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THE EDUCATIONAL CONTRIBUTIONS AND ACTIVITIES
OF RUTHERFORD B. HAYES

DISSERTATION
Presented in Partial Fulfillment of the Requirements for
the Degree Doctor of Philosophy in the Graduate
School of The Ohio State University

By
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* * * * *

The Ohio State University
1970

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# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Acknowledgments</th>
<th>ii</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vita</td>
<td>v</td>
</tr>
<tr>
<td>Introduction</td>
<td>1</td>
</tr>
</tbody>
</table>

## Chapter

1. **Rutherford B. Hayes, 1822-1881** 4

2. **Rutherford B. Hayes and Ohio State University** 40

3. **Hayes and Southern Education** 88

4. **Summary** 121

Appendixes 130

Bibliography 178
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INTRODUCTION

The three decades following the Civil War saw many important developments in American education. Some educators were suggesting profound changes. Why not, they asked, open secondary education to the masses? Why not create universities that would be open to even the poorest citizen who wished to attend them? Why not give students a greater choice in selecting their own curriculum? On many fronts the traditional classical education was being challenged by reformers who wanted to make education available to the people at large and to make it relevant to their needs and interests.

Rutherford B. Hayes, both as politician and private citizen, worked to implement and popularize many of the educational innovations of his time. Many historians and educators do not give credit to Hayes for being an educational and social reformer who in many respects was ahead of his time. They usually emphasize his political career as president and his relationship to the disputed presidential election of 1876. In this dissertation I will describe and analyze the many important contributions made by Rutherford B. Hayes to education.
My sources of information have been acquired from the following depositories: The Hayes Memorial Library in Fremont, Ohio; The Ohio Historical Society in Columbus; The Western Reserve Historical Society in Cleveland; The Ohio State University Archives in Columbus; The Ohio Wesleyan University Archives in Delaware, Ohio; and The Western Reserve University Archives in Cleveland. The Hayes Memorial Library was established to collect, either in original manuscript or photostatic print, all the extant material related to Hayes's life and work. In general all letters written to Hayes or by him are to be found, either as originals or in photostatic copy, at The Hayes Memorial Library, as are proceedings and papers of organizations and commissions of which he was a member. Major exceptions are (1) that Hayes political papers relating to his gubernatorial years are to be found at The Ohio Historical Society, and (2) the minutes of trustees' meetings at Western Reserve and Ohio Wesleyan are preserved in the respective institutional archives. Although The Hayes Memorial Library is widely acclaimed as a depository of materials pertaining to late nineteenth century Negro education, especially materials relating to the work of the Reverend Atticus Haygood of the Slater Fund, the personal and professional papers of many of Hayes's associates in his educational work, in so far as they do not relate
directly to Hayes, are not collected at Fremont. My thanks are extended to Mrs. Ruth Ballenger and the staff at The Hayes Memorial Library for acquiring for my use three rolls of microfilm of the Daniel C. Gilman papers from John Hopkins University and two rolls of microfilm of the J.L.M. Curry papers from the Library of Congress, to round out my understanding of the setting of Hayes's work in southern education.
CHAPTER I

RUTHERFORD B. HAYES, 1822-1881

The earliest American members of the Hayes family came to Connecticut from Scotland in 1680. Later gener­ations eventually passed into Vermont, where they settled as innkeepers and blacksmiths.

Rutherford Hayes, who was to become the father of Rutherford B. Hayes, nineteenth president of the United States, was born in Brattleboro, Vermont. As a youth he attended the Atkinson Select School across the river in New Hampshire, where he must have been a rather good student. Among testaments to this is a certificate, long kept by his family, which certifies that he left off at the head of his class in spelling on June 6, 1800.

One would judge that Ruddy's family was probably coming up in the world, for training at a school such as Atkinson was given to only a few Brattleboro boys. It is possible that Ruddy owed this educational opportunity to the ideas of his intellectual sister, redheaded Polly, who was by then the wife of the Honorable John Moyes, who had also been a student at Atkinson and had gone on to study for the ministry at Dartmouth where he had tutored Daniel Webster.
Like other boys of his time, Rud attended school during the winter months and worked in the blacksmith shop or on neighborhood farms during the summer. He was somewhat frail, and the hard work upon the farm or in the shop proved too strenuous for him, so his father helped him obtain a position as a clerk in a nearby town, and later helped him set up a store of his own at Brattleboro. He was successful in his mercantile business and in 1813 married Sophia Birchard of nearby Wilmington. The couple were typical descendants of the New England Puritans: devoutly Christian, hard working, charitable, and interested in all civic affairs.

In 1817 Rutherford Hayes decided to move from Vermont to Ohio, quite likely because of the "western fever" which was causing many New England families to move into the old Northwest at that time. He purchased a farm in Ohio situated on the banks of the Olentangy River, about a mile and a half above the village of Delaware. Hayes did not settle on the farm, but instead remained with his family in Delaware.

Rutherford Hayes was among the leading citizens, generous in his donations to schools and churches. He was one of the earliest and largest subscribers to the building fund of the Presbyterian Church, of which he and his wife were members. Soon Hayes constructed a brick
home which was one of the finest in Delaware. 7

His remaining capital of three or four thousand dollars he invested in a distillery, at that time considered both a respectable and a profitable business. He purchased the share of a Mr. Little in the firm of Lamb and Little. He continued in business until his death in 1822. 8

Rutherford Hayes died of malaria in 1822 and left his widow, Sophia, with two very young children, but also a well-built brick home and an excellent farm, which was the chief source of her cash income. At the farm, one of the best fruit growing places in the whole area, lived and worked a Pennsylvania couple, the Van Bremers, with their nine children. The Van Bremers were sharecroppers, and paid as rent one-third of all the crops and one-half of all the fruit, mainly peaches and apples. 9

Sophia Birchard Hayes was descended from the Birches, who were part Huguenot and part Vermont Yankee; one of her ancestors had come to Norwich, Vermont in 1635. 10 Sophia attended the district school and was very well instructed in the Dilworth Reader by the Reverend Michael Wigglesworth. Sophia read every religious book she could find, especially Pilgrim's Progress, which she read again and again. 11

Sophia Hayes was very active in the town of
Delaware. She was the organizer of the first Sunday School of the village, and taught a Bible class in the basement of the Presbyterian Meetinghouse. She was treasurer of the Ladies' Aid Society and an active member of the first Temperance Union. She managed her property, collected the rents, and determined when to sell or not to sell land as shrewdly as a banker.

Rutherford Birchard Hayes was born in Delaware, Ohio on October 4, 1822. At this time, Ohio was a raw middle western community, just a stage beyond the pioneer period. Rutherford B. Hayes belonged to the new generation that was pouring into the Middle West from all the North and South and making it the most characteristically American part of the United States.

Because of his feebleness, Rud was given an unusual upbringing. Until he was seven, he was hardly ever allowed to play with anyone but his older sister, Fanny Arabella. Rud's mother kept him in the house a great deal and never willingly let him out of her sight unless some member of the household was with him. He was not allowed to do anything more strenuous than helping Fanny collect firewood at the tanyard. He was nine years old before he was permitted to engage in sports with other boys.

Rud apparently did not object to this isolation. His sister Fanny, only two and a half years older than he, was agreeable and resourceful. She decided the games they
played, pulled Rud on the sled, taught him poetry, told him stories from her own books, and made up little dramas in which they acted, and from which she was the director as well as the leading lady.\footnote{20}

Fanny longed for the kind of public success that she knew only men could achieve. All her life she would try to resolve this desire through an almost complete identification with Rud, attempting to live her own life through his. Partly out of love for Rud and partly out of self-love, she pressured her brother to become someone important.\footnote{21} Rud did not wholly submit to Fanny's domination.\footnote{22}

Rud did not at first attend the little district school, but was taught to read and write by his mother. He spelled out religious notes from the Dilworth Reader and copied moralistic sentiments from religious books.\footnote{23}

His formal education began in a newly opened school district near Delaware. The school was free and was crowded with scholars from young grown ups to little ones.\footnote{24} According to one teacher, who spoke of him as an example of good behaviour, Rud was a model boy. He always arrived early at school in the morning, and was never late in returning to his seat at recess. He did not splinter his desk with his penknife, nor throw paper balls or apple-cores at his neighbor. He kept out of quarrels with his classmates and obeyed his instructors. Rud almost left
school because he was terrified by one of his first masters, Daniel Granger, a fiery Yankee who demanded strict obedience and flogged boys for minor infractions. 25

It appears that rather soon, Rutherford transferred to the little private grade school in Delaware operated by Dr. Hill's daughter, Mrs. Murray. There Rutherford was chosen as the outstanding boy scholar. Like his father, he won certificates as a champion speller. "Not one in a thousand could spell me down!" he once boasted. He may not, however, have been a fanatical bookworm. Rutherford displayed his real attitude toward the scholarly life then, when, given his choice for an award in Mrs. Murray's school between a book and a Jew's harp, he unhesitatingly chose the Jew's harp. 26

In a few years, Rutherford began the study of the Latin and Greek languages with Judge Sherman Finch, a good classical scholar and a good lawyer, of Delaware, who had been a tutor at one time in Yale College. Judge Finch heard the recitations of his pupil in his office at intervals of leisure from the duties of his profession. Rutherford taught his sister each day what Judge Finch taught him. 27

Important in Rud's life was his uncle, Sardis Birchard, his mother's brother, who became the legal guardian of Rutherford when his father dies. Since Sardis was a
childless bachelor who wanted to remain a bachelor for the rest of his life, he considered Rutherford to be his heir and the equivalent of his own son. Although he had little formal schooling of his own, he developed from such friends as Judge Lane and Lawyer Waite a great admiration for college-bred ways, and felt that Rutherford should be a college man, too.  

Sardis Birchard was in a position to provide an education for his nephew and to further his career. He had been quite successful as a shipper and later as a partner in R. Dickinson and Co., one of the largest and best stocked merchandising houses west of Cleveland. By 1836 he was the leading man of Lower Sandusky.  

Birchard's relative affluence was accompanied by his development of one of the widest circles of influential acquaintances in Ohio. He always had on hand the outstanding Ohioans who were destined to be leaders for business and social reasons. These included Mr. Justice Ebenezer Lane of the Ohio Supreme Court, who then lived at Norwalk, and a young lawyer, Morrison R. (Mott) Waite, then of nearby Maumee, a future Chief Justice of the United States.  

These friendships and other connections of Sardis would be significant in the future for Rutherford B. Hayes, already known in Lower Sandusky as Sardis Birchard's nephew. Rutherford would be able to travel throughout Ohio and meet
prominent citizens who knew his uncle. There were many
who knew Uncle Sardis and were eager to do some favor
for him because of a debt owed to Sardis for business or
social reasons.  

Rud wanted to be a self-made man like his Uncle
Sardis. Sardis, on the other hand, wanted Rud to become
a gentleman; this would mean going away to school, first
to an academy and then a college—preferably in the East.  

At first, Sophia was opposed to having Rud leave her for
further education and sided with her son. Sister Fanny
sided with Sardis and also desired to go to school, at
least for one year. However, Sophia finally became con­
cerned about Rud's "unpolished manners" and agreed that
he needed the discipline of more school.  

Rud attended the Norwalk Academy, a Methodist
boarding school highly recommended by Judge Lane, who had
placed his own son Will there, and whose advice was very
highly approved by Sophia. At the Norwalk Academy from
1836 to 1837, Rud studied Latin and Greek under the
direction of Reverend Mr. Chapman, a Methodist clergyman of
scholarly attainments. After his first year at Norwalk
Academy, Rud indicated that he did not want to continue
going to school. Sister Fanny scolded him and gave him
quite a lecture on the value of an education. His mother
considered enrolling him at Kenyon College in Gambier, Ohio,
the institution founded by Bishop Chase. She worried about Rud's morals, as she pointed out to Sardis, but any college established by Bishop Chase would be excellent as far as morals were concerned.  

Uncle Sardis again intervened and sent Rutherford to Isaac Webb's preparatory school at Middletown, Connecticut, where Judge Lane's son had also transferred. There, Rutherford completed a year's work under the tutelage of Webb, who was a Yale graduate who specialized in preparing people for Yale University. Rutherford was able to keep up easily with students who entered six months earlier. In fact, he was awarded first prize for his proficiency in Latin, Greek, and arithmetic. In a letter to Rutherford's mother and his Uncle Sardis, the principal praised him warmly. "Rutherford," he wrote, "has applied himself industriously to his studies and has maintained a consistent and correct deportment. He is well informed, has good manners, and is respected and esteemed by his companions. He is strictly economical and regular in his habits and has established a very favorable character among us."  

Rutherford wanted to attend Yale which he considered the best college in America, but Webb felt that he would need another year of preparation before taking the entrance exams. Rutherford now had to decide whether to attend Kenyon College immediately or Yale a year later. Sophia wanted Rud to stay in Ohio. She insisted that Ohio had
just as good colleges as any in New England, especially Kenyon College. She still had reservations about Rud living away from home. Sophia worried about all the bad boys that were sent away to school and she worried about the scandals that she read about in the newspapers.  

Influenced by the culture of the East and Judge Lane's desire to send his son Will to Yale, Uncle Sardis wanted Rutherford to attend Yale. His mother and uncle seem to have let him decide, and young Rutherford selected Kenyon College. Thus in the fall of 1838 at the age of sixteen, young Hayes, after easily passing satisfactorily the usual examination for admission, entered Kenyon College, an Episcopalian institution which emphasized spiritual development and a gentlemanly code of behavior.

In the class with Mr. Hayes were Lorin Andrews, afterward president of the college, who fought for the Union and Guy M. Bryan, who was in later years a member of Congress from Texas and a speaker of the Texas House of Representatives. In other classes at the same time were Stanley Matthews, who later became one of the ablest lawyers in the United States; Joseph McCorkle and R. E. Trowbridge, afterwards members of Congress from California and Michigan, respectively; and Christopher P. Wolcott, who subsequently filled with high distinction the office of Attorney-General of Ohio and was also Assistant Secretary of War.
The petty discipline of Kenyon College annoyed Hayes, but he did not actually rebel, although he sympathized with those who did. Hayes even considered leaving Kenyon and going to Hudson College, but did not. Although he was never quite reconciled to the loss of Yale, he remained at Kenyon and finally came to like it fairly well.\(^49\)

During this era President William Sparrow and a number of faculty members were Southerners who strongly supported the slavery cause. Many of the student body also had strong convictions about slavery. Rud felt that if the slavery question could not be settled peacefully, it would be better for the South to establish its own sovereignty and leave the Union.\(^50\)

By the time he was a junior and nineteen, Hayes had earned considerable prestige with other students. He saved the day for Nu Pi Kappa, the Society of Southern Youths. By 1840 few Southerners were coming to Kenyon, and the fraternity faced extinction. Rutherford suggested to his Philomathesian brothers that some of them should join Nu Pi Kappa. Although some Northerners objected, Rud's motion was adopted and Nu Pi Kappa fraternity was saved.\(^51\)

On another occasion he again demonstrated his flexibility regarding North-South antagonisms. It had been proposed that the old custom of limiting Philomathesian membership to Northerners be abolished. He wanted to permit Southerners to join the society. He said
It is admitted by all that we are forming opinions and habits of thinking which will remain with us through life. We should form no opinions or prejudices which would be injurious to the country if held by all . . . The dislike of the North on the part of the NPX can be no less than ours toward them and if such hatred against each other prevailed throughout the whole country of the North and South, the Union would be dissolved at once and thus this republic, the first which ever existed, would fall. Lovers of liberty in all countries would give up the belief that man was capable of self government and thus would the whole civilized world be injured . . .

Already has this feeling been carried too far. Let us labor to keep it up, but treat the Southerners at least as fellow country men and do unto them as they would do unto us, if we were in their situation.52

Hayes excelled in all his college studies, with a special taste for logic, mental and moral philosophy, and mathematics. He read very widely and assiduously, though his studies were demanding and his time limited. He devoted a good deal of time to literary matters, in spite of his demanding schedule.53

In his second year at Kenyon College he decided that he wanted to become a lawyer. He wanted to perform an honest duty for the public and bring out truth in the courtroom. Hayes admired Clay and was greatly impressed by the oratory of Daniel Webster. Hayes found time to develop his interests and ability as a debater at Kenyon College which helped to train and discipline him for his future career. Whenever he could find an opportunity, Hayes attended court and listened to any proceedings that
might be in progress. While visiting at Columbus during
the Christmas holidays, he attended the U. S. Circuit
Court and listened to arguments of some of the ablest
lawyers in the state. 54

Hayes graduated from Kenyon in 1842. By later
standards, he was not in fact equipped to face the real
world. He had only the vaguest notions about the real
forces that were shaping his world at that time. The new
industrial classes, the masses of the people, might just
as well not have existed. In his education no attention
was paid to them or their conditions. But he did have a
sound, general education and would retain throughout his
life a lively intellectual curiosity about many things. 55

At the graduation ceremonies Hayes gave the valedictory for his class. He also presented an oration, as
did eight classmates. As Hayes came into prominence,
legends grew about the superior quality of these two
talks. 56 The valedictory strictures to his fellow stu-
dents warned against "empty declaration" and praised the
power of slow mastery. He recommended an honest spirit
with sound morality to the students to encourage great and
virtuous actions. 57

The valedictory obliquely referred to a current
college crisis. President D. B. Douglas, a former army
officer, had come to the college in 1841. Many students
had been dismissed for drinking and violation of the
regulations and Douglas was now under fire from the Trustees for neglect of discipline. Hayes congratulated Douglas for the great improvements he had made in laying out the college park and assured him that there were those among the class "who will be ready and willing to do all that in them lies to defend your reputation and secure your happiness." Douglas appreciated this generosity and later asked Hayes for permission to quote that part of the valedictory addressed to him.

In his oration, "College Life," Hayes gave an excellent account of the discipline required of a student and of the resulting vision of new duties and prospects. The student "soon finds that in entering the Republic of Letters all have to encounter equal trials, overcome the same difficulties, and meet with similar disappointments . . . . But none can obtain distinction without merit nor preserve it without toil." Hayes's belief that patient labor is the condition of success was one to which he subscribed throughout his life.

He spoke of "friends who are true in life, true in counsel . . . gained . . . by purity of principle and honesty of purpose by warmth of soul and sterling merit." His own college life indicates such a concern for personal relationships. He was one of the founders of a local fraternity, Phi Zeta, with the motto "Friendship for Life." Hayes had many friends from his Kenyon days throughout his career.
Kenyon College and its graduates bestowed additional honors upon the valedictorian of the class of 1842. In 1845 Hayes was invited back by the faculty to take a second degree, and deliver what is known as the master oration. He was also invited by the alumni to deliver the annual address before them, both in 1851 and in 1853. He declined all these honors, because he was involved in family and personal matters.

Following his graduation Hayes went to Columbus to make his home with his sister Fanny at her house on High Street near Spring and began his legal career in the office of Sparrow and Matthews. Thomas Sparrow was a prominent attorney, the brother of Dr. William Sparrow, formerly President of Kenyon College.

Hayes was not long satisfied with this position. Columbus was attractive enough when the state legislature was in session or when eminent lawyers came to town for legal contests. But Hayes did not feel that a single law office could offer him the variety of cases or the complete library that would lead to a real mastery of the law. He now began to think seriously about the Harvard Law School, where he could study with two well-known professors: Joseph Story, a Justice of the United States Supreme Court, and Simon Greenleaf. His family agreed to send him to Harvard; Uncle Sardis always desired to further Rutherford's progress, and he had the means to accomplish such objectives.
Hayes began law school in August, 1843 and graduated with a Bachelor of Laws degree in January, 1845. He was happy with the opportunities at Harvard. He attended many lectures by Longfellow, Daniel Webster, George Bancroft, John Quincy Adams, and other prominent people. He enjoyed his legal studies at Harvard, especially the lectures of Justice Story and Professor Greenleaf.

He was particularly impressed by a speech in which Justice Story attacked the Abolitionists for disregarding the constitutional clause which enabled slave holders to reclaim their runaway slaves. Story argued that if "one part" of the nation disregarded "one part" of the constitution, then another "section" might refuse obedience to "that part" which confutes its "interests." The Union then would "become a mere 'rope of sand,' and the Constitution (worse than a dead letter), an apple of discord in our midst, a fruitful source of reproach, bitterness and hatred, and, in the end discord and civil war; till exhausted, wasted, embittered, and deadly foes have severed this Union into four, six, or eight little confederacies, or the whole shall crouch under the Union band of a single despot." Story felt that the Union would break up after the first success of those who declared they were willing to desert the Constitution. He emphasized that it was the duty of everyone to support the
Constitution. After hearing this speech Hayes abandoned his belief in the right to secession which he had previously supported in a debate at Kenyon College.

After graduating from Harvard Hayes passed the bar exam at Marietta, Ohio in March of 1845. He became the partner of Ralph P. Buckland in Lower Sandusky (now Fremont) where Sardis Birchard was a prospering businessman; but he was so bored by his life in Lower Sandusky that he wanted to join the militia in the Mexican War—an expedient which his doctors advised against.

Seeking a better climate, wider interests, and a new stimulus to shake him from his growing lethargy, he set up office in Cincinnati, Ohio. On January 25, 1850, he commented in his diary:

I am now living again as a student, with abundant leisure, and few cares. Why may I not, by a few hours daily spent in systematic study, regain all I have lost in the last three or four unfortunate years spent wasted at the North? Let me make to my old ambition to excel as a lawyer, as an advocate. For style and language read Webster and Burke, Byron and Bulwer. The last two are strange names to be heard in a student's mouth, but to counteract the cramping effect of legal studies and to practice and to give one that "copia verborum" and power of intense expression, which are so essential to success as a jury advocate, what are better? For mental discipline, read carefully and thoughtfully the most logical treatises or, evidence, pleading, or kindred topics.

He was soon to gain lasting popularity with his easy conversation, intelligent remarks, and voluminous reading. In 1850 he joined the literary club and found
great delight in discussing his favorite authors, Locke, Scott, Dickens, Aristotle, Shakespeare, Cicero, and Milton. He also took part in the Ohio Historical and Philosophical Society, Odd Fellows, and the Sons of Temperance. On November 18, 1850, he made his first temperance speech and he entered the following in his diary concerning the future:

The remarks were extemporary; being the first speech of the kind I ever made to a mixed audience. It was not very difficult, required more preparation of the particular discussion, so as to fasten the leads of it in my mind, or a better knowledge of the subject without any previous preparation I can make in a decent temperance speech.

On December 30, 1852 he married Lucy Webb, who was the strongest single guiding force in the life of Rutherford B. Hayes. Lucy Webb Hayes, from her earliest love letters through the trying presidential years and until her death, was the solidifying and stable force behind Rutherford B. Hayes. The marriage produced eight children and there was a very wholesome family life for all members of the family. We will see later in Rutherford's life that Lucy, a dedicated reformer and humanitarian, wholeheartedly encouraged his educational and philanthropic activities.

Hayes had achieved a successful private career as a criminal lawyer before he entered politics. Then in 1857 he was appointed Solicitor of Cincinnati, to complete an unexpired term in that city. At the end of that term
he was elected without opposition to the same office for another period of two years. Hayes followed a non-partisan line in patronage and policies and opposed increased taxation and creation of new debts.  

When the Civil War began he was one of the first to answer Lincoln's call for men. He felt that nothing should weaken the Union. He was commissioned by Governor Dennison, Major of the newly recruited twenty-third Ohio Volunteer Infantry. Successive victories and deeds of bravery merited continuous promotion through the ranks of Lieutenant Colonel, Colonel, Brigadier General, and Brevet-Major General. As the war was nearing the end, the members of his own regiment nominated him a candidate for Congress from the second Ohio District.

Hayes served in the Thirty-ninth Congress (1865-1867) and the Fortieth Congress (1867-1868). Although he made no speeches in Congress, he had a nearly perfect attendance record and worked diligently as a member of the Committee on Private Land Claims and as Chairman of the House Committee on the Library of Congress. Largely through his efforts the library was expanded, the Smithsonian Institution's collection of books and papers was transferred to the Library of Congress, and Peter Force's collection of Americana was acquired. One of the functions of the Committee also was to pass upon works of art which
the Government was empowered to purchase.

Mr. Hayes's taste was too discriminating to be influenced by the confidence of artists or the enthusiasm of their friends in behalf of feeble or meretricious performances. He exerted his influence in favor of selecting artists of known and established reputation to execute government commissions. 75

Hayes assisted in making available to a larger classification of persons the Library of Congress facilities. Hayes enriched the holdings of the Library of Congress and made them more available to the general public.

Disillusioned by Congressional corruption, Hayes resigned his seat and turned to state politics. He was Governor for two successive terms (1868-1870, 1870-1872), after which he returned to his home in Cincinnati, Ohio. The following year he moved to Fremont and kept himself occupied with real estate developments and building a library.

In 1875 there was a movement by Republican Party leaders to end Hayes's retirement. Governor Allen of the Democratic Party had made a good record and Republican leaders needed a strong vote-getter to run against him. At a caucus in Columbus, Ohio they picked Hayes as their man. 76 After two years' rest Hayes was anxious to enter politics again. He had not been very successful in either real estate or railroad projects—and was very close to being in debt. 77 A successful return to politics would do much to restore his self-confidence. Hayes felt that
"A third term would be a distinction—a feather I would like to wear."  

But before the movement to draft Hayes, it was understood that Taft would be the Republican nominee. Taft was still supported by Republican newspapers, the powerful political organization of Cincinnati, and the loyal followers of President Grant.

Hayes indicated that he would not accept a nomination in opposition to Taft because he did not want to split the Republican Party. In his diary Hayes wrote, "If Judge Taft and others should withdraw, and the convention generally should insist on my candidacy, I shall not refuse."

In the first convention ballots Hayes led by a comfortable margin. He had profited politically by moving to Fremont. Northern Ohioans, jealous of Cincinnati dominance in party affairs, now considered Hayes one of them, though he still had much support from Cincinnati. But Hayes kept his word and sent Taft a telegram indicating he did not want to be a candidate.

At this point the supporters of Hayes decided to raise the Catholic issue against Taft. Protestant antagonism against Catholics was particularly strong in the 1870's. The recently proclaimed Doctrine of Papal Infallibility and Pius IX's denunciation of modernism and political liberalism had stirred deep resentment. In
America Catholics were exerting growing political pressure, especially through the Democratic Party.  

One focal point of Catholic-Protestant hostility in Ohio was the Gegham Bill, which had been enacted by the Democratic-dominated State Legislature in 1874. It provided that every inmate of state prisons and hospitals should be permitted to have the kind of religious instruction he desired and that "ample and equal facilities" for religious instruction should be furnished to all. Its purpose was to open the door to appointment of Catholic priests as chaplains. State chaplains up to that time had been exclusively Protestant. The Gegham Bill was considered a dangerous precedent which would encourage Irish and German Catholics in the Democratic Party to secure state sponsorship of sectarian religious education in the public schools and win public support for parochial schools.

Gegham, the author of the bill, made some very tactless statements that provoked resentment. In a letter to the Cincinnati Enquirer, he predicted that the Democrats in the Legislature would pass his bill because his church had "a prior claim" on the Democratic Party, in that "most Catholics were Democratic voters in Ohio."

The Catholic Telegraph, organ of Archbishop Purcell of Cincinnati, aroused public opinion by saying, "The
Democratic Party is now on trial." After the passage of the Gegham Bill, the Telegraph said, "The unbroken solid vote of the Catholic citizens of Ohio will be given to the Democrats at the fall elections."\(^{85}\)

Bishop Richard Gilmour of Cleveland wanted a share of public school funds for his parochial schools. In a pastoral letter in 1873 Bishop Gilmour said: "Were Catholics alive and united on the school question; were they to demand from every man who asks their vote a pledge that he would vote for our just share of the school fund, Legislatures would learn to respect the Catholic vote, and give us our just rights."\(^{86}\) Utterances like this were considered by Protestants as treasonous.

The Catholic issue was so important to the Republicans as a vote getter that President Grant, in his 1875 Annual Message to Congress, urged that the Federal Constitution be amended to prohibit states or municipalities to use any funds for religious schools.\(^{87}\) Such an amendment was introduced in the House of Representatives by the Republican floor leader, James G. Blaine, who was under consideration for the Republican Presidential candidate in 1876. The proposal lost, but all Republicans present in both Houses voted for it, while every Democrat present voted against it.\(^{88}\)

In 1875 Judge Taft made a decision that involved
him in this controversy. Catholic citizens had persuaded the City Board of Education to stop the use of the King James Bible in public schools. The issue was settled by a three-man Court. Although the Catholics lost, Taft wrote a decision which upheld the Board's right to ban the King James Bible and which expressed sympathy with Catholic complaints that they were taxed to support the public schools.89

Charles Foster, Congressman from Hayes's home district, requested a clarification from Taft, and then read Taft's reply to the Convention. On the following ballot, Hayes moved far ahead of Taft—a result that Foster may well have intended.90

Charles P. Taft, son of the Judge, soon decided his father could not win, withdrew his father's name, and moved the nomination of Hayes by acclamation, which was given. Hayes accepted the nomination because he felt that his requirement had been met.91

In the campaign Hayes did not hesitate to use the Catholic issue. Mr. Hayes said, "I think the interesting point is to rebuke the Democracy by a defeat for subserviency to Roman Catholic demands."92 Throughout the canvass Hayes held to two main themes in his own speeches:

Our motto is honest money for all and free schools for all. There should be no inflation which will destroy the one and no sectarian interference which will destroy the other.93
Hayes won the election by a margin of 5544 votes. He influenced the Ohio General Assembly to repeal the Gegham Bill. Early in his administration, he began to think of national politics.

At the Republican National Convention held in Cincinnati, Ohio June, 1876, the Ohio State Convention had unanimously declared Hayes as their choice, and after many ballots the Ohio Delegates succeeded in drawing enough votes to nominate Hayes over Blaine. Hayes was elected President although he had received fewer popular votes than his opponent. He emerged as President of the United States although he did not represent the popular will of the people. His friends had entered into a political bargain with Southern Democrats in which they proposed to remove federal troops from the South and leave the South to the southern planters if the southern Democrats did not question the presidential election results.

As President of the United States from 1877 to 1881 Hayes made many speeches in favor of national aid to education. He supported the Blair Bill for federal aid to education in needy states. In 1876 Senator William Henry Blair of New Hampshire introduced a bill to apply the proceeds of public land sales to education. The Blair Bill provided for $77 million to be divided among the states in proportion to the number of illiterates in
each state. The money was to be used as the states saw fit, provided that it was used only for education.

The Blair Bill passed the Senate three times during the 1880's, but was never successful in the House of Representatives because there was no guarantee that the state legislatures would appropriate federal school money for public school education. The Hayes administration did not use its influence and powers to successfully enable the Blair Bill to pass the House. This might be attributed to the fact that conservative southern Democrats generally opposed any federal aid to education because they were afraid of centralization of government in Washington and Federal Control over schools. Further reference will be made to the Blair Bill in Chapter III.

Much of Hayes's influence in American Indian education was through the work of his Secretary of Interior, Carl Schurtz. Mr. Schurtz was very influential in his consistent efforts to promote the cause of the American Indian. Mr. Hayes gave Mr. Schurtz a good deal of support in his policies for the benefit of the Indians and constantly urged Congress to provide appropriations for Indian education.

Hayes manifested an interest in Indian education at the second session of the Forty-fifth Congress convened December 3, 1877. "Especially care is recommended to
provide for Indians, settled on their reservations, cattle and agricultural implements, to aid them in whatever efforts they make to support themselves and by establishment and maintenance of schools to bring them under control of civilized influence."101

In Hayes's message to the Forty-sixth Congress, on December 1, 1879, attention was drawn to the progress that had been made in the experimental work with the Indians:

The experiment of sending a number of Indian children, of both sexes, to the Hampton Institute, in Virginia, to receive an elementary English education and practical instruction in farming and other useful industries, has led to results so promising that it was thought expedient to turn over the cavalry barracks at Carlisle, Pennsylvania, to the Interior Department for the establishment of an Indian school on a larger scale.102

The goal of the American government during the Hayes administration was the ultimate absorption of the Indians into the general American population. The Indians were educated in the practical things of civilized life apart from their tribes.103

President Hayes emphasized that Indian policy should stress the following in the future:

The Indians should be prepared for citizenship by giving to their young of both sexes that industrial and general education which is required to enable them to be self supporting and capable of self protection in a civilized society.104

As a politician before 1881, Hayes had already demonstrated an interest in education. We have seen that
he was responsible for transferring the Smithsonian Institution's collection of books and papers to the Library of Congress and in making the facilities of the Library of Congress available to more people as Chairman of the House Committee on the Library. Hayes supported federal aid to education in needy states, but was unable to use his Presidential powers and influence to overcome the opposition to the Blair Bill for federal aid to public school education in needy states. As Governor of Ohio he supported free non-sectarian education for every child, industrial education and rehabilitation in Ohio prisons, and the founding of an agricultural and mechanical arts college for the State of Ohio. Hayes felt that industrial education would enable convicts to learn a useful skill and secure a job after their release. Hayes played an important role in the foundation of the Ohio Agricultural and Mechanical Arts College and helped to shape its curriculum by choosing a set of Trustees who voted in favor of a broadly conceived curriculum. He continued his interest in manual training to rehabilitate prisoners and to prevent crime after 1883 as a private citizen and as President of the National Prison Association. Hayes also continued his interest in the Ohio Agricultural and Mechanical Arts College from 1887 to 1893 as an influential member of the Board of Trustees for Ohio State University.
His role as President of the National Prison Association and as a member of the Board of Trustees for Ohio State University will be covered thoroughly in Appendix M and Chapter II, respectively.
FOOTNOTES

CHAPTER I


5 Ibid., pp. 37-38.

6 Ibid., p. 38.

7 Ibid.

8 Ibid.


10 Eckenrode, op. cit., p. 4.

11 Barnard, op. cit., p. 49; Sophia Hayes Diary, Sept. 12, 1846, Hayes Memorial Library.

12 Sophia Hayes to Sardis Birchard, July 31, 1849, Hayes Memorial Library.

13 Barnard, op. cit., p. 33.

14 Deeds, and so forth, 1823-1828, Sophia Hayes Papers, Hayes Memorial Library.

16 Barnard, op. cit., p. 73.


20 Ibid., p. 7; Sophia Hayes to Rutherford B. Hayes, Nov. 11, 1838, April 30, 1839.

21 Ibid; Letters of Fanny Hayes Platt to Rutherford B. Hayes, Hayes Memorial Library, May 26, 1839; January 19, 1840; March 2, 1840; June 15, 1847.

22 Ibid., p. 8.

23 Barnard, op. cit., p. 74.

24 Eckenrode, op. cit., p. 4.

25 Ibid., pp. 4-5.


28 Barnard, op. cit., pp. 97-98.

29 Ibid., p. 94.

30 Ibid., p. 97.

31 Ibid.
32 Ibid., p. 98.
34 Ibid., p. 99; Sophia Hayes to Sardis Birchard, March 26, 1836, May 1836, Hayes Memorial Library.
35 Conwell, op. cit., p. 16.
37 Ibid.
38 Ibid., p. 100.
39 Howard, op. cit., p. 16.
40 Rutherford B. Hayes to Sardis Birchard, December 9, 1837, Hayes Memorial Library.
41 Barnard, op. cit., p. 100.
43 Ibid., April 30, 1838.
44 Sophia Hayes to Sardis Birchard, February 20, 1838, August 12, 1838, August 18, 1838, Hayes Memorial Library.
46 Ibid., p. 107; ibid.; Rutherford B. Hayes to his Mother, Sophia Birchard Hayes, July 7, 1838, Hayes Memorial Library.
47 Ibid., pp. 116-117.
49 Barnard, op. cit., p. 108; Rutherford B. Hayes to his Sister Fanny Hayes, February 5, 1839, Hayes Memorial Library; Fanny Hayes to Sardis Birchard, April 25, 1839.

50 Ibid., pp. 114-116; Sophia Hayes to Rutherford B. Hayes, Jan. 11, 1839; Hayes Memorial Library; Minutes Book, Philomathesian Society, 1832-1848, Kenyon College Library, excerpts compiled by Wyman Parker.


52 Rutherford B. Hayes Kenyon Papers, 1840, Hayes Memorial Library.

53 Eckenrode, op. cit., p. 12; Howard, op. cit., p. 17.


55 Barnard, op. cit., pp. 120-121.

56 Parker, op. cit., p. 135.

57 Ibid., p. 136, pp. 144-146.

58 Smythe, op. cit., p. 137.

59 Parker, op. cit., p. 137, 144.

60 David B. Douglas to Rutherford B. Hayes, January 28, 1845, Hayes Memorial Library.

61 Parker, op. cit., p. 137, pp. 138-143.


63 Howard, op. cit., pp. 18-19.

64 Ibid., p. 19.

65 Conwell, op. cit., p. 58.


69. Ibid., p. 131.

70. Ibid., p. 57.

71. Ibid., p. 60.


74. Harrison, op. cit., p. 299.


77. Barnard, op. cit., p. 270.


79. Ibid., p. 269.

80. Ibid., p. 273, May 31, 1875.

81. Ibid., p. 274; Barnard, op. cit., pp. 271-272.

82. Harpers Weekly, February 27, and March 13, 1875.


85. McGrane, op. cit., p. 229; Catholic Telegraph Quoted in Fremont Journal, June 18, 1875; Appleton Annual Encyclopaedia, 1875, p. 605.


88 McGrane, op. cit., p. 231; Barnard, op. cit., p. 273.


90 Allen O. Myers, Bosses and Boodle in Ohio Politics (Cincinnati, Ohio: 1895), pp. 131-133; Williams (ed.), op. cit., Vol. 1, June 3, 1875, p. 385.

91 Williams, op. cit., Vol. 3, p. 274.

92 Ibid., Rutherford B. Hayes Speech at Marion, Ohio, July 31, 1875, Hayes Memorial Library.

93 Howard, op. cit., p. 256.

94 Ohio State Journal, June 3, 1875; Report of Secretary of State, 1875, p. 227; Appleton Annual Cyclopaedia, 1875, p. 607.


100 Letter of June 26, 1882, Curry to Hayes, Hayes MSS; Congressional Records from 44th Congress, First Session to 51st Congress, First Session.

101 *U. S. Presidents, 1877-1881*, op. cit., p. 94.

102 Ibid., p. 279.

103 Ibid., p. 278.

104 Williams (ed.), *op. cit.*, p. 232.
CHAPTER II

RUTHERFORD B. HAYES AND
THE OHIO STATE UNIVERSITY

The Ohio State University was founded on a grant made by an Act of Congress approved by President Lincoln on July 2, 1862. The Morrill Act of 1862 gave the State of Ohio an opportunity to establish its own agricultural and mechanical arts college by using the proceeds from the sale of public lands. Each state was to receive land scrip for thirty thousand acres of land for each United States Senator and Representative, which meant that Ohio received scrip for 630,000 acres.

Governor David Tod and the State Board of Agriculture wanted to take advantage of the Morrill Act immediately. There were several efforts in the next seven and a half years to create an agricultural and mechanical arts college, but each of these efforts failed at some point. There were a number of cities and existing colleges that wanted to share or totally acquire the funds and determine the location of the proposed college. By the end of the 1860's most people in Ohio felt that one institution should be established in a central location.
From the passage of the Morrill Act in 1862 until the establishment of the Ohio Agricultural and Mechanical College in 1870, each of the Ohio governors had supported the founding of such a college with the funds from the sale of the lands provided by the federal government. They had all been unsuccessful in getting the necessary legislation passed by the state legislature. In his first term, 1868-1869, Governor Rutherford B. Hayes was as unsuccessful as previous governors in securing legislation to set up the college. The Act of Congress on July 2, 1862 indicated that the states were required to provide at least one college within five years in order to qualify under the provisions of the Bill. The time had been extended five more years by Congress on July 23, 1866, but this time would expire by 1871.

In his annual message on January 3, 1870, Hayes urged the Ohio General Assembly to act quickly to set up an Agricultural and Mechanical Arts College:

The Agricultural and Mechanical College Fund, created by the sale of land-scrip, issued to Ohio by the National Government, amounted, on first instant, to $404,911.37½. The State accepted the grant, out of which this fund has been created, February 10, 1864, and is bound, by the terms of acceptance as modified by Congress, to provide "not less than one college on or before July 2, 1872, where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts." The manner in which this fund shall be disposed of has been amply
considered by preceding General Assemblies, and in the messages of my predecessors in the Executive Office. I respectfully urge that such action be had as will render the fund available for the important purposes for which it was granted. It is not probable that further delay will furnish additional information on any of the important questions involved in its disposition. Much time and attention has been given to the subject of the location of the College. No doubt it will be of great benefit to the county in which it shall be established, but the main object of desire with the people of the State can be substantially accomplished at any one of the places which have been prominently named as the site of the College. I therefore trust that the friends of education will not allow differences upon a question of comparatively small importance to the people at large longer to postpone the establishment of the institution in compliance with the obligation of the State.5

On March 22, 1870 the Fifty-Ninth General Assembly passed the Cannon Act, which provided for the investment of the funds and the interest accruing from the sale of land and land scrip, as made available under the Morrill Act of 1862, and made these funds part of the irreducible debt of the State.

The Act of 1870 stipulated the organization of the Ohio Agricultural and Mechanical College and stated, borrowing the language of the original Morrill Act,

The leading objective shall be without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to Agricultural and Mechanic Arts.6

Successive sections authorized a Board of Trustees, to be appointed by the Governor and approved by the Senate, with the power to organize the college and set the
length of their terms of office. The President of the State Board of Agriculture was to be an ex-officio member of the Board of Trustees.

The Cannon Act was a compromise for those who wanted the college to emphasize agriculture: the wording of the Act was broad and provided for the teaching of agricultural subjects; the Governor was to select a Board of Trustees to organize the college; the President of the State Board of Agriculture was to be an ex-officio member of the Board of Trustees.

Rutherford B. Hayes, the Governor at the time this Act was passed, undoubtedly was influential in shaping it and securing its passage. He felt that the Morrill Act of 1862 should be given as broad an interpretation as possible. The newly passed Act left the problem of curriculum, selection of faculty members, and location of the university to the Board of Trustees.

Governor Hayes appointed a very able Board of Trustees in 1870. It consisted of men of great ability and experience in the areas of education, agriculture, political service, business, and industry. Twelve of the nineteen trustees were formerly members of the state legislature, and three had served in the national Congress. Seven were lawyers, and three were gentleman farmers with inherited estates. Six had been associated with the
education field as teachers or administrators. There were several businessmen and industrialists, including Cornelius Aultman and John R. Buchtel, the developers and manufacturers of the Buckeye Mowers and Reapers in Akron.  

Fewer than half of the trustees had attended college. The Board of Trustees was unrepresentative of the industrial classes from the standpoint of dirt farmers and rank and file mechanics. However, many had begun life as farmers, carpenters, blacksmiths and millwrights.

Four of the trustees were members of the State Board of Agriculture. The four included Norton S. Townsend, who later was appointed professor of Agriculture, Henry Perkins, one of the gentleman farmers who managed a large, inherited estate, William B. McClung of Troy who was later appointed superintendent of the college farm, and Joseph Sullivant of Columbus, a gentleman farmer and patron of the arts who was more concerned about the establishment of a state university than he was about training farmers.

Governor Hayes chose carefully the men who would greatly influence the future of the new college. He balanced parties, but examined closely educational views. He tried to appoint a Republican from those congressional districts which had elected a Republican to Congress, and a Democrat from those which had elected a Democrat. When George H. Pendleton, a leading Democrat, refused to serve,
Hayes permitted former Republican Governor William Dennison to resign. Hayes was especially anxious to appoint men who supported a broad curriculum rather than an exclusively classical or agricultural curriculum. Therefore, he wanted Ralph Leete of Ironton and Joseph Sullivant, a pioneer descendent of Franklin County, on the Board of Trustees, in spite of senatorial opposition to their confirmation.

Ralph Leete, a preferred Hayes appointee, indicated that he wanted to serve, "especially as there was a strong opposition in the Senate to my confirmation." He felt that every branch of science was rightfully involved in the institution's program. Further reference will be made to Leete's views concerning the role of science on page 47.

Joseph Sullivant of Columbus, Ohio received the greatest opposition of all the Hayes appointees in the battle for confirmation in the Senate. He was approved by a vote of nineteen in favor and eleven against, and sought to decline the post. Sullivant felt that his knowledge and interest in agriculture had been deliberately depreciated by those who thought he might oppose efforts to manage the institution in favor of the narrower, agricultural college concept. Hayes eventually persuaded Sullivant to accept the position of Trustee.
Sullivant wanted to build a great State University on the model of Cornell University in New York, an institution which he considered the most successful of all the Land-Grant institutions. Cornell was a private institution whose State Agricultural and Mechanical College was incorporated with its traditional college.  

But most Ohio farmers did not like the Cornell model with the state agricultural college incorporated within the traditional university. They preferred the model agricultural college like those located in Michigan and Iowa, both of which had been established to be separate and independent of the state university. Their spokesmen on the Board of Trustees wanted the site of the college to be at Urbana, a farming community and the county seat of Champaign County.  

The Ohio General Assembly passed an Act on April 18, 1870 permitting the individual counties of Ohio to bid for the location of the new state college. Joseph Sullivant wrote a letter to the citizens of Franklin County in which he argued that they should acquire money so that the university would establish itself in their county. The citizens of Franklin County were able to raise $100,000 in land, buildings and cash, and the Neil Farm, four miles north of Columbus, was chosen as the site of the college.
The Neil Farm was a good location because it had a natural spring which was to be used as a source of water.\textsuperscript{18}

The remaining problem was to determine whether the scope of the institution should be narrow or broad. Ralph Leete of Ironton, in a letter to Hayes, pointed out that the Morrill Act of 1862 establishing the agricultural college had not attempted to bind down the Trustees very closely and that "in one sense almost every branch of science has some relation to agriculture and the mechanic arts, for there is a unity in science."\textsuperscript{19}

The plan introduced by Joseph Sullivant made the college broad in the way which Governor Hayes had indicated and conceived. It included the following departments:\textsuperscript{20}

1. Mathematics and Physics
2. Zoology and Veterinary Medicine
3. Geology, Mining, and Metallurgy
4. Botany, Horticulture, and Vegetable Physiology
5. General and Applied Chemistry
6. Agriculture
7. Mechanic Arts
8. English Language and Literature
9. Modern and Ancient Languages
10. Political Economy and Civil Polity

The Trustees of the Ohio Agricultural and Mechanic
Arts College came together to consider Sullivant's proposal concerning the nature of the institution. The Board appointed a committee composed of the following to propose a curricular plan: Joseph Sullivant, Norton S. Townshend, Valentine Horton, Thomas C. Jones and John R. Buchtel. Sullivant, Buchtel, Jones and Horton favored the broadly conceived State University idea, and Townshend was committed only to a program that would have practical value for the farmer.\(^{21}\)

Sullivant's list of ten basic departments was approved by a vote of eight to seven.\(^{22}\) The advocates of a broad-gauge institution patterned after Cornell and located in the state capital had won a complete success. The Ohio State Agricultural and Mechanic Arts College was unique for the State of Ohio in that it offered courses which emphasized science, mechanics, and agriculture.

It's quite likely Hayes was actively concerned with the appointment of a president for the new college, although of course nothing of this is shown in the records. It is reported that he expressed interest in Edward Orton, who had been forced to resign his teaching position as Professor of Natural Science at Albany, New York because he taught Darwin's theory of evolution and had expressed doubts about the literal truth of the Bible.\(^{23}\) Orton, it is said, feared that the people of Ohio might not want him
to lead their agricultural college. Hayes and Alphonso Taft, neither of them members of the Board, were able to dispell Orton's fears and they persuaded him to become the first president of the college. Orton's view of the meaning of the Morrill Act and the purpose of the new Ohio school fitted well with Sullivant's plan and the general tenor of the Board's opinion. He was committed to a broad state university program emphasizing a liberal culture which enriched the whole man and a utilitarian emphasis which included a wide range of vocations. As a geologist, Orton was also sympathetic to the research orientation of the German university. He was an active scholar both while President and afterward, and an active participant in scholarly organizations.

In his inaugural address, Edward Orton defined what education for the "industrial classes" meant to him, and further emphasized the broad view of the institution which had been taken by its founders. Education for the industrial classes, he said, was a real education at a collegiate level available to the great mass of the American people. It was to be liberal, however, as well as practical. Such persons, he felt, should not be denied access to the study of Greek any more than they should be denied access to the study of mechanics and agriculture. The land grant was to provide liberal culture for the masses
just as surely as it was to elevate the practical and utilitarian pursuits of life to a university standard.\textsuperscript{26}

Hayes was not heavily involved with the Ohio Agricultural and Mechanical College during the remainder of his career as Governor. When he was President of the United States from 1877 to 1881, he was fully occupied with national and international problems. After his return to Ohio, he became a member of the Board of Trustees of Ohio Wesleyan University, Western Reserve University, and Adelbert College of Western Reserve University. In 1887 he was appointed by Governor Foraker to the Board of Trustees of Ohio State University.\textsuperscript{27}

By 1887 the University had changed its name to Ohio State University,\textsuperscript{28} and its growth was retarded due to the opposition of some of the trustees who wanted Ohio State University to be a farmers' college. It is significant that in 1874, 1875, and 1877 three revised schemes of organization were enacted by successive legislatures.\textsuperscript{29}

The University had not yet resolved the old quarrel between Sullivant and his supporters, on the one hand, and Townshend and his supporters, on the other.

The University for many years was faced with the constant strife between the agricultural interests of the state and the interests of men, especially trustees, who wanted the University to have a broader curriculum than
the training of mechanics and farmers. Hayes had been appointed to the Board of Trustees when this conflict was reaching a crisis. The specific issue involved control of money granted to the states by the federal government under the Hatch Act of 1887. This Act allotted approximately $15,000 to those states which had established agricultural stations under the Morrill Act of 1862. This money was to be used to establish agricultural experiment stations associated with the colleges. The problem was that in Ohio the experiment station, created in 1882, was only loosely associated with the University. It was located on the farms of the University, but it was governed by a Board appointed directly by the Governor and totally independent of the University's Board of Trustees. According to Section Eight of the Hatch Act, if a state already had a separate agricultural experiment station, the money could go to the station or to the agricultural college. The Hatch Act money was claimed by each of the two Boards. The General Assembly had to decide who had jurisdiction over the funds and to pass the necessary legislation to enable Ohio to receive its portion of the money.

The State Board of Agriculture successfully petitioned the legislature to give the funds to the Agricultural Experiment Station. The Agricultural Experiment
Station Board wanted to continue to use the university farms, but Cope was afraid that the hard feelings created by the dispute over the money might make continued cooperation between the two Boards very difficult. He felt that cooperation between the two Boards was essential in order to restore harmony.\textsuperscript{33}

On November 22, 1887 a Board meeting was called in order to discuss the matter of cooperation with the Agricultural Experiment Station Board. A further obstacle to cooperation was added when Joseph H. Brigham was appointed to the Board of Control of the Experiment Station. Brigham was very unpopular with members of the Ohio State University Board because he had urged the establishment of a separate Board for the Agricultural Experiment Station in 1882 in the Ohio Senate.\textsuperscript{34}

At the November meeting, the Board of Control of the Experiment Station resolved that there should be cooperation between the two Boards and that committees should be appointed to help formulate plans for reconciliation. Hayes offered resolutions which were adopted to the effect that friendly and cordial relations between the two Boards were essential. He also felt that a joint meeting of committees of both Boards should take place in order that the agricultural interests of the state would be served more effectively. He emphasized that it was
essential for full cooperation from the University Board so that the University would gain support from the friends of the Experiment Station.\textsuperscript{35}

Hayes expresses his previous thought and consideration of these resolutions in his diary on November 25, 1887:

The controversy between the board of control of the experiment station, representing the farmer sentiment of the State and our University Board is the interesting point in the present situation. My impression is in favor of a policy which will restore harmony between the university and the farming interest. Let us grant to the experiment station all the land and other privileges in our power, without injury to the university, it being understood that in like manner the friends of the experiment station will aid the university in all proper ways.\textsuperscript{36}

The joint meeting of committees of the two Boards met on December 8, 1887. Another meeting of both Boards took place shortly afterwards.\textsuperscript{37} It was obvious that antagonism and great tension existed when both Boards met face to face. Hayes in the role of peacemaker took control of the meeting. Hayes asserted in a tactful and forceful way that both Boards had the identical obligations to serve the public; therefore, both Boards should desire that the annuity from the Hatch Act be put to the best possible use for the agrarian needs of the state. Hayes also stated that the Board of Trustees from Ohio State was interested in the expansion of activities on the part of the Experiment Station and that there was a strong
possibility that something could be worked out. 38

Hayes's tact and control of the meeting is characterized in this way by one member who is quoted in Alexis Cope's book on the Ohio State University:

President Hayes at once took control. He did not propose to have an outbreak if he could prevent it. In a quiet, forceful way, he at once took up the subject by saying that the two boards had one great object in view, the service of the public, and that their mutual desire to so provide for the application of the annuity provided by the Hatch Bill, that it would yield the largest benefits to the agricultural interests of the State, that as Gentlemen having common interests they could not afford to quarrel, and that he was sure his colleagues on the Board of Trustees would join him in every laudable desire to enlarge and extend the field of its operation. Under his frank and broad treatment of the subject at issue, an onlooker saw the war-like lines in the faces of the antagonists rapidly disappearing. The face of __________, however, was a study. He came prepared for a battle, and seemed a little disappointed that his expectations were not realized. After the preliminary speech, President Hayes allowed no opportunity for further discussion, but said, "Now gentlemen, what can we do to help you in your plans?" . . . Soon the members of the two committees were about the board shaping up the details of a plan whereby the Station should continue its work with the University. 39

The members of the two Boards finally drew up an agreement which reserved a certain portion of the land and equipment for the Experiment Station and the rest for the University. The agreement stipulated that the Agricultural Experiment Station would employ students when feasible and would give professors a chance to teach and do research at the Agricultural Experiment Station as often as possible, thus blending the educational efforts of the
University with the experimental programs of the station. Hayes was satisfied that the differences between the University and the Experiment Station were settled.\footnote{40}

The performance of the Board of Trustees changed when Rutherford B. Hayes joined that body in 1887. In some ways, he merely furthered operational trends already underway, but he also changed the Board's way of seeing its own function. Hayes had some specific notions about how the Board's work should be conducted, and he moved immediately to make some changes.

The first problem he dealt with was that of compulsory chapel. Catholics and Jews resented compulsory chapel which forced them to participate in religions they did not accept or to stay out of the State University. Most Protestants would object to dropping compulsory chapel. Hayes persuaded the Board of Trustees to permit the "President of the Faculty" discretion in excusing students on reasonable grounds.\footnote{41}

It is significant that Hayes referred to the President as "President of the Faculty," not as "President of the University," for this concept helps to explain the nature of his subsequent actions. He perceived the President as a Dean of Faculties and the Board as directly involved in the administrative affairs of the University through its secretary, Alexis Cope. Perhaps, as an
attorney, this was to him the logical implication of the legislative act which created the University and extended to its Board of Trustees full authority to conduct the affairs of the institution. The Board of Trustees had occasionally appointed Superintendents of Buildings and Grounds and men to supervise the construction of new buildings. Department heads went directly to the Board with requests for equipment. Thus, Hayes's concept of involving the Board in the affairs of the University was not radically new.  

Hayes felt that the Board of Trustees should shape the broad, general policies of the University. In November of 1887, at Hayes's suggestion, the Board agreed to hire an approved landscape gardener to construct a general campus plan to guide the Trustees in their future decisions about buildings and grounds. Hayes was also instrumental in directing professors to submit their requests for special legislative appropriations through the "President of the Faculty." The Board would then combine these with other needs of the University in a request to the state legislature.

In December of 1887 the Board of Trustees accepted Hayes's recommendation that "The Secretary of the Board of Trustees open an office at the University and perform the duties of Registrar of the institution under direction of the Board of Trustees." Hayes felt that the Secretary
should be the full-time executive arm of the Board of Trustees. He referred many matters to the Secretary with power to act and was influential in including the Secretary on all committees appointed by the Board. The Secretary was directed to lay gas mains, to plaster and repair dormitories, to purchase fuel contracts, and to clear woods. Therefore, the Secretary served as Business Manager and Superintendent of Buildings and Grounds as well as Registrar and Secretary. This was all performed under the direct supervision of the Board without specific obligation to the President of the University. 

Hayes and Alexis Cope, the Secretary of the Board of Trustees, were a very effective team in administering the affairs of the University. They carried on an extensive correspondence concerning University business, and Hayes usually consulted with Cope before the Trustees met. Cope kept Hayes well informed about every facet of University activity and, by advising him of what appeared to be crucial problems, enabled him to decide whether he could miss a Board meeting or come late.

Through his close relationship with Cope, Hayes was instrumental in establishing the power of the Board of Trustees and shaping the structure of the University in its formative stage.

Using his abilities as a compromiser, Hayes helped
secure important revenue for the University. In the early 1890's two important bills were passed: the Morrill Act by the United States Congress and the Hysell Act by the Ohio State General Assembly. These Acts would give Ohio State University a fixed income for the first time in history and thus enable its leaders to make long term plans for curriculum development and expansion. As we will see, both sources of income were challenged and Hayes was very influential in securing them for Ohio State University.

Recognizing the failure of the states to provide sufficient support for the Agricultural Colleges, established under the Morrill Act of 1862, Senator Justin Morrill introduced a Bill on April 30, 1890 which would:

... establish an educational fund, and apply the proceeds of the public lands and receipts from certain land-grant railroad companies to the more complete endowment and support of colleges for the advancement of scientific and industrial education.47

The Bill as introduced would initially appropriate $15,000 to each state. The amount would increase $1000 annually for ten years and thereafter continue annually at $25,000 as long as the funds were sufficient.48 The importance of the bill to a state like Ohio becomes clearer when we realize that such a sum was almost identical with the interest being paid by the State on the funds obtained from the sale of land-scrip.49
The Morrill Bill of 1890 provided that money distributed under its provisions was to be used for instruction in agriculture and the mechanical arts, and the facilities for such instruction, including the various branches of mathematical, physical, natural, and economic science, with special reference to their applications to the industries of life.

Hayes had always been interested in industrial education and felt that it was essential to have a manual training department at The Ohio State University. In writing to enlist Hayes's support, President Scott pointed out that it would be possible to create a manual training department under the stipulations of this Act. Scott further indicated that the bill had also been introduced in the House and had been referred to the sub-committee of Education, whose chairman was J. P. Taylor of Ohio. He asked Hayes to write a strong letter to Taylor because passage of the bill before the close of the House session depended a great deal on the committee issuing an early and favorable report. Hayes wrote to Congressman Taylor:

I am an intense believer in industrial education. The bill in aid of the land-grant colleges will help in that direction. Please give it your attention and if you can conscientiously, your support.

The Morrill Bill of 1890 passed the House of Representatives on August 19, with the Amendment limiting
the application of the funds to instruction in English and certain technical subjects. The Senate concurred in the House Amendment on August 20, and the approval by President Harrison on August 30 made the Bill law.\textsuperscript{53}

The Board of Trustees had to decide how to allocate the new funds that they acquired for the University. The Act as passed had limited the use of these funds to the support of certain subjects and their practical application. It also excluded using the funds for the creation or repair of buildings.\textsuperscript{54} President Scott felt that the monies from the first two installments should be used for books, equipment, and apparatus because he thought that it was too late in the year for the Board to add to the Faculty.\textsuperscript{55} There were several proposals made to acquire equipment for specific departments and to create new Chairs.\textsuperscript{56} When the funds were distributed by the Board of Trustees, many departments shared the benefits in the form of new equipment and more instruction,\textsuperscript{58} but action on the department of manual training was deferred.

An unexpected obstacle to the acquisition of funds brought a new problem before the Board of Trustees just at the time the matter seemed settled. The second Morrill Act contained a clause intended to give Negroes equal rights to the funds, which had been introduced by Senator Pugh of Alabama for the benefit of Tuskegee Institute
in his state. The amendment provided that in states where Negroes were not permitted to attend the agricultural and mechanical college and where there existed a separate college for Negroes which taught agricultural subjects and mechanical arts, the state's allotment could be divided between the college for the white students and the college for the Negro students. To the consternation of the supporters of The Ohio State University, claim was made that the amendment could be applied in Ohio.

A Senate bill was introduced on January 22, 1891, to accept the new Morrill Act money and turn the proceeds over to The Ohio State University. After the Bill had been referred to the Committee on Universities and Colleges, the friends of Ohio State were informed that President Samuel T. Mitchell of Wilberforce and others were claiming and demanding half of the funds on the basis that Negroes were excluded from the Agricultural and Mechanical Arts College at The Ohio State University. The Senate Committee on Universities and Colleges reported the Bill on February 25 with the recommendation that an amendment be passed giving half of the funds to Wilberforce. The Bill passed the Senate in this form because many Congressmen felt they might lose the Negro vote if they gave all the money to Ohio State.

Wilberforce University was a coeducational liberal
arts college founded by Negroes in 1856, under the auspices of the African Methodist Church, and was open to all races and nationalities.\textsuperscript{64}

The friends of Ohio State University were in a strong position. There were a number of Negroes attending Ohio State University, and the University had never had a policy that excluded Negroes.\textsuperscript{65} In a letter of February 27 to Hayes, Cope argued that if the funds were divided, Ohio State would seem to have been defined as an all-white school.\textsuperscript{66} Probably for this reason, he said, many Negroes in Ohio were opposed to this division of funds.

The farm interests were also opposed to the division of the funds.\textsuperscript{67} Arrangements were made by the friends of The Ohio State University for a special meeting of the House Agriculture Committee, to which the Bill had been referred. Hayes was invited to address the Committee on March 31, 1891.\textsuperscript{68} Hayes made a strong plea against the division of funds, using the arguments Cope had provided him and stressing the needs of the University. Joseph B. Brigham, National President of the Grange, Seth H. Elkins, State President of the Grange, and Reverend James Pindexter, a Negro leader and member of the Columbus Board of Education, supported Hayes in speeches before the Committee.\textsuperscript{69}
The next day Mr. Hayes indicated that he felt Wilberforce did not have a just claim to the funds, but that he would support any effort to provide and maintain an industrial department at Wilberforce in spite of what the final decision would be on the division of funds. He argued that Wilberforce University could probably acquire more money by appealing to the state directly than by sharing the funds from the Morrill Act. The argument soon subsided and an amended measure was passed under which the full amount of funds was assigned to The Ohio State University.

At the same time the Ohio General Assembly was debating the Hysell Bill which provided funds for Ohio State University through a one-twentieth of one mill state property tax. Some supporters of other universities wanted to divide the funds to be acquired from the property tax between all the state universities, Miami, Ohio and Ohio State. They were joined by the friends of Wilberforce who were currently lobbying for a share of the Morrill funds. An aggressive and complex fight took place in the Senate and the House of Representatives over the division of the federal and state funds.

The Bill was favorably reported out of the House Committee on Universities and Colleges, but Representative Samuel Taylor of Champaign County took a strong stand against it. Hayes, as a Trustee of Ohio Wesleyan,
felt that he might influence Taylor, who had graduated from Ohio Wesleyan. Members of the House had spread a rumor that Hayes opposed the Hysell Bill. President Scott felt that this rumor was an attempt to discredit the Bill, and he asked Hayes to deny it. Hayes wrote Representative Taylor that he supported the Hysell Bill and that anyone who was interested in industrial and higher education in Ohio should vote for the Bill. Representative Taylor became convinced of the merits of the Bill and voted for and spoke in favor of it. It is possible that Hayes felt he did not need to write to anyone but Taylor.

The Hysell Bill passed the House on February 4, 1891 after an amendment to divide the funds between Ohio State, Ohio University, and Miami University was defeated. Hayes and the other friends of Ohio State were pleased at the victory in the House, but now had to turn their attention to securing passage of the Bill in the Senate. Some of the opposition to the Hysell Bill was due to an increase in the state tax levy which the Bill would necessitate. Senator John A. Buchanan opposed the Bill because he felt that Ohio State University was already using too much money in proportion to the number of students and amount of work to be done.

The Hysell Bill was in the Senate Finance Committee when the Senatorial debates took place. Hayes went to
Columbus on March 3, 1891, to address the Senate Finance Committee. He urged support for the one-twentieth of a mill Act for The Ohio State University. 78

Finally, the Hysell Bill became law on March 20, 1891, 79 and The Ohio State University acquired tax support. The University at this time needed money for new buildings. The levy could not be made until the following August, and the funds from the levy could not be made available to the University until the next meeting of the General Assembly, which was several months after the time the levy could be made. Consequently, the General Assembly passed a bill which permitted the University to issue certificates of indebtedness. These certificates of indebtedness were to be paid off by the expected funds from the Hysell Act of 1891. 80

The next year the fight was renewed when Senator Wilbur Nichols introduced a bill to set apart a portion of the Hysell funds for his alma mater, little Franklin College located at New Athens, Harrison County, Ohio, which was part of his district. This time Ohio State had the support of the agricultural leaders of Ohio—Joseph Brigham, Seth Ellis, and L. N. Bonham. They had formerly been doubtful about giving the University Board as much independence from the legislature as the annual fund from the Hysell Act would permit. 81
Secretary Cope felt that Hayes would be the best man to present the University's arguments against this bill. Senator Edward Clingman, Chairman of the Senate Committee on Universities and Colleges, allowed the friends of the University to have a hearing on the Nichols' Bill in the Senate chambers on February 17, 1892. Cope and Scott provided Hayes with the facts and figures to present to the Legislature. Hayes pointed out that Ohio State University had a great need for the source of funds because it had lost the revenue from its Experiment Station. There was also a need for greater financial support due to the increase in enrollment. Finally, Hayes argued, since Ohio State was the only institution completely owned and controlled by the State of Ohio, the State Legislature had a greater responsibility to it than to other colleges. Hayes indicated that he had made progress in lining up support for Ohio State University.

Cope pointed out to Hayes that prospects for defeat of the Nichols' Bill had greatly increased due to the hearings in the Senate Chambers. Cope said to Hayes: "Your noble speech before the Senate Committee has had a favorable effect and the speech of Senator Nichols was so mad and unreasonable that it hurt rather than helped his cause."
Cope wrote later: "The Nichols' Bill is dead." Senator Clingman said that there were not more than two votes for it in the Senate. Hayes's address in the Senate and the public discussion which followed has put the Nichols' Bill to sleep. The Bill never was reported out of Committee. Hayes's legal training and political influence here were very important in the life and future growth of Ohio State University.

During his association with Ohio State University, Hayes devoted a great deal of time and attention to establishing a manual training program. He saw such a program as one important answer to the problems of mass education. Although manual training was not new in the United States, it was still subject to controversy and experimentation.

Manual labor existed in many American colleges before 1840. The plan for manual labor involved the establishment of a farm or shop in connection with an educational institution where, under supervision, each male student was required to work each day for a specified number of hours. The products of manual labor were used as far as possible by the institutions and the rest was sold in the open market.

The advocates of the system agreed that it was good physically—by giving needed exercise and release from sedentary occupation; educationally
by training the student in some craft; economically by aiding him to earn money; and morally by occupying his idle hours and thereby enabling him to avoid the temptations to moral delinquencies fostered by idleness.

The early manual labor system soon faded out for a number of reasons. College students were not eager for manual labor, and problems of discipline were increased whenever it was introduced. Its initiation required a large capital outlay for the building of shops and installing equipment. It was difficult to secure competent teachers of craftsmanship for the following reasons: they were lacking in patience; they did not represent good moral influence; and craftsmen had little ability in imparting information. The chief difficulty was that the finished articles were of such poor quality that they could not be sold. The large waste of material and the high wages made it entirely impossible to sell at a profit in competition with the products of trained adult craftsmen.

Although the manual labor system had been abandoned by most institutions before 1840, it retained some adherents, and the idea was revived in part with the creation, after the Civil War, under the Morrill Land Grant Act, of agricultural and mechanical colleges in several states.

Provision was made for the education of the
industrial classes in the Morrill Land Grant Act of 1862. The phrase "education for the industrial classes" meant a new kind of education distinguishable from that traditionally provided for the professional classes. The term in its broadest sense referred to the new education designed for the self-made men of industry and trade and of factory and farm, in place of the classical and traditional education designed for the man of theology and man of law. In its narrowest sense it meant training for farmers and mechanics.

In Ohio there had long been the conflict between those who desired an inclusive institution which offered liberal culture and a strong role for the sciences and those who insisted more narrowly upon utilitarian programs. The first group would include graduate and professional programs of every kind. This group talked about establishing a great State University: the second group was devoted primarily to utilitarianism reflected in an extensive program of industrial and agricultural education. They were very much less enthusiastic about liberal culture or advanced studies.

The first Board of Trustees selected by Governor Hayes in 1870 voted in favor of a broadly conceived curriculum. Without minimizing the broad cultural programs, however, Hayes wanted a strong guarantee that the
program in industrial education would survive. The unique industrial feature, he said, was the institution's major distinction from other institutions and was the one feature which would eventually bring popular support to the school.  

Hayes felt that one of the crucial issues in America between the Civil War and the turn of the century involved the emerging industrial system and the rank and file worker of the farms and factories. "Capital and labor is the big question," he told Alexis Cope, Secretary of the Board of Trustees at Ohio State University. He was convinced that once a boy had been educated in skilled labor he could never despise labor or the laborer. It was important that the state university provide this kind of experience for all of its students. This was the role for a Land-Grant College in a state like Ohio, and it could never be fulfilled in an institution which merely tolerated industrial education or which excluded everything else. In Hayes's view, the state university would provide the basis for progress and unity in the modern industrial state.  

Only a few years after the Board of Trustees located The Ohio State University on the Neil Farm, the manual training movement was introduced into the country on a widespread basis, it is said, as a result of the
exhibit made by the Russian government at the Centennial Exhibition in 1876. The Russian pattern of shop training as an essential adjunct of higher technical education elicited a strong response from the President of the Massachusetts Institute of Technology who received authorization from his Board of Trustees to establish not only shops for engineering students, but a new school of mechanical arts to provide manual education "for those who wish to enter upon industrial pursuits rather than to become scientific engineers."

The president, John D. Runkle, elaborated a general theory of higher technical education based on the manual training idea. He reasoned that "apprenticeship had properly joined mental and manual education in the early days of the Republic." This ideal education, however, had been torn apart by the rise of an industrial system committed to specialization and a public school system over-concerned with mental training. He emphasized that manual instruction would again unite the mental and manual, thereby preparing people realistically for life in an industrial society.

Hayes felt that the future of The Ohio State University depended upon strengthening its program for industrial education, and he said: "Our own University is our first and chief care." Under the circumstances, duty
in the performance of that charge required that they push insistently for industrial education regardless of opposition. Pushers always win, he told Cope, if their timing was correct.  

Alexis Cope, Secretary of the Board of Trustees at Ohio State University, suggested that Hayes might be able to get some good thoughts to back up his own ideas on manual training by reading Thomas Carlyle's essay on the "Corn Law Rhymes." On page 367 Hayes underlined the following passage:

"... To Work! What incalculable sources of cultivation lie in that process, in that attempt; how it lays hold of the whole man, not of a small theoretical calculating fraction of him, but of the whole practical, doing and daring and enduring man; thereby to awaken dormant faculties, root out old errors, at every step! He that has done nothing has known nothing. Vain is it to set scheming and plausibly discoursing: up and be doing! If thy knowledge be real, put it forth from thee: grapple with real Nature; try thy theories there, and see how they hold out. Do one thing, for the first time in thy life do a thing: a new light will rise to thee on the doing of all things whatsoever. ..."

A few years later Hayes received a letter from Cope with another quotation to be used in defense of manual training. Cope enclosed an extract from Henry David Thoreau's Walden which emphasized the importance of learning by doing. This extract ends in the following passage:

"... Which would have advanced the most at the end of a month,—the boy who had made his own jackknife
from the ore which he had dug and smelted, reading as much as would be necessary for this—or the boy who attended lectures on metallurgy at the Institute in the meanwhile, and had received a Rodgers penknife from his father? Which would be the most likely to cut his finger? 

Hayes felt that students at Ohio State University should have some exposure to manual training. This was essential, according to Hayes, because everyone would be able to make a living by skilled labor if necessary. He realized that the university needed an industrial department in order to train qualified teachers to teach people how to use their hands in a skilled trade.

Hayes in 1887 indicated to Cope that he thought it would be advisable to have a completely equipped department as soon as possible. Hayes proposed the following resolution at the February 21, 1888 meeting of the Board which was adopted unanimously: "Resolved, That in the opinion of this Board a thoroughly equipped Department of Manual Training for both young women and men should be added to the existing educational facilities as soon as practicable."

The Board considered whether it would be wise to recommend that the General Assembly appropriate finances for additional buildings. The following resolution of Hayes was adopted by the Board of Trustees: "Resolved, That this Board ask the General Assembly for an appropriation
of $40,000 to erect and equip a building for Manual Training Instruction and as far as practicable for an armory and gymnasium." Hayes delivered a speech before the Appropriations Committee of the two Houses in which he presented the arguments in favor of the University having a Manual Training Department. He emphasized that it was essential to have a manual training department so that students could learn to make a living with their hands by skilled labor if necessary.

Cope soon pointed out to Hayes that there was not much of a chance for a Manual Training Department at this time because of the lack of funds. Representative Charles P. Griffin of Toledo in the fall of 1889 corresponded with Hayes and indicated that he thought it would be desirable if Hayes drew up a bill to establish a manual training department. He pointed out that Hayes's speech before the House in 1888 had made many legislators aware of the University's need for a manual training department.

In early 1890 the Board of Trustees agreed to ask for $30,000 for a building for the manual training department. In January of 1891 the Board of Trustees passed Hayes's motion to ask the General Assembly for $40,000 for a building and equipment, but there was no action taken on the part of the General Assembly.
However, in March, the Legislature passed the Hysell Bill, as remarked above, which gave Ohio State University an annual levy of one-twentieth of a mill on all property in the state, and on May 4, 1891, a further law made it possible for the Board of Trustees to issue certificates of indebtedness to finance the construction of several new buildings, the money to be repaid from the expected proceeds of the Hysell Act. 109

On the next day, Hayes offered at the meeting of the Board of Trustees, a resolution which the Board passed without dissent:

Resolved, That the interests of the university require the erection of three buildings, one for the manual training department, to cost with equipment, not to exceed $45,000; one for a geological museum with accommodations for the library, to cost not to exceed, with furniture and fixtures, $75,000; one for an armory, assembly room and gymnasium, to cost not to exceed $40,000, complete; said buildings to be begun in the order in which they are named herein and as soon as practicable. 110

A committee was appointed to visit several manual training departments in other universities and also the manual training schools in Toledo, Chicago, and St. Louis. The committee was instructed to collect information from which plans could be made for equipment and buildings at The Ohio State University. 111 As a member of the committee, Hayes came to feel that earlier estimates must
be revised and he proposed at the next meeting of the Board that the amount for the geological museum and library be increased to $100,000 and that the amount for the manual training department be increased to $50,000.112

A Columbus architect, F. L. Packard, prepared some preliminary plans and sketches for the proposed manual training building. He explained his plans to the members of the Board on June 22, 1891.113 The final selection of an architect and completion of plans for the building were referred to Trustee Hayes. Hayes was also responsible for the selection of faculty and equipment for the proposed manual training department.114

At the meeting of the Board of Trustees on July 22, 1891, Hayes made an oral report on the progress of the manual training building. He said that he had visited the new manual training building at Cleveland and had hired Mr. Packard as an architect, whose plans would be acceptable to the Board of Trustees. Hayes then made a motion to locate the manual training building two hundred to six hundred feet southeast of the chemical laboratory; the motion was approved by the Board of Trustees.115

Hayes received congratulations and was honored by the Board of Trustees at the November 17th meeting by the adoption of the following resolution: "Resolved, That the manual training building now being constructed shall
be named and known as 'Hayes Hall' in recognition of the untiring labors of President Hayes toward its establishment, and his devotion to the cause of industrial education." Cope followed the progress of the building and kept Hayes informed. Hayes expressed great appreciation and personal satisfaction when he visited the campus and saw the actual construction of the building.

It took a great deal of time to find a capable man to head the manual training department. Even while members of the Board were seeking advice on the manual training building, Hayes was looking also for a potential administrator, as he records in his diary on a visit to Cleveland.

At the November meeting, the Board of Trustees elected Hayes as its new president, but unfortunately he served only a few weeks. The last moments of Hayes's life were devoted to Ohio State University. He was in Cleveland at the time, looking for someone to become head of the manual training department. Hayes walked several blocks in terrible weather to locate a man for the position and took ill as the result of his efforts. His condition worsened as he returned to Fremont, and he died there on January 17, 1893. The establishment of a manual training department at Ohio State University most likely gave Hayes as much satisfaction as any other single
project while he was a member of the Board of Trustees.

In the last two decades of his life, Mr. Hayes had been very useful to the University. He played a significant role in its foundation as Governor in 1870 and helped to determine its future shape by appointing Trustees who emphasized a broadly conceived curriculum. As a Trustee of the University for nearly six years, Mr. Hayes helped place the University on a more secure financial basis by helping it acquire additional funds, and was outstandingly successful in inaugurating a program of industrial education.

Hayes sought a peaceful adjustment in all areas where the University had become involved in contention. He designed a measure giving the President discretion regarding compulsory chapel attendance paving the way for greater secularization of the University. He designed and engineered an agreement between the agriculture experiment station and the University which symbolized a broader rapprochement between the school and the state's farmers. Hayes reorganized the administrative structure of the University. His changes reduced the President's role to that of Dean and directly involved the Board of Trustees in the affairs of the University through its Secretary, Alexis Cope, who served also as Registrar, Business Manager, and Superintendent of Buildings.
Hayes wanted Ohio State to develop as a school where a practical, as well as a liberal, education would be available to all. Since his time, the University has not wavered from its progress toward that goal. Much has been accomplished, for which an important part of the basic foundation was established by Hayes as Governor and Trustee.
FOOTNOTES

CHAPTER II

1 Alexis Cope, History of The Ohio State University (Columbus, Ohio: The Ohio State University Press, 1920), Vol. I, 1870-1910, p. e.

2 Ibid., pp. 4-20.

3 James E. Pollard, History of Ohio State University, 1873-1948 (Columbus, Ohio: The Ohio State University Press, 1952), p. 4.


5 Annual Message of the Governor of Ohio to the Fifty-Ninth General Assembly, at the Session, commencing January 3, 1870 (Columbus, Ohio: Columbus Printing Company, 1870), pp. 7-8.

6 Cope, op. cit., p. 21.

7 Letter from Hayes to J. A. Warder, February 17, 1870, (All letters from the Rutherford B. Hayes Library in Fremont, Ohio will be abbreviated H. M. L., unless otherwise noted.)

8 Thomas C. Mendenhall, History of The Ohio State University (Columbus, Ohio: 1920-1940), pp. 25-30; Cope, op. cit., pp. 26-30; Records of the Proceedings of the Board of Trustees, p. 1.


10 Ibid., p. 102; Mendenhall, op. cit., p. 27.
11. Cope, op. cit., p. 25. Refer to Appendix C for members appointed to the first Board of Trustees of the Ohio Agricultural and Mechanical College by Rutherford B. Hayes.


13. Ralph Leete to Hayes, April 27, 1870, H.M.L.

14. Hayes to Dennison, March 22, 1870, H.M.L.; Joseph Sullivant to Hayes, March 23, 1870, Ohio Historical Society Library; Sullivant to Hayes, April 15, 1870, H.M.L.

15. The Ohio State Journal, July 20, 28, 29, October 4, 1870.

16. Ibid., Sept. 12, 1870.


19. Letter from Leete to Hayes, April 27, 1870, H.M.L.


22. Ibid., p. 28.


26. Mendenhall, op. cit., pp. 103-104; for the complete address see, "Industrial Education, Its Character
Claims, "Inaugural Address of Edward Orton, in Third Annual Report of the Trustees of the Ohio Agricultural and Mechanical College to the Governor of the State of Ohio (Columbus, Ohio, 1874), pp. 10-26.


30 Letter from Cope to Hayes, October 20, 1887, H.M.L.

31 Cope, op. cit., p. 120.


33 Letter from Cope to Hayes, October 20, 1887, H.M.L.

34 Ibid., November 11, 1887, H.M.L.


37 The Proceedings of the Board of Trustees, December 8, 1887.

38 Ibid.

39 Cope, op. cit., p. 125.


41 Records of the Proceedings of the Board of Trustees, pp. 345-346.

42 Ibid., pp. 336 ff. William Henry Scott, President of the University from 1883 to 1895, allowed the Secretary, Alexis Cope, to administer most of the non-academic affairs of the University.
Ibid., pp. 80-81, 174, 176, 218, 231; see also, Report of the President for 1882-1883, in Report of the Board of Trustees to the Governor of Ohio (Columbus, Ohio, 1883), pp. 17-33.

Ibid., pp. 345-346.

Ibid., p. 349.

Alexis Cope to Hayes, October 6, 1887, January 23, 1888, August 18, 1888, June 17, 1892, H.M.L.

U. S., Congressional Record, Fifty-First Congress, First Session, 1890, Vol. 21, Part 4, p. 4003.

Letter from Scott to Hayes, June 4, 1890, H.M.L.

Letter from Cope to Hayes, August 20, 1890, H.M.L.


Letter from Scott to Hayes, June 4, 1890, H.M.L.

Letter from Hayes to Congressman Taylor, June 1, 1890, H.M.L.


U. S. Statutes at Large, Vol. 26, pp. 418-419. Refer to Appendix D for this provision of the new Morrill Act of 1890.

Letter from Scott to Hayes, Sept. 25, 1890.

Letter from Cope to Hayes, Oct. 30, 1890.

The Proceedings of the Board of Trustees, op. cit., November 19, 1890.

Hayes, in diary, November 18, 1890.

U. S. Statutes at Large, Vol. 26, p. 418. Refer to Appendix D for this provision of the new Morrill Act.

61 Cope, op. cit., p. 132.
63 Ibid., p. 418, March 18, 1891.
65 Cope, op. cit., p. 132.
66 Letter from Cope to Hayes, February 27, 1891, H.M.L.
67 Cope, op. cit., p. 133.
68 Letter from Scott to Hayes, March 27, 1891, H.M.L.
69 Cope, op. cit., pp. 133-134.
70 Letter from Hayes to President Mitchell of Wilberforce University, April 1, 1891, H.M.L.
73 Letter from Scott to Hayes, January 28, 1891, H.M.L.
74 Letter from Hayes to Samuel M. Taylor, January 30, 1891, H.M.L.
77 Article from Columbus Evening Dispatch, with letter from Scott to Hayes, February 13, 1891.
See Appendix E for actual Hysell Act in complete form.

Cope, op. cit., pp. 143-144. See Appendix F for text of Act.

Letter from J. H. Brigham to Hayes, January 29, 1892.

Letter from Cope to Hayes, February 4, 1892, H.M.L.

Letter from J. H. Brigham to Hayes, January 29, 1892, H.M.L.


Letter from Cope to Hayes, February 23, 1892, H.M.L.

Letter from Cope to Hayes, March 7, 1892, H.M.L.; Cope to Hayes, April 19, 1892, H.M.L.

Refer to Footnote 6 on page 128.

Carrol Cutler, A History of Western Reserve College During Its First Half Century, 1826-1876 (Cleveland, Ohio: 1876), pp. 75-76.


Refer to p. 48.

James E. Pollard, History of The Ohio State University, 1873-1948 (Columbus, Ohio: The Ohio State University Press, 1952), p. 16.

R. B. Hayes to Alexis Cope, February 7, 1891, original in Ohio State University Library.

Bennett, op. cit., Vol. 2, Chapter 1.

in Massachusetts Board of Education, Forty-First Annual Report, 1876-1877 (Boston, 1878), pp. 188, 192.


96 Letter from Hayes to Cope, February 8, 1888, original in Ohio State University Library; Alexis Cope to R. B. Hayes, February 10, 1888, H.M.L.

97 Letter from Cope to Hayes, February 28, 1888, H.M.L.


99 Letter from Cope to Hayes, December 9, 1892, H.M.L.


101 Letter from Hayes to Cope, December 28, 1887, original in Ohio State University Library.

102 The Proceedings of the Board of Trustees of Ohio State University, February 21, 1888.

103 Ibid., January 15, 1889.

104 Columbus Evening Dispatch, January 17, 1889.

105 Letter from Cope to Hayes, February 6, 1889, H.M.L.

106 Letter from Griffin to Hayes, November 20, 1889, H.M.L.


108 The Proceedings of the Board of Trustees of Ohio State University, January 14, 1891.

110 The Proceedings of the Board of Trustees of Ohio State University, May 5, 1891.

111 Ibid., Letter of Cope to Hayes, June 6, 1891, H.M.L.

112 Alexis Cope, History of The Ohio State University (Columbus, Ohio: The Ohio State University Press, 1920), Vol. 1, p. 415.

113 The Proceedings of the Board of Trustees of Ohio State University, June 22, 1891.

114 Ibid., June 24, 1891.

115 Ibid., July 22, 1891.

116 Ibid., November 17, 1891.


118 Ibid., July 29, 1891, Vol. 5.

119 The Proceedings of the Board of Trustees of Ohio State University, January 19, 1893.
CHAPTER III

HAYES AND SOUTHERN EDUCATION

While he was President of the United States, Hayes tended to steer a prudent middle course in all the entanglements of reconstruction politics. He made his most important contributions to Southern education later in his career, when he became influential in philanthropic groups, especially the Peabody and Slater Funds. Before we can understand exactly what Hayes did, we must briefly review the problems of Southern education after 1865.

At the end of the Civil War, the South's embryonic system of public education was severely crippled. Although all the former confederate states made provisions for the establishment of schools, the general conditions of society from 1868 to 1876 were not conducive to educational progress. Forced to concentrate its limited resources on rebuilding a devasted agriculture, the South could not afford the heavy investment necessary to build and staff an adequate system of primary and secondary education.
One of the groups most in need of public education, of course, was the newly liberated Negro. In the years following the war, the Freedman's Bureau provided free education for a number of Negroes. Established as an agency of the War Department, the Bureau had provided care and some instruction for refugee Negroes during and immediately after the Civil War. Between 1868 and 1870 the Bureau expanded its earlier efforts and allocated three and a half million dollars for schools. But it was unpopular among many white Southerners and lost its effectiveness once the federal troops were withdrawn.

Many Northern churches had established missions that also attempted to provide education for the Negro Freedmen, expending during the period 1868 to 1870 more than a million and a half dollars. Although these groups made valuable contributions (among the present descendants of the institutions which they established are such distinguished universities as Fisk and Howard), they were not unmixed blessings. Many of the missionary teachers had more dedication and earnestness than professional training, and their unpopular reputation as Northern reformers may have driven away many Southerners from the field of Negro education.

As the contributions of the Freedman's Bureau and the churches diminished, Southern education needed more comprehensive planning and more adequate funding. In the
1870's there were two important efforts to permit the federal government to offer assistance. In 1870 Senator George F. Hoar of Massachusetts introduced in Congress a bill that would have established a system of public instruction in all states where a minimum standard of literacy was not met, to be administered by a federally-appointed superintendent. Textbooks were to be recommended by the United States Commissioner of Education, and the schools were to be supported by a centrally collected direct tax. The bill was defeated, partly due to the opposition of the National Education Association and Superintendent Wickersham of Pennsylvania. The National Education Association and Superintendent Wickersham felt that national control over part of the nation's schools could not be tolerated, although gifts of federal money with local autonomy would be acceptable.

A second effort to secure national aid for states unable to maintain schools came in the form of a proposed national school fund from the sale of public land in the tradition of the Ordinance of 1785. In 1876 Senator Henry Blair of New Hampshire introduced a bill to give temporary help to states with the greatest educational needs. In its final form the Blair Bill provided for $77,000,000 to be divided among the states in proportion
to the number of illiterates in each. The money was to be used as the states saw fit, provided that it was used only for education. The measure passed the Senate three times during the 1880's, but was never successful in the House of Representatives. It appeared that the government would not be able to furnish the planning or the finances for educational programs.

Help was to come from a group new to the American scene—the educational foundations, established for the most part by a new group of wealthy capitalists. Apparently trying to change their "robber-baron" image, these men devoted their efforts to philanthropy and charity. Unlike the church-oriented philanthropy that dominated most of America before the Civil War, the efforts of these new philanthropists were free of restrictive, sectarian bonds and were often oriented to a large view of over-all national problems. When they turned their attention to education they set up foundations whose main purpose would be "supplementing and assisting the establishment of institutions of education" on a very comprehensive scale.6

In the long run, five large educational foundations were established to work directly for the advancement of Negro education in the South. Of these, only the Peabody and Slater Funds were in existence during the lifetime of
of Rutherford Hayes. The Peabody Education Fund exerted a strong influence toward the establishment of a permanent system of public education and teacher-training institutions for both races in the South. The Slater Fund aided institutions set up by Northern societies which were giving aid to poor students of the Negro race.

In 1867 George Peabody, a wealthy merchant of England, who was by birth a native of Massachusetts, visited the United States and made a gift of $2,100,000 (increased to $3,500,000 in 1869) for the promotion of education in the South. The Fund existed to promote and encourage the "intellectual, moral, or industrial education among the young of the more destitute portions of the Southern, Southwestern states." Beneficiaries were to be selected "without other distinction than their needs and the opportunities of usefulness to them." The first General Agent to administer the Peabody Fund was Dr. Barnas Sears, the successor of Horace Mann in the Secretaryship of the Massachusetts Board of Education and subsequently President of Brown University. As first Agent of the Peabody Fund, he molded the policy that governed its administration. In order to disarm white opposition to the public schools, he allocated no funds to systems established on an integrated basis. In order to stimulate Southern authorities to help themselves,
he granted funds only on the condition that a larger sum be raised by taxation than that granted by the Foundation. A special effort was made to encourage the establishment of a few model schools and of teachers' training institutions. When Sears had died, it was generally believed that he had done much to strengthen education in the South.⁹

Sears was followed by J.L.M. Curry, who left his duties in 1881 as a professor at Richmond College to administer the Peabody Fund. For some years, he had been associated with both Mr. Winthrop, the President of the Peabody Fund, and Dr. Sears, and so he was capable of continuing on the lines already laid down. Moreover, his Southern background and training helped win the confidence of both North and South.¹⁰

In the following words, Sears had summarized the problems facing education in the South, all of which remained to confront Curry:

Prejudice, interests of teachers, sparseness of population, impatience of taxation, financial depression, were serious hindrances. School-houses had to be built and furnished, teachers to be trained, schools to be graded, friction to be overcome, and an unfamiliar system to be accommodated to environments. The whole work of introducing a new system and improved methods of teaching was beset with many difficulties, one of the chiefest of which was insufficiency of means to pay competent teachers and continue the schools in session for longer periods.¹¹

Under Curry's direction, the Peabody Fund was used to develop a limited number of high quality schools as models.
Part of the Peabody Fund went to both black and white Normal Schools for women teachers, and also to what became the George Peabody College for Teachers in Nashville, Tennessee. Staff members also visited schools and opened lines of communication between groups interested in school improvement.

In the first years of its work, the Peabody Board of Trustees formulated the principles which guided that body in administering its funds. The Fund was committed to organizing large model schools that would influence surrounding areas, to developing professional growth among teachers through the formation of the office of State Superintendents of Schools, and of State Teachers' Association, and through the publication of teachers' periodicals, and to concentrating on state normal schools rather than normal departments of private colleges and academies.  

In 1877 President Hayes was nominated by the Southern members of the Peabody Board of Trustees and was unanimously elected by the whole Board to succeed Samuel Watson as a member. Besides the Southern members, who may have been motivated by their great respect for Hayes's affirmation of home rule in the South, two Northern members of the Board knew of Hayes's qualifications and abilities and may have been influential in helping to
secure both his nomination to the Board and his acceptance of the responsibility, so soon after his entrance into high office. Chief Justice Waite had been a close friend in Ohio of Hayes's Uncle Sardis and was well aware of Hayes's accomplishments. William Evarts of New York was Hayes's Secretary of State and had served as chief counsel for Hayes in the Hayes-Tilden dispute.14

While he was President of the United States and for a few years after he left office, Hayes played a minor role in the affairs of the Peabody Fund, but he came to know the other members of the Board with whom he later worked more closely. Among the distinguished group of Northern and Southern gentlemen who composed the Board (see Appendix J), besides Waite and Evarts, Hayes already knew J.L.M. Curry from their days together at Harvard. Curry and Hayes had lived in the same boarding house while they attended Harvard Law School and they had renewed their friendship when Hayes became President.15 Curry strongly approved of Hayes's Southern policy to conciliate and be just to the South and his support of federal aid to education in needy Southern states.16 In Curry's efforts to secure passage of the Blair Bill, Hayes was supportive.17 Indeed, Hayes's chief contribution to the accomplishments of the Peabody Fund was for a number of years his consistent
support of all the endeavors of his old friend Curry, which must have weighed heavily in securing approval in the Board and outside it, of many of Curry's programs.

Among the activities of the Peabody Fund Hayes was especially interested in increasing the quantity and the quality of the teachers in the South. To this end, he suggested in 1884 that the General Agent of the Peabody Fund make a comprehensive study of the actual cost of attending college. He hoped that as a result of this study the Fund could reduce the amount granted per scholarship, and so give more scholarships, and increase the number of potential teachers. His expectation was fulfilled and more scholarships became available.

Hayes also became especially interested in the development of the normal college at Nashville, which served as a model for the state normal schools throughout the South. Hayes accepted appointment as chairman of a committee which visited the normal college at Nashville, with power to act on certain recommendations of the president of the college. Chairman Hayes reported that after visiting Nashville, inspecting the buildings of the college, talking with faculty and students, consulting with President Payne, and observing the interest shown by the press, the citizens of the community and the public authorities, the committee voted for a library, model training
school, and other improvements to the college.  

Hayes wrote in his diary that his visit to Nashville in 1889 led to the first step in adopting Nashville as the site of the final Peabody Memorial.  

In 1903 the Peabody Educational Board appropriated $1,000,000 of its principal as endowment of the George Peabody College for Teachers, successor to the University of Nashville.

In 1881 Hayes accepted an opportunity to help in furthering the education of Negroes. Leonard Bacon, a Congregational clergyman from Norwich, Connecticut, came to see him in behalf of a fellow townsman, the industrialist, John F. Slater, who had decided to endow a Foundation to advance Negro education in the South. Bacon was the ideal man to contact Hayes and launch the trust because he had a letter of recommendation from Chief Justice Waite and had been associated himself with a number of humanitarian causes.

Slater and Bacon realized that much of the Peabody Fund's success had been due to the stature and prestige of its Board of Trustees and that similar prestige would be an advantage to their foundation. Since Negro education was more controversial than the program of universal public education, they were determined to select a panel of distinguished men from both the North and the South.
They were successful in so doing (see Appendix K). Hayes became President of the Board; Waite was Vice-President. The Secretary was Daniel C. Gilman, an outstanding American educator who after being President of the University of California had become the first President of Johns Hopkins University and made it the most renowned American university for graduate study. The Treasurer was the noted New York banker and philanthropist, Morris K. Jesup.25

The six additional members of the Board were also of considerable stature. John A. Stewart was President of the United States Trust Company and during the war had been Assistant Treasurer of the United States. Alfred H. Colquitt was a former Confederate General, who became Governor of Georgia and United States Senator. William E. Dodge, a former Congressman, was a well-known New York merchant and president of the National Temperance Society. William A. Slater was the son of the benefactor. The Board included two clergymen of national reputation. The Reverend Phillips Brooks of Boston was one of the most eminent preachers in the country. The Reverend James P. Boyce was a former Confederate chaplain and a well-known theologian.26

During the decade of Hayes's presidency of the Slater Fund, as some of the original Board members died,
others of equal stature took their places. William E. Dodge died early in 1883, and was succeeded by his son, William E. Dodge, Jr. In 1888 Chief Justice Waite died, and was replaced by the new Chief Justice of the United States, Melville Fuller.  

The general object of the Fund, as John F. Slater expressed it in his letter to the Trustees, was "The uplifting of the lately emancipated population of the Southern states, and their prosperity, by conferring upon them the blessings of Christian education." The Trustees were to enjoy complete freedom in investing the funds and applying the income with the stipulation that the money was not to be used for lands or buildings.  

Hayes was quite influential in the approach that the Slater Fund took in regard to the appropriate education for Negroes. According to one school of thought, more qualified Negroes should have opportunities to obtain a classical education so that they could effectively assume leadership positions and enter the professions. Some New England Missionary Teachers wanted to include such subjects as Latin, Greek, geometry and rhetoric at the secondary and college levels to train capable Negroes for teaching, social work, and the ministry.  

Late in the nineteenth century, Dr. William Burkhart DuBois became the leader of a small group of Negro
intellectuals who also wanted more Negroes to be educated at the collegiate level for various professions and positions of leadership. A graduate of Fisk and Howard Universities, DuBois had studied at the University of Berlin and won distinction as a scholar and writer. He especially resented the overshadowing emphasis which men like Booker T. Washington had for many years placed on industrial education. To DuBois, this seemed to stifle the legitimate desire of many Negroes for professional careers.  

The second school of thought, which was congenial to Hayes and to his colleagues of the Slater Fund, advocated occupational training for Negroes. The Freedman's Bureau and the various missionary groups had shown an interest in occupational or industrial training. As early as 1864 and 1865, various societies established "industrial schools," which taught such trades as sewing and shoemaking, developing ideas of independence and self-support, which had been crushed out by slavery. Elementary household arts were taught to females in many of the Freedman's schools, while the males helped with janitorial and repair work.

In 1868 General Samuel Chapman Armstrong, building on such meager beginnings but more particularly on his own experience with industrial education in Hawaii, created
at Hampton Institute in Virginia the first really successful agricultural and industrial school for Negroes. The industrial program at Hampton included carpentry, bricklaying, blacksmithing, tailoring, printing, laundry, sewing, and cooking. Armstrong definitely saw the possibilities of using industrial education as a strategic ground of compromise between the white South, the white North, and the Negro. Armstrong also brought to his work a conservative racial bias and a belief in the value of industrial education for "dependent and backward races."

He believed that Negroes were slothful, backward, and inferior and would remain in this condition until they had assimilated the values and skills of Yankee civilization. Armstrong emphasized that the means of Negro advancement in a competitive, capitalistic civilization lay essentially in combatting shiftlessness, extravagance, and immorality—in working hard, buying land, saving money, creating stable, Christian families and learning trades. Armstrong pointed out that Negroes should eschew politics and the demand for civil rights. These—he implied—would come when the Negro had acquired property and high moral standards. 33

By emphasizing moral and economic progress and by relegating full citizenship rights to a distant future, Armstrong formulated a program that was acceptable to
Southern whites and to Northern capitalists, who desired an end to the disorders of reconstruction and the creation of a stable and trained labor supply. Seeming to accept an inferior status for Negroes, Armstrong's program had a strong appeal because the language which was used to describe it was philanthropic and paternalistic, speaking of "uplift," which salved the conscience not only of conservative Southerners but also of those Northerners who, although former abolitionists, did not in fact believe in racial equality. Armstrong spoke in the platitudes of the day—in terms of *laissez faire* and the gospel of wealth, of uplifting backward races not equal to whites, of self-help, morality, and economic independence.  

In 1879, while he was still President, Hayes visited Hampton Institute and was greatly impressed by the achievements of General Armstrong. In succeeding years, not only the President, but Mrs. Hayes as well, supported the school by personal gifts, and Mrs. Hayes was in frequent correspondence with the General, praising and encouraging his work. Still later, as we will see, the Slater Fund aided Armstrong and Hampton.  

Although industrial education was widely praised for its value as a moral force, General Armstrong emphasized the learning of the trades for future livelihood. He
stressed that it was essential for students to work for pay and thus support themselves in order to incalculable the spirit of self-help, thrift, and economic independence. These goals necessitated a method of instruction unlike the generally accepted school program of that day. The subject matter of all instruction had to be drawn directly from the life of the pupils and their training related directly to the duties and work they were to perform. Instead of the program that is popularly known as "Manual Training," that is, a program in which students work with tools at school desks and produce models, the program at Hampton put students at once to doing really productive work. Armstrong had, for example, from the very beginning, a brick kiln where his boys made bricks to be used in the buildings erected on the campus, and the construction of these buildings supplied actual work in all the building trades. The work was then correlated with arithmetic taught in the classes, but it was all real work. The same plan was followed on the farm, where the students were required to keep records of the work done and the products obtained with cost accounting.38

Booker T. Washington, the most capable and famous of General Armstrong's students at Hampton Institute, was imbued with a burning love of service to others, especially services to the black man.39 Washington was called to
Tuskegee, Alabama in 1881, to develop there a school with the same spirit and ideals as Hampton. Under his guidance and inspiration, students cooperated in doing all the necessary work: constructing the buildings, producing and cooking the food, and performing innumerable other tasks. The local white community, which was hostile to the school, was given assurance in many ways that the students were there to serve and not to antagonize. Washington recognized that Southern whites had to be convinced that the education of the Negroes was in the true interest of the South. 40

The mission of Tuskegee Institute, as Washington perceived it, was largely that of supplying teachers equipped to teach the various trades and the three R's. 41 This involved the infusion of vocational training into the so-called academic courses. In mathematics, a student of carpentry would be asked to determine which common length of wood would suffice for a given job with a minimum of waste. A boy in agriculture would be required to know the selling price of his bale of cotton and the prevailing price per pound. 42

Washington felt that the abstract study of such subjects as science, mathematics, and history, would be impractical for most Negroes. "For years to come, he said, "the education of the people of my race should be so
directed that the greatest proportion of the mental strength of the masses would be brought to bear upon the everyday practical things of life, upon something that is needed to be done, and something which they will be permitted to do in the community in which they reside.  

Writing in his diary a few days before the organizational meeting of the Slater Fund Board of Trustees, Hayes said that trade, education and religion went hand in hand. At this October, 1882 meeting he tended to support the position of Armstrong and Washington. Hayes argued that Negroes trained in agriculture and the various trades would probably have little difficulty in finding a suitable position. Hayes felt that the Slater Fund should aid Negro Colleges which provided training in agriculture and the trades. He pointed out that the study of tools as well as books should have a place in the curriculum. This would enable Negroes to acquire a general dexterity of the hands and eyes in the use of the leading elementary tools of the principal mechanical and agricultural trades.

The Slater Board of Trustees decided to pursue a policy that was in line with the thought of Hayes and the supporters of manual training. Beginning its work in 1883, the Slater Board, well aware of Armstrong's work, decided to give preference in its appropriations to institutions
which gave instruction in trades and other manual occupations "that would enable Negro youth to make a living and become useful citizens.\textsuperscript{46}

To execute the Trustees' policies and direct the field work in the South, it was essential to secure an agent whose philosophy was similar to that of the founder and president of this fund. This agent would visit Negro schools throughout the South, decide where the funds could best be used, keep the Trustees informed on the progress of the work and needs of Negro education, and, in general, translate the financial benefaction for Negro education. Slater felt that the agent should be a Northerner, but Hayes, interested in public opinion in the South, wanted to see a Southerner hold this position.\textsuperscript{47} Hayes went to Curry for confidential advice concerning the question of an agent for the Slater Fund.

Curry suggested that the Slater Fund agent be a white man who is a friend of Negroes in a bold, but not fanatic manner, a person who desired their moral and intellectual elevation, and a believer in the future of the Negro race. He wrote that if he were a Trustee, he would not have the slightest hesitation in voting for Dr. Atticus Haygood, President of Emory College, because "He is a broad and Catholic Christian and his Our Brother in Black shows courage, ability, and the right opinion on the
In this book Haygood argued that the Negro should be encouraged to own land in the rural South and be educated to vote responsibly.

Hayes proceeded to line up the Trustees for Haygood. He sent Curry's recommendation to Chief Justice Waite, who also wanted a Southerner for agent. Hayes was successful in gaining the support of the executive committee by communicating with Governor Colquitt, Reverend Boyce of Louisville, Kentucky, William E. Dodge and Daniel Gilman. In 1882 the executive committee appointed Haygood as their General Agent.

Haygood did not agree with all the Trustees, several of whom wanted to concentrate on building a limited number of model institutions and to have the General Agent furnish them with detailed information. He wanted to spread the funds to as many institutions as possible, and relied more on first hand observation and common sense than on the statistics and guidelines dear to many of the Trustees.

Haygood remained as General Agent for nine years, in spite of strong opposition from the Board of Trustees. The image of the Slater Fund in the South would have been tarnished if a Northern dominated Board had fired a Southern General Agent. Hayes consistently acted as a mediator between Haygood and the Board because of his respect for
Haygood as a Methodist preacher and his admiration for him in his efforts to improve Negro education. Under Hayes's leadership, reasonable compromises were reached. The Fund was directed to helping many institutions, as the General Agent wished. On his side, the General Agent was persuaded to provide the Trustees with fuller and more systematic data.

The agreement called for two visits to every institution aided by the Slater Fund and detailed information on the condition of each institution that was not visited. The General Agent was instructed to make annual trips North to confer with the Trustees individually or collectively. The salary and traveling expenses of the General Agent were separated and the traveling expenses were to be paid only after a detailed statement of the amount appropriated was given to the Treasurer.

During the administration of Dr. Haygood from 1882 to 1891, twenty-five institutions of higher learning were aided by appropriations from the Slater Fund (see Appendix L). The number rose from seven schools in 1882 to twenty-three in 1891. Dr. August Meier, specialist in Negro intellectual history, states:

Haygood appropriated most of the Slater funds to schools generally regarded in the tradition of liberal rather than industrial education. Few students attending Negro schools in this period were in the college departments, and industrial and
agricultural education was generally limited to work on the elementary and high school level. Many schools paid lip service to the idea of manual training rather than instituting an effective program which would have been very expensive. At times the program consisted mostly of manual training and home economics. Nevertheless, some of these schools that have been regarded as liberal arts institutions had rather elaborate industrial and agricultural programs. Printing was especially popular because it was financially remunerative. Some of the other programs included in various schools were bricklaying, masonry, carpentry, blacksmithing, shoemaking, wagon making, cabinet-making, farming, and animal husbandry.55

The white presidents and denominational boards responsible for most of the schools aided by the Slater Fund felt that industrial education served a variety of functions. It supplied a pedagogical aid for mental development; it served as a moral discipline in inculcating habits of thrift and industry, a sense of the dignity of labor, and a feeling of economic independence; it prepared students to earn their living through the trades; it developed efficient and virtuous housewives; and it was generally regarded as an instrument for the elevation of Negroes.56

In 1891 Dr. Haygood left his position as General Agent for the Slater Fund in order to become a Bishop of the Methodist Church of the South. With the resignation of Dr. Haygood, Curry saw the opportunity of placing the Peabody and Slater Funds under the same Agent and made
such a suggestion to Hayes, 57 and Hayes suggested it to Daniel Gilman, a Trustee of the Slater Fund. 58 Gilman respected Hayes's judgment and agreed that Curry should be the General Agent of both the Peabody and Slater Funds if he were given assistants trained in industrial education. 59

Temperamentally, Curry was unlike Haygood. Like Hayes, Curry was a careful, prudent man, who worked toward his objectives with a minimum of friction and personality clashes. Curry had become renowned throughout the South as an advocate of universal education. He commanded an influence in the South that he could and did use with telling effect in behalf of educational advancement for both Negroes and whites. Curry had more political authority and knowledge than Haygood ever wielded. He soon enjoyed the complete confidence of the Slater Fund Trustees, wisely approaching them not as their employee, as Haygood had done, but as their "fellow Trustee." 60

Dr. Curry was elected Trustee and appointed Chairman of the newly formed education committee of the Slater Board of Trustees, which replaced the former position of General Agent. Although Curry was also General Agent of the Peabody Fund, both Funds were still administered as separate agencies. 61

In the following years, Booker T. Washington's work at Tuskegee strongly influenced the program that Curry
set forth for the Slater Fund. Although Hayes never visited Tuskegee Institute, he corresponded with Washington and approved of the way in which Tuskegee was combining academic and manual training. Curry also approved of the work that Washington had undertaken at Tuskegee. The aims of Curry and those of the Slater Board of Trustees were in accordance with those that Washington advocated, and the Slater Fund came to stand for industrial education above all.

In November of 1891 Rutherford B. Hayes met Dr. Curry in Asheville, North Carolina and made a tour of seven Southern states. They inspected the Negro institutions aided by the Slater Fund. They also visited the public schools of the Southern cities, along with Mayors, Congressmen, and Legislators.

Curry's Southern tour convinced him that it was essential to concentrate the Slater Fund on a smaller number of schools. He was disappointed in the industrial training because it was unsystematic, badly taught, and not integrated with the organized instruction. The instructors were not competent and lacked general education. Dr. Curry felt that teacher training, both normal and industrial, should be improved, and the educational committee should have a voice in appointing staff at the institutions receiving aid.

At the meeting of the Educational Committee in
December of 1891, Hayes submitted a resolution that was the first step in carrying out the policy of concentration. According to this resolution, Dr. Curry was to prepare a written report which pointed out the facts in regard to the conditions of the schools aided by the Slater Fund, suggested the names of the schools that were to be retained, and recommended future expenditures of funds. Curry usually made his decision on the basis of what each institution was doing in the area of industrial training.

The correspondence between Hayes and Curry from January 11, 1892 to January 6, 1893, was followed with plans made by the two men for the inspection of the Southern schools west of the Mississippi. Hayes did not live to carry out these plans or to see the results of Curry's work in connection with the Slater Fund. During Hayes's last days on the Board, Curry faithfully and vigorously tried to find solutions to the problems of Negro education. The policy adopted by the Slater Board of Trustees under the Curry agency resulted in the reduction of the number of schools that secured aid from a high of 44 in 1888 to 16 in 1893.

Men like Haygood, Curry, Armstrong, Booker T. Washington, and Hayes realized that industrial education appealed to Southern goodwill and Northern philanthropy. Northern capitalists and philanthropists wanted a supply
of trained labor available for the industrialization of the South and saw in industrial education a very practical method of educating Negroes. They were not aware that industrial education was providing Negroes with skills that were being outmoded by the progress of the industrial revolution and preparing them for lives as small individualistic entrepreneurs at a time when the philosophy of economic individualism was becoming obsolete. The supporters of industrial education also failed to recognize the economic forces encouraging farm tenancy and urbanization. Therefore, Northern philanthropy, by 1890, started to give up the idea of training Negroes for specific trades and planned instead to give them general skills which would prepare them for rural living or for work as semi-skilled laborers in the industrialization of the South. Conservative white Southerners either interpreted or misinterpreted industrial education as a device for preventing Negro advancement to the level of whites, because Northern philanthropic opinion by the 1890's wanted Negroes to be "uplifted to the extent that they would adopt middle-class virtues and thus become a docile and stable laboring force." In conclusion, Hayes influenced Southern education through his work as a Trustee of the Peabody Fund and
as President of the Slater Board of Trustees. Through his work on the Peabody Board of Trustees, he not only helped to lay the foundation of the South's public school system, but he also played an important part in the establishment of the George Peabody Normal College for Teachers. His efforts to help Negro education as President of the Slater Board of Trustees were felt through the work of Reverend Haygood and Hayes's close friend, J.L.M. Curry. The Slater Fund followed Hayes's recommendations by offering scholarships to needy and deserving Negro youth for studies in manual training. Hayes acted as a mediator between the General Agent, Reverend Haygood, who wanted to provide funds for several Negro schools that deserved and needed aid, and the Slater Board of Trustees which wanted to help finance a few high-quality Negro schools. Hayes's resolution for a policy of concentration on the part of the Slater Fund was carried out by his friend, J.L.M. Curry, General Agent, after 1891.
FOOTNOTES

CHAPTER III

1 Edgar W. Knight, Public Education in the South (Boston, Massachusetts: Ginn and Co., 1922), Chapter 10.


7 J.L.M. Curry, A Brief Sketch of George Peabody and a History of the Peabody Education Fund Through Thirty Years (Cambridge, Massachusetts: John Wilson and Sons, 1898), pp. 141-146.

8 Proceedings of the Peabody Education Fund, Vol. 1, p. 3. Hereafter referred to as Proceedings, P.E.F.


11 Curry, op. cit., pp. 79-80.

12 Ibid., p. 39.


15 Alderman, op. cit., p. 66; Letters of Curry to Hayes, June 23, 1876 and Feb. 14, 1877, Hayes Memorial Library in Fremont, Ohio. Hereafter referred to as H. M. L.


Ibid., Vol. 4, pp. 230-231.


Ibid.

Ibid., p. 15 of Introduction.

Rubin, op. cit., Vol. 1, p. 18 of Introduction.

Ibid., pp. 18-19 of Introduction.

Ibid., p. 19 of Introduction.


Manual training was a very loosely used term in the latter part of the 19th century. Some educators felt that it included the industrial trades, agricultural
education and home economics while other educators stressed that it was limited to the various trades.

32 Second Annual Report of the Western Freedmen's Aid Commission, 1865 (Cincinnati, Ohio, 1865), p. 16.


34 Ibid.; Ibid., pp. 88-89.


36 Ibid., March 1, 1879, H.M.L.

37 See Proceedings of the Slater Fund. Hereafter referred to as Proceeds, S. F.

38 Dabney, op. cit., Vol. I, Chapter 21, p. 466.


41 Tuskegee Institute included such trades as carpentry, printing, blacksmithing, bricklaying, sewing, laundry, flower gardening and practical housekeeping for girls.


43 Franklin, op. cit., pp. 385-386.


46 Proceeds, S. F., 1883, p. 7.


48 Letters of Curry to Hayes, July 8, 1882, July 15, 1882, H.M.L.

49 Atticus Haygood, Our Brother in Black, His Freedom and Future (New York, 1881), pp. 80-81, 210-211.


51 Rubin, Jr., op. cit., p. 29 of Introduction; Proceeds, S. F., 1885, pp. 3-9; Letters of Haygood to Hayes, May 4, 1885, January 12, 1887, H.M.L.

52 Ibid., pp. 30-32 of Introduction.


54 Proceeds, S. F., 1889, p. 9; see copies of the resolutions adopted by the Finance Committee of the Slater Board of Trustees, May 15, 1889, H.M.L.


56 Ibid., p. 92.

57 Letter of Curry to Hayes, June 2, 1890, H.M.L.

58 Letter of Hayes to Daniel Gilman, Sept. 11, 1890, H.M.L.


Letter of Curry to Hayes, Nov. 26, 1890, H.M.L.


Rubin, op. cit., p. 38 of Introduction.

Williams, op. cit., Vol. 5, pp. 33-36.

Four-page report, Curry to Hayes, Nov. 27, 1891, H.M.L.

Curry submitted to the Trustees of Slater Fund on January 14, 1892, a seven-page typed letter and a twelve-page typed report, copy in H.M.L.

Letters of Curry to Hayes, Sept. 22, 1892 and Jan. 1, 1893, H.M.L.


Meier, op. cit., p. 93.

See statements by J.L.M. Curry and Reverend Atticus Haygood in Proceeds, S. F., 1891, pp. 17, 18, 36.
Rutherford B. Hayes is known to most Americans only as President of the United States during the period 1877-1881 or as President during the Reconstruction Period following the Civil War. Few know that he was intensely interested in the development of the educational system of his native state of Ohio and of the educational systems of the Southern states, or that he expressed this interest by devoting to educational enterprises a great amount of his time and energy in the last decade of his life. The educational contributions of Hayes are not so dramatic or well known in the field of education as those of some other presidents; however, few presidents ever devoted so much time to advancing education in the United States.

Hayes felt that the purpose of education was to enable students to become worthwhile and productive American citizens. Therefore, he advocated that every student should have a broad general education which included
some exposure to manual training. He pointed out that manual training had several educational values; it enabled students to use their hands to make a living; it taught students the value of labor; it stimulated mental development; and it enabled students to use their leisure time more effectively.

Several arguments were offered in the 1880's against including manual training as part of the general education of each child. Some people felt that manual training was the responsibility of the family rather than the school, while others felt that manual training should be provided only for orphans, paupers, truants, and Negroes. Still others, like William Torrey Harris, the United States Commissioner of Education, rejected manual training because they felt that the classical subjects and the sciences offered the best way to develop the intellect.¹

Hayes saw manual training as a key to solving the problems of the Negro. He was aware of the mistreatment and sufferings of Negroes as well as the inadequacy of their educational training during the Reconstruction Period. Hayes asserted that the Negro needed mental, moral, and manual training in order to become a productive, responsible and accepted citizen with a skilled trade which would enable him to earn a living.

Hayes was not aware that training Negroes to be skilled artisans and farm workers was not going to meet
the future employment needs of the Negro. When the Industrial Revolution finally hit the South in full force, the demand of efficient industry was no longer for the artisan, but for the skilled machine operator. The old handicrafts became relatively less important. Even agriculture did not show much demand for Negro skilled labor. On the plantations, the employers continued to be best satisfied with the ignorant field hands who were not disturbingly ambitious, and the trend toward increased Negro landownership turned downward shortly after 1900.²

At the same time and partly for the same basic reasons, the interest of the white workers against allowing Negroes to acquire skills became stronger. In agriculture and in the stagnating crafts, new skilled Negro labor was not welcome; in industry it became a principle that all skilled jobs should be reserved for the whites.³

While the subject is beyond the scope of this study (see Appendix), it is interesting that Hayes reasoned in exactly the same way about the re-education of convicts in the penitentiaries. He felt that manual training would give the prisoner who wants to rehabilitate himself an opportunity to learn a skilled trade in prison, and a chance to become a productive and responsible citizen after his release.⁴ Both in his active concerns for penal reform and
for the reduction of crime, Hayes stressed the importance of manual training in the education of young men. He urged that industrial education should be included in the public schools in order to prevent crime by enabling youth to make a suitable income by the labor of their hands. He indicated that many youth wanted to work, but lacked the proper training in work habits.\(^5\)

In the field of higher education Hayes was guided by the principle of practical education, but he added to the principle a second one, a strong belief in a broad curriculum. Hayes wanted his native state of Ohio to have a people's college that would serve the needs of every student. He stressed the need for manual training at the university level to teach people how to use their hands in a skilled trade and to respect the value of labor. As Trustee of Ohio State University, Hayes was successful in laying the groundwork for a manual training department.\(^6\) He also desired a broadly conceived curriculum, including classical subjects, agricultural training and mechanical arts, all of which he consistently supported during his six years as a Trustee. Earlier years, as Governor, Hayes had carefully selected in 1870 the first Board of Trustees which voted in favor of the broadly conceived curriculum that he desired.\(^7\) In his role as Trustee at two private colleges, Ohio Wesleyan University and Adelbert College of
Western Reserve University, Hayes pursued a customarily prudent course, generally accepting new programs which would strengthen their broadly conceived curriculum. As a practical and political man, Hayes played the role of peacemaker in University conflicts. Trustee Hayes designed a measure giving the President of Ohio State University discretion regarding compulsory chapel attendance paving the way for greater secularization of the University. He designed and engineered an agreement between the Agriculture Experiment Station and The Ohio State University which symbolized a broader cooperation between the school and the state's farmers.

In the early struggle between President and Trustees at Ohio State University, Hayes was instrumental in reducing the president to the role of academic dean and in directing the Board of Trustees in the affairs of the University through its Secretary, Alexis Cope. Although Hayes probably realized that the University presidency was becoming a strong position at many institutions, he was aware that the Board and its Secretary wanted a weak president like Scott so that they could administer the University. Furthermore, Hayes felt that the Cannon Act extended full authority to the Board of Trustees to conduct the affairs of the University. As a result of this
decision, ultimate authority for the University rested with the Board of Trustees.

In his career as a public leader, Hayes was willing to espouse controversial causes if he felt the interests of education were concerned. He supported and advocated federal aid to education, free non-sectarian education, and industrial education and rehabilitation in prisons. Many people were opposed to federal aid to education due to their fear of centralization of government in Washington and their fear of federal control of the schools. Free, non-sectarian education was opposed by many churchmen who were already financing private schools and colleges. Many prisons in the United States stressed punishment rather than rehabilitation, and manual training was not included as part of the curriculum in many penal educational programs. In spite of the opposition of many persons to various educational causes he supported, Hayes was in no way deterred, and continued to stand as a moderate, practical, philanthropic man of the late nineteenth century.

Hayes made his most important contributions to education through his activities in Negro education as a Trustee of the Peabody and Slater educational funds, and through his long association with Ohio State University. Like many white Americans of his day, Hayes automatically assumed that most Negroes ought to be trained for agricultural
and industrial trades. As a result his program for Negro education seems narrow today, but he was influential in meeting many of the educational needs of Negroes during his lifetime. As a long-time friend of Ohio State University, he made three major contributions. During the early power struggle between the Board of Trustees, he helped to establish the ultimate authority of the Trustees. In retrospect, this appears to have been a mixed blessing. Through his early support of manual training, Hayes was largely responsible for the University's strong emphasis on industrial, vocational and technical education. Finally, during the period when many land-grant colleges were setting up largely agricultural programs, Hayes argued for a broad-gauged curriculum--the kind of program typical of many public universities today. Although Hayes was unavoidably shaped by the assumptions and concerns of his own time, he made educational contributions whose effects are still felt today.
FOOTNOTES

CHAPTER IV


3 Ibid.


6 The manual training department at Ohio State University included industrial arts education, home economics, and drawing when it opened in 1894.

7 Refer to page 48 of Chapter 2 for the various departments that were created by the first Board of Trustees in 1870.

8 Clyde Hubbart, Ohio Wesleyan's First Hundred Years (Hammond, Indiana: W. P. Conkley Co., 1943), pp. 73-74; Proceedings of the Board of Trustees of Ohio Wesleyan University, June 21, 1887. In June of 1887 the Board of Trustees of Ohio Wesleyan University accepted Hayes's proposal for a department of industrial training, which was to give work in "stenography, in the art of typing, in printing, and in the art of cooking according to scientific principles." Stenography and typewriting were tried for a while, but were dropped from the curriculum due to the fact that the Board of Trustees wanted Ohio Wesleyan University to adhere to the standards of a liberal arts college.
Proceedings of the Board of Trustees of Adelbert College, March 3, 1886, June 14, 1887. Trustee Hayes was influential in helping to establish a chair in political economy and a course in political science.

9 Record of Proceedings of the Board of Trustees of Ohio State University, pp. 336 ff., 349; Joseph Sullivant to R. B. Hayes, Jan. 25, 1876 (Fremont, Ohio: Hayes Papers, Hayes Memorial Library).
APPENDIX A

MORRILL ACT OF JULY 2, 1862

U. S., STATUTES AT LARGE, XII, 503-505

An Act donating Public Lands to the several States and Territories which may provide Colleges for the Benefit of Agriculture and the Mechanic Arts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be granted to the several States, for the purpose hereinafter mentioned, an amount of public land, to be apportioned to each State a quantity equal to thirty thousand acres for each senator and representative in Congress to which the States are respectively entitled by the apportionment under the census of eighteen hundred and sixty: Provided, That no mineral lands shall be selected or purchased under the provisions of this Act.

SEC. 2. And be it further enacted, That the land aforesaid, after being surveyed, shall be apportioned to the several States in sections or subdivisions of sections, not less than one quarter of a section; and whenever there are public lands in a State subject to sale.
at private entry at one dollar and twenty-five cents per acre, the quantity to which said State shall be entitled shall be selected from such lands within the limits of such State, and the Secretary of the Interior is hereby directed to issue to each of the States in which there is not the quantity of public lands subject to sale at private entry at one dollar and twenty-five cents per acre, to which said State may be entitled under the provisions of this act, land scrip to the amount in acres for the deficiency of its distributive share: said scrip to be sold by said States and the procedure thereof applied to the uses and purposes prescribed in this act, and for no other use or purpose whatsoever: Provided, 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, or of any Territory of the United States, but their assignees may thus locate said land scrip upon any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents, or less, per acre: And provided, further, That not more than one million acres shall be located by such assignees in any one of the States: And provided, further, That no such location shall be made before one year from the passage of this act.
SEC. 3. And be it further enacted, That all the expenses of management, superintendence, and taxes from date of selection of said lands, previous to their sales, and all expenses incurred in the management and disbursement of the moneys which may be received therefrom, shall be paid by the States to which they may belong, out of the treasury of said States, so that the entire proceeds of the sale of said lands shall be applied without any diminution whatever to the purposes hereinafter mentioned.

SEC. 4. And be it further enacted. That all moneys derived from the sale of the lands aforesaid by the States to which the lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States, or of the States, or some other safe stocks, yielding not less than five per centum upon the par value of said stocks; and that the moneys so invested shall constitute a perpetual fund, the capital of which shall remain forever undiminished, (except so far as may be provided in section fifth of this act,) and the interest of which shall be inviolably appropriated, by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to
teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 5. And be it further enacted. That the grant of land and land scrip hereby authorized shall be made on the following conditions, to which, as well as to the provisions hereinbefore contained, the previous assent of the several States shall be signified by legislative acts:

First. If any portion of the fund invested, as provided by the foregoing section, or any portion of the interest thereon, shall, by any action or contingency, be diminished or lost, it shall be replaced by that State to which it belongs, so that the capital of the fund shall remain forever undiminished; and the annual interest shall be regularly applied without diminution to the purposes mentioned in the fourth section of this act, except that a sum, not exceeding ten per centum upon the amount received by any State under the provisions of this act, may be expended for the purchase of lands for sites or experimental farms, whenever authorized by the respective legislatures of said States.
Second. No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretence whatever, to the purchase, erection, preservation, or repair of any building or buildings.

Third. Any State which may take and claim the benefit of the provisions of this act shall provide, within five years, at least not less than one college, as described in the fourth section of this act, or the grant to such State shall cease; and said State shall be bound to pay the United States the amount received of any lands previously sold, and that the title to purchasers under the State shall be valid.

Fourth. An annual report shall be made regarding the progress of each college, recording any improvements and experiments made, with their cost and results, and such other matters, including State industrial and economical statistics, as may be supposed useful; one copy of which shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act, and also one copy to the Secretary of the Interior.

Fifth. When lands shall be selected from those which have been raised to double the minimum price, in consequence of railroad grants, they shall be computed to the States at the maximum price, and the number of acres proportionally diminished.
Sixth. No State while in a condition of rebellion or insurrection against the government of the United States shall be entitled to the benefit of this act.

Seventh. No State shall be entitled to the benefits of this act unless it shall express its acceptance thereof by its legislature within two years from the date of its approval by the President.

SEC. 6. And be it further enacted, That land scrip issued under the provisions of this act shall not be subject to location until after the first day of January, one thousand eight hundred and sixty-three.

SEC. 7. And be it further enacted, That the land officers shall receive the same fees for locating land scrip issued under the provisions of this act as is now allowed for the location of military bounty land warrants under existing laws; Provided, their maximum compensation shall not be thereby increased.

SEC. 8. And be it further enacted, That the Governors of the several States to which Scrip shall be issued under this act shall be required to report annually to Congress all sales made of such scrip until the whole shall be disposed of, the amount received for the same, and what appropriation has been made of the proceeds.
APPENDIX B

CANNON ACT OF MARCH 22, 1870

LAWS OF OHIO, LXVII, 20-23

An Act to establish and maintain an Agricultural and Mechanical College in Ohio.

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That a college, to be styled the Ohio Agricultural and Mechanical College, is hereby established in this state, in accordance with the provisions of an act of congress of the United States, passed July 2d, 1862, entitled "an act donating public lands to the several states and territories which may provide colleges for the benefit of agricultural and mechanic arts," and said college to be located and controlled as hereinafter provided. The leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agricultural and mechanic arts.

SEC 2. The government of said college shall be vested in a board of trustees, to consist of one from each congressional district of this state, who shall be appointed by the governor, by and with the advice and consent
of the senate. The president of the state board of agriculture shall be ex-officio member of said board.

SEC. 3. The members of the board of trustees, and their successors, shall hold their office for the term of six years each; provided, that at the first regular meeting of said board, the said members shall determine by lot, so that as nearly as may be one-third shall hold their office for two years, one-third for four years, and one-third for six years from the date of the first meeting of the board, or until their successors are appointed and qualified. In case a vacancy occurs by death, resignation or otherwise, the appointment shall be for the unexpired term. The trustees shall receive no compensation for their services, but shall be entitled to reasonable and necessary expenses while in the discharge of their official duties.

SEC. 4. The trustees and their successors in office shall be styled the "Board of trustees of the Ohio Agricultural and Mechanical College," with the right as such, of suing and being sued, of contracting and being contracted with, of making and using a common seal, and altering the same at pleasure.

SEC. 5. The board of trustees shall have power to adopt by-laws, rules and regulations for the government of said college; to elect a president; to determine
the number of professors and tutors, elect the same, and fix their salaries. They shall also have power to remove the president or any professor or tutor whenever the interests of the college, in their judgment, shall require; to fix and regulate the course of instruction, and to prescribe the extent and character of experiments to be made.

SEC. 6. The board of trustees shall annually appoint an executive committee of not less than three of their own members, who, when said board is not in session, shall have the management and control of the affairs of said college, under the direction of the board, and shall furnish a full report of their proceedings at every regular meeting of the board, and at such other times as the board may direct.

SEC. 7. The college shall be open to all persons over fourteen years of age, subject to such rules and regulations and limitations, as to numbers from the several counties of the state, as may be prescribed by the board of trustees; provided that each county shall be entitled to its just proportion, according to its population. The board may provide for courses of lectures, either at the seat of the college or elsewhere in the state, which shall be free to all.

SEC. 8. The board of trustees shall have the general supervision of all lands, buildings and other property belonging to said college, and the control of all
expenses therefor; provided always that said board shall not contract any debt not previously authorized by the general assembly of the state of Ohio.

SEC. 9. The board of trustees shall annually elect one of their number chairman, and in the absence of the chairman shall elect one of their number temporary chairman, and shall have the power to appoint a secretary, treasurer and librarian, and such other officers as the interests of the college may require, who may or may not be members of the board; and shall hold their offices for such term as said board shall fix, subject to removal by said board, and shall receive such compensation as the board shall prescribe. The treasurer shall, before entering upon the duties of his office, give bond to the state of Ohio in such sum as the board may determine, which bond shall not be for a less sum than the probably amount that will be under his control in any one year, conditioned for the faithful discharge of his duties and the payment of all moneys coming into his hands, said bond to be approved by the attorney general of the state.

SEC. 10. The board of trustees shall have power to secure a collection of specimens in mineralogy, geology, zoology, botany, and other specimens pertaining to natural history and the sciences; and it shall be the duty of the chief geologist of the state to collect and deposit in such
place as the trustees may direct, a full and complete set of specimens as collected by him or his assistants, for the benefit of said college. The board shall make provision for a library, apparatus, and arms and accoutrements, and for increasing and preserving the same.

SEC. 11. The board of trustees shall have power to receive and hold in trust, for the use and benefit of the college, any grant or devise of land, and any donation or bequest of money or other personal property, to be applied to the general or special use of the college; all donations or bequests of money shall be paid to the state treasurer, and invested in the same manner as the endowment fund of the college, unless otherwise directed in the donation or bequest.

SEC. 12. The first meeting of the members of the board shall be called by the governor as soon after the appointment of said board as he may deem advisable, to be held at Columbus, Ohio: all succeeding meetings shall be called in such manner as said board may prescribe; said board shall meet at least once annually at the college building. A majority of the board of trustees shall constitute a quorum to do business: provided it shall require a majority of all the board to elect or remove a president or professor.

SEC. 13. The title for all lands for the use of
said college, shall be made in fee simple to the state of Ohio, with covenants of seizin and warranty, and no title shall be taken to the state for purposes aforesaid until the attorney general shall be satisfied that the same is free from all defects and incumbrances.

SEC. 14. The board of trustees shall cause a report to be made annually to the governor, of the condition of said college; the amount of receipts and disbursements, and for what the disbursements were made; the number of professors, teachers and other officers, and the position and compensation of each; the number of students in the several departments and classes, and the course of instruction pursued in each; also, an estimate of the expenses of the ensuing year; a full transcript of the journal of the proceedings of the board for the past year, the progress of said college, recording any improvements and experiments made, with their cost, and the results, and such other matters as may be supposed useful; one copy, when printed and bound, shall be transmitted by mail, free, to all other colleges which may be endowed under the provisions of said act of congress, and also one copy to the secretary of the interior.

SEC. 15. The attorney general of the state shall be the legal adviser of said board of trustees, and he shall institute and prosecute all suits in behalf of the
same, and shall receive the same compensation therefor as he is entitled to by law for suits brought in behalf of the asylums of the state.

SEC. 16. All funds, together with the interest now accumulated thereon, derived from the sale of land scrip issued to the state of Ohio by the United States in pursuance of the act of congress aforesaid, shall be invested in registered bonds of the state of Ohio, or of the United States, by the authority now having control of the same; which bonds shall be and remain in the custody of the state treasurer intact, unless one-tenth shall be appropriated by the general assembly for the purchase of land, as provided in the act of congress, who shall pay over the income thereof as it may accrue to the treasurer of said college upon the order of the auditor of state, made upon the requisition of the board of trustees; to be by the board of trustees appropriated to the endowment, support and maintenance of the college as provided in the act of congress, as aforesaid.

SEC. 17. It shall be the duty of the board of trustees to permanently locate said Agricultural and Mechanical College upon lands, not less than one hundred acres, which in their judgment is best suited to the wants and purposes of said institution, the same being reasonably central in the state, and accessible by railroad from
different parts thereof, having regard to the healthiness of location, and also regarding the best interests of the college in the receipt of moneys, lands or other property donated to said college by any county, town or individual, in consideration of the location of the said college at a given place: Provided, it shall require a three-fifths vote of the trustees to make said location; and provided further, that said location shall be made on or before the fifteenth day of October, 1870; provided further, that any person acting as a trustee, who shall accept or receive, directly or indirectly, any sum or amount from any person or persons, to use their influence in favor of the location of said college at any particular point or place, shall be held to be guilty of a misdemeanor, and on conviction thereof by any court of competent jurisdiction, shall be fined in any sum not less than one thousand nor more than ten thousand dollars; provided further, that in the location of said college the said trustees shall not in any event incur any debt or obligation exceeding forty thousand dollars; and if, in their opinion, the interests of the college can not be best promoted without a larger expenditure for the location than that sum, then they may delay the permanent location of the same until the third Monday of January, 1871, and report their proceedings and conclusions to the general assembly: provided further, that said college shall
not be located until there are secured thereto for such location, donations in money or unencumbered lands at their cash valuation, whereon the college is to be located, or in both money and such lands, a sum equal to at least one hundred thousand dollars.

SEC. 18. This act shall take effect and be in force from and after its passage.
APPENDIX C

MEMBERS OF THE FIRST BOARD OF TRUSTEES OF THE OHIO AGRICULTURAL AND MECHANICAL COLLEGE

APPOINTED BY RUTHERFORD B. HAYES

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<td>Aaron F. Perry Cincinnati</td>
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<td>Joseph Sullivant Columbus</td>
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<td>Ralph Leete Ironton</td>
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<td>Cornelius Aultman Canton</td>
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<td>John R. Buchtel Akron</td>
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<td>Henry B. Perkins Warren</td>
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This information found in Cope's *History of the Ohio State University*, p. 23.
APPENDIX D

NEW MERRILL ACT OF AUGUST 30, 1890

U. S., STATUTES AT LARGE, XXVI, 417-419

An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, annually appropriated, out of any money in the lands, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts now established, or which may be hereafter established, in accordance with an act of Congress approved July second, eighteen hundred and sixty-two, the sum of fifteen thousand dollars for the year ending June thirtieth, eighteen hundred and ninety, and an annual increase of the amount of such appropriation
thereafter for ten years by an additional sum of one thou­s­and dollars over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be twenty-five thousand dollars to be applied only to in­struction in agriculture, the mechanic arts, the English language and the various branches of mathematical, physical, natural and economic science, with special reference to their applications in the industries of life, and to the facilities for such instruction: Provided, That no money shall be paid out under this act to any State or Territory for the support and maintenance of a college where a dis­tinction of race or color is made in the admission of stu­dents, but the establishment and maintenance of such colleges separately for white and colored students shall be held to be a compliance with the provisions of this act if the funds received in such State or Territory be equitably divided as hereinafter set forth: Provided, That in any State in which there has been one college established in pursuance of the act of July second, eighteen hundred and sixty-two, and also in which an educational institution of like character has been established, or may be hereafter established, and is now aided by such State from its own revenue, for the education of colored students in agriculture and the mechanic arts, however named or styled, or whether or not is has received money
heretofore under the act to which this act is an amend-
ment, the legislature of such State may propose and report
to the Secretary of the Interior a just and equitable
division of the fund to be received under this act between
one college for white students and one institution for
colored students established as aforesaid, which shall be
divided into two parts and paid accordingly, and thereupon
such institution for colored students shall be entitled
to the benefits of this act and subject to its provisions,
as much as it would have been if it had been included
under the act of eighteen hundred and sixty-two, and the
fulfillment of the foregoing provisions shall be taken as
a compliance with the provision in reference to separate
colleges for white and colored students.

SEC. 2. That the sums hereby appropriated to the
States and Territories for the further endowment and sup-
port of colleges shall be annually paid on or before the
thirty-first day of July of each year, by the Secretary of
the Treasury, upon the warrant of the Secretary of the
Interior, out of the Treasury of the United States,
to the State or Territorial treasurer, or to such officer
as shall be designated by the laws of such State or Terri-
tory to receive the same, who shall, upon the order of the
trustees of the college, or the institution for colored
students, immediately pay over said sums to the treasurers
of the respective colleges or other institutions entitled to receive the same, and such treasurers shall be required to report to the Secretary of Agriculture and to the Secretary of the Interior, on or before the first day of September of each year, a detailed statement of the amount so received and of its disbursement. The grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purpose of said grants: Provided, That payments of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury.

SEC. 3. That if any portion of the moneys received by the designated officer of the State or Territory for the further and more complete endowment, support, and maintenance of colleges, or of institutions for colored students, as provided in this act, shall, by any action or contingency, be replaced by the State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys shall be applied, directly or indirectly, under any pretense whatever, to
the purchase, erection, preservation, or repair of any building or buildings. An annual report by the president of each of said colleges shall be made to the Secretary of Agriculture, as well as to the Secretary of the Interior, regarding the condition and progress of each college, including statistical information in relation to its receipts and expenditures, its library, the number of its students and professors, and also as to any improvements and experiments made under the direction of any experiment stations attached to said colleges, with their cost and results, and such other industrial and economical statistics as may be regarded as useful, one copy of which shall be transmitted by mail free to all other colleges further endowed under this act.

SEC. 4. That on or before the first day of July in each year, after the passage of this act, the Secretary of the Interior shall ascertain and certify to the Secretary of the Treasury as to each State and Territory whether it is entitled to receive its share of the annual appropriation for colleges, or of institutions for colored students, under this act, and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of the Interior shall withhold a certificate from any State or Territory of its appropriation the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the
Treasury until the close of the next Congress, in order that the State or Territory may, if it should so desire, appeal to Congress from the determination of the Secretary of the Interior. If the next Congress shall not direct such sum to be paid it shall be covered into the Treasury. And the Secretary of the Interior is hereby charged with the proper administration of this law.

SEC. 5. That the Secretary of the Interior shall annually report to Congress the disbursements which have been made in all the States and Territories, and also whether the appropriation of any State or Territory has been withheld, and if so, the reasons therefor.

SEC. 6. Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.
APPENDIX E

HYSELL ACT OF MARCH 20, 1891

LAWS OF OHIO, LXXXVIII, 159

An Act to amend section 3951 of the Revised Statutes of Ohio.

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That section 3951 of the Revised Statutes of Ohio, be amended so as to read as follows:

SEC. 3951. For the purpose of affording the advantages of a free education to all the youth of the state, there shall be levied annually a tax on the grand list of taxable property of the state, which shall be collected in the same manner as other state taxes, and the proceeds of which shall constitute "the state common school fund"; and for the purpose of higher, agricultural and industrial education including manual training, there shall be levied and collected in the same manner, a tax on the grand list of the taxable property of the state, which shall constitute "the Ohio state university fund." The rate of such levy in each case shall be designated by the general assembly at least once in two years; and if the general assembly shall fail to designate the rate for any
year, the same shall be for "the state common school fund," one mill; and for "the Ohio state university fund," one-twentieth of one mill, upon each dollar of valuation of such taxable property.
An Act to authorize the board of trustees of the Ohio state university to issue certificates of indebtedness for certain purposes therein named.

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That the board of trustees of the Ohio state university, for the purpose of providing for the erection and equipment of buildings necessary for the proper work of said institution, and to pay the costs, expenses, and estimates for such work as it progresses, be and it is hereby authorized to issue from time to time certificates of indebtedness not exceeding thirty thousand dollars in amount, in anticipation of and in amount not to exceed the annual levy for the support of said Ohio state university provided by act of the general assembly of the State of Ohio, entitled "An act to amend section 3951 of the Revised Statutes of Ohio," passed March 20, 1891.

SECTION 2. The certificates of indebtedness herein
authorized shall be signed by the president and secretary of said board of trustees, and sealed with the seal of said university, shall bear such rate of interest as said board of trustees may determine, not exceeding six per cent per annum, and shall be payable on call by said board out of the revenues in anticipation of which they may be issued, as herein provided for; and the moneys arising from the issue of such certificates shall be applied exclusively to the purposes for which such certificates may be issued. Such certificates shall be sold by said board of trustees at not less than their par value, to the highest bidder, after notice of the sale thereof has been given for ten days in a newspaper of general circulation published in the city of Columbus, or may be issued to contractors on said proposed buildings in payment of estimates for work done by them.

SECTION 3. This act shall take effect and be in force from and after its passage.
APPENDIX G

LAW REGARDING CHARITABLE REQUESTS

Revised Code of the State of Ohio Section 2107.06

If a testator dies leaving issue, or an adopted child, or the lineal descendent of either, and the will of such testator gives, devises, or bequests such testator's estate, or any part thereof, to a benevolent, religious, educational, or charitable purpose, or to any state or country, or to a country, municipal corporation, or other corporation, or to an association in any state or county, or to persons, municipal corporations, corporations, or associations in trust for such purpose, whether such trust appears on the fact of the instrument making such gift, devise, or bequest or not, such will as to such give, devise, or bequest, shall be invalid unless it was executed at least one year prior to the death of the testator.
APPENDIX H

ACT AMENDING INDEBTEDNESS CERTIFICATES
ACT OF APRIL 15, 1892

LAWS OF OHIO, LXXXIX, 321-322

An Act to amend the act entitled "An act to au­
thorize the board of trustees of the Ohio state university to issue certificates of indebtedness for certain pur­poses therein names," passed May 4, 1891 (O. L. 88, p. 591).

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That the act entitled "An act to authorize the board of trustees of the Ohio state uni­versity to issue certificates of indebtedness for certain purposes therein named," passed May 4, 1891, be amended so as to rea'd as follows:

SEC. 1. That the board of trustees of the Ohio state university, for the purpose of providing for the erection and equipment, including electric light and power of buildings now under contract necessary for the proper work of said institution, and to pay the costs, expenses and estimates for such work as it progresses, be and it is hereby authorized to issue from time to time certificates of indebtedness to an amount not exceeding

157
in the aggregate one hundred and twenty thousand dollars, in anticipation of the annual levies for the support of said Ohio state university provided by act of the general assembly of the state of Ohio, entitled an act to amend section 3951 of the Revised Statutes of Ohio, passed March 20, 1891; provided, that the amount of such certificates of indebtedness payable in any one year shall not exceed the sum of thirty thousand dollars; and provided that the whole amount of said certificates shall be paid by said board of trustees out of the proceeds of said levies on or before June 30th, 1897.

SEC. 2. The certificates of indebtedness herein authorized shall be signed by the president and secretary of said board of trustees and sealed with the seal of said university, shall bear such rate of interest as said board of trustees may determine, not exceeding six per cent per annum, and shall be payable by said board out of the revenues in anticipation of which they may be issued as herein provided; and the moneys arising from the issue of such certificates shall be applied exclusively to the purposes for which such certificates may be issued. Said certificates shall be sold by said board of trustees at not less than their par value to the highest bidder, after notice of the sale thereof has been given for twenty days in a newspaper of general circulation published in the city of Columbus, or may be issued to
contractors on said proposed buildings in payments of estimates for work done by them.

SECTION 3. Said original act of May 4, 1891, is hereby repealed; and this act shall take effect from and after its passage.
## APPENDIX I

**MEN WHO SERVED ON THE OHIO STATE UNIVERSITY BOARD OF TRUSTEES WITH HAYES FROM MAY 13, 1887 to JANUARY 17, 1893**

<table>
<thead>
<tr>
<th>Name</th>
<th>Occupation</th>
<th>Hometown</th>
<th>With Hayes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas J. Godfrey</td>
<td>Lawyer</td>
<td>Celina</td>
<td>May 13, 1887 to Jan. 17, 1893</td>
</tr>
<tr>
<td>Lucius B. Wing</td>
<td>Banker</td>
<td>Newark</td>
<td>May 13, 1887 to Jan. 17, 1893</td>
</tr>
<tr>
<td>Thomas A. Cowgill</td>
<td>Lawyer</td>
<td>Kennard</td>
<td>May 13, 1887 to May 13, 1890</td>
</tr>
<tr>
<td>Peter H. Clark</td>
<td>(unknown)</td>
<td>Cincinnati</td>
<td>May 13, 1887 to Dec. 7, 1887</td>
</tr>
<tr>
<td>Henry J. Booth</td>
<td>Lawyer</td>
<td>Columbus</td>
<td>May 13, 1887 to Feb. 1, 1890</td>
</tr>
<tr>
<td>Henry B. Perkins</td>
<td>Banker</td>
<td>Warren</td>
<td>May 13, 1887 to Oct 25, 1888</td>
</tr>
<tr>
<td>Joseph H. Brigham</td>
<td>Agriculture</td>
<td>Delta</td>
<td>Feb. 21, 1888 to May 13, 1891</td>
</tr>
<tr>
<td>David M. Massie</td>
<td>Publisher</td>
<td>Chillicothe</td>
<td>Dec. 4, 1888 to Jan. 17, 1893</td>
</tr>
<tr>
<td>Charles C. Miller</td>
<td>Education</td>
<td>Ottawa</td>
<td>May 1, 1890 to May 13, 1892</td>
</tr>
<tr>
<td>John B. Schueller</td>
<td>Physician</td>
<td>Columbus</td>
<td>May 13, 1890 to Jan. 17, 1893</td>
</tr>
<tr>
<td>Ross J. Alexander</td>
<td>Lawyer</td>
<td>Bridgeport</td>
<td>May 13, 1891 to Jan. 17, 1893</td>
</tr>
<tr>
<td>William I. Chamberlain</td>
<td>Agriculture</td>
<td>Hudson</td>
<td>May 13, 1892 to Jan. 17, 1893</td>
</tr>
</tbody>
</table>

This information taken from Pollard's *History of the Ohio State University*, pp. 419-420.
## APPENDIX J

MEN WHO SERVED ON THE PEABODY BOARD OF TRUSTEES WITH HAYES

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert Winthrop</td>
<td>Congressman</td>
<td>Massachusetts</td>
</tr>
<tr>
<td>Hamilton Fish</td>
<td>Governor</td>
<td>New York</td>
</tr>
<tr>
<td>William Aiken</td>
<td>Governor</td>
<td>South Carolina</td>
</tr>
<tr>
<td>William Evarts</td>
<td>Statesman</td>
<td>New York</td>
</tr>
<tr>
<td>Morrison Waite</td>
<td>Chief Justice</td>
<td>Washington, D.C.</td>
</tr>
<tr>
<td>Alexander Stuart</td>
<td>Congressman</td>
<td>Virginia</td>
</tr>
<tr>
<td>U.S. Grant</td>
<td>General of the Army</td>
<td>United States</td>
</tr>
<tr>
<td>Henry Jackson</td>
<td>General</td>
<td>Georgia</td>
</tr>
<tr>
<td>Joseph Barnes</td>
<td>Surgeon-General</td>
<td>Washington, D.C.</td>
</tr>
<tr>
<td>Theodore Lyman</td>
<td>Colonel</td>
<td>Massachusetts</td>
</tr>
<tr>
<td>Henry Whipple</td>
<td>Bishop</td>
<td>Minnesota</td>
</tr>
<tr>
<td>Thomas Manning</td>
<td>Judge</td>
<td>Louisiana</td>
</tr>
<tr>
<td>Melville Fuller</td>
<td>Chief Justice</td>
<td>Washington, D.C.</td>
</tr>
<tr>
<td>J. Pierpont Morgan</td>
<td>Financier</td>
<td>New York</td>
</tr>
<tr>
<td>Anthony J. Drexel</td>
<td>Financier</td>
<td>Massachusetts</td>
</tr>
<tr>
<td>Dr. Samuel A. Green</td>
<td>Physician</td>
<td>Massachusetts</td>
</tr>
<tr>
<td>James D. Porter</td>
<td>Governor</td>
<td>Tennessee</td>
</tr>
<tr>
<td>Grover Cleveland</td>
<td>Ex-Pres. of U.S.</td>
<td>New Jersey</td>
</tr>
<tr>
<td>William A. Courtenay</td>
<td>Mayor</td>
<td>South Carolina</td>
</tr>
<tr>
<td>Randall L. Gibson</td>
<td>Senator</td>
<td>Louisiana</td>
</tr>
<tr>
<td>Charles Devens</td>
<td>Judge</td>
<td>Massachusetts</td>
</tr>
<tr>
<td>William C. Endicott</td>
<td>Sec. of War</td>
<td>Massachusetts</td>
</tr>
</tbody>
</table>

This information was taken from the *Proceedings of the Peabody Fund*, Vol. 6, pp. 632-633.
### APPENDIX K

**MEN WHO SERVED ON THE SLATER BOARD OF TRUSTEES WITH HAYES**

<table>
<thead>
<tr>
<th>Name</th>
<th>Occupation</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morrison R. Waite</td>
<td>Lawyer</td>
<td>Washington, D.C.</td>
</tr>
<tr>
<td>Daniel Coit Gilman</td>
<td>Educator</td>
<td>Maryland</td>
</tr>
<tr>
<td>Morris K. Jesup</td>
<td>Banker</td>
<td>New York</td>
</tr>
<tr>
<td>John A. Steward</td>
<td>Industrialist</td>
<td>New York</td>
</tr>
<tr>
<td>William E. Dodge</td>
<td>Merchant</td>
<td>New York</td>
</tr>
<tr>
<td>Alfred H. Colquitt</td>
<td>Lawyer</td>
<td>Georgia</td>
</tr>
<tr>
<td>Rev. Phillips Brooks</td>
<td>Clergyman</td>
<td>Massachusetts</td>
</tr>
<tr>
<td>Rev. James P. Boyce</td>
<td>Clergyman</td>
<td>Kentucky</td>
</tr>
<tr>
<td>William A. Slater</td>
<td>Industrialist</td>
<td>Connecticut</td>
</tr>
<tr>
<td>William E. Dodge, Jr.</td>
<td>Merchant</td>
<td>New York</td>
</tr>
<tr>
<td>Melville W. Fuller</td>
<td>Lawyer</td>
<td>Washington, D.C.</td>
</tr>
<tr>
<td>Bishop Henry Potter</td>
<td>Clergyman</td>
<td>New York</td>
</tr>
<tr>
<td>Rev. John A. Broadus</td>
<td>Clergyman</td>
<td>Kentucky</td>
</tr>
</tbody>
</table>

This information was taken from Louis Rubin, Jr.'s *Teach the Freeman*, pp. 18-19 of Introduction.
APPENDIX L

NEGRO COLLEGES AIDED BY THE SLATER FUND, 1882-1891

This information taken from Dwight Oliver Wendell Holmes' Evolution of the Negro College, p. 168.
APPENDIX M

THE PRISON REFORM ACTIVITIES OF RUTHERFORD B. HAYES
1868-1893

In the year preceding the first term of Rutherford B. Hayes as Governor of Ohio, prison conditions were very bad in the state, but the Legislature and the public were showing concern about the situation. By 1867 little had been done to classify prisoners, terrible conditions prevailed in the county jails, and there was no systematic program for reformation.

In 1867 the Ohio State Board of Charities had been created to provide for centralized supervision for the jails, with the power to inspect all penal and charitable institutions in the state and make recommendations in the annual reports to the Legislature. The Board of Charities suggested a number of reforms in its first report to the Legislature. It recommended that the Ohio Penitentiary be enlarged, that a more complete system of classification be adopted through the establishment of an intermediate prison and a state industrial school for girls, and that a system of marks be adopted for good and bad behavior.
The 1867 Report characterized Ohio's jails and city prisons as follows:

There is not a single jail or city prison in the state where anything even under the name of separation of prisoners is attempted, or even practicable. All ages, classes, grades and degrees, are huddled together in idleness, and generally in filth, and from the present arrangement of the buildings are necessarily so. We have found the boy of twelve years "in for fighting," or some boyish offense, the young man "in for drunkenness," a crowd "in" on a great variety of accusations, with the hardened convict on his way to his third term in the penitentiary.

A large number of young men are now found in the jails, many of them with honorable discharges from the Army, who, under the excitement of drink, committed some offense against the peace of society, and are confined, month after month, under the debasing influence of old and confirmed criminals. This is surely, in the end, an expensive school to the state.

Your prisons for males are bad, and call for immediate remedy. The condition of the prisons for females is more deplorable. In these prisons may be found the servant girl accused of theft, the young girl caught in the beginning of her downward course, the insane (the old as well as the recent case just waiting for the action of the probate court), along with the hardened street walker and the keeper of a house of prostitution. A young woman, once confined for any cause in our public jail, is well night consigned to go from bad to worst in a career of crime.3

The Board of Charities suggested classification of criminals in city and county jails, either some kind of work or education to keep the prisoners busy, clean, and healthy buildings, and a program to provide for the
moral and religious welfare of the inmates. 4

Soon after Hayes became Governor of Ohio in 1868, he began to indicate his interest in prison reform. He helped the newly created Board of Charities gain more powers and thus had a large part in making it a really effective force in the prison reform movement in Ohio. 5

To prevent young convicts from associating with professional criminals, Hayes asked that the prisoners first be classified. He requested that an intermediate prison be constructed on the old prison grounds at Columbus to house first offenders and those guilty of less serious crimes. He requested new reform schools whose boys or girls would be housed in cottages instead of the current bastille-type structures. 6

A few of Hayes's suggestions were adopted while he was still in office. In 1869 the Legislature passed laws providing for the construction of a state reform and industrial school for girls to be located at White Sulphur Springs and for the enlargement of the Ohio Penitentiary. 7

Governor Hayes desired that the policy of separating the young and first offenders from the professional criminals be extended also to the county jails. He asked the recommendation of the Board of Charities for jails to be built in the future in such a way as to provide for isolation if necessary. 8
Governor Hayes asked the legislature to study the Irish system in order to educate criminals "in thrift and self-control." He wanted the legislature to modify this system to local conditions and use it in the state penal institutions. The Irish convict system was a plan of reformation based on three stages of imprisonment. The first stage was punitive and called for separation of young and first offenders from hardened criminals. The second stage involved classification by the use of marks. Each prisoner could earn as many as nine marks a month—three for good conduct, three for learning in the prison school, and three for diligent work. The hardened criminals were still separated from the young and first offenders during the stage of classification. The third stage was based on a testing program to determine the degree of the prisoner's reformation. If the convict passed these tests, he would be given a conditional pardon. A graded system was adopted in the state prisons while Hayes was Governor.

Hayes did not feel that classical education and training would teach inmates good industrious habits and provide an appropriate form of labor. He advocated a program of industrial education so that inmates could learn trades, produce while doing so, and have an opportunity to shorten their sentences by doing so.
To encourage and provide employment for discharged convicts, Hayes recommended that voluntary associations be formed. He enlarged the powers of the Board of Charities so that it could help discharged convicts find jobs.\textsuperscript{13}

Governor Hayes's role in the prison reform movement extended out into the organization known as the National Prison Association. This organization was founded in 1870, largely through the efforts of Dr. E. C. Wines, Secretary of the New York Prison Association, who issued a call for a conference to set up such an organization. At Dr. Wines' request, Governor Hayes came to this conference and presided over its meetings.\textsuperscript{14}

Hayes failed to attend the meetings of the National Prison Congress while he was Governor of Ohio.\textsuperscript{15} He officially remained a member of one of the committees and used his influence in behalf of the Association. He kept himself too engrossed in his duties as Governor and therefore was not able to devote adequate attention to the National Prison Association. However, Hayes contributed ten dollars each year to the organization.\textsuperscript{16}

As Governor of Ohio, then, Hayes made several important contributions to prison reform, primarily through his support of the State Board of Charities and through his other recommendations to the legislature. Some of his ideas were adopted while he was Governor and the majority
of the others were gradually accepted.

The years of 1876 and 1880 found Hayes heavily involved in Presidential duties. He did not have adequate time or energy to give due consideration to his interests in penal reform.

Hayes had desired to go to the International Prison Congress to be held in Stockholm, Sweden, in 1878 before he became President. Although he found it necessary to cancel his plans, he called attention to the significance of the conference in his first Annual Message to Congress. He recommended an appropriation of $8,000 in order to pay for the expenses of a United States commission at the International Prison Congress. 17

During his last year in office, Hayes arranged to have reports on the penal reformatory and benevolent institutions of the District of Columbia sent to Roeliff Binkeroff, Chairman of the Ohio State Board of Charities. 18 This act culminated Hayes's work for prison reform while he was President.

Hayes resumed his work in the National Prison Association upon its reorganization in 1883. This year Hayes was unanimously elected president at Saratoga, New York. 19 Mr. Hayes accepted the presidency of the National Prison Association and kept that position until his death.

Hayes continued to make his ten dollar contributions
to the Association as he had done when he was Governor. This sum is not insignificant in view of the greater value of the dollar in the late nineteenth-century and in view of the fact that Hayes had financially committed himself to a number of causes. Mr. Hayes supported the National Conference of Corrections and by financial support consistently saved the Ohio Board of State Charities from bankruptcy.

After leaving public office, Hayes again made personal visits to the prisons, a practice which he had begun when he was Governor. While Governor, he made it a habit to visit the nearby penal institutions while he was in an area to attend some speaking engagement.

From the time he retired from the Presidency until his death in 1893, Hayes worked vigorously for prison reforms. Among various activities he traveled to all parts of the country in behalf of the movement. His journeys were expensive, time-consuming, and hard on his failing health.

Many historians regard Hayes as a pioneer in the prison reform movement, but it is after his retirement from the Presidency that he revealed a matured philosophy of reform. He then began to explain the ideas he held earlier as well as expressing many new ideas for reform. In his speeches we learn many of his opinions about crime,
the aims of prison reform, and the methods by which reform could be attained. Hayes emphasized that the association of young and first offenders with hardened criminals was one of the major causes of crime. Hayes was strongly against placing all prisoners in the same jail because he felt that a young man arrested for the first time and for a minor offense could easily come under the influence of a professional criminal. 22

Hayes felt that it was essential to have a system of classification for prisoners so that young prisoners, first offenders, and people convicted for minor offenses could be isolated from hardened criminals. Therefore, he advocated the establishment of reform school for girls and reform farms for boys, workhouses for those convicted of minor offenses, intermediate penitentiaries for the younger convicts, and Bastille-type structures for hardened criminals. 23

Hayes attacked the practice of permitting habitual criminals to serve short sentences and then come out into society where they were once more free to influence youth. In his speech before the Prison Congress in Nashville in 1889, Hayes gave this warning: "Remember that every hardened criminal that you send out at the end of a short term, vindictive against society, is a schoolmaster to teach crime to the young about him." 24
Hayes felt that a person coming out of prison after serving his first sentence should get a fresh start in life. However, he showed no sympathy or leniency towards the professional criminal who committed offenses several times and returned to reformatories or penitentiaries. Hayes believed that the hardened criminal should be dealt with in one of two ways: 1) the parole system whereby a man would automatically be returned to prison as soon as he committed another offense, or 2) a law whereby a man judged to be an habitual criminal would be sentenced to life in prison.

It was not until his National Prison Congress address in Boston in 1888 that Hayes discussed the responsibility of society in causing crime. He declared, "Society itself is in large measure responsible for the crimes by which it suffers. Whenever men and women are badly treated, vice and crime always increase. Homes for all and education for all go together. People who cannot earn enough to be owners of homes are doomed to ignorance. With Americans, the main objective of desire is to secure to all human beings their full and fair share of property, of education, of opportunity, and of home."

In his opening address at the Toronto Convention in 1887, Hayes described the role that society played in the reformation of convicts: "Society is silent and
inactive in the presence of many recognized evils because society has no faith: They are accepted as inevitable and endured because they are believed to be beyond cure. But what ought to be done can be done. The longer it may take to remedy a recognized evil, to sight an admitted wrong, the sooner will wise men set about it: the harder the task, the more zealously good men will do their duty in trying to accomplish it."

One of the pillars of Mr. Hayes's philosophy of reform was education, first of adults, and through them, of youth. He felt that the National Prison Association and the National Conference of Charities and Corrections could be useful organizations in informing the public concerning the problem of crime and the consequences that it had on the total community. Hayes asserted that successful reform would follow if favorable public opinion had been created.

In his first speech before the Prison Congress, Hayes stressed that another leading cause of crime was the inability and unwillingness of young people of both sexes to make their living by manual labor. Hayes placed the blame more on lack of training in work habits than on unwillingness to work. Hayes felt that the public schools should provide for industrial education in order to remedy the inability of youth to work with their hands.
Constant references to industrial education suggests Hayes's intense interest in trying to educate young people to work. At the National Prison Congress in Detroit in 1885, Hayes declared:

If I were asked to name a measure of reform which is practically within our reach and best fitted to prevent or at least largely diminish crime, I would say let our young people of both sexes and of all conditions be taught as part of their education "to know the value of work, to catch the spirit of work, and to form the habit of work," not only with their brains, but also with their eyes and their hands.34

In conclusion, Hayes was foremost in introducing a program of reform in Ohio; he gave prestige to the National Prison Association; and he helped make the American Public aware of the need for reform as well as popularizing the opinions of experts. Hayes was successful in developing the idea that industrial education would bring about the desired results in prison reform.
FOOTNOTES

APPENDIX M


2First Annual Report of the Board of State Charities to the Governor of the State of Ohio: For the Year 1867 (Columbus, Ohio: L. D. Myers and Bros., State Printers, 1868), pp. 4, 6, 8, and 16.

3Ibid., p. 11.

4Ibid.


9Ibid., pp. 84-85.

11 Howard, op. cit., p. 123.


16 Ibid., March 21, 1873; February 5, 1876.


18 Letter from Roeliff Brinkeroff, March 24, 1880, Hayes Memorial Library.


20 Letters from F. H. Wines, November 17, 1887 and April 26, 1888, Hayes Memorial Library.

21 Ibid., April 26, 1888; Letters from R. Brinkeroff, March 5, 1888 and March 12, 1888.


31 Ibid., 1884-1885, p. 138.

32 Ibid., 1888, p. 17.

33 Ibid., 1884-1885, p. 140; Ibid., 1887, p. 55.

34 Ibid., 1884-1885, pp. 139-140.
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178
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