - Board of Trustees

January 9, 1923

existing scattered data, and ultimately provide a firm scientific basis for social studies. We think it not improbable that the provision of this basis may prove to be the great scientific advance of our time.

We wish to proceed at once. Although many details of the comprehensive plan should be matured slowly and after much thought, there are certain studies which need not wait for rounding out these details. The following will serve as illustrations of studies which might be undertaken immediately.

1. The forces determining the location of industries and of population groups.
2. The relationship between population grouping and such phenomena of social disorganization as crime and divorce.
3. The activities of industries which have come to regard this region as an appropriate center of their operations.
4. Non-voting in Chicago; distribution, causes, and constructive proposals.

These are only samples, cited to indicate the objective approach which we have in mind and to emphasize the fact that we are ready to begin the work without delay.

It seems to us highly important that we should, before engaging in further work upon detailed parts of the project, secure approval and support of the plan as a whole. In terms of mechanism, the plan contemplates a research organization under joint control and management of those departments. In terms of spirit, or outlook, the plan contemplates fundamental contributions to the methods and achievements of the social sciences. In terms of its initial attack upon the problem, the plan contemplates making use of the great social laboratory of which we are a part.

Respectfully submitted,  
Harry Pratt Judson, for the Department  
of Political Science  
Albion W. Small, for the Department of  
Sociology and Anthropology  
L.C. Marshall, for the Department of  
Political Economy.

It was moved and seconded to accept the program presented by the Departments of Political Science, Sociology and Anthropology, and Political Economy, as recommended by the President of the University and to authorize the President of the Board

and to request the Secretary to write to him a letter sympathetic of his services, and a vote was taken, the motion was declared adopted.

It was moved and seconded to appropriate \$1,000 from General Hawley to continue the investigation of respiratory diseases by the Department of Hygiene and Bacteriology, and a vote having been taken, the motion was declared adopted.

The Secretary presented the following recommendation of the President of the University:

On the basis of the accompanying memorial from the Department of Political Science, Sociology and Anthropology, I respectfully recommend that the Board of Trustees request the General Hawley to make loan to provide the funds for the same from January 1, 1923, to July 1, 1923.

January 9, 1923.  
To the President and Board of Trustees  
of the University of Chicago.  
The undersigned, members of the Departments of Political Science, Sociology and Anthropology, and Political Economy, request approval and support of a research organization.

We are convinced that the time is ripe for a marked advance in the scientific methods and achievement of the social sciences, that such an advance will require not only a change in the methods of research, but also a change in the organization of the departments. We believe that the departments of Political Science, Sociology and Anthropology, and Political Economy, are well equipped to undertake this work, and we believe that the Board of Trustees should authorize the President of the University to make such arrangements as may be necessary to carry out this plan.

The limited task of this organization would be that of a comprehensive and effective study of the social life of our own city. Our primary interest is in the present, but we are not to be deterred by the fact that the study of the past is necessary to a full understanding of the present. We believe that the study of Chicago is to be undertaken, not as a study of a single city, but as a study of the social phenomena of modern social life. This seems to us an appropriate line of study, and we believe that the Board of Trustees should authorize the President of the University to make such arrangements as may be necessary to carry out this plan.



January 9, 1923

to request the Laura Spelman Rockefeller Memorial to provide the funds for the study and research proposed in the foregoing memorial, and, a vote having been taken, the motion was declared adopted.

The Secretary, for the President of the University, presented a memorial from the University Senate recommending the special attention of the Board to provision of funds for a general University Research Foundation for a special University research institute, and in particular for at least one such institute including the Departments of Physics, Chemistry and Mathematics.

It was moved and seconded to refer the memorial from the University Senate to the Committee on Instruction and Equipment for consideration and report, and, a vote having been taken, the motion was declared adopted.

The Secretary read the following communication from President Judson:

Chicago, January 9, 1923.

The Board of Trustees,  
Gentlemen:

Trustees are aware that for some time it has been my desire to be relieved of my duties with the University, in order that I may devote my time to completing certain investigations and to preparing certain publications which it has been impracticable to carry on under the pressure of administration responsibilities.

My first appointment as professor and dean in the University of Chicago was made by this Board in January, 1892. My appointment as Acting President was in January, 1906, and my election as President of the University on February 20, 1907. As therefore my service has covered a period of more than thirty years, and as I have passed the age at which retirement is

University  
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Judson



## #12 - Board of Trustees

January 9, 1923

customary, I ask to be permitted to close my duties on the next anniversary of my election to the Presidency, February 20, 1923, Accordingly herewith I tender my resignation as Professor of International Law and Diplomacy and Head of the Department of Political Science, as President of the University, and also as Trustee, to take effect on the said date.

May I take this occasion to express to the Board my gratitude for the cordial and sympathetic support which I have had so uniformly from all its members, and my confident expectation of the continued prosperity of the University and the assured attainment of its highest ideals. Some of us have shared in the work from the early slender beginnings in 1892, and we perhaps can best realize how steadily on the whole these ideals have been maintained.

It has been a privilege which I shall always cherish to have aided in this great creative undertaking.

Very truly yours,  
(Signed) Harry Pratt Judson.

It was moved and seconded to adopt the following resolution:

Resolved, that, complying with his request, President Judson be retired on February 20, 1923, from the presidency of the University and the professorship and headship of the Department of Political Science, and, resolved, further, that the salary he now receives as President and Head Professor be continued to June 30, 1923, that the retiring allowance provided for by action of the Board at its meeting of October 10, 1922, be made to take effect July 1, 1923, and that there be tendered to him the occupancy of the presidential residence until June 30, 1923,

and, a vote having been taken, the motion was declared adopted.

It was moved and seconded to accept the resignation of President Judson as Trustee of the University, the resignation to take effect February 20, 1923, and, a vote having been taken, the motion was declared adopted.

It was moved and seconded to adopt the following resolution:



#12a - Board of Trustees

January 9, 1923

Resolved, that in recognition of President Judson's eminent services to the University, there be conferred upon him the honorary title of President Emeritus to take effect upon his retirement, and that a committee of five be appointed, of which the President of the Board of Trustees shall be a member and chairman, to prepare a suitable expression of the affection and esteem in which President Judson is held by the Board and by all members of the University, and, a vote having been taken, the motion was declared adopted. \*

Mr. Ryerson, Chairman of the Committee of Five appointed January 10, 1922, reported that the committee was not prepared at this time to propose the name of a new president. Under the circumstances, with the hearty approval of the advisory committee of the faculty, the Committee recommended the appointment of Dr. Ernest D. Burton as acting President.

It was moved and seconded to authorize the Committee of Five to propose to Dr. Burton that he serve as acting President and that on learning that he would be willing to accept the appointment the Committee be authorized to give publicity to the retirement of President Judson and to the appointment of Dr. Burton as acting President, and, a vote having been taken, the motion was declared adopted.

President Emeritus

E.D. Burton

January 9, 1923

Resolved, that in recognition of President Judson's eminent services to the University, there be conferred upon him the honorary title of President Emeritus to take effect upon his retirement, and that a committee of five be appointed, of which the President of the Board of Trustees shall be a member and chairman, to prepare a suitable expression of the affection and esteem in which President Judson is held by the Board and by all members of the University, and, a vote having been taken, the motion was declared adopted. \*

Mr. Ryerson, Chairman of the Committee of Five appointed January 10, 1922, reported that the committee was not prepared at this time to propose the name of a new president. Under the circumstances, with the hearty approval of the advisory committee of the faculty, the Committee recommended the appointment of Dr. Ernest D. Burton as acting President.

It was moved and seconded to authorize the Committee of Five to propose to Dr. Burton that he serve as acting President and that on learning that he would be willing to accept the appointment the Committee be authorized to give publicity to the retirement of President Judson and to the appointment of Dr. Burton as acting President, and, a vote having been taken, the motion was declared adopted.