vices were held at the house of Jonathan Rolfe and later at the Woodward school house in the south part of the town. In 1842 a house of worship was built at Enfield Center at a cost of about $1,300. The present pastor is Rev. T. F. Brodwick.

In 1821 five persons instituted the Christian church, of which Elder Ezra Chase was the first pastor; he was succeeded by Rev. J. M. Westcott. The church was built at Enfield Center many years ago. H. L. Griffin is the present pastor.

The Methodist church at Kennedy's Corners was the development of a class which was formed at the North school house in 1844, with Elias Lanning as leader; it was at first under the charge of the Jacksonville church; but later under the church at Enfield Center. The church edifice was built in 1848.

The Methodist church of Enfield was recognized as a separate charge January 19, 1835. Rev. Joseph Pearsall was the first pastor. Prior to that date class meetings had been held in a barn at Bostwick's Corners, and in other barns near by. On the 3d of June, 1835, a lot was bought of Andrew Bostwick for $50 and a church erected upon it. On the 13th of March, 1876, it was determined to remove the building to Enfield Center, which was done and the building was repaired at a cost, including the new site, of $3,200, and on June 20, 1876, the church was dedicated. The present pastor is Rev. J. H. Britton.

In about the year 1831, Rev. William Page, who was then filling a pulpit as stated supply in Ithaca, visited Enfield and became instrumental in organizing a Presbyterian church, which was fully effected under the care of the Presbytery of Cayuga, February 14, 1832. The society has been several times changed to other Presbyteries, as they were organized. On the 28th of February, 1838, after several others had served the church, Rev. Warren Day was installed and remained until 1844, when he was succeeded by Rev. Moses Jewell. A meeting house was finished at Enfield Center in 1835-5, which is now used as a public hall. The society disbanded many years ago.

THE

HISTORY OF CORNELL UNIVERSITY

IN THE

TWENTY-FIVE YEARS OF ITS EXISTENCE,
1868-1893.

BY

WATERMAN THOMAS HEWETT, PH.D.,
Professor of the German Language and Literature in the University.

I.

INTRODUCTION.

It had been proposed as early as in 1822 to found a college in Ithaca, and in March of that year a request was presented to the Regents by the Genesee Conference of the Methodist church for a charter. It was stated that six thousand dollars had already been raised for the support of such a college, with which it was the intention to proceed to the erection of buildings in the following spring. At the same time the trustees of the Geneva Academy applied for a charter for a college, on the basis of certain funds already subscribed and land and buildings already erected, and an annual grant promised by the corporation of Trinity Church in New York. As both these colleges were to be erected by religious denominations, the Board of Regents considered what its policy should be toward applications of this kind from various religious organizations. The board had adopted, as early as March 11, 1811, the view that no academy ought to be erected into a college until the state of literature therein was so far advanced and its funds so far enlarged as to render it probable that it would attain the ends and support the character of a college in which all the liberal arts and sciences would be cherished and taught. "The literary character of the State is deeply interested in maintaining the reputation of its seminaries of learning, and to multiply colleges without adequate means to enable them to vie with other similar institutions in the United States would be to degrade their character and to be giving only another name to an ordinary academy. The establishment of a college is also imposing upon the government the necessity of bestowing upon it a very liberal and expensive patronage, without which it would languish and not maintain a due reputation for usefulness and universal learning; colleges, therefore, are to be cautiously erected, and only when called for by strong public expediency."

The case was now different, for an additional question was involved. The board, however, after mature consideration, held that it had no

right to inquire into the religious opinions of the applicants for a charter, and that it might wisely make use of denominational zeal to promote the great educational interests confided to its charge. It was directed, April 10, 1822, that the charter of a college in Ithaca be granted whenever it should be shown within three years that a permanent fund of fifty thousand dollars had been collected for its support. It was, however, found impossible to raise this sum. This impulse, though fruitless in itself, may have led to the foundation of the Ithaca Academy, which was incorporated the following year, March 24, 1823.

II.

THE NATIONAL GOVERNMENT AND HIGHER EDUCATION.—THE LAND GRANT ACT, ESTABLISHING COLLEGES OF AGRICULTURE AND THE MECHANIC ARTS.

THE duty of the government to support and foster higher education existed with the first dream of national independence. In October, 1775, when Washington was in camp in Cambridge, Samuel Blodget, who was later distinguished as the author of the first formal work on political economy published in the United States, remarked in the presence of Generals Washington and Greene, with reference to the injury which the soldiers were doing to the colleges in which they were encamped: "Well, to make amends for these injuries, I hope after our war we shall erect a noble national university, at which the youths of all the world may be proud to receive instruction." Washington answered: "Young man, you are a prophet inspired to speak what I am confident will one day be realized." One of the earliest provisions of the colonial governments was for popular education, in addition to which were charters for private and county schools and colleges, which were to be supported by general taxation. In the Constitutional Convention of 1787, on May 29, Charles Pickering proposed that Congress should have power to establish and provide for a national university at the seat of government of the United States. Mr. Madison proposed later that this should be one of the distinctly enumerated powers in

the Constitution. On September 14 Mr. Madison and Mr. Pickering moved to insert "power to establish a university in which no preference or distinction should be allowed on account of religion." The action proposed was lost, not from opposition to the principle involved, but because such an addition to the Constitution would be a superfluity, since Congress would possess exclusive power at the seat of government, which would reach the object in question. The patriot and scientist, Dr. Benjamin Rush, issued an address to the people of the United States, strongly urging a Federal university as the means of securing to the people an education suited to the needs of the country, with post-graduate scholarships, and fellowships in connection with the consular service, and an educated civil service generally. "The people," he said, "must be educated for the new form of government by an education adapted to the new and peculiar situation of the country." President Washington, in his address to Congress on January 8, 1790, said: "There is nothing that can better deserve your patronage than the promotion of science and literature. Knowledge is in every country the surest basis of happiness. In one in which the measures of government receive their impressions so immediately from the sense of the community as in ours, it is proportionably essential. . . . Whether this desirable object will be best promoted by affording aids to seminaries of learning already established, by the institution of a national university, or by any other expedients, will be worthy of a place in the deliberations of the legislature." The response of both the Senate and the House of Representatives to this address was favorable, the latter saying: "We concur with you in the sentiment that agriculture, commerce and manufactures are entitled to legislative protection, and that the promotion of science and literature will contribute to the security of a free government. In the progress of our deliberations we shall not lose sight of objects so worthy of our regard." Washington contemplated also the possibility of the appropriation of certain western lands in aid of education. Jefferson held that the revenue from the tariff on foreign importations might be appropriated to the great purpose of public education.

This early recognition of the duty of the national government to promote higher education is of importance in considering the history of the passage of the Land Grant Act of 1862, in behalf of technical and liberal education, and the various views by which that measure was advocated or opposed.

At the close of the Revolutionary war several of the original States claimed that their borders extended to the Mississippi River. To the west lay a vast extent of country whose possession had been determined by the fortunes of the war. Virginia, New York, Connecticut, Massachusetts, and even Georgia, claimed this country either as included in their original charters or as acquired by treaty with the Indians or by exploration. The national government, so far as it existed at this time, possessed no territory. All the land was included within the borders of States. It was proposed by leading statesmen that these nebulous and conflicting claims should be surrendered to the general government on condition that the lands thus ceded should be used to pay the debt of the war, and for the general good. Between the years 1781 and 1792, all the States which laid claim to this land ceded their rights to the nation. On June 16, 1783, two hundred and eighty-eight officers petitioned Congress for a grant of land for their services. Of these officers two hundred and thirty-one were from New England and the Eastern States. This petition of the officers of the Revolution failed. Three years later representatives from the officers met in Boston, and on March 4, 1786, the Ohio Company was formed, the object of which was to purchase from the national government a million and a half acres of land in what was later Eastern Ohio.

A plan for a State to be established between the Ohio River and Lake Erie was organized in New England, to be settled by army veterans and their families. Petitions of soldiers in favor of the plan were forwarded to Congress through General Washington. It was proposed that after the payment of soldiers for their services in the war, the public lands remaining should be devoted to public purposes, among which were specified "establishing schools and academies." A proposition from the State of Virginia came before Congress (1783) to devote one-tenth of the income of the territory to national interests, as the erecting of fortresses, the equipment of a navy, and the "founding of seminaries of learning." This act did not pass.

On May 20, 1785, the Congress of the Confederation passed an act for "Locating and Disposing of the Lands in the Western Territory." This act contained the provision: "There shall be reserved the central section of every township for the maintenance of public schools, and the section immediately adjoining for the support of religion, the profits arising therefrom in both instances to be applied forever according to the will of the majority of male residents of full age within the

same." To Colonel Timothy Pickering, of Massachusetts, "if to any one man, is to be attributed the suggestion which led to the first educational land grant." To the Hon. Rufus King the immediate merit of embodying this principle in the statute is due. "This reservation marks the beginning of the policy which, uniformly observed since then, has set aside one thirty-sixth of the land in each new State for the maintenance of public schools." The use of this national land had, however, been separately advocated by leading statesmen of the time.

Generals Putnam, Tupper and Parsons were active in this scheme for settling the new territory, but its efficient agent before Congress was the Rev. Manasseh Cutler, of Hamilton, Mass., a chaplain in the late war, a man of legal training, and later a member of Congress from Massachusetts, a scholar whose scientific enthusiasm and attainments in astronomy and botany made him the friend and correspondent of the most eminent scholars of the world. Under the influence of Dr. Manasseh Cutler the "Ordinance of 1787 for the government of the North-West Territory" was passed. It contained the memorable words, "that religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged." The committee which reported this act recommended that one section in each township should be reserved for common schools, one for the support of religion, and four townships for the support of a university. This was subsequently modified so that two townships should be appropriated "for a literary institution, to be applied to the intended object by the legislature." Dr. Cutler's friends and associates would not embark in this enterprise unless these principles were unalterably fixed. They demanded to know on what foundations their social organization should rest, and hence the organic law had to be first settled. By this action the principle of national aid to education was established.

The sale of the great tract of five million acres to the Ohio Company was closely associated with the passage of the "Ordinance of 1787" and determined in part its form. This act, so momentous in its sequences, rested upon a compact between each of the original States and the people in the proposed territory, and was to remain unalterble unless by mutual consent. It contained the great principles of civil and religious liberty, and of the rights of conscience. By it an orderly and representative government was secured to all the people of the great Northwest. Slavery was forever prohibited and public education

was provided. The most eminent jurists have expressed their admiration for this enactment. Daniel Webster said: "We are accustomed to praise the lawgivers of antiquity, . . . but I doubt whether one single law of any lawgiver, ancient or modern, has produced effects of more distinct, marked and lasting character than the Ordinance of 1787. . . . It set forth and declared it to be a high and binding duty of government to support schools and advance the means of education. We see its consequences at this moment and we shall never cease to see them perhaps while the Ohio flows."[1] Judge Story, in his work on the Constitution, said: This ordinance "has ever since constituted in most respects the model of all our territorial governments, and is equally remarkable for the brevity and exactness of its text and for its masterly display of the fundamental principles of civil and religious liberty. American legislation has never achieved anything more admirable, as an internal government, than this comprehensive scheme. Its provisions concerning the distribution of property, the principles of civil and religious liberty, which it laid at the foundation of the communities established under its sway, and the efficient and civil organization by which it created the first machinery of civil society are worthy of all the praise that has ever attended it."[2]

Chief-Justice Chase said: "Never, probably, in the history of the world, did a measure of legislation so accurately fulfill, and yet so mightily exceed, the anticipations of the legislators."[3]

"It approaches as nearly to absolute perfection as anything to be found in the legislation of mankind; for after the experience of fifty years it would perhaps be impossible to alter without marring it."[4]

The draft of this great charter was made by Nathan Dane, of Massachusetts, but to Dr. Manasseh Cutler is due the distinct incorporation of the principle of the support of education and the establishment of a university, and probably the provision against slavery. It is even possible that his was the master mind which suggested the form of the whole, based as it largely is upon the constitution and judicial system of Massachusetts of 1780, and containing in addition the principle of the inviolability of contracts, which six weeks later was incorporated

[1] First and second speech in reply to Foote's Resolutions.

[2] Works III, 363, 433; Hist. of the Const., 1, 307.

[3] Introduction to the Statutes of Ohio.

[4] Judge Timothy Walker, address at Marietta.

in the draft of the Constitution of the United States. Certainly we know that the passage of this famous ordinance, as well as the sale of five and a half million acres of land by Congress, was due to his able advocacy and conquering personality.

One of the first acts of Congress after the adoption of the Constitution was to affirm solemnly the binding force of this ordinance, and to adapt its provisions to those of the new Constitution. Following the precedent here set, the States which constituted a part of the Northwest Territory, which were admitted later, made provision for the support of popular education and the endowment of colleges by appropriations of land or a certain percentage of the income from the sales of public lands. Three to five per cent. of the proceeds of the sales of public lands within their borders had also been granted to the States by the national government before the national grant of 1862, which had in many cases been devoted to education. Since the year 1800, every State admitted to the Union, save Maine and West Virginia, which were taken from older States, and Texas, which was acquired from Mexico, have received two or more townships of land for the pupose of founding a university. The proceeds of the sale of saline and swamp lands, and grants of public lands to the States for internal improvements have in some cases been devoted to education. Three million five hundred thousand acres have thus been set apart for higher education. Special grants have been made to a few States, as one to Tennessee in 1806, and minor appropriations for specific purposes, to asylums, academies and missionary societies. The vast agricultural interests of the West now began to demand the recognition of agricultural and industrial education by the national government. The State of Michigan asked Congress in 1850 for a grant of 350,000 acres of land for the support of agricultural schools. The question of a national grant in aid of scientific and practical agriculture had been forced upon Congress by numerous petitions, which had been presented both by scientific bodies and even by State Legislatures. In the year 1854 the Legislature of Illinois presented a memorial to Congress requesting such a grant of the public lands, and at the session of Congress of 1857 a similar memorial was presented from the State Board of Agriculture of the State of New York asking a grant of land in aid of the agricultural colleges of the several States. From this time forward memorials poured in upon Congress in constant succession asking for appropriations for such schools.

The Hon. Justin S. Morrill, of Vermont, took his seat in 1855 as a member of Congress from Vermont. His attention was soon called to the numerous appropriations of public lands for railroads and local interests, by which our vast national domain was being gradually sacrificed without contributing to any permanent work of general benefit. He was soon impressed with the fact that this splendid possession might, by an intelligent and comprehensive plan, be so appropriated as to make it a source of perpetual blessing, placing resources in the hands of the government such as no previous nation had enjoyed. Mr. Morrill was from New England, where education was regarded as an essential of good government and upright citizenship; he was also from a State whose chief interest was in its agricultural resources, but whose wealth was gradually diminishing with the development of more fertile regions. He thus describes the reasons which led to the introduction of the bill, and his part in its passage:

First, that large grants of land were made for educational as well as for other purposes, and that the older States were obtaining little special benefit from the large common property of the public domain.

Second, that the average product of wheat crops per acre in the Northern and Eastern States was rapidly diminishing, and that these States would soon be dependent for bread upon our Northwestern States. While in England their soil, maintaining its ancient fertility, under more scientific culture, and its wheat crop per acre appeared undiminished. Some institutions of a high grade for instruction in agriculture and the mechanic arts, I know, had been established in Europe, and that something of the kind here was greatly to be desired.

Third, that the liberal education offered in 1858, at our colleges, appeared almost exclusively for the instruction of the professional classes, that is to say, for ministers, lawyers and doctors only; while obviously the greatest number of our people, or all those engaged in productive and industrial employments, were unprovided for, though hungering for some appropriate higher education.

Existing colleges then had more faith in discipline than in usefulness, and surrendered little time to the teaching of the practical sciences. It struck me, however, that these would do the greatest good to the greatest number and open a larger field to a liberal education. With these views, my first bill was introduced and passed both Houses in 1858. Instruction in the sciences, agriculture and the mechanic arts was made to lead, but without excluding the classics. It was to be the instruction of a college. I do not remember of any assistance in framing my bill prior to its introduction.

One slight amendment only was made, and that by the Senate, where the bill was earnestly supported by Senators Wade, Crittenden and Pearce. After its introduction Colonel Wilder, of Massachusetts, president of the National Agricultural Society, and Mr. Brown, president of the People's College, New York, and others, worked to encourage members to vote for the Bill. My own speech was about the only one in

favor, while there was some outspoken opposition and a report by Cobb, of Alabama, against it. The bill was vetoed by Buchanan, though favoring a measure that would provide for a professorship of Agriculture for a college in each State. Mr. Sickles, a personal friend of Buchanan, then, as now, a member of the House, having heard of a coming veto, left the House in haste to see and persuade the President to approve the bill. Upon his return he told me that he was too late, and that Senator Slidell of Louisiana had got the ear of the President. Of course I patiently waited for a change of administration, and in 1862 again pushed the bill, but for a larger endowment of lands. Senators Harlan, Pomeroy and Wade cared for the bill in the Senate. Most of the State Legislatures had passed resolutions in its favor. There never was a doubt about the approval of Lincoln. I do not think he had any relations with Buchanan, who soon left for Pennsylvania.

The value of the land granted to colleges was largely diminished by the great amount of bounty land and railroad land grants competing for a market at the same time. Only one college had a Cornell to husband its resources.

For the proper equipment of the Land Grant Colleges the original endowment was soon found to be too small, and for many years various bills were introduced by me to obtain a supplementary grant.

Success finally crowned these efforts in 1890. Professor Atherton, of Rutgers College, now President of Pennsylvania Agricultural College, and Major Alvord, of Maryland Agricultural College, rendered valuable aid in all of these supplementary bills.

Recognizing the education of the people as the noblest function of government, Mr. Morrill drew up independently a bill "Donating Public Lands to the several States and Territories which might provide Colleges for the benefit of Agriculture and the Mechanic Arts," which he introduced in the House of Representatives December 14, 1857, and asked that it be referred to the Committee on Agriculture, of which he was a member.

An opposition was immediately developed to the reference proposed, and it was moved that the bill be referred to the Committee on Public Lands, which on the following day was done.

Mr. Morrill, in beginning his speech in behalf of the bill, stated that no measure for years had received so much attention in various parts of the country as this, so far as can be proved by petitions which have been received here from the various States, north and south, from county societies and from individuals. He compared the efforts of the government to promote commerce, railroads, literary labor through the copyright, and to benefit mechanics by the patent system, and education through munificent grants, with the little done for agriculture. We are behind European countries in this regard, while far ahead of them in every other. He claimed that the prosperity of a nation depended,

first, upon the division of the land into small parcels; and secondly, upon the education of the proprietors of the soil. Our agriculturists are, as a whole, seeking to extend their boundaries instead of promoting a higher cultivation of the soil. He showed by statistics of agricultural products that crops were decreasing in the East and South, and that agriculture as pursued was exhausting the soil. Foreign states support a population vastly larger per square mile than our own. Here we rob the land, and then the owner sells his land and flies to fresh fields to repeat the spoilation. The wave would some day be stayed by the Rocky Mountains, but shall we not prove unworthy of our patrimony if we run over the whole before we learn to manage a part? The nation that tills the soil so as to leave it worse than it found it, is doomed to decay and degradation. Agriculture undoubtedly demands our first care. Our public lands are no longer pledged to pay the national debt. Who will be wronged by this bill? What better thing shall be done with our national domain? Since 1850 grants of lands amounting to 25,403,993 acres have been made to ten States and one Territory to aid more than fifty railroads. As prudent proprietors we should do that which would not only tend to raise the value of the land, but make agricultural labor more profitable and more desirable. Up to June 30, 1857, we had donated ungrudgingly to different States and Territories 67,736,572 acres of land for schools and universities. If this purpose be a noble one, as applied to a territory sparsely settled, it is certainly no less noble in States thickly populated. He defended the constitutionality of the bill and claimed that Congress had a plain and absolute right to dispose of the public lands at its discretion. Some statesmen have denounced our land system as a prolific source of corruption, but what corruption can flow from agricultural colleges? "The persuasive arguments of precedents, the example of our worthiest rivals in Europe, the rejuvenation of worn out lands which bring forth taxes only, the petitions of farmers everywhere yearning for a more excellent way, philanthropy supported by our own highest interests, all these considerations impel us for once to do something for agriculture worthy of its national importance."

Mr. Morrill then introduced an amended bill. A parliamentary struggle ensued, in which it was sought to lay the bill on the table, and in which Mr. Cobb opposed its passage upon the ground of unconstitutionality. Mr. Cobb sought also to show that the effect of the bill

would be to give some States an advantage over others, under the existing ratio of representation. He also objected to the exclusion of the Territories from the benefits of the bill, and held that the grants to railroads increased the value of the public lands; but in this case the government would receive no equivalent.

On April 15, 1858, Mr. W. R. W. Cobb, of Georgia, reported back the bill, recommending that it do not pass. A minority report, signed by two members of the committee, Messrs. D. S. Walbridge, of Michigan, and Henry Bennett, of New York, was also presented. The reasons upon which the majority of the committee relied for the rejection of the bill rested mainly upon the limitation of the powers of the Federal government by the Constitution. "The States had reserved to themselves all authority to act in relation to their domestic affairs, and these principles established the only solid foundation for the perpetuation of the Federal Union. Such is the symmetry of our government, that its very existence depends upon its severe adherence to the limitation of its duties. If the general government possessed the power to make grants for local purposes, without a consideration within the States, its action would have no limitation but such as policy or necessity might impose. Every local object for which local provision is now made would press for support upon the general government, and would create demands upon it beyond its power to meet, and of necessity it would be driven into the policy which would increase its means. As its expenditures are increased the revenue must be enlarged, and the general government, by the adoption of the policy would levy taxes upon the people of the Union for the sake of the local interests of the States. . . . Patronage would be fatal to the independence of the States; with patronage comes the power to control, as consequence follows upon cause. If the principle be admitted, what shall limit its application? The committee have failed to perceive how they could be justified in recommending a grant from the general government in support of agricultural schools and in refusing one for any other purpose equally meritorious. The means of the general government are taken from the people. 'If you take it from the public lands, you give it money in the stead; if you destroy its revenue from that source, you must increase it in some other. The appropriation asked for is in lands; but your committee can discover in this regard no difference between an appropriation in lands or one in money; the effect is precisely the same

in both cases. If the revenue from the public lands is destroyed, the deficiency must be met by taxes upon the people. The public domain belongs to all the people of the United States; their interest in it is common, and the government is but the trustee for the common benefit, limited in its actions over it to those powers conferred by the Constitution. It is a part of the public funds, and can be devoted to no purpose forbidden to the money of the Federal government. . . . As a landholder, the government may legitimately bear a share of the burdens imposed to create an improvement which shall enhance the value of its domain, and may contribute to that end, yet its aid must be limited within the extent which does not require taxation to effect it. It may, as a matter of power or right, contribute portions of the public lands to improve the value of the remainder, but even in this sound policy its duties toward the general welfare will limit it to a healthy and reasonable extent. The donation of section sixteen for the support of schools was an inducement to purchasers and enhanced the value of the adjacent lands, the sale of which indemnified the government for the donation which it made. So, too, the donation of the salines . . . The grants to the new States upon their admission into the Union were upon conditions which more than indemnified the government. If the prayers of the petitioners were granted, prodigious quantities of land would be thrown upon the market by competing venders, which would deprive it of marketable value. The very gratification of their wishes would destroy the object which they have in view. To make the grants would be to render them of but little avail. Congress, without a promise of pecuniary compensation, has no power to grant portions of the public domain, and, if it had, no policy could be more unwise than to grant it for the support of local institutions within the States."

The minority report, to which Mr. Morrill contributed, cited the fact that schools for instruction in scientific and practical agriculture had been established by most of the European governments; that in many countries of Europe the subject of agricultural education is incorporated with the public administration, being often committed to the minister of public domains. Agricultural colleges had been established in various States, in part by private benevolence and in part by legislative act; also that agricultural professorships had been created in many colleges and universities. Of 5,371,876 free male inhabitants of the United States in 1850, nearly one-half, or 2,389,013, were re-

turned as farmers and planters, while in the professions of law, medicine and divinity, there were but 94,515 men employed. To educate these men for the learned professions there were 234 colleges, endowed with many millions of dollars, and two million dollars are actually expended every year in the education of 27,000 students. The main wealth of the country is in its agricultural products, which far exceed in value its foreign commerce. If a grant of land to aid in the construction of a railroad may be made for the benefit of all the States, by which the value and sale of the public lands is promoted, there is equal warrant for giving millions of acres to soldiers who have fought our battles.

The measure under consideration is in no sense a donation to the States; it will relieve them from no taxation, but will impose new duties and further burdens. It merely makes the States trustees for certain purposes which they may constitutionally and efficiently discharge. The United States will not part with its title to any lands save upon certain conditions, which are to be of perpetual and binding force. As the United States originally acquired their title to much of the public domain upon the stipulation that it was to be disposed of only for the common benefit of all the States, so it is believed that no grant has ever been made which will prove to be a more strict compliance with the terms than this now proposed, reaching, as it will reach, not only all the States, but a major part of the people of all the States, reaching them, too, in their persons and material interests and reaching them also for the *common benefit* of all the people. That our country needs all the aid likely to flow from a measure of such far-reaching consequences, the united testimony of all our agriculturists in all sections of our country loudly proclaims, and that it will prove wise and practical, the experience in our own and other lands happily already demonstrates. As each State would possess the sole control and management of its proportionate fund, national power could not be held to interfere in local government. The constitutionality of such a law was maintained, and it was held that there was no limit to the uses and purposes to which the public domain may be applied, but the discretion of Congress; if the proposed grant is for the benefit of all the States, Congress has full power to make it, and the law-making power alone can judge of that fact.

The bill passed the House on the 22d of April, 1858, by a vote of one hundred and five to one hundred. Upon analyzing this vote,

we find that the members from the Southern States, with few exceptions, voted against the measure, while its main support came from the North. Certain members from the Western States also opposed it on the ground that their own States would suffer in growth and in population, and that the purposes of the Homestead Act would be defeated.

On April 22, 1858, the bill was presented in the Senate, and on the following day referred to the Committee on Public Lands. On May 6, 1858, Mr. Stuart, of Michigan, reported that the committee, after very carefully considering this question, had, in view of the existing circumstances, reported the bill back to the Senate without any recommendations for or against its passage. On May 19 the Senate proceeded to the consideration of the measure, which, however, was strenuously opposed, Mr. Pugh, of Ohio, saying: "We might as well make a test vote on that bill. It has never been favorably recommended by any committee of either House. Probably it is the largest proposition for the donating of public lands that has ever been made here. We cannot consider it at this time, and I think instead of wasting the precious hours that remain in discussing at great length a question, which, if it comes up, will be defeated, we may as well take a test vote on the question of taking up the bill, and I call for the yeas and nays." The bill was taken from the table by a vote of twenty-eight to twenty-four, Senator Yulee having sought to vary the motion so as to lay the bill on the table and thus dispose of it more effectively. Various motions were presented to proceed to the special order, to postpone the special order, and to take up other measures in place of the Land Grant Act for colleges. Mr. Stuart said: "I only desire to say that the friends of this measure do not intend to discuss it. It is a measure which explains itself. The reading of the bill prepares every senator to vote upon it. . . . I wish to protest against the authority of my noble friend from Alabama [Mr. Clay] as well as his historical statement [that this was a bill which the Democratic party of this country had been committed against for thirty years past]. I deny his authority to make party questions, and I deny his historical statement that this is a party question or has ever been made so. This is simply a proposition to grant less than six million acres, whereas it is but a short time,—in 1855,—since we passed the law under which there have been granted sixty million acres; that was done by a Democratic majority and approved by a Democratic president." Mr. Mason, of Virginia, said:

"The Senator would be mistaken if he expected the bill to pass without debate. It may be the policy of the senator and those who think with him to let the bill pass as smoothly as may be, but as far as I understand it, it is presenting a new policy to the country altogether, being a direct appropriation from the treasury for encouragement of schools of agriculture. . . . I am not aware that it has been known so far to the legislatures of the country to make these general appropriations through all the States. I shall deem it my duty, for one, to expose its character, as I look at it, fully to the people whom I represent, and I presume that the disposition of other senators is to do the same thing." The Senate refused to consider the bill further. On the first day of the second session of the Thirty-fifth Congress, December 6, 1858, Mr. Stuart, who had charge of the bill in the Senate, gave notice that as soon as the Senate was full, he should ask for the consideration of the bill. On December 15 Mr. Stuart called up the bill. An attempt was made to postpone its consideration on account of the sickness or absence of members who were opposed to it. Upon the question of considering the bill the Senate was equally divided, the vice-president, Mr. Breckenridge, voted *no*, and the consideration was postponed. On December 16 the bill was again called up and made a special order for the following week. Upon the day designated, the consideration of the measure was again postponed. On February 1 Senator Wade, of Ohio, moved to postpone all prior orders and to take up this bill, speaking with great energy in its favor. Among other things, he said: "This bill passed the House toward the close of last session. It came here so late that those who were opposed to it found it would be easy to talk it to death, and it will share the same fate now unless its friends support the motion to take it up in preference to other bills. Many senators here are instructed by their States to use their influence to procure the passage of the bill; I am one among that number." He also argued that it was time that something of this nature should be done by Congress for the benefit of agriculture.

The bill, as originally presented, provided that twenty thousand acres of land should be granted to each State, for each senator and representative in Congress to which the States were then respectively entitled, making a total grant of 5,925,000 acres. It was sought to amend the bill by making the grant to the several States and Territories in the compound ratio of the geographical area and the representation of said States and Territories in the Senate and House of Representatives,

after the apportionment under the census of 1860, provided that said appropriation be made after first allotting to each State and Territory fifty thousand acres. Mr. Harlan, of Iowa, said: "The census of 1850 shows that at that time there were over three millions of the people of the United States engaged in agricultural pursuits. Where is their representation on this floor? Non est. They are not here, only as they are represented by professional men." Various amendments were offered, some designed to make the quantity of land granted by the bill proportionate to the area of tillable lands in the State. An effort was also made to introduce a provision in the act as finally passed, that in no case shall any State to which land scrip may thus be issued be allowed to locate the same within the limits of any other State; but their assignees may thus locate said land scrip upon any of the appropriated lands of the United States, subject to public entry.

Mr. Jefferson Davis reviewed the history of the acquisition of the public lands by the general government, and opposed the measure on the ground that the power to "dispose" of the lands did not imply that they could be given away. Previous grants of the public lands had been made to increase the value of the property and to promote the revenue of the United States. "So far as grants of land have been made to construct railroads, merely on the general theory that railroads were a good thing, the Federal government has violated its trust and exceeded the powers conferred upon it. . . . Where a grant has been made of a certain portion of land to increase the value of the residue and bring it into cultivation, . . . it rests on a principle such as a prudent proprietor would apply to the conduct of his own affairs. Thus far it is defensible; no further. The land grants to the new States for education rest on the same general principle. The new States, sovereigns like the old, admitted to be equal, before taking both the eminent and useful domain, entered into a contract with the other States, that they would relieve from taxation the land within their borders while owned by the general government. This is the consideration for which land grants have been made to the new States; and a high price they have paid for all that has been granted for educational purposes."

Mr. Davis's views are not confirmed by the terms of the Ordinance of 1787. They are of interest now as those of a strict constructionist of the Constitution of that time, and in virtue of certain views of governmental and State rights which he later advocated.

After further debate the vote was taken, with the result that twenty-five yeas and twenty-two nays were cast, being a majority of three for the measure. On the 16th of February a message was received from the House that it had concurred in the Senate amendments to the bill.

In the decision of this question, certain senators conscientiously maintained views based upon traditional interpretations of the Constitution; others, who opposed the measure, joined with the former through party affiliations, and certain senators from the South acted in support of the measure contrary to the convictions of their constituents. Senator Morrill gives the following additional incident in the history of the measure: "It was reported that President Buchanan would veto the measure on account of its unconstitutionality. When the bill had been in the hands of President Buchanan for some days, General Sickles of the House told me that there was some danger of the veto of the bill, and requested me to give him a copy of the speech, wherein I had shown that Buchanan, when a senator, had voted for an appropriation for a school for deaf mutes in Kentucky. He thought that this vote would preclude him from urging any constitutional objections against the agricultural college bill. He jumped on a horse and rode up to the president's, but soon came back, telling me that he was too late, that Senator Slidell, of Louisiana, had got the ear of the president and the bill would be vetoed." Among those who supported this law most actively in the House during its first passage were Representatives Morrill, Walbridge, Cochrane and others, and in the Senate, Senators Wade, Stuart and Collamer.

On February 24, 1859, President Buchanan sent a special message to the House of Representatives, vetoing this act. After stating the provisions of the bill and the range of its application, he proceeded to set forth the objections to the measure, which he deemed to be both inexpedient and unconstitutional. His first objection was the great difficulty of raising sufficient revenue to sustain the expenses of the government. Should this bill become a law, the treasury would be deprived of the whole or nearly the whole of the income from the sale of public lands, which was estimated at five million dollars for the next fiscal year. The minimum price of government lands was one dollar and twenty-five cents, but the value of such lands had been reduced to eighty-five cents by the issue of bounty land-warrants to old soldiers. Of the lands granted by these warrants, there were outstanding and unlocated nearly twelve million acres. This had reduced

the current sales of the government lands and diminished the revenue from this source. If, in addition, thirty-three States should enter the market with their land scrip, the price would be reduced far below even eighty-five cents per acre, and as much to the prejudice of the old soldiers, who had not already parted with their warrants, as to that of the government. With this issue of additional land scrip, there would be a glut in the market, so that the government could sell few lands at the established value, and the price of bounty land-warrants and scrip would be reduced to one-half the sum fixed by law for government sales. [This anticipation was afterwards realized in the sale of the land scrip issued to the various colleges.] Under these circumstances, the government would lose this source of revenue, as the States would sell their land scrip at any price that it would bring. The effect upon the treasury would be the same as if a tax were imposed to create a loan to endow these State colleges. The injurious effect that would be produced on the relations between the Federal and State governments, by a grant of Congress to the separate States, was argued by a reasoning almost similar to that presented by the majority of the committee of the House of Representatives in reporting originally against the measure. The third argument, that the bill, if it should become a law, would operate greatly to the injury of the new States, was based upon the fear that wealthy individuals would acquire large tracts of the public lands and hold them for speculative purposes. The low price, to which the land scrip would probably be reduced, would tempt speculators to buy it in large amounts and locate it on the best lands belonging to the government. The consequence would be that the men who desired to cultivate the soil would be compelled to purchase these very lands at rates much higher than the price at which they could be obtained from the government. Fourthly, he doubts whether this bill will contribute to the advancement of agriculture and the mechanic arts, objects whose dignity and value can not be too highly appreciated. The Federal government will have no constitutional power to follow up the donation to the States, and compel the application of the fund to the intended objects. As donors, we shall possess no control over our own gift after it shall have passed from our hands. If the State Legislatures fail to execute faithfully the trust in the manner prescribed by the law, the Federal government will have no power to compel the execution of the trust. Fifthly, the bill will injuriously interfere with the existing colleges in the different States, in many of

which agriculture is taught as a science, and the effect of the creation of an indefinite number of rival colleges sustained by the endowment of the Federal government will not be difficult to determine. He believed that it would be impossible to sustain the colleges proposed without the provision that scientific and classical studies shall not be excluded from them; for no father would incur the expense of sending his son to one of these institutions for the sole purpose of making him a scientific farmer or mechanic. [The bill itself negatives this idea, and declares that its object is to promote *the liberal and practical education* of the industrial classes in the several pursuits and professions of life.] By far the larger portion of the veto message is devoted to the question of the constitutional power of Congress to make the donation of public lands to the different States of the Union, to provide colleges for the purpose of educating the people of those States. The general proposition is undeniable that Congress does not possess the power to appropriate money in the treasury raised by taxes on the people of the United States for the purpose of educating the people of the respective States. It will not be pretended that any such power is to be found among the specific powers granted to Congress, nor that "it is necessary and proper for carrying into execution" any one of these powers. Should Congress exercise such a power, this would be to break down the barriers which have been so carefully constructed in the Constitution, to separate Federal from State authority. We should then not only "lay and collect taxes, duties, imposts and excises" for Federal purposes, but for every State purpose which Congress might deem expedient or useful. The language of the second clause of the third section of the fourth article of the Constitution, which declares that Congress shall have power to dispose of and make all needful rules and regulations respecting the territories or other property belonging to the United States, does not by a fair interpretation of the words "dispose of" in this clause bestow the power to make a gift of public lands to the States for purposes of education. Congress is a trustee under the Constitution for the people of the United States, and, therefore, has no authority to dispose of the funds entrusted to its care, as gifts. A decision of the Supreme Court, in which an opinion was rendered by Chief-Justice Taney, was quoted, who says in reference to this clause of the Constitution: "It begins its enumeration of powers by that of 'disposing,' in other words, making sale of the lands or raising money from them, which, as we have already said, was the

main object of the cession (from the States) and which is the first thing provided for in the article." In the case of States and Territories, such as Louisiana and Florida, which were paid for out of the public treasury from the money raised by taxation, Congress had no power to appropriate the money with which these lands were purchased to other purposes, and it was equally clear that its power over the lands was equally limited. "The mere conversion of money into land could not confer upon Congress any power over the disposition of land, which they had not possessed over money." If it could, then a trustee, by changing the character of the fund entrusted to his care for special objects, from money into land, might give the land away, or devote it to any purpose he thought proper, however foreign to the trust. Grants of lands by the national government to new States for the use of schools as well as for a State university, were defended on the ground that the United States is a great land proprietor; and from the very nature of this relation, it is both the right and the duty of Congress as their trustee to manage these lands as any other prudent proprietor would manage them, for his own best advantage. Such a grant became an inducement to settlers to purchase the land, with the assurance that their children would have the means of education. The gift of lands for educational purposes enhanced their value and is, therefore, justifiable.

This veto of the land act establishing national colleges put an end to any further hopes of its passage during Mr. Buchanan's administration. If Congress occupied the relation of a legal trustee to these lands, it was bound by the legal limitations of such a trustee, instead of having the power to interpret intelligently under the Constitution what was the normal exercise of its powers. The law-making power was, by this argument, made subject to a power created by it.

Mr. Morrill, in replying to the President's veto, claimed that there was no possibility of a lack of harmony between the State and Federal authorities on account of any provision in the bill, which left the arrangement and control of institutions founded under the act wholly to the State. On the question of passing the bill over the veto, there were 105 yeas and 96 nays, not the requisite two-thirds to enable the act to become a law.

Mr. Morrill was not, however, discouraged, and two years later, upon the accession of a new administration, he gave notice, on December 8, 1861, that he would introduce a bill donating public lands for the support of colleges in the various States. The bill was formally

introduced on December 16, read twice, and referred to the Committee on Public Lands. Here it was kept until December 20, 1862, when the chairman of the committee reported back the bill with a recommendation that it should not pass. This adverse action in the House having been anticipated, the same measure was introduced in the Senate by the Hon. Benjamin Wade, of Ohio, on May 2, 1862, where it was referred to the Committee on Public Lands and ordered to be printed. On the 16th of May Senator Harlan reported back the bill as amended by the committee with a favorable recommendation. On the 19th of May the bill was formally considered in Committee of the Whole. It was stated to be essentially the same as that passed by both Houses of Congress two years before, save that the appropriation granted 30,000 acres of land to each State for each representative or senator in Congress in place of 20,000 acres of land, as provided in the original bill. The hostility of certain Western senators, who feared that their States would be affected disadvantageously by the passage of the bill, was the principal occasion for opposition at this time. It should be borne in mind that senators from the South were not in attendance. Some senators, fearing that the passage of the bill would exhaust all the valuable lands in their own States, desired to limit the grant to government lands in the territories. The popular favor with which this measure was regarded throughout the North had constantly increased within the two years since Mr. Buchanan's veto. Mr. Wade stated that "a great many States, and I believe most of our free States, have passed resolutions in their Legislatures instructing their senators to go for the bill." Senator Harlan from Iowa stated that he represented a State that would be adversely affected by the bill, but that he should vote for it for two reasons: first, because the Legislature of his State had instructed him to do so; and secondly, because "I do not believe the State will be seriously damaged should the bill become a law, and justice to the old States seems to require it." The Committee on Public Lands concluded, in view of all the facts which exhibited a policy of large liberality towards the new States, that it would not be unreasonable for the old States to insist on such a disposition of a small part of the public land as would result in benefit to them, especially as they had by an almost unanimous vote agreed to the passage of the Homestead Bill. . . . This bill proposes to grant to the States less than ten million acres. We now have of surveyed and unsold lands over one hundred and thirty-four million acres.

At the same time there is a total of unsold and unappropriated lands of 1,046,280,093 acres. It is, therefore, a trivial gift of this vast national estate to bestow upon education." Mr. Wright of Indiana remarked: "If this fund is to be raised in this way I would much rather devote it to the females of the land. Do not be startled, gentlemen, it is so. Look at your half million of men in the army with neglected daughters and sisters to be raised and educated." Another argument by Senator Harlan, the chairman of the Committee on Public Lands, is worthy of notice. "This body is a body of lawyers. Heretofore appropriations of lands have been made for such universities. The proceeds of the sales of these lands have usually gone to educate the children of professional men. Here, for the first time I believe in the history of the Senate, a proposition is made to make an appropriation of lands for the education of the children of the agriculturists of the nation, and it meets very strenuous opposition from a body of lawyers. If this Senate were composed of agriculturists chiefly, they would have provided first for an agricultural college and probably afterwards for a college in which the sons of lawyers, physicians and other professional men could be educated. I do not believe that if the proposition were submitted to a vote of the people of the country you could array one-fifteenth of the voters against it." Various amendments were submitted, which did not change the essential features of the bill, limiting in one case the amount of land that might be appropriated in any single State to one million dollars. A provision that the act should not take effect until July 1, 1864, was lost. It was provided that whenever there are public lands in a State, the quantity to which said State shall be entitled, shall be selected from such lands. An amendment granting a sum of money from the proceeds hereafter derived from the sale of the public lands, equal to $30,000 for each senator and representative in Congress, to which the States are respectively entitled, was lost.

The passage of this amendment would have left the value of the the public lands undisturbed, but would have limited the large returns from the careful administration of the fund and the sale of the scrip, and made impossible the large sum which Cornell University and the University of California have realized. The bill finally passed on June 11, with a vote of thirty-two in its favor to seven against, and was then sent to the House for concurrence. On July 17, after various dilatory motions to again refer the bill to the

Committee on Public Lands had been voted down, the bill passed by a vote of ninety to twenty-five, was signed by the speaker on July 1, and received the signature of the president on the same day. During most of the time in which this bill was under debate, Dr. Amos Brown was in Washington and active in influencing members of Congress in its favor. Some of the amendments to its provisions in the Senate were introduced at his personal suggestion.

The Rev. Amos Brown, LL.D., was born in Kensington, New Hampshire, on March 4, 1804. His early boyhood was spent on a farm, and his earliest educational privileges were limited to the advantages afforded by the district schools of New England. He prepared for college in the Academy at Hampton, New Hampshire, where his original purpose to study medicine was changed, and he entered Dartmouth College in 1829, with the purpose of becoming a student of theology. During his academic and collegiate course he supported himself by teaching. After graduating from college, he entered Andover Theological Seminary. His course in the Theological Seminary was interrupted by an absence of one year, in which he acted as the principal of the academy in Fryeburg, Maine. After leaving Andover, he became principal of the Gorham Academy and Teachers' Seminary, where he remained for twelve years. Mr. Brown was an educator of great ability and power. He gathered the ablest teachers about him, and was one of the earliest advocates of coeducation. His ability as an organizer was of a high order, and both as a disciplinarian and a teacher he exerted a powerful influence upon those whom he trained. His personal instruction was mainly in mental science, and with it he discussed theories of instruction and the principles of intellectual growth. The reputation of his school was so great that it attracted pupils from other States, and the Hon. Horace Mann, who visited the Gorham Academy in order to study the theories and methods which were employed there, often spoke of Dr. Brown as one of the ablest teachers of New England, saying that he would make the best college president of all whom he knew. Later he resigned his position in order to enter the ministry, for which he had prepared, and became pastor of a Congregational church in Machias, Maine; but so strong was his passion for his favorite pursuit of teaching, that after three years' service in Machias he assumed charge of the academy in Ovid, New York. Here his former success was repeated. The Seneca Collegiate Institute became one of the most prominent schools of this State, and some of the most

eminent scholars of the country felt the influence of Dr. Brown's inspiring personality, among them President W. W. Folwell, of the University of Minnesota; Professor J. L. Morris, of Cornell University; Professor T. L. Lounsbury, of Yale, one of our ablest scholars in English literature, and known especially for his brilliant studies in Chaucer; also Professor B. Joy, of Columbia College. Mr. Brown instituted public lectures in order to awaken an interest in scientific farming in the agricultural community around, and in this manner his attention was first called to the need of a State agricultural college.

The Rev. Amos Brown was influential in securing the charter for the State Agricultural College and in locating the same in Ovid. He also originated the plan of asking from the State the loan of $40,000, without interest, from the United States deposit fund. His remarkable ability in influencing men is shown by his success in inducing the legislators to grant this gift to the Agricultural College. Dr. Brown was one of its trustees, but he was not, as was anticipated, made its president. About this time the trustees of the People's College in Havana sought to perfect its organization, and on August 12, 1857, Mr. Brown was elected president of that institution. It is noticeable that, while he shared the plans and purposes of the new college, he desired to give a broader scope to its curriculum; and in his inaugural he stated that its object would be to promote literature, science, arts and agriculture. Agriculture, and various branches of manufactures and the mechanic arts, were to be systematically studied within the college as a part of its regular course. He was more and more impressed with the importance of practical and scientific education, and with the conviction that such education must be supported by the national government, an appropriation of public lands naturally suggested itself to his mind as a practical and constitutional method of bestowing such aid.

Soon after the introduction of the Morrill Bill, Dr. Brown was requested by the trustees of the People's College to go to Washington and labor to promote its passage. The debt which the country owes to Dr. Brown for promoting the noblest grant for popular education which the world has known, may be estimated by the deliberate judgment of the value of his services expressed by those who were most intimately indentified with the passage of this measure in Congress. Senator William Pitt Fessenden, of Maine, wrote: "Mr. Brown, as I believe, was not only father of the bill, but to his persistent, efficient and untiring efforts its success was mainly due. I have no hesitation in say-

ing that but for him it would have failed, in my judgment, altogether." Senator Morgan, of New York, stated: "The first man who suggested to me the passage of the bill was yourself; and from my own knowledge the first bill passed, which was vetoed by Mr. Buchanan, would not have had the remotest chance in either house of Congress without your interest, labor and most efficient efforts." Senator Harris, of New York, also said: "The agricultural interests of the country are indebted to him more than to any one, indeed every one else, for the passage of the law devoting public lands to agricultural colleges." Senator Clark, of New Hampshire, wrote: "It might have passed without you, and I cannot say that it would not; but sure I am no one was so active or efficient as you in removing obstacles to it or securing it friends."

Senator Wade, of Ohio, who took charge of the passage of this law in the United States Senate, in speaking of the influence of the People's College in the passage of that law, wrote: "Having taken a deep interest in that measure, I ought to be qualified to speak with confidence on the subject, and I do not hesitate to say that, had it not been for the exertions of that institution, I do not believe the measure could have received the sanction of Congress. Great credit is due to the exertions of the Honorable Mr. Morrill of the House for his unwearied labors in its behalf; yet I always believed, and still believe, that had it not been for the able, energetic and unwearied exertions of the Rev. Amos Brown, president of the People's College, it would never have become a law. It encountered great opposition in some quarters on account of its supposed antagonism to the Homestead Bill, and much also from the mere indifference of members who did not take interest enough in the measure to give it a thorough investigation—more still from several members from the land States, who feared its passage would conflict with the rapid settlement of their States. All these difficulties, however, were overcome by the intelligent and persevering labors of Mr. Brown, whom I consider really the father of the measure and whose advice I believe entitled to more weight in carrying the law into execution than that of almost any other man."

III.

PRELIMINARY HISTORY: 1. THE PEOPLE'S COLLEGE.—2. THE NEW YORK STATE AGRICULTURAL COLLEGE.

Two colleges preceded the foundation of Cornell University, which exercised an immediate influence upon its history and determined in part the form which it assumed. The one most nearly related to it was the PEOPLE'S COLLEGE, situated in Havana, N. Y. The foundation of this College is due, pre-eminently, to the enthusiasm and labors of one man, Mr. Henry Howard, afterward a resident of Ithaca; and especially to his labors in connection with an organization called the Mechanics' Mutual Protection, which had numerous affiliated societies throughout the State of New York. This society arose in that unsettled period which followed the panic of 1837. This was the era of the rise of corporations with a maximum of wealth and a minimum of responsibility. A spirit of wild speculation pervaded the country. The public lands, one source of the national revenue, were sold and paid for in depreciated local currency. Banks were even organized whose sole object was to issue money to acquire possession of such lands. The removal of the United States deposit fund from the various State banks in which it had been placed, and its distribution among the States, deprived these banks of funds which had furnished their capital, and upon which their prosperity rested. Financial distress followed immediately. Banks throughout the country failed; manufactories were closed and laborers deprived of means of support, or were paid in depreciated currency. The nation seemed on the verge of financial ruin. A wild panic spread throughout the country. Bread riots broke out in the metropolis, and agitators fanned the excitement of the oppressed and suffering people. A special session of Congress was called to take measures to avert national bankruptcy and to relieve popular distress. The relations of labor to capital became subjects of earnest and often excited discussion. At this time a convention of mechanics was called to meet in the city of Buffalo, and an organization was formed called the Mechanics' Mutual Protection (July 13, 1843). Its object was a noble one. It sought to diffuse a more general knowledge of the scientific principles governing mechanics and the arts, and to elevate workmen, by making

them independent, and increasing their proficiency in their several callings, by rendering to each other counsel and mutual assistance, which would elevate the life of the mechanic, and protect them from the encroachments of wealth and power, which might combine against them, and to enable them to secure remunerative wages, and above all to awaken a common interest in their profession.

In the winter of 1848 three men met at the house of Mr. Howard, in Lockport, to discuss plans for a technical school, which, if approved, were to be presented to the society of their order in Lockport. These men were Henry Howard, D. H. Burtis, J. P. Murphy and R. P. Butrick. The Hon. Washington Hunt, at that time comptroller of the State and afterward governor, approved of the plan. The address which Mr. Howard prepared embodied a history of efforts to establish agricultural and technical schools in Europe and in the various States of this country, and also the results of manual labor schools in Switzerland and other countries of Europe. During the years 1848 and 1849, Mr. Howard, although called a visionary, delivered this address before various associations of the Mutual Protection. The purpose to found such an institution met the views of the most thoughtful members of the local society, and the address was published and distributed among the lodges, "Protections," throughout the State, about seventy in number.

Mr. Horace Greeley, with his large interest in whatever concerned the welfare of humanity, published an editorial in the Tribune in June, 1850, warmly advocating the project of founding a State college of practical science; and proposed, first, that the college should embrace instruction in agriculture as well as in mechanics, and that the farmers should be invited to co-operate in founding it; that it should be erected on a square mile of land, which should contain a model farm and nursery; that all students should attend the lectures on mechanical and agricultural subjects, and labor in the field in the brightest and best farming weather, and in the mechanical department in sour and inclement weather. Mr. Greeley believed that an education should not be a gift of charity, but that the future mechanics and artisans of our State would prefer to win it by labor. He proposed that the institution should be founded by a stock company, with a capital of $200,000, and that each contributor should be paid five per cent. interest upon his stock. Subscribers should have the right to designate a pupil for the university, but the pupil should pay his

own expenses. Mr. Greeley thought that the pupil could earn his expenses within fifty dollars the first year; that he could earn his entire expenses the second year; fifty dollars more than his expenses the third, and seventy-five dollars more than his expenses the fourth year; and that he would thus be gradually equipped for work with ample knowledge, by his own efforts.

Mr. Greeley believed that the cost of establishing a complete university would amount to $100,000, and stated that he knew where $1,000 of that sum could be obtained. Even supposing that the university should ultimately cost $200,000, he believed that it could provide board and instruction for 1,000 boys, who would earn an interest of five per cent. on the capital; or, in other words, that the labor of each student, apart from the cost of his education, would amount to ten dollars a year. The citizen who subscribed $1,000 should be entitled to designate one pupil for the university; subscribers of less amounts might associate, and their joint contributions amounting to $1,000 would authorize them to nominate a pupil.

The labor question was at this time paramount, and the influence of a society like this mechanics' organization was able to exercise a powerful influence in any election.

On August 15, 1851, a company of seventeen men met in Lockport in the hall of the Mechanics' Mutual Protection, No. 1, and formed an organization to promote a mechanical college. They elected many of the most prominent men of the State as members. Among the names which appear in their records at this time are those of William H. Seward, Martin Van Buren, Sanford E. Church, afterwards chief judge of the State of New York, Erastus Corning, Thurlow Weed and General James F. Wadsworth. A week later Horace Greeley was elected a member, and from this time his active participation in founding the People's College, and his later connection with Cornell University, dates.

The first officers of the association were Samuel Wright, president; Joel Cranson, vice-president; Harrison Howard, secretary; James P. Murphy, treasurer. This organization proposed to make its power felt in the choice of candidates for the Legislature and State officers. With this purpose, letters were sent to candidates of both parties, inquiring as to their attitude toward the proposed college. Before the election of Washington Hunt as governor, Mr. Howard wrote to him asking him if he would recommend the college to the State

in his inaugural message. Mr. Hunt stated that he had already, in a letter to the president of the American Institute, expressed himself in favor of a mechanical school, such as was proposed, and added, "Whether in or out of office, I shall go with you and your friends in establishing such an institution and securing for it, not only a charter, but its full share in any bounty of the State. There is no doubt but that the State will endow an agricultural college. Why should not the mechanical interests be placed on the same footing? My impressions are in favor of one institution divided into two departments, one agricultural, the other mechanical. I made out a statement recently for some friends in New York, showing what the State had expended for colleges, while nothing had been done for the men who toil in farming or mechanical pursuits. I wish to see these pursuits made intellectual as they should be."

As Governor Hunt was elected by a majority of only 262, it is reasonable to suppose that the mechanical organizations throughout the State (seventy in number), which united to support his candidacy, contributed to determine his election. Similarly, when the Hon. Horatio Seymour was a candidate for governor in 1852, an inquiry was addressed to him as to whether he would favor the new college. While prudently refraining from entering into any engagement which would limit his action thereafter, his attitude was known to be favorable to an enterprise in which so much public interest had been aroused, and he commended the subject of such a college to the favorable consideration of the legislature, in his first message.

An important meeting of the People's College Association, as it was now called, was held in Rochester, Thursday, August 20, 1851, when resolutions were passed setting forth the need of an institution of this kind, and emphasizing the fact that education, to be universal, must be practical; that the security and power of the State rest upon the intelligence and virtue of the people; and that no free community can suffer any portion of its youth to grow up in ignorance without damage to its vital interests and peril to its liberties. Among other resolutions it was

Resolved, That education, to be universal, must be eminently and thoroughly practical, must be adapted to the wants morally, intellectually and physically, of individuals, in every sphere of life; and that the only rational hope of interest in the great majority for higher education, capable of inducing them to make sacrifices for its acquirements, must be based on its adaptation to the needs of industry and the uses of every day life.

Resolved, That while many departments of professional life would seem to be crowded with aspirants for employment and success therein, there is a manifest and deplorable deficiency of scientific and thoroughly qualified farmers, architects, miners, etc., who should bring the great truths of geology, chemistry, mechanics, etc., to bear intimately and beneficially on all the operations of productive labor, thereby increasing its efficiency and its fruitfulness, and we look to an improved system of collegiate education for the necessary and proper corrective.

Resolved, That the current system of education is unjust to woman in its higher departments, excluding her from advantages and opportunities which are provided at the common cost for men alone, and we regard the arbitrary separation of the sexes in the pursuit of knowledge as conducive neither to propriety of manners nor purity of heart; and while we recognize the truth that Nature has indicated for the two sexes diverse aptitudes and duties, we insist that woman, like man, shall be left free to acquire such an education and pursue such occupations as her own sense of fitness and propriety shall dictate.

It was further resolved that, as all are commanded to work, and no one can be sure of passing through life exempt from the physical necessity of laboring with the hands for food, therefore, all should be so trained and educated as to qualify them for usefulness and efficiency in manual labor.

It was provided that the People's College should be subject to the control of no sect or party; that productive labor should be practically honored and inflexibly required of all; that each student should be free to prosecute such studies as might be indicated by his parents or legal guardians, and to graduate master of those only. His employment should be adapted, as far as practicable, to his tastes, his strength and his capacities, and it was expected that after the first two years every student would be able to pay his way and prosecute his studies independently, without reliance on extraneous resources. It is noticeable that here the first plea for coeducation was presented, and after strenuous debate passed almost unanimously, being vigorously supported by Mr. Greeley, who reported the resolutions. Not all the supporters of the People's College had contemplated coeducation as an inseparable part of the plan. On September 8, 1853, the Hon. Washington Hunt, in a letter commenting upon a proposed address, said: "My impression has been that the department (coeducation) does not properly come within the manual labor system proposed by the People's College. I think that young men and young women should be educated at different institutions. A majority of the trustees think differently, no doubt, and I will not object to having the experiment tried; but I will not (with my present views) profess that I have any faith in its success.

At the next meeting of the trustees, which I hope to attend, this subject may be discussed, when I will give my views more fully; meanwhile, if this part of the address is retained, I prefer to have my signature omitted."

In September of this year an industrial congress met in Albany and passed resolutions favoring the proposed university, and recommending that at the State Fair in Rochester the farmers should assemble in mass meeting and discuss this important proposition.

The proposed grand assembly of the farmers of the State in Rochester did not occur; but several men, including Mr. Greeley, the Hon. T. C. Peters and one or two others, met at the house of Mr. D. D. T. Moore and discussed the proposed college. Mr. Greeley prepared subsequently a draft of a plan of the college and sent it to Mr. Peters. In correspondence with Mr. Howard and Mr. Peters, the details of this prospectus were agreed upon and it was published. On September 11 the association of the new college met in Lockport and adopted the recommendation of the Hon. T. C. Peters, editor of the Wool Grower, that the farmers should be invited to participate in founding the new college.

A meeting of the society, announced to be held in Buffalo, January 15, 1852, is interesting as showing how the early conception and support of this movement for the People's College rested upon the enthusiasm of a few individuals. When the secretary reached the city to attend this meeting, a great snow storm had obstructed all communication with the external world. "The few who were interested had previous engagements, one was busy getting the Commercial ready for the press, others had oxen to buy or wives to marry." In consequence of this the secretary was the only member present. This laborious but cheerful individual repaired to his hotel, shut himself in his room, elected officers and passed resolutions, submitted by the absent Peters and enlarged by himself. Letters were read from men interested in the progress of the movement, several honorary members elected, a committee appointed to memorialize the Legislature for an act of incorporation of the People's College, the shares of which were limited to one dollar each, and an assessment of twenty-five cents was levied upon each member of the Association to meet current expenses. An elaborate report of this meeting was published in the press of the State. At the close of the records the secretary adds: "I hope, when the college is established, I shall be excused for this deception, as I believe that if

this meeting had been a failure, much delay would have been the result. Using men for a good purpose, provided it is clear that no injury can come to any human being as a result, is not a sin in my humble opinion."

Subsequent meetings were held, the main purpose of which was to secure an act of incorporation from the Legislature and to issue additional appeals to secure the interest of the public. Meetings in Brooklyn were attended by Horace Greeley, Henry Ward Beecher and Professor Youmans. The attempt to secure a charter from the Legislature finally succeeded, and an act of incorporation was granted at an extra session, April 12, 1853. Since the period when the foundation of a People's College was first proposed, Mr. Howard, the unwearied agent, had canvassed the State, and addressed meetings in nearly all of the large cities, and various agricultural and educational conventions, in behalf of the proposed College. In this work he was engaged until August, 1855, when efforts to raise money were suspended on account of the financial stringency.

The first meeting of the trustees of the People's College was held in Owego, May 25, 1853, at which D. C. McCallum was elected president of the board; A. I. Wynkoop, of Chemung, vice-president; Tracy Morgan, treasurer; and Henry Howard, secretary and general agent.

At a meeting of the stockholders of the People's College held at Binghamton, November 26, 1856, a resolution was presented, "That, as a Board of Trustees, we will use our influence for the location of the college in the county which will first make up the balance of the $50,000 needed to locate." It appears that this resolution was a shrewd parliamentary device, the true object of which was not then recognized, to secure the influence of the trustees to have the college located in Havana. The active agent in securing this location was the Hon. Charles Cook, who later came forward and offered to make up the subscription necessary to authorize the trustees to choose the site for the college. Commissioners were appointed to visit Havana and to examine the location which had been offered for the college by Mr. Cook. Previous failure and discouragement induced the trustees to look favorably upon any proposition that would secure the establishment of the college, for which many of them had labored so long.

At a meeting of the stockholders, held in Havana, January 15, 1857, the question of location was voted upon. The previous excitement had been intense, and efforts had been made to secure favorable ballots and proxies in favor of the location in Havana. Amidst what is reported

as a perfect tempest of applause and the wildest enthusiasm, the number of votes in favor of such location was reported as 1,847, and opposed as 1,137, leaving a majority of 710 in behalf of Havana. Active measures were now taken to organize the college. The site and the farm which had been offered were regarded as satisfactory, and an effort was made to raise a sum of $250,000 in order to secure the success of the enterprise. Committees were appointed to superintend the erection of buildings, to arrange a course of study, and to nominate professors.

At the meeting of August 12, 1857, plans for the new college were presented, the main building of which should contain a chapel which would seat 500 students, also lecture rooms, a chemical laboratory, library, cabinets, etc. On the following day the Rev. Amos Brown was elected president of the college, and Mr. Cook was made chairman of the Executive Committee and also of the Building Committee. Soon after, the national Land Grant Act in behalf of scientific and practical education, known as the Morrill Bill, was introduced in Congress, and the trustees made an appropriation to send President Brown to Washington in order to promote the purposes of the bill. In the mean time, the erection of the proposed college building proceeded, the funds for which were largely contributed by Mr. Cook. It is probable that all the subscriptions which had been made during previous years had lapsed or that their collection had proved impossible. The financial crisis of 1857 now began, and all hope of securing an endowment from popular subscription was at an end. The only hope of fulfilling the conditions upon which the charter was given was based on the national aid expected in the passage of the Morrill Bill. It is of interest to notice the provisions of the charter of the People's College. It was provided that the capital stock of the corporation of the college should consist of $250,000, that the stock should be in shares of one dollar each, and that every stockholder should be entitled to but one vote in the choice of trustees or in any other business to be determined by the votes of the stockholders. Whenever the sum of $50,000 was subscribed and paid in to the trustees, it was their duty to call a meeting of said stockholders to elect commissioners, who should select the most advantageous location for the college, and report at a subsequent meeting. The dissemination of practical science, including chemistry, mineralogy and those sciences most immediately and vitally essential to agriculture and the

useful arts, also for instruction in the classics, was said to be the aim of the new college. Manual labor for five days in the week in some branch of productive industry was required from every teacher and pupil, such labor in no case to exceed twenty nor to fall below ten hours; and each student was to be credited with and ultimately paid for the product of his labor, less the cost of qualifying him to perform it effectively. No student was to be permitted to graduate with honor until he had passed a certain examination with regard to his proficiency in agriculture, or some branch of manufacturing or mechanical industry, and a free choice was accorded to the student to pursue such branches of learning as he might select. The special line of work which the student had followed was to be specified in his diploma.

The corner stone of the college was laid on September 2, 1858, when it is estimated that 15,000 people were present. The address on that occasion was delivered by President Mark Hopkins of Williams College. The enthusiasm and hopes manifested throughout the State in favor of the new college were very great. The failure of Congress to pass the Land Grant Act, upon which so much depended, followed by the sickness of Mr. Cook, practically put an end to the further progress and formal opening of the college. Mr. Cook had frequently stated that he purposed to endow the college with four hundred thousand dollars and to bequeath to it his entire fortune. After the erection of the college building, his interest ceased, possibly on account of serious illness. A faculty, eminent in their various departments, had been appointed, a few of whom met at the time of the proposed opening of the college.

By an act of the Legislature, passed April 24, 1862, the sum of $10,000 a year for two years was given by the Legislature to the college; but the comptroller refused to pay this sum, upon the grounds that the conditions of the grant had not been fulfilled. The Faculty, therefore, disappointed in any prospect of recompense for their services, with the exception of four professors, resigned. One further prospect of a successful existence arose after the passage by Congress of the Land Grant Act of July 2, 1862. After an exciting session of the Legislature, in which all the recognized ability of Mr. Cook as a lobbyist, and his remarkable power of managing men, were required, the transfer of this noble national gift to the People's College was effected on May 14, 1863. This gift was upon the condition the trustees should

show to the satisfaction of the Regents of the University within three years from the passage of the act that the college was provided with at least ten professors competent to give instruction in such branches of learning as are related to agriculture and the mechanic arts, including military tactics, as required by the act of Congress, and that the said trustees owned and were possessed of suitable college grounds, and buildings properly arranged and furnished for the care and accommodation of at least 250 students, with a suitable library, philosophical and chemical apparatus and cabinets of natural history, and also a suitable farm, of at least 200 acres, for the proper teaching of agriculture, with suitable farm buildings, farming implements and stock, and also the necessary shops, tools, machinery and other arrangements for teaching mechanic arts, all of which property must be held by the said trustees absolutely and fully paid for. One striking feature of the act of the Legislature bestowing this land upon the People's College was the provision for the free education of students from each county of the State. The number of such students was to be designated from time to time by the Regents of the University, and the students themselves to be selected or caused to be selected by the Chancellor of the University and the Superintendent of Public Instruction, who should jointly publish such rules and regulations in regard thereto as would in their opinion secure proper selections and stimulate competition in the academies and public and private schools in this State. Such students were to be exempt from any payment for board, tuition and room rent. Preference was to be given to the sons of those who had died in the military and naval service of the United States. The provision in the charter of Cornell University for free scholarships, by which it annually receives and educates free of charge 128 students, making a total of 512 who receive the privileges of the university without charge, was thus based upon this provision in the act bestowing the Land Grant upon the People's College. In receiving, therefore, this gift from the State, Cornell University voluntarily assumed, with the advantage of a more elaborate and definite specification of conditions, this provision of the People's College. It is also noticeable that in the charter of the People's College, as passed by the Legislature, the provision for coeducation and for the instruction of women students in various branches of female industry was omitted.

One subject of instruction which had been advocated by the secretary in his various addresses in connection with the People's College,

was military science and tactics. In a note upon his lecture on this subject, he has this memorandum: "Handle the above carefully in country places; only refer to West Point and the order that military duties produce."

In drawing up the proposed plan of study in 1854, Mr. Greeley was opposed to having military science in the course. Mr. Howard and Professor Lindsley took the opposite view in the committee, and after long discussion, Mr. Greeley assented to the following statement: "The students of the college shall be instructed in the principles of the tactics provided for the discipline of the militia of the State of New York, and shall be familiarized with their practice at stated and regular drills; but the performance of military duty shall not conflict with the proper prosecution of academic or other studies, nor shall it be required of any whose convictions or principles are incompatible with the bearing of arms." Later, in 1862, Mr. Greeley thought it well to have a few well drilled men scattered about the country in case of war.

The location of the People's College in Havana, may be regarded as its death warrant; it fell by that act under the immediate domination of Mr. Cook, upon whom, as the largest contributor to its funds, it became absolutely dependent. The long duration of the struggle to raise funds had necessarily consumed in expenses most of what had been realized. The personal ascendancy of Mr. Cook was manifest in the choice of a location and in the election of a president. The weary subscribers, who had planned with enthusiasm a popular college, saw their influence weakened, and the future of the institution, for which they had sacrificed so much, imperiled in its fundamental character. The Hon. T. C. Peters, one of the first presidents of the Board of Trustees, who had espoused the cause among its earliest advocates and had labored for its interests in the Legislature, resigned his office on December 6, 1858, from distrust of the influences under which the college had fallen, and from a certain pretentious, extravagant and impractical character which the college building had assumed.

The appropriation of the entire national gift to the People's College can only be regarded as a triumph of legislative manipulation. The college was not organized or equipped, while the State Agricultural College, only twenty miles away was the child of the State, and had been founded by a loan of State funds and in obedience to a popular demand. To pass by this institution, whose work had already begun, but been interrupted by the war, and bestow this splendid endowment

upon a college not yet constituted, save prospectively, was an extraordinary proof of the power of a third house in legislation.

As early as 1826, the Hon. James Talmadge, then lieutenant-governor of the State, in his report as chairman of the committee appointed to inquire into the condition of the College of Physicians and Surgeons in New York, said: "Notwithstanding the liberal endowments made by this State in the support of its various literary institutions, yet great deficiences exist in supplying the requirements of society, and in the adaptation of the sciences to actual practice in the pursuits of common life. The rapid growth of this State, its multiplied resources, and the industry and enterprise of its citizens, make large demands upon the sciences to aid and co-operate in advancing the general prosperity. It is not sufficient that the sciences connected with agriculture and the mechanic arts should be diligently studied and correctly understood by a few votaries in our literary institutions. It seems very necessary that those sciences essential to the prosperity of manufacturing industry should be especially promoted."

The report proposed that citizens to whom circumstances forbade the opportunities of an academic life, should have the opportunity to study arts as applied to manufacturing industries. A system of lectures in the public schools, having this purpose, would have great advantages. "The moral effect, justly to be anticipated, upon the youth and middle classes of society should also induce to the proposed object. It will diffuse intelligence among a portion of society whose condition has been hitherto almost inaccessible to improvement, and remove that state of ignorance and oppression usually incident to and often urged against mechanical pursuits and manufacturing industries." It was suggested that in the existing colleges, and possibly in certain academies, courses of lectures should be established for the purpose of promoting instruction in agriculture, mechanics and the useful arts.

After various memorials by the State Agricultural Society and reports by legislative committees, a charter was granted for an agricultural college on May 6, 1836. It was proposed to purchase a farm near the city of Albany and erect an agricultural college; but as the funds for the support of such an institution were to be raised by shares in a stock company, the project failed. Later, commissioners from the eight Judicial Districts of the State met to mature a plan for an agricultural college and experimental farm, in obedience to a concurrent resolution of the Legislature, passed April 6, 1849. Their report was presented at

the session of the legislature of 1850. After various efforts, in which no result was reached, a charter was granted April 15, 1853, for the New York State Agricultural College. The passage of this act was largely due to the labor of John Delafield and John A. King, afterwards governor of the State. It was proposed at first to locate the college, which was to be founded by popular subscription, upon the Oakland farm in Fayette, the home of Mr. Delafield. It is interesting to find among the names of the original trustees that of William Kelly, later one of the charter trustees and warmest friends and benefactors of Cornell University. Owing to the death of Mr. Delafield, action in behalf of the new college ceased. After two years' delay, the citizens of Ovid, under the inspiring influence of the Rev. Amos Brown, (January 22, 1855) appointed a committee to petition the Legislature to locate the college in their vicinity, instead of in Fayette. On August 1 of the same year, the citizens of this county met to dedicate the new Ovid Academy and to hear addresses on the proposal to establish the State Agricultural College among them. The citizens pledged themselves to raise $40,000, and asked $200,000 of the Legislature for its endowment. Through the influence of this meeting, the Legislature passed an act March 31, 1856, authorizing a loan to the trustees of the Agricultural College of the sum of $40,000 from the income of the United States deposit fund for the payment of the land and the erection of buildings, a mortgage upon the same being given to secure the repayment without interest twenty years later, on January 1, 1877. It was provided that $40,000 should be raised and applied by the trustees, as a condition precedent to this loan. Later, by an amendment to this act passed May 6, 1863, the grant was made in money from any funds in the treasury, as the deposit fund had failed to supply the sum. Amid all these proceedings we may, perhaps, properly regard the activity and enthusiasm of Principal Brown as the moving spring. In the Legislature, the Hon. Erastus Brooks presented the matter before the Senate in a most vigorous and eloquent address. He begged that body to give practical vitality to the first agricultural college in the State and in the Union, adding that there were in this State between twelve and thirteen million acres of unimproved land, the value of which by intelligent and well directed efforts might be quadrupled. While Great Britain supported seventy agricultural schools and colleges, France seventy-five, Prussia thirty-two, Austria thirty-three, and even despotic Russia sixty-eight, in New York there was not one, and in the United States not one.

He added, "I feel mortified for my own State and country." The interest in agricultural education which Mr. Brooks had thus manifested in the Senate of the State of New York was exhibited later in his connection with Cornell University, of which he, in company with Mr. Kelly, became one of the charter members. The passage of the act establishing this college was received with great enthusiasm among the people of Central New York. The question of the location of the new college awakened equal interest. Desirable sites were offered on the west shore of Lake Cayuga, the choice of which was supported by the citizens of Ithaca. The people of Seneca county desired its location upon the shores of the lake of that name. The Ithaca people of that day urged as advantages in behalf of a site upon Lake Cayuga the greater variety of soil, finer shores, and the better railroad connections. The citizens of Geneva supported the interests of the rival site on Seneca Lake. Finally a farm of 670 acres was purchased, the cost of which, at sixty-five dollars an acre, amounted to $43,000, more than the entire amount of the State loan. The trustees took possession of the farm April 1, 1857. The Hon. Samuel Cheever had been elected president of the college. In December of this year plans were adopted for the college building. In May, 1858, the erection of the south wing was authorized at a cost not exceeding $30,000. The plan of the college contemplated a central building, ninety feet square, four stories high, surmounted by an observatory and towers, and having a north and south wing. The corner stone was not laid until July 7, 1859. The building progressed rapidly, but could not be completed until the autumn of the following year. On the 14th of November, 1860, a notice was published in the issue of the local paper which contained the news of the election of Abraham Lincoln, that the college would be open December 5, 1860. Major M. R. Patrick was president of the faculty; William H. Brewer, now of the Sheffield Scientific School, was professor of agricultural chemistry and botany; Rev. Dr. George Kerr, of Franklin, professor of philosophy and astronomy; and Messrs. Kimball and Mitchell professors of chemistry and mathematics respectively. In the three years' course of study proposed, the languages were omitted, and the students at graduation were expected to be familiar with all details of a farmer's work, embracing the scientific knowledge of agriculture, landscape gardening, veterinary science, stock breeding, garden husbandry, plants and grasses, soils, etc. The popular excitement, destined to culminate in the Civil War was so great that students entering the college were

but few in number. Soon after the fall of Sumter, the president, a graduate of West Point and a soldier of the Mexican and Florida Wars, was summoned to Albany to assist in organizing the volunteers and preparing them for service. The Southern students who were members of the college returned home; others enlisted, and the college came to an end. It was expected that it would soon reopen, but in March, 1862, it was officially announced that the college doors were closed for the present. Portions of the college domain, which were not covered by the mortgage to the State, were attached by the sheriff and sold. The unfortunate circumstances which had attended the opening of the college, together with its embarrassed financial condition, gave no hope of success in an effort to secure from the State a grant of the land bestowed by Congress for technical and liberal education. In January, 1866, the Willard Asylum for the insane was established on the site of what it had been proposed should be the first agricultural college of the State.

IV.

THE CHARTER OF THE UNIVERSITY.

It is interesting to inquire what were the causes which led Mr. Cornell to devote so large a part of his unexpected and constantly increasing wealth to the founding of a university. He had always been thoughtful upon questions affecting the interests of the people. Originally a farmer's son, and later a mechanic, and brought into the association of scientific men in the practical application of the telegraph, he saw the great need of thoroughly trained and practical scientists. He realized that individual and national wealth would be promoted even by an imperfect popular knowledge of the sciences which relate to life, and also the incalculable loss to individuals and the nation from unsystematic, unscientific and prodigal methods.

It is probable that his purpose to devote his wealth to the benefit of his fellow-men was formed slowly in his mind. The unexpected increase in his fortune, beyond his hopes, suggested to him the possibility of using some portion of it for the public good. Beyond the natural desire to provide for his family, Mr. Cornell had no personal ambition for vast accumulation. In private life he was genuinely and unosten-

tatiously generous. The desire that his gifts should assume a permanent form, blessing the future as well as the present, assumed shape silently and unspoken, like so many of his plans. In the summer of 1863 he was seriously ill for several months As he recovered he said to his physician, "When I am able to go out, I want you to bring your carriage and take me upon the hill. Since I have been upon this sick bed, I have realized as never before by what a feeble tenure man holds on to life. I have accumulated money, and I am going to spend it while I live." They drove later upon the hill, to what was then Mr. Cornell's farm. He spoke with the greatest enthusiasm of his determination to build an institution for poor young men; he wished an institution different from the ordinary college, where poor boys could acquire an education. He did not desire an entrance examination, but that they should study whatever they were inclined to. Mr. Cornell described the buildings which should crown the hillside, and pointed out where they should stand. Mr. Cornell's immediate attention was engrossed by the Cornell Library, which was chartered a few months later, and presented to the city of his residence.

It is probable that, even with this noble intention, much was still vague in his mind as to the exact form which the institution should assume. He contemplated undoubtedly some form of industrial school. The immediate occasion which gave definiteness to his purpose was, as he himself stated, in answer to the inquiry whether he had purposed for many years to found a great university, or whether the plan had been presented to him by some fortuitous circumstance, that very much was due to his election as one of the trustees of the State Agricultural College at Ovid, and the discovery, which he had made at two meetings of the trustees of that institution, of the great need of some suitable provision in our own country for the education of young men in agriculture and the mechanic arts.

Mr. Cornell had been for several years vice-president of the State Agricultural Society. In 1862 he was its president, and in that capacity attended the great International Exposition in London as the official representative of the New York State Agricultural Society. He traveled extensively, and studied carefully the agriculture of the different parts of England, Scotland, Wales and Ireland. He also studied with interest the methods of the famous school of agricultural science connected with the establishment of Lawes and Gilbert at Rothamstead. Upon his return, an opportunity presented itself to him

to do for his native country what he had seen so successfully instituted abroad. The work of the State Agricultural College in Ovid had ceased with the opening of the Civil War, after less than a half-year's existence, and instruction had not been resumed. The college had enthusiastic friends, among whom were many of the most advanced agriculturists of the State. Its governing board was, however, composed of men with little experience as educators and unfitted to carry out the great schemes which they had at heart. The funds of the college had been largely consumed in the purchase of a beautiful site of six hundred and twenty-seven acres of land overlooking Seneca Lake. The funds subscribed by the farmers of the vicinity, under the lead of Principal Brown, had been wasted by unskillful management in the erection of a costly building left incomplete and unequipped for the purposes for which it was erected; and a mortgage of $40,000 upon the property was held by the State. Under these circumstances the trustees, under the presidency of Governor King, met in Rochester, September 20, 1864, to hear the report of the finance committee. The war still continued. The prospects for the future of the college were depressing; the outlook for the future was apparently hopeless; the college was in effect bankrupt. Mr. Cornell listened silently to the discussion of the various plans of relief which were proposed. He then rose and read the following proposition:

I have listened patiently to this discussion, which has so fully developed the present helpless situation of the college, and shown so little encouragement in its future prosperity, until I have come to the conclusion that the trustees would be justifiable in changing the location of the college, if it can be done with the approval of the citizens of Ovid, and an adequate endowment thereby secured for the college in some other proper locality. Therefore,

I submit for your consideration, the following proposition. If you will locate the college at Ithaca, I will give you for that object a farm of three hundred acres of first quality of land, desirably located, overlooking the village of Ithaca and Cayuga Lake, and within ten minutes' walk of the Cornell Library, the churches, the railroad station and steamboat landing. I will also erect on the farm suitable buildings for the use of the college, and give an additional sum of money to make up in the aggregate of three hundred thousand dollars, on condition that the Legislature will endow the college with at least thirty thousand dollars per annum from the Congressional Agricultural College Fund, and thus place the college upon a firm and substantial basis, which shall be a guarantee of its future prosperity and usefulness, and give the farmers' sons of New York an institution worthy of the Empire State.

This noble offer relieved the trustees from all embarrassment. Another session was called to meet in Albany, at which it was proposed

to invite for consultation various friends of education who were not trustees. At this meeting, January 12, 1865, the sentiment among the intelligent friends of education was strongly developed in favor of retaining the national grant intact, and not to dissipate or divert it by distribution among the various small colleges.

The Hon. Victor Rice, superintendent of public instruction, in his report presented to the Legislature, January 1, 1863, announced the passage by Congress of the act donating land to private colleges for the benefit of agriculture and the mechanic arts.

He then added that he was persuaded that true economy and practical wisdom required that this fund should go to the endowment and support of one institution. "If an attempt shall be made to endow two or more colleges, the whole income may be comparatively useless. The division of it into two parts would be made the entering wedge for applications for another and another division, until the whole will be so divided among many, that not any one will be complete in its facilities for instruction. The State has at various times made grants of land and money to colleges and academies until the aggregate sum amounts to millions. In numerous instances the chief result of its bounty has been to enable many of these institutions to prolong a precarious existence, too weak to be of real public utility." After speaking of the demand for a more learned class of intellectual leaders, who, furnished with the means and leisure necessary to the prosecution of philosophical investigation, may be induced to pursue science itself, irrespective of the immediate practical benefit, he said: "We need only direct our attention to the universities of Europe to show the advantages of the plan which there furnishes such numerous patterns of ripe scholarship and so many examples of successful research in enlarging the boundaries of knowledge. What we need most emphatically, therefore, is the establishment of one institution adequately endowed, offering ample inducements to learned men to become its inmates, and supplied with every attainable facility for instruction in the highest departments of literary and philosophical learning, as well as in the various branches of knowledge pertaining to the industrial and professional pursuits. Its corps of teachers should be composed of men of vigorous mental endowments and the best culture, and in numbers sufficient to allow a complete division of labor. When thus appointed, the doors of the institution should be opened to all who are prepared to enter. It should be free, so that lads born in poverty and obscurity who may have

shown themselves to be meritorious in the primary schools shall not be excluded. . . . Let study and manual labor go hand in hand and then learning will dignify labor and labor will utilize learning."

Governor John A. Andrews, of Massachusetts, in an eloquent address to the Legislature, in January, 1863, favored the same views.

In looking back it becomes impossible to determine the considerations which guided the Legislature in bestowing the national grant upon the People's College. Senators and representatives who were later of national reputation, among them Chief-Justice Folger, afterwards secretary of the treasury, and the noble chancellor of the University of the State of New York, Mr. Pruyn, supported this measure. On the other hand, the influential class interested in promoting agriculture and applied science, upon which the wealth of all other classes so largely depends, earnestly opposed this appropriation of the land grant fund. Remonstrances and memorials from the State Board of Agriculture and from numerous societies protested against this disposal of the fund, but in vain. Among the prominent sympathizers with the latter view was Mr. Cornell, who introduced a bill to divide the fund between the two institutions. Here a difficulty arose. The act of the Legislature bestowing the land grants upon the People's College allowed three years in which to fulfill the conditions imposed by the law,—that is, a compliance with that law before May 14, 1866, was not required. The efforts to repeal the grant or to modify its provisions arose in the session of the Legislature of 1864, in which Mr. White first took his seat as senator. His views were opposed to those of Mr. Cornell. He insisted that the fund ought to be kept together at some one institution; that on no account should it be divided; that the endowment for higher education in the State of New York should be concentrated, which had already suffered sufficiently from scattering its resources. Mr. Cornell desired to have his bill referred to the Committee on Agriculture, of which he was chairman, and from which a report favorable to his own views might be expected. Mr. White desired its reference to the Committee on Literature, of which he was chairman, and it was finally referred to a joint session of the two committees. Here he states: "On this double-headed committee I deliberately thwarted his purpose throughout the entire session, delaying action and preventing any report upon his bill, at the same time urging Mr. Cornell to adopt a view favorable to the concentration of the fund in one institution."

Danger of the failure of the national land grant was not at this time to be feared, as the original act allowed five years within which any State could provide one college for instruction in agriculture, which New York had already done.

At an adjourned meeting of the trustees of the State Agricultural College, held in Albany, January 12, 1865, Mr. Cornell offered to increase his gift to $500,000, provided the Legislature would transfer the public lands donated by the general government to the institution that he proposed to found, which was to be organized and located in Ithaca. A committee was appointed to correspond with gentlemen connected with the management of the People's College, and with other persons prominent in the educational interests of this State, and to invite them to meet the gentlemen connected with the New York State Agricultural College to take into consideration and jointly act on the proffer $500,000 for educational purposes by the Hon. Ezra Cornell. Mr. Andrew D. White, Mr. William Kelly and Mr. B. P. Johnson were appointed a committee to arrange for a conference to be held at the State Agricultural Rooms in Albany, January 24, 1865.

Mr. Cornell had been a member of the Assembly from 1862 to 1864; from 1864 to 1868 he was a member of the Senate, and it was at this time that he made his proposal to endow a new institution in Ithaca. At this time Mr. Cornell came into intimate personal relations with Mr. Andrew D. White, who entered the Legislature as senator from Onondaga county in 1864. Mr. White's earnest and aggressive nature, as well as his warm enthusiasm for education, made him active in all questions affecting the educational policy of the State. He was made chairman of the Senate Committee on Literature, and naturally occupied an influential position in the questions which arose in connection with the foundation of the new university. Mr. Rice, whose views of the wisdom of preserving the land grant undivided were known, was still Superintendent of Public Instruction, and Mr. White vigorously espoused his views. Mr. Cornell adhered strenuously to his original proposal. His views were opposed, as has been stated, by Mr. White and by the Department of Education. In a letter written several years later to the Chancellor of the University of the State of Missouri, Mr. Cornell nobly admitted that the wiser view, in education, required the concentration of all funds bestowed by the national government in a single institution, and ascribed pre-eminently to Mr. White the credit of influencing him to adopt the same position.

In pursuance of the plan of securing the national grant for the proposed college, Mr. White introduced a resolution in the Senate, February 4, requesting the Board of Regents to communicate to it any information in their possession in regard to the People's College in Havana, and to state whether in their opinion said college is, within the time specified, likely to be in a condition to avail itself of the fund granted to this State by the act of Congress. A committee was appointed on February 6 to visit the People's College and to determine whether its present condition, or the measures already undertaken, were likely to prove adequate to secure compliance with the act of the Legislature. The committee, after visiting Havana and examining the authorities of the People's College, reported that the building was of substantial and excellent character and well calculated for the purposes for which it had been erected; that it contained ample room for the accommodation of 150 students with the number of professors and teachers required by the act of 1863, but that it was not sufficient for the accommodation of 250 students and that up to the present time it had not complied with the conditions of the act. It appeared from the testimony that at that time no library had been purchased by the college, that it possessed no philosophical or chemical apparatus, and that it was not yet provided with shops, tools, machinery or other arrangements for teaching the mechanic arts, or with farm buildings, implements or stock. The amount which had been expended upon the college was at that time $70,236; of this sum $56,095 had been contributed by Mr. Charles Cook and $14,140 by others. It also appeared that the Hon. Charles Cook had paid out of his own funds the sum of $31,700 (in addition to his subscription of $25,000) for the erection of the People's College, and had donated to it sixty-two acres of land. This sum of $31,700 had been expended in the erection of the college edifice, in return for which the trustees of the People's College agreed that, in consideration of the conveyance to the college of a fee simple of the college edifice and sixty-two acres of land, this grant should always be held inviolate for the purposes of the college, and that in case the trustees should fail to maintain the college, this property should revert to Mr. Cook or his heirs. In the mean time, action looking toward the establishment of Cornell University was carried on in the Legislature. On February 3, Mr. White gave notice that at an early day he would ask leave to introduce a bill to establish the Cornell University and to appropriate to it the income from the sale of public lands, granted to this State by Con-

gress on the 2d of July, 1862. This bill was formally introduced on February 7 and referred to the Committees on Literature and Agriculture. Mr. White, in his "Reminiscences of Ezra Cornell," thus describes the origin of the charter:

> We held frequent conferences as to the leading features of the institution to be created; in these I was more and more impressed by his sagacity and largeness of view, and when our sketch of the bill was fully developed, it was put into shape by Charles J. Folger, of Geneva, then chairman of the Judiciary Committee of the Senate, afterwards Chief Judge of the Court of Appeals. The provision forbidding any sectarian or partisan predominance in the Board of Trustees or Faculty was proposed by me, heartily acquiesced in by Mr. Cornell, and put into shape by Judge Folger. The State-scholarship feature and the system of alumni representation on the Board of Trustees were also accepted by Mr. Cornell at my suggestion.
>
> I refer to these things especially because they show one striking characteristic of the man, namely, his willingness to give the largest measure of confidence when he gave any confidence at all, and his readiness to be advised largely by others in matters which he felt to be outside his own province.
>
> On the other hand, the whole provision for the endowment, the part relating to the land-grant, and, above all, the supplementary bill allowing him to make a contract with the State for "locating" the lands, were thought out entirely by himself; and in all these matters he showed, not only a public spirit far beyond that displayed by any other benefactor of education in his time, but a foresight which seemed to me then, and seems to me now, almost miraculous.
>
> But, while he thus left the general educational features to me, he uttered, during one of our conversations, words which showed that he comprehended the true theory of a university: these words are now engraved upon the Cornell University seal: "I would found an institution where any person can find instruction in any study."

Mr. White, on behalf of these committees, reported favorably on February 25 an amended act to establish Cornell University. After being considered in the Committee of the Whole, the bill received a second reference to the committees on the Judiciary and Literature. This bill was favorably reported with amendments, March 15, and passed. The reopening of the question of the disposal of the public lands brought representatives of various colleges to Albany to urge the claims of their institutions. Various efforts were made to divide the fund by providing for the establishment of professors of agriculture in several institutions. In one case the effort to secure a portion of the appropriation was so strong that in order to defeat the lobby which was working in its behalf, Mr. Cornell consented to incorporate a provision by which he bound himself to pay to the Genesee College, in Lima, $25,000 for the support of a professorship, which should have in view the instruction in agriculture required by the act of Congress. This, however,

removed only one competitor from the field. The interests which had been represented by the State Agricultural College had been harmonized, but the friends of the People's College, under the powerful leadership of Mr. Cook, were alert and vigorous. Mr. White gives the following graphic account of the legislative struggle for a charter in the Assembly:

The coalition of forces against the Cornell University bill soon became very formidable, and the Committee on Education in the Assembly, to which the bill had been referred, seemed more and more controlled by it. To meet this difficulty, we resorted to means intended to enlighten the great body of the Senators and Assemblymen as to the purposes of the bill. To this end Mr. Cornell invited the members, sometimes to his rooms at Congress Hall, sometimes to mine at the Delavan House; there he laid before them his general proposal and the financial side of the plan, while I dwelt upon the need of a university in the true sense of the work,—upon the opportunity offered by this great fund,—upon the necessity of keeping it together,—upon the need of large means to carry out any scheme of technical and general education, such as was contemplated by the Congressional Act of 1862,—showed the proofs that the People's College would and could do nothing to meet this want,—that division of the fund among the existing colleges was simply the annihilation of it,—and, in general, did my best to enlighten the reason and arouse the patriotism of the members on the subject of a worthy university in our State. In this way we made several strong friends in both Houses..

While we were thus laboring with the Legislature as a whole, serious work had to be done with the Assembly committee, and Mr. Cornell employed a very eminent lawyer to present his case, while Mr. Cook employed one no less noted to take the opposite side. The session of the committee was held in the Assembly chamber, and there was a large attendance of spectators; but, unfortunately, the lawyer employed by Mr. Cornell having taken little pains with the case, his speech was cold, labored, perfunctory, and fell flat. The speech on the other side was much more effective; it was thin and demagogical in the extreme, but the speaker knew well the best tricks for catching the "average man;" he indulged in eloquent tirades against the Cornell bill as a "monopoly," denounced Mr. Cornell roundly as "seeking to erect a monument to himself;" hinted that he was "planning to rob the State," and, before he had finished, had pictured Mr. Cornell as a swindler, and the rest of us as dupes or knaves.

I can never forget the quiet dignity with which Mr. Cornell sat and took this abuse. Mrs. Cornell sat at his right, I at his left. In one of the worst tirades against him, he turned to me and said quietly, and without the slightest anger or excitement, "If I could think of any other way in which half a million of dollars would do as much good to the State, I would give the Legislature no more trouble." Shortly afterward, when the invective was again especially bitter, he turned to me and said, "I am not sure but that it would be a good thing for me to give the half a million to old Harvard College in Massachusetts, to educate the descendants of the men who hanged my forefathers."

There was more than his usual quaint humor in this,—there was that deep reverence which he always bore toward his Quaker ancestry, and which seemed to have

become part of him. I admired Mr. Cornell on many occasions, but never more than during that hour when he sat, without the slightest anger, mildly taking the abuse of that prostituted pettifogger, the indifference of the committee, and the laughter of the audience. It was a scene for a painter, and I trust that some day it will be fitly pepetuated for the university.

This struggle over, the committee could not be induced to report the bill; it was easy, after such a speech, for its members to pose as protectors of the State against a swindler and a monopoly. The chairman made pretext after pretext without reporting, until it became evident that we must have a struggle in the Assembly, and drag the bill out of the committee in spite of him. To do this required a two-thirds vote; all our friends were set at work, and some pains taken to scare the corporations which had allied themselves with the enemy, in regard to the fate of their own bills, by making them understand that unless they stopped their interested opposition to the university bill in the House, a feeling would be created in the Senate very unfortunate for them. In this way their clutch upon sundry members of the Assembly was somewhat relaxed, and these were allowed to vote according to their consciences.

The Cornell bill was advocated most earnestly in the House by Hon. Henry B. Lord, afterwards for many years a valued trustee of the university, who marshaled the university forces, moved that the bill be taken from the committee and referred to the Committee of the Whole. Now came a struggle. Most of the best men in the Assembly stood nobly by us; but the waverers—men who feared local pressure or sectarian hostility—attempted, if not to oppose the Cornell bill, at least to evade a vote upon it. In order to give them a little tone and strength, Mr. Cornell went with me to various leading editors in the city of New York, and we explained the whole matter to them, securing editorial articles favorable to the university; prominent among these gentlemen were Horace Greeley of the Tribune, Erastus Brooks of the Express, and Manton Marble of the World. This undoubtedly did much for us, yet when the vote was taken, the old loss of courage was again shown; but several friends of the bill stood in the cloak-room, fairly shamed the waverers back into their places, and, as a result, to the surprise and disgust of the chairman of the Assembly committee, the bill was taken out of his control and referred to the Committee of the Whole, where another long struggle now ensued, but the bill was finally passed, and received the approval of the Senate in the form in which it came from the House, and the signature of Governor Fenton.

Through the influence of Mr. Cook, a provision, which we must regard as just in its nature, in view of the previous grant of land to the People's College, was inserted. It was further provided, in case the People's College could show within three months from the date of the passage of the charter of Cornell University, that it had upon deposit a sum of money, which, in addition to the amount already expended, should in the opinion of the Regents of the University of New York enable it to comply fully with the conditions of the act of the Legislature, the provisional grant to it should take effect. Within the three months which were allowed, the trustees were required to show to the

satisfaction of the Regents that they possessed adequate college grounds, farm, work-shops, fixtures, machinery, apparatus, cabinets and library, not encumbered. In case the trustees of the People's College failed to comply with these conditions, which were to be determined by the Regents, the act conferring the land upon Cornell University was to be of full effect. In accordance with this provision it was required that the trustees of the People's College should purchase within the specified time one hundred and twenty additional acres of land, and have funds sufficient for the erection of a new building to provide accommodations for two hundred and fifty students, also for the purchase of collections, apparatus and library, the erection of shops, tools, machinery, etc., a sum of money equal to $242,000, and to meet these purchases, it was provided that the trustees must deposit $185,000 in one of the State deposit banks at Albany, within the time specified. The estimates upon which this sum was based, were made by scholars able to judge of the cost of such collections and apparatus. As it appeared at the expiration of the period designated that the trustees of the People's College had failed to comply with the law, the entire grant lapsed to Cornell University, according to the conditions imposed by the Regents, which required the People's College to raise only one-half of the sum which Mr. Cornell had so generously offered. Mr. Cook had promised to endow the People's College. He had failed to do this, and after a serious illness, his interest, so far as fulfilling the terms of his offer, ceased. The original friends of the college, who had labored so hopefully amid so many discouragements, gradually abandoned all expectations of its final success and withdrew either from connection with it or from any active support. Among those who remained faithful to the original idea of the People's College to the last were Horace Greeley, Governor Morgan and Erastus Brooks. It was seen by many of its friends that the dominating influence of the largest benefactor was already controlling disadvantageously the execution of the original plan, and so modifying it that its friends no longer felt an interest in the institution. It died before its birth, and only a feeble preparatory department came into existence. Later the college building and grounds passed into the possession of Mr. Cook and formed the foundation of the present Cook Academy.

The Legislature of New York, by a simple act passed at its session of 1863, accepted the national Land Grant, thus binding itself and the State of New York to comply with all the conditions and provisions of that

act. On May 5, 1863, the Legislature passed a law by which the comptroller, with the advice of the attorney-general, the treasurer and the chancellor of the university, was authorized to receive the land scrip issued under the authority of the Land Grant Act and to sell the same and invest the proceeds in any safe stocks yielding not less than five per cent. upon the par value. The money so received was to be invested by the comptroller in stocks of the United States or of this State, or in any other safe stocks yielding not less per annum than the rate above mentioned, which amount was to remain a perpetual fund, a capital to be forever undiminished, except as provided for in the act of Congress. He was authorized to pay from the State treasury all expenses for the selection, management, superintendence and taxes upon the lands, previous to their sale, and all expenses incurred in the management and disbursement of the money received therefrom, and of all incidental matters connected with or arising out of the care, management and sale of the lands, so that the entire proceeds should be applied without any diminution whatever to the purposes mentioned in the the act of Congress. The act providing for the administration of the Land Grant fund was followed on May 14, 1863, by a law transferring the income of this fund under certain conditions to the trustees of the People's College. Upon the failure of the trustees of this college to fulfill the requirements of the grant, a charter was given to the trustees of Cornell University. As regards the name of the university, the Hon. Andrew D. White has said: "While Mr. Cornell urged Ithaca as the site of the proposed institution, he never showed any wish to give his own name to it; the suggestion to that effect was mine. He, at first, doubted the policy of it, but, on my insisting that it was in accordance with time-honored American usage, as shown by the names of Harvard, Yale, Bowdoin, Brown, Williams, and the like, he yielded."

The first meeting of the trustees of Cornell University was held in the office of the secretary of the State Agricultural Society, in the State Geological Hall, in the city of Albany, on the 28th day of April, 1865. Of the charter members there were present Ezra Cornell, William Kelly, Horace Greeley, Josiah B. Williams, George W. Schuyler, William Andrus, J. Meredith Read; and of the trustees, *ex officio*, Governor Reuben E. Fenton, Victor M. Rice, Superintendendent of Public Instruction, and Francis M. Finch, librarian of the Cornell Library. In accordance with the charter, seven additional trustees were elected, viz.: Andrew D. White, Abram B. Weaver, Charles J. Folger, George

H. Andrews, Edwin B. Morgan and Edwin D. Morgan. Of the original charter members, Messrs. William Kelly and J. B. Williams had been trustees of the Agricultural College, and Messrs. Horace Greeley and Erastus Brooks, of the People's College. Mr. White had by his influence prevented the division of the Land Grant fund and been one of Mr. Cornell's most trusted advisers and supporters in procuring the charter of Cornell University. Mr. Erastus Brooks had been active in securing the charter of the Agricultural College, and had promoted the interests of the university by public advocacy in the New York Express, of which he was editor. Mr. George H. Andrews was selected from the Senate on account of his friendliness to the charter. Mr. Read had actively supported the charter outside of the Legislature. Mr. Charles J. Folger, afterwards secretary of the treasury, had likewise used his able influence in behalf of securing the land grant to the university. Mr. Edwin D. Morgan, United States Senator from New York, had been active in Congress in promoting the passage of the Land Grant Act. Colonel Edwin B. Morgan, of Aurora, had been a member of Congress. Mr. Abram B. Weaver was for many years Superintendent of Public Instruction, and had exerted an honorable influence in behalf of popular education. At this meeting the conditions, privileges and powers of the act establishing the Cornell University, also the terms of the act bestowing the land scrip, were accepted.

The second meeting of the Board of Trustees was held on the 5th of September, 1865, and Mr. Cornell was elected president of the board, the Hon. Francis M. Finch secretary, the Hon. George W. Schuyler treasurer. A building committee was appointed, consisting of Messrs. White, Cornell, Kelly, Weaver and Finch; and an executive committee consisting of Messrs. Andrus, Williams, Schuyler, A. B. Cornell, E. B. Morgan, Parker, E. Cornell, Alvord and Greeley; and a finance committee consisting of Messrs. E. D. Morgan, Williams, Kelly, McGraw and A. B. Cornell.

The third meeting of the Board of Trustees was held in the Agricultural Rooms in Albany, March 14, 1866. A report was presented describing the satisfactory condition of the affairs of the university, and making suggestions as to its future monetary policy. A report of the building committee was presented. Five hundred thousand dollars were put at the disposal of the building committee, and it was voted to commence at the earliest day consistent with the interests of the university the necessary building or buildings. The building committee

and the executive committee were authorized jointly to procure by purchase or otherwise any building or buildings and land near the proposed location of Cornell University suitable for the purposes and uses of said university. It is evident that the site of the university had been selected at this time, but no vote appears in any records of proceedings, by which the present location was formally adopted. The late Judge Boardman stated that, in company with Mr. Cornell and eleven other gentlemen, he went over the land upon East Hill which might be regarded as adapted to the proposed university. The opinion of these gentlemen was, with a single exception, unanimous in favor of locating the university buildings upon the plateau west of the present site. This location would have afforded ampler space for the erection of buildings, and avoided a large expense in grading. It would have afforded beautiful views and brought the university in those early days into more immediate connection with the village, and thus the great need of suitable accommodations for the students in the vicinity of the university would have been more satisfactorily met. At the entrance of the the present university grounds stood the vast and impracticable structure known as the "Cascadilla," the source of whose mysterious architecture history has kindly veiled in obscurity. This building had been erected by subscriptions of the citizens of Ithaca, aided by a State grant, for the purpose of a water cure establishment. At this time the interior was incomplete. Mr. Cornell was the largest stockholder in the Cascadilla Company. By finishing this edifice, it would be available for a large number of the faculty who would arrive unprovided with residences, and for a considerable number of students. There were also several farm buildings at the north end of the present university campus, which might be used in connection with the proposed model farm. These considerations seem to have been decisive in determining the choice of the present site of the university.

At the fourth meeting of the trustees, held in the Cornell Library in Ithaca, October 21, 1866, Mr. Cornell was authorized to sell, at his discretion, 100,000 acres of land lately located by him in the interest of the university, at a price not less than five dollars per acre, and an able and elaborate report of the committee on organization was then read by its chairman, the Hon. Andrew D. White. In order to secure the expression of an impartial judgment in the choice of professors, and to avoid the risk of the introduction of a personal or prejudiced feeling in their election, it was voted that all officers of the university

should be elected by ballot. A committee to select and report upon the names of suitable professors for the university, subject to the approval of the board, was appointed, consisting of Messrs. Brooks, White, and John Stanton Gould, whose name appears for the first time in connection with the proceedings of the board during this year as president of the State Agricultural Society and *ex-officio* trustee. Mr. Andrew D. White was unanimously elected president of the university. Mr. White gives the following account of his election to the presidency:

> Mr. Cornell had asked me, from time to time, whether I could suggest any person for the presidency of the university. I mentioned various persons, and presented the arguments in their favor. One day he said to me quietly that he also had a candidate; I asked him who it was, and he said that he preferred to keep the matter to himself until the next meeting of the trustees. Nothing more passed between us on that subject; I had no inkling of his purpose, but thought it most likely that his candidate was a Western gentleman whose claims had been strongly pressed upon him. When the trustees came together, and the subject was brought up, I presented the merits of various gentlemen, especially of one already at the head of an important college in the State, who, I thought, would give us success. Upon this, Mr, Cornell rose, and, in a very simple but earnest speech, presented my name. It was entirely unexpected by me, and I endeavored to show the trustees that it was impossible for me to take the place in view of other duties,—that it needed a man of more robust health, of greater age, and of wider reputation in the State. But Mr. Cornell quietly persisted, our colleagues declared themselves unanimously of his opinion, and, with many misgivings, I gave a provisional acceptance.

The newspaper reports of this meeting state that provisions were made for the equipment of the university, so as to enable it to begin operations in the following summer of 1867, and for the erection of professors' residences.

The fifth meeting of the board was held in the Agricultural Rooms in Albany, February 13, 1867. At this meeting the first professors were nominated. The committee on the selection of the faculty reported, nominating Professor E. W. Evans, A.M., to the chair of mathematics; Professor William C. Russell, A.M., to the chair of modern languages and as adjunct-professor of history. The professorship of mathematics was to include civil engineering, and the professorship of modern languages associate instruction in history.

At the following meeting of the board, held in Albany, September 26, 1867, four additional professors were elected, viz.: Burt G. Wilder, M.D., as professor of natural history; Eli W. Blake, professor of physics; G. C. Caldwell, Ph.D., as professor of agricultural chemistry; and James M. Crafts, B.S., as professor of general chemistry. The salary of professors was fixed at twenty-five hundred dollars.

At the seventh meeting of the board, held also in Albany, February 13, 1868, the following additional professors were elected: Joseph Harris, professor of agriculture; Major J. W. Whittlesey, professor of military science; L. H. Mitchell, professor of mining and metallurgy; D. W. Fiske, professor of North European languages; and the following non-resident professors: Louis Agassiz, professor of natural history; Governor Fred Holbrooke, of agriculture; James Hall, of general geology; James Russell Lowell, of English literature; George William Curtiss, of recent literature; and Theodore W. Dwight, of constitutional law. The term of office of non-resident professors, when not otherwise specified, was fixed at two years. A committee on a university printing house was appointed.

At the eighth meeting of the trustees, held at the opening of the university, October 6, 1868, the remaining vacancies in the faculty were filled by the election of Charles Fred. Hartt as professor of geology; Albert S. Wheeler as professor of ancient languages; Albert N. Prentiss as professor of botany; Homer B. Sprague as professor of rhetoric; and John L. Morris as professor of mechanical engineering and director of the shops.

V.

THE MANAGEMENT OF THE LAND GRANT.— MR. CORNELL'S SERVICES.

Mr. Cornell's noble offer to the trustees of the State Agricultural College relieved them from the impending bankruptcy which hung over that institution, when they met in Rochester. The proposition received the hearty and grateful approval of the board. A committee of five was appointed to confer with the citizens of Ovid and obtain from them, if practicable, an approval of the transfer of the college property to Ithaca and their co-operation in procuring the necessary legislation to render Mr. Cornell's offer effective, and to sell the present college farm and building to the State for a soldiers' home or for some other object of public benevolence.

At the meeting in Albany, to which a large number of the friends of education were invited, the sentiment of all present was opposed to any

division of the land grant, and they decided to petition the Legislature to make a gift of the whole 990,000 acres of land to one institution, rather than to divide it among the separate colleges of the State.

In a letter to the Chancellor of the University of Missouri, to which reference has already been made, Mr. Cornell described the change in his views of this question:

> When the friends of the People's College at Havana and those of the State Agricultural College at Ovid were each striving to secure a grant of the New York "College Land Scrip" for their respective colleges, I advised a compromise of the question by a division of the fund between them, by which means I supposed each college would secure an endowment of a half million of dollars, a sum that I regarded at the time as ample for all purposes connected with a fully equipped college. My views, however, were wisely combatted by other friends of education (among whom President White was conspicuous), and the policy of concentration of resources was adopted by the Legislature, and the proceeds of the 990,000 acres allotted to New York were bestowed upon a single institution, conditioned upon the bestowal of half a million of dollars from other sources upon the same institution; and with such resources, more is required to enable the trustees to place the faculty of the institution in the possession of such facilities as the best interests of the students demand.
>
> The experience of the past five years has proved the error of my views then, and nobly vindicated the wisdom of those who said, "Let us concentrate our resources and unite our efforts, and build up a university that shall be worthy of the name *University*, and worthy of the noble gift that Congress has bestowed upon the State in the aid of practical education."
>
> I now say to you, my noble friend, as my friends then said to me, concentrate, concentrate; bring together all the resources the State can spare for a higher education, administer them wisely so as to produce the best results, and then what you lack, call on your rich men to give you, and go forward and build up such a University as the growing wants of your great State demand.

After the charter of Cornell University had been formally granted, the difficulty of realizing any sum commensurate with the magnificent amount of land received from the State, faced the trustees. It was then that the sagacity of Mr. Cornell and his great devotion to the cause which he had espoused were fully manifested. He surrendered himself and all his powers during the nine years of his life which remained, to the one grand thought of realizing the highest possible proceeds from the sale of this land. During the year 1865, most of the Northern States received their land scrip, which was practically a certificate authorizing the selection of the amount of land specified in the scrip from any of the public lands of the United States not mineral, and not otherwise disposed of. The act of Congress provided that in no case should any State to which land scrip was issued

be allowed to locate the same within the limits of any other State or of any territory of the United States, but that their assignees might thus locate said land scrip upon any of the unappropriated government lands which were subject to sale by private entry. Most of the States, in order to realize immediately the value of the national grant, sold the land scrip issued to them in great blocks to speculators. In consequence of this, the public lands, whose nominal value was $1.25, could be obtained for the price at which the scrip was sold. The amount realized from this sale was in some cases as low as forty-one cents per acre, and the entire amount of the national land grant to all the States, amounting to 9,597,840 acres, realized only $15,866,371.39, an average of $1.65 per acre; of all the States, only California, Wisconsin, Tennessee, Kansas, Florida, Iowa, Minnesota, Michigan and New York realized over $1.25 per acre. Had the vast grant bestowed upon the State of New York been thrown upon the market at once, embracing as it did one-tenth of the entire land grant, the sacrifice on the part of the various States, to which this legacy had been entrusted by the national government for educational purposes, would have been far greater. Mr. Cornell made a careful estimate of the amount of land acquired each year by actual settlers from the national government. He saw that if the States could retain their lands for the present until the demand for desirable government land had been exhausted, the price of the land must inevitably increase in value. With this object in view he prepared a circular letter, which he addressed to the various institutions which had received the grant, and in certain cases to State authorities, urging them to withhold their scrip from the market.

In his report of 1864 the comptroller stated that he had received the land scrip of the State of New York, consisting of 6,187 pieces of 160 acres each, amounting to 999,000 acres of land. In 1865 he reported that, after consultation with the officers designated in the act of the Legislature, directing a sale of the scrip, the price was fixed at eighty-five cents per acre, and the scrip advertised for sale. In the course of a few months sales were made to the extent of 475 pieces, equal to 76,000 acres, at the rate of eighty-five cents per acre, except upon the first parcel of fifty pieces sold. A rebate of two cents per acre was allowed in consideration of certain advantages offered in the matter of advertising in the Northwestern States. The total amount received on all the sales was $64,440. He reported that the sales of the scrip had recently almost entirely ceased, in consequence of other

States reducing the price to a much lower rate than that at which it was held by this State. Therefore it became an important question whether the price should also be reduced here and a sacrifice made to induce sales, or the land be held as the best security for the fund until the sales could be made at fair rates. The comptroller himself favored the latter course. Mr. Cornell said: "After the passage of the act chartering Cornell University, finding 5,712 pieces of scrip in the possession of the comptroller, representing 913,920 acres of land, I turned my attention to the question of converting this scrip into the largest sum of money practicable in a reasonable time. My investigation of the subject led to the conviction that the best policy was for me to purchase the scrip of the State, and locate the land and sell the same as opportunity offered, for the interest of the university." In 1866 the comptroller reported upon the college land scrip: "No sales were made during the year ending September 30, 1865. Since that date, with the concurrence of all the officers named in the act providing for the sale, except the chancellor of the university, who is absent from the country, a sale of 100,000 acres has been made to the Hon. Ezra Cornell for $50,000, for which sum he gave his bond properly secured, upon the condition that all the profits which should accrue from the sales of the land should be paid to Cornell University, which he had so munificently endowed." His contract for this purchase was dated November 24, 1865. Of the 625 pieces of scrip thus purchased, twenty-five pieces were located in Kansas, fifty pieces in Minnesota, and the balance in Wisconsin, all, or nearly all, on good farming lands.

On April 10, 1866, the Legislature passed an act to authorize and facilitate the early disposition by the comptroller of the land scrip donated to this State by the United States. Mr. Cornell thereupon opened negotiations with commissioners of the Land Office for the purchase of the balance of the scrip remaining in the possession of the comptroller, amounting to 5,087 pieces in July, 1866, which resulted in an agreement dated the 4th of August, 1866.

In order that the gift to New York should not be wasted, Mr. Cornell made a contract with the people of the State of New York through their commissioners of the Land Office, which was sanctioned by the Legislature, by which he agreed to purchase all of the agricultural land scrip then in the possession of the State of New York, consisting of 5,087 certificates, each representing 160 acres, for which he promised to pay thirty cents per acre, and to deposit stocks or bonds for an

amount equal to an additional thirty cents per acre, the estimated market value of the land scrip at that time. Mr. Cornell also entered into obligation at the same time and by the same instrument, with ample security, to locate the lands with the scrip thus purchased, in his own name, and to pay the taxes and all expenses of such location, and to sell the land in twenty years and to pay all the net proceeds over and above the expenses and the sixty cents an acre above referred to, into the treasury of the State of New York. The amount originally received for the land scrip was to constitute the College Land Scrip Fund, and the amount realized from the sale of lands, over and above sixty cents per acre and the expenses, was to constitute a separate fund to be called the Cornell Endowment Fund, the income of which should be devoted forever to Cornell University. Mr. Cornell offered to purchase at once 100,000 acres of land at the highest market price at that time, and to give bonds for the faithful execution of his trust and for the payment to the university of every dollar which, in the future, he might be able to obtain from the sale of the land.

Mr. Cornell sought to induce other wealthy men to purchase 100,000 acres of land at five dollars per acre for this benevolent purpose, and to wait for a return of their money until at some time in the future, when the lands would bring more than five dollars. This would have been a generous advance, with the land as security, and would have secured an immediate fund of half a million dollars for the university. He also organized and had incorporated the New York Lumber, Manufacturing and Improvement Company, the purpose of which was to purchase the most valuable unoccupied water power in the west, and a town site of a thousand acres, with a view to manufacture lumber, the sole object of which should be to enrich his beloved university. The proposed town was to be located at Brunett's Falls, the great water power of the Chippewa River in Wisconsin.

When this arrangement was reached, by which Mr. Cornell assumed the vast task of locating the lands, the proceeds of which would constitute the future capital of the university, he felt a sense of relief that he was permitted by the State to carry out the views which commended themselves to his judgment, and which he fondly believed would secure forever the prosperity of the university that he loved. On the evening of that day he wrote: "I now feel for the first time that the destiny of the university is fixed, and that its ultimate endowment will be ample for the vast field of labor it embraces, and, if properly organized, for the

development of truth, industry and frugality. It will become a power in the land, which will control and mould the future of this great State, and carry it onward and upward in its industrial development and support of civil and religious liberty, and its guarantee of equal rights and equal laws to all men." The man who saw in the realization of his hopes no personal gain or glory, but only a contribution to truth and knowledge, and the support of civil and religious liberty and equal rights, had certainly a noble and prophetic vision of the highest ideals which society can reach. In a letter of tender reminiscence written a few years later, in which, serene in the consciousness of the future, he surveyed the struggles through which he had attained success, he said: "The trials and privations are past, and yet they are pleasant and profitable to look upon. Honors cheaply won are lightly estimated. Our honors were the price of long years of toil, patient persistence, scanty means, long absence from home and each other's society, anxious cares and perplexities, such as swamp many stout hearts and send them wrecked down the stream of time to the ocean of oblivion. Happily we have reached a nobler goal."

At this time, his highest estimate of the proceeds of the national land grant was less than three million of dollars, even assuming a large success in carrying out his plans. He proceeded with the location of the land, 4,000 acres of which were located in Kansas, 8,000 acres in Minnesota, and the balance, about 513,920 acres, in Wisconsin. Of the amount located in Wisconsin, about 400,000 acres were selected as fine timber lands. The labor incurred in this vast undertaking for the good of the university which he had at heart, cannot be overestimated. It was necessary for him to spend a whole summer in the wilderness; to employ skillful and experienced assistants; to encounter great exposure and fatigue; and to spend large portions of his private fortune in surveying, locating and paying taxes upon these lands during a long series of years. The work was done as systematically as though the resultant gain were to be his own private possession.

Mr. Cornell's faith would have led him to proceed further in the location of lands, and in enlarging his personal responsibility, for the cost of retaining them until they could be profitably disposed of. The trustees of the university, however, realized that Mr. Cornell's fortune, large as it was, would be inadequate to meet the demands of the task which he had undertaken. The act of Congress permitted the location of only one million acres of government land in any one State. The

entries of land based upon the college scrip had been filled in three great States, which afforded the promise of most immediate returns, viz., in Wisconsin, Michigan and Minnesota. The balance of the scrip could not, therefore, be located in these States and it would be necessary to select lands further west or in the southwest. Such a division of the university domain would render its efficient management difficult, and make it impossible to concentrate attention upon the administration of the lands which had already been located. College land scrip had been selling in the two preceding years for less than sixty cents per acre. In view of these facts, the trustees united in a request to the State Commissioners of the Land Office to authorize Mr. Cornell to sell the balance of the college scrip at not less than seventy-five cents per acre, or to locate it as he might deem best. This petition was signed December 1, 1867, and Mr. Cornell's agreement with the State was modified in accordance therewith on the 18th of the same month. Mr. Cornell succeeded in inducing one of the largest dealers in college land scrip to co-operate with him in withholding the scrip from the market, and to dispose of it to customers only so fast as it should be needed for location. In this manner Mr. Cornell was enabled to dispose advantageously of 625 pieces of scrip, representing 100,000 acres of land at ninety cents per acre, and 1,125 pieces or 180,000 acres of land at one dollar per acre, on April 13, 1868. On December 15, 1869, the remaining 637 pieces, representing 101,920 acres of land, were sold at eighty-six cents per acre.[1] Mr. Cornell was thus enabled to dispose of all the remaining land scrip for $357,651, realizing about ninety-four cents per acre. For all his services in effecting these sales, he received no compensation, and was content to see these profits placed to the credit of the university. Minor sales were made at the earnest entreaty of all the trustees of the university, Mr. Cornell remaining inflexible in his opinion that the retention of the land would add still further to its value. But the trustees, realizing that the cost of maintaining the university, even upon the limited scale on which it was inaugurated, exceeded its income, expressed the belief that a moderate addition to the resources of the university at that time would be of greater utility than a much larger addition at a later period; that it would enable the institution to grow in departments where immediate growth was extremely desirable; and that there would remain after

[1] Senate documents of the State of New York No. 103, January, 1874.

such sale, if reasonable expectations were fulfilled, an ample endowment from the profits of the land unsold, for all the future needs and requirements of the university. In this request the high officers of the State, who were *ex-officio* trustees, including the governor and comptroller, joined. About this time an article appeared in a leading paper in a city in the central part of the State, charging Mr. Cornell with a vast land speculation, in securing control of the university lands. His acquisition of the lands was said to be made with the prospect of acquiring from their sale from twenty-five to thirty millions of dollars. Mr. Cornell's statement was quoted, that the university will probably receive two millions of dollars from these lands, and the question asked what becomes of the twenty-three millions and over of the balance, which will be realized. An unwarranted item in a local newspaper, stating that the value of these lands was sixty dollars per acre, was the basis of this extraordinary estimate of profits to Mr. Cornell. Mr. Cornell's purpose in incorporating a company, the object of which was to administer these lands, with special facilities for manufacturing lumber, was stated to be to dispose of them to the company for a limited sum, and secure for his family the profits, amounting to twenty-three millions of dollars. Mr. Cornell's gift of half a million of dollars to endow the university was in effect fraudulent, as he had never paid the sum, but only deposited stock of the Western Union Telegraph Company to guarantee such payment. This effort to secure, by a permanent article in the Constitution of the State, a provision which would render sacred these funds which the State had received from the national government, and which it had solemnly pledged itself to maintain at their par value, making up all losses which might arise in its administration, was stated to be one of the most stupendous jobs ever originated against the rights of the agricultural and mechanical population of the State. Mr. Cornell, in a dignified letter, reviewed the charge and vindicated the nobility and purity of his motives, as well as his generosity. He showed that every negotiation for the sale of the land had been undertaken in the interests of the university, and that the sale had yielded for the university far more than it otherwise would have done; that these sales had been authorized by the Land Office of the State, and all returns had been paid over to the State, in many cases without passing through his hands; that all the land scrip had been sold or accounted for; and that, instead of making a charge against the State for locating the lands payable out of this fund,