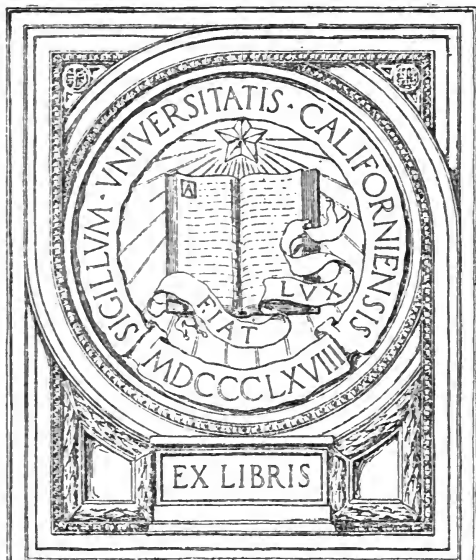


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To President Salmon
with the compliments of
Gusman Smith

Columbia's Wrath,
NOT SPARING THE
Regents of the State University
OF
CALIFORNIA.

"In the broad daylight of free inquiry and full information, the *people* are responsible for every public abuse."—*Gov. Booth.*

To be had at the Booksellers.

1874

Columbia's Wrath,

NOT SPARING THE

Regents of the State University

OF

CALIFORNIA.

“In the broad daylight of free inquiry and full information, the *people* are responsible for every public abuse.”—*Gov. Booth.*

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"Columbia" moves—to rouse and bring
To bay in the land
The *Plundering* band;
And woe to the Knave, the Party, the Ring
That bids her stay,
Would bar her way,
Yea, brave her *wrath* and infamy's sting.

Her tread erst shook the Eastern shore,
The Union 'round
Its echoes sound;
She slew a foul, "gor-bellied boar"
And all the brood
In angry mood,
While forward she the "people" bore.

The war-cry rings from sea to sea,
From South to North
The "True" rush forth,
Her "Grangers" dauntless, staunch—and free
From party-chains,
Corruption's stains,
Speed on with her to victory!

Her scouts have tracked the downy lair
Of "Lobbyists,"
Monopolists—
The "office shark," the "public leech,"—the *gold*
in "Themis' chair,"
And all the breed
Whose heinous greed
Defile her name, so *proud!* so *fair!*

She hails a chieftain far, far west
Who, *bold and true*
Among the few
With virtue, wisdom, power, blest,
Shall lead the free
From sea to sea,
To stay the *all-polluting* pest!

"Columbia" wills that he shall bring
Lost fame to the land
Through *Honor's* band;
And woe to the Knave, the Party, the Ring
That bids *him* stay
When on his way
To *Washington's* Chair—on her *Eagle's* wing.

“In the broad daylight of free inquiry and full information, the people are responsible for every public abuse” —said one day *he* who by his heroic action, single-handed as it were, has drawn around him the good of all political creeds; has dealt a deadly blow at the dangerous dogma of subserviency to “party;” *he*, our Governor and Senator elect, recognized not in this far west alone, but throughout the Union, as the new, the *independent* chieftain and leader in the inaugurated movement of reform which with giant strides moves across the length and breadth of the land; *he* in fine who by the force of his private and public virtues, his unsurpassed capacity and power, his unflinching boldness, will—should the public press and signs of the times not deceive us—be raised to the highest trust in the gift of an appreciating, ill-used people, and perchance become one of the worthiest and ablest, if not the ablest in the Presidential chair since the days of Washington.

The honest and true, hitherto unconscious or forgetful of their sacred political duties as citizens of a free commonwealth, have at last become keenly sensible to the incontrovertible truism that the “people” are responsible for every public abuse; that they by withholding their vote, their influence, their unprejudiced scrutiny of public men and matters, have involuntarily become the allies of corrupt, professional politicians, demagogues and criminals, indirectly at war with society; that they have permitted the growth of the venomous cancer which with vampire greed has spread over the whole body politic, contaminating by unavoidable contact all bodies, official, judicial, corporate, professional, agricultural, commercial and industrial, poisoning social and domestic relations, injuriously affecting even the moral and religious status of the nation, among whom it would seem “Egoism” has become subjectively and “Pelf” objectively the ruling maxim, the all-controlling element.

It has been said that all humanity in every clime, not in America alone, pushes on to the portals of death by “stealing,” “begging,” “laboring”—by one or all of these. Egoism, the craving love of self, modeling into shape our desires and actions, makes men not over scrupulous in the adoption of that first named mode of progression. We in America do not designate it by the hard name of “stealing;” we naively call it “smartness;” are smart six days in the week, and on the seventh day, pharisaically glorify that we are not like other people, in temples erected chiefly by the second, the begging process, where—unlike our simple but honest forefathers—if we choose to believe the *N. Y. International Review*, “we draw crowds, rent pews, raise revenues by resorting to sensationalism in choir and pulpit, and make earth blush and heaven weep over tricks which are degrading, demoralizing and insulting to all manliness and religion.”

There is it would seem no "dishonesty" among us; honesty has merely become an excellent joke in the unequal battle of the dwarfish moral side of our nature with the gigantic materialistic man. Thus noble professions have been reduced to low trades. Lawyers nowadays bargain for the rescuing of our estate from our enemy with the silent understanding that they keep it themselves; our doctors, quacks, unscrupulously kill us to-day to save us from dying a natural death some other time; our divines and Reverends—ill-named terrestrials—more than ever furnish proof that humanity after all can be but human; our teachers, non-professionals, instead of *teaching*, *hear* classes—which any numskull can do—until something more congenial and lucrative turns up; while our public schools, especially in the lower grades, have become asylums for our young misses who deeming manual labor a disgrace, are lauded and flattered by the members of educational boards who are one and all ignorant of the fact, long since established in a country where teaching *is* a profession and an art that the younger the pupil the more experienced must be the instructor; our merchants, dealers, manufacturers, &c., are acknowledged to be the "smartest" under the sun, and their bargains ludicrous transactions in which each party imagines he cheated the other; while our journalists, though upon the whole refined and cultured gentlemen, regale their readers daily and *ad nauseam* with entire columns of suave and savory epithets, expressive of respect for each others virtues.

An unequivocal criterion of the status of our *social* existence is intelligently furnished by our marriages; far from being what they are in other climes, the holy links*cautiously joining and interweaving society at large, they are with us the hasty tying together of a man and woman in order to witness, and I ween to enjoy their frantic struggle to free themselves; the *farce* ending in *divorce*, in other words, "an opportunity for marrying the other fellow." No farther illustration of our social and moral condition is needed.

While it must be admitted that in the above uncouth picture, the most glaring coloring has been used, that instances of patriotism, and unflinching integrity in the public and private world, of virtue undefiled in the social sphere, if brought to bear upon the glowing canvas, would here and there produce delicate and refreshing tints; yet the burning glare of the whole but slightly dimmed, remains. No mighty change for the better can there be expected, so long as a materialistic longing clinging to the earth nourishes our lower nature, so long as *money* a power anywhere, remains in America a power *absolute* and uncontrolled, a lawless, defying bravo, poignarding Themis in her chair—our supreme judge!—ay—our God! And yet *money* *wealth*, legitimately acquired and respectful of the law, must and will ever be respected in return! It, one of the puissant sources of all that is good and great! It, the evidence often of sagacity, skill and industry

in the individual possessor! It, to be envied only for the power it gives him to make his fellows happy!!

American democracy will, however, no longer crouch, no longer be awed by *ill-gotten* wealth, by a tyrannical monopolizing, shoddy aristocracy, an aristocracy so much more heinous as wealth suddenly acquired by hook or by crook, lacks the refinement, the only redeeming feature of the hereditary wealth of feudal Europe. We will uproot all aristocratic aspirations, all mean, servile, undemocratic adulation; we will, in the absence of all Barons, Counts and Lords, no longer transform every second man we meet into a pseudo Judge, General, Colonel, Captain, Doctor or Professor. We will apply preferment and official distinctions only where they are due; no longer make ourselves and "Columbia" blush over our sycophancy; no longer defile our own and her proud fair name. The most superficial observer of passing events, beholds an agency at work and approaching a political *crisis*. Since "Columbia" in her wrath slew the foul brood engendered by Tammany, in the American Babylon, the storm she raised has spread to the utmost confines of the Union, uprooting the gigantic Credit Mobilier swindle, (recently equaled if not surpassed by the Sanborn contract fraud); various other corrupt and tyrannical corporations and monopolies, brushing by, although not yet laying bare the irregularities of the Contract and Finance Committee, the wheel within a wheel of the Central Pacific Railroad, and gradually opening the whited sepulcher of stealthy speculation, bold plunder and rank dishonesty on the part of our servants in every department of the Federal government; a plain democratic, not pompous, royal or imperial government, the cost of which (in 1873) has risen to the fabulous sum and grievous burden of \$180,488,636, or about \$4 40 per capita of an entire population of 41,000,000, *exclusive* of the payments on account of the principal and interest of the public debt.

The nation stands aghast at this humiliating expose, furnishing an additional opportunity to monarchical governments to sneer at our republican institutions. The honest and true of all classes among us—the *independents* (with the equally independent portion of the press)—unshackled by cliques, rings and party, are preparing for united action. The "Patrons of Husbandry" in every State are forming into a compact phalanx; the "Guardians of Industry" commence to organize, and, ay, as is invariably the case with wholesome revolutionary movements for the better, the "Commune," the horrid monster, transplanted from unhappy France, although powerless on American soil, has on the Eastern shore dared to show its bleeding head and preach its pernicious doctrine.

The crisis is indeed near at hand. A decisive battle has to be fought. The country expects every citizen to prepare for duty; every one in the sphere assigned to him; every one commensurate with his ability; every one earnestly, fearlessly, fairly.

I approach with reverence, mingled with fear and shame, and yet with hope, the youthful institution which we all have watched from the cradle, all have cherished and still cherish, which we imprudently and inconsiderately entrusted to guardians too ample in number, without pay, and burdened with their own official, professional or business cares, who have indeed not reared a healthy, vigorous youth as their adulators and abettors, the mocker and cynic alike would have us believe; but in lieu thereof a feeble, sickly, *friendless* child; friendless and estranged through haughty, law-defying, incapable, Star-Chamber rule! the friendless child, to whom the people agreed to stand sponsor, keeper and sustainer; and who, without the timely aid of the over-burdened State, its mother, would have before this died from weakness and exhaustion,—the *State University of California in fine*, ordained one day to be the august and crowning fabric of the widely ramified educational system of the Pacific Slope.

The spirit of inquiry by Columbia's wrath aroused throughout the land, also awoke in the legislative halls at Sacramento. It stepped abroad, and spared not the State University of California.

It having been shown that under a democratic form of government, every citizen, although he refrain from becoming a professional politician, has sacred political duties to perform, every one in his own sphere of activity, I have resolved not to be found derelict in mine, in that of Education.

Education—popular education—is a momentous question of State, under any form of government. It would seem to be the most momentous under a government instituted and controlled by the whole people; one by the side of which other popular questions sink into comparative insignificance, underlying as it does the political, and thence all others, yea, the very life and existence of a democratic commonwealth. Education is—I repeat what I elsewhere have said, and cannot be

said too often—it is the sanctum, of which every school, high or low, forms an integral part; aye, the *sanctum sanctorum*, of the people. *It* at least should be held intact from the polluting breath of party and party faction, the baneful touch of favoritism and incapacity, from hateful egoism and corruption; *It*, the most vital part through which circulates the quickening blood of our republican organism; our heart indeed, whose normal or abnormal throbbing brings with it *Life or Death!*

In dealing with university matters, it is indeed not my purpose to offer additional evidence whether or not the State, or, rather, we, the tax payers, were defrauded in the erection of the College of Letters; whether or not, of the \$20,000 said to have been spent for the grading and laying out of the College grounds, not more than \$10,000 to the utmost have actually been spent: whether or not a calcium light thrown upon the structure, bearing the name of Agricultural College—the cost of which is said to have been above \$200,000—would lay bare irregularities similar to those in connection with the College of Letters: whether or not the Agricultural College lands were chiefly taken up by a Ring in the Board of Regents, subsequent to Friedlander's offer of \$5 per acre for the whole had been rejected. But I do propose to direct the attention of the Legislature and the people to certain potent matters connected with the State University, of an educational bearing, which in part have not fallen within the Joint Committee's range of investigation. I regret that the late appearance of the Regents' report, answering the proposed questions, and the approximate close of the legislative session, do not permit me to elucidate at length, and fully.

To know of evils and ignore them, would be unwise; it would be more so to indulge in the hypocritical belief that such concealments would operate beneficially in behalf of the embarrassed institution. To honestly lay them bare, with but one aim—that of benefiting the institution, and without any desire of reflecting upon the private character of men, who offered their time and labor, without the expectation of any reward,

however little the time, however inappropriate the labor of some may have been—that is, as I have already stated, the duty of every citizen and tax-payer of the State.

Whether or not the focus of my vision has been correctly set, may be deduced from my having been an instructor, (in natural science and language,) twenty-two years ; during which period of time I have had ample opportunities of observing the working of various educational systems, the mode of organization and direction of the common public schools, high schools and universities of Germany, where teaching is a profession and an art ; of France, England, and other leading countries in Europe ; of North and South America, and some of the English colonies, above all Australia, where, as in the United States, popular education has made more rapid strides than in the mother country, England herself. During that long and varied experience I have never known of any public or private seminary of learning, whether under an absolute, constitutionally monarchical, or republican government ; whether influenced by an enlightened, liberal spirit of progress and reform, or a mind enslaving, jesuitic spirit of conservatism, or even regress, the direction of which was so autocratic, defying and deaf to the counseling and warning voice of the press and the people ; so cumbersome, inappropriate and inefficient an organization, as the Board of Regents of the State University of California.

What would we, “the practical people of the United States,” suppose—we who are by other nations commonly looked upon as practical *par excellence*—were a number of our fellow citizens to found a settlement in an unoccupied district, and for the building of a town, its churches and schools, for laying out farms, for working adjacent mines—were to select a board of directors from among lawyers, dealers, money-brokers and speculators, instead of architects, civil and mining engineers, builders, carpenters, teachers, scientific and practical farmers, men all practically acquainted with what they would have to build, lay out and direct, adding, wisely, to their number *one* able lawyer, and certainly also an able financier?

Would not the most impractical among impractical Americans—if there be any—condemn such an unheard of proceeding as a flagrant violation of established rule, a palpable disregard of common sense? Do we not all know that in all we build, in all we erect and elevate, be it in the material or mental world, *the professional, and thus experienced builder is most fit to build or direct?* Was not common sense palpably disregarded in the organization of the Board of Regents of the State University? In that high seat of learning we meant to form, to elevate, to build men of letters, scientists, astronomers, geologists, chemists, civil and mining engineers, architects, experts in fine and mechanic arts, the scientific and practical agriculturist, etc. Whom have we deputed to direct and guide? Men already elevated and built up in such departments of learning and skill? the man of letters, the scientist, chemist, civil or mining engineer, the expert in mechanic art, the scientific and practical farmer? No! We have—*O tempora! O mores!*—we have deputed men, *incognito* all in these departments, lawyers chiefly, representatives of litigation, tricks and quibs; merchants, money-dealers and speculators; the *solid* men of San Francisco, yea the solid men of gold and—brass! most all *absorbed* in the *brazen* pursuit of money—pelf; their very secretary, as I further on shall show, the secretary of mining and stock-speculating companies; their very office in the same suite of rooms with those companies; and one and all without one grain of Peabody-ism in their money *solidity* to benefit the struggling, youthful institution entrusted to their care and keeping.

Common sense dictates that there be an immediate change in the supreme directorship of the State University of California. The power of the academic Senate, until recently absorbed by the Board of Regents, should be enlarged, the latter re-organized and the number of regents reduced. Better still would seem to be a State Board of Education, composed of a small number of *paid* members, selected from among solid men also, the solid men of mind and skill, prompted by the dictates of man's higher nature; practically acquainted with what

they should have to build, direct and guide, always in harmony with the *working builders*, the able and zealous Faculty.

What disaster will follow, if we disregard the common sense maxim that "builders are most fit to build, or direct building," is strikingly demonstrated in the erection of the new City Hall of San Francisco.

In briefly tracing the history of the University we find that the first fatal error on the part of the Board was the nomination of a President who enjoyed not the full and undivided confidence of all parties. Without weighing the qualification or non-qualification of Gen. McClellan for the Presidential Office, there seemed to be something repugnant and incongruous in the thought, of a soldier, the representative of blood and carnage, presiding over an institution of peace and peaceful advancement in the march of humanity. Although Gen. McClellan declined to accept the leadership of the University, the infant Institution through his nomination received a rude shock, as within its range fell the all-important question of private endowments. Both, unbiased Democrats and Republicans, friends of the University were unanimous in censuring the Board for ignoring the fact that no University can flourish with State aid alone, for ignoring the prime necessity of uniting with themselves the wealthy of both great parties. More than five years have elapsed since the University was founded; no endowment of note, so common in other universities, has been made, nor have the regents, among whom many are wealthy, contributed anything worth recording, save the legacy of land by a deceased member. However repugnant was to some of the people the nomination for the presidency of a soldier of doubtful fame, the enactment of compulsory instead of optional attendance upon military drill, not only by the regular students but even by the students at large was still more so. Had there been established a military department, and not the entire University with the various colleges been transformed into a second West Point, the arrangement might have been hailed as wholesome and ju-

ditions.* Now all the students are forced into a military straight-jacket; now are kept away the true student of high aspirations, the searcher in the vast expanse of nature, the reveler in the domain of thought and bold expounder of new truths; the modest though ardent student in fact on whose back a tinselled uniform is torture, to whose manly dignity is repulsive the mere playing at soldier; the parading through the streets, as has been done in Oakland, with boyish ostentation. While empty heads who do not go for study will eagerly don the showy garb to strut upon the lawns and streets, the true student will object to be forced into the ranks preceded by a discordant brass band disturbing the peaceful air with not a small amount of super accurate sharps and flats, (school bands can never reach any degree of perfection,) forcing smiles of pity, half suppressed upon the lineaments of the passer by and wounding to the quick the dignity of him who, by the help of his Alma Mater, seeks not ostentatious show, but truths and laws as yet unfathomed and unknown.

A flagrant disregard of the law, seriously affecting the management, the standard and moral tone of the University was manifested in connection with the Secretaryship of the Board; the Secretary, although receiving the salary of \$3,600, subsequently \$3,000 per annum, was permitted to act in the same capacity of Secretary for the Raymond & Ely Mining Company, and, it is said, other companies, the Board of Regents and the first named company occupying the same suite of office rooms. He and the office thus remained in San Francisco in direct violation of Article 66 of the organic law, which stipulates that "the Secretary shall reside and keep his office at the seat of the University," which seat, until September last, was Oakland. How min-

*The stipulation in Section 6 of the University Act, reading thus: "In order to fulfill the requirements of said Act of Congress all able bodied male students of the University, whether pursuing full or partial courses in any colleges or as students at large, shall receive instruction and discipline in military tactics," is a violent and unjustifiable misinterpretation of said Act of Congress (July 2, 1862), which includes the study of military tactics in *one* college only, the College of Agriculture and Mechanic Arts, having no reference whatever to the College of Letters or any other college forming part of a university.

utely small the time must have been that was left to the Secretary for the performance of the multifarious duties comprising a whole section—an entire page of the organic laws; how minutely small for thought, attention and devotion in behalf of the distant educational sanctum, may be inferred from the purely materialistic nature of mining and stock operations, the endless speculation and excitement, the danger, anxiety and absorption of thought and time through the complexity and intricacy of honest or dishonest mining and stock machinations. Whether or not it be founded on fact that one or several regents were interested in the company, etc., is immaterial. It is, however, generally known that the Board held its meetings in the Secretary's office, meetings from which, contrary to the practice of other educational boards were debarred the representatives of the press, and the people. Thence was set an example to the Professors, instructors and students of respectful observance of the law, of rules and regulations, of strict attention to duty; thence were inspired our sons and daughters with love for the attributes of man's higher nature, thence directed to the nobler walks of life.

The statement made by President Gilman before the Legislature at Sacramento, tending to prove, if I have been correctly informed, that the agricultural colleges in America, France and Germany have disappointed the hopes of their friends, leads me to review, in brief, agricultural colleges generally, while I dwell specially on matters connected with the establishment of an Agricultural College in the University.

The agricultural interest, important in any country, is the supreme interest in the United States. Congress, conscious of this and desirous of raising the standard of agriculture, both scientifically and practically considered, as well as that of all branches of industry made to each State a munificent donation of public lands in aid of "colleges for the benefit of agriculture and the mechanic arts." The State of California having accepted the donation, in Section 4 of an Act of the Legislature to create and organize the University of California, approved

March 23d, 1868, distinctly ordained *that the College of Agriculture be first established as an integral part of the University; * * * * having for its object practical education in agriculture.* Section 5 provides that the College of Mechanic Arts be next established; * * * * that the Board of Regents shall *always bear in mind* that the College of Agriculture and the College of Mechanic Arts are *an especial object of their care and superintendence*, and that they shall be considered and treated as entitled *primarily* to the use of the funds donated for the establishment and maintenance of said Act of Congress." Section 15 stipulates that a competent person who is a *practical agriculturist by profession* competent to superintend the working of the agricultural farm and of sufficient scientific acquirements to discharge the duties of Secretary of the Board shall be chosen by said Board of Regents."

Although Section 7 of the same act empowered the Regents to organize at once—as they duly did—the full course of the College of Letters, in order to allow the College of California to immediately convey the residue of its property donated to the State for the benefit of the University and to go out of existence. The Act did not empower the Regents to absorb, as it were, by the resuscitated College of California the agricultural department in the new State University. Every one of the above clear and definite provisions was disregarded with respect to the Agricultural College, which this day *non est*, although the University has been five years in operation. The Agricultural College funds were, as I shall show, in part diverted for purposes which lowered still more the low standard of the intended high temple of learning; the University lands in the vicinity suitable for agricultural purposes were bartered away and created—the farce seems incredible—an *ideal, traveling* instead of a *real stationary* Agricultural College. It would seem still more incredible that the Regents proposed in 1872 to bestow the degree of Bachelor of Agriculture upon a graduate, to which the University students objected by a written protest forwarded to the Board. The ruthless contempt of law in con-

nection with the agricultural department is such as to almost defy the pen to give it expression; save the suspected frauds in the erection of the College of Letters, nought more than this has brought into disrepute the star chamber Board of Regents.

How were the funds derived from the sale of Agricultural College lands in part diverted from their proper use? The Regents, in direct contravention of Article 79 of the organic law, forbidding the adoption of the dormitory system, that is, the lodging or boarding of students, despite the strenuous remonstrances of the Faculty, the students and the press organized and incorporated with the University, as an integral part, a boarding school for boys, a *kindergarten*, as the students, the Oaklanders and the *Alta* first gave it at the time, then lowering, as I have said, the low standard of the institution, being besides antagonistic to the true character of any university and interfering with the interests of private preparatory schools in Oakland and elsewhere, which schools, taxpaying contributors themselves to the University, were and are now with the public High Schools, its natural feeders, and as such not to be undermined, but to be encouraged and increased in number. It is cognizant to all that the President of the University, the head of the academic senate, an experienced educator, the only fit and trusty referee and counselor of the Board, was, as usual, debarred from its meeting when the measure was adopted, as he was not what Presidents in other Universities are—an ex-officio member of the Board of Regents. For the grounds and buildings of a decaying private school to be converted into the *kindergarten* were paid \$112,476 25; of that amount \$23,-315 51 were derived from the sale of Agricultural College lands. More than this, 112 acres of land adjacent to the University site, suitable for an arboretum and forestry or other agricultural purposes were bartered away. Nay, \$20,000 were paid for a vacant block adjoining the Brayton School, for which there was no imaginable use, being vacant and unoccupied this day. In the mean while the Agricultural College grounds and farm were totally neglected, for want of funds we were told!! Not a seed for agricultural plants and grasses was put

in the ground, not a tree planted for the culture of fruit and berries, no grounds laid out for economic botany, not a greenhouse or propagating house erected, no garden, no Agricultural College Professors appointed. We are informed on page 68 of the report recently published by the regents that the Professor of Agriculture was, in 1872, authorized to employ the services of a competent gardener, and to proceed with the construction of a propagating house; but we are not informed why there is no gardener and no propagating house. The *kindergarten* did not prove a bed of roses to the Regents—it proved a disturbing agent, an unwieldy weight, *incubus* of debts, deficits rubs and frictions. It is no more, to the delight of students and Professors, and not less to that of the misguided Regents, unexperienced in educational administration. Although we have to pay interest on an unpaid mortgage of \$50,000, we have the consolation of knowing that the property in question, if sold, would probably realize the \$112,000 it has cost us. What was, however, the true cause of the incorporation of that boarding-school with the University, necessitating the investment of a sum so extraordinary large? Was the purchase of grounds and buildings indispensably necessary to afford additional accommodation to the University proper at Oakland? By no means! The University was but temporarily located there. Brayton Hall or any other building of the private school could have been had at low rent. If the whispers rustling at the time through the classic groves of Oakland interpreted correctly, the true cause was a desire, an earnest and persistent desire of at least one member of the Board of Regents to dispose advantageously for the owners of the Brayton estate adjoining the University, with the buildings holding the school. The Regent met at first with a determined opposition to his plans on the part of his colleagues. We heard from the lips of the Rev. O. P. Fitzgerald himself, then a member of the Board, that the Senator Regent would not succeed in convincing them of the desirableness of purchasing the said estate, ^{The} latter, although defeated on two occasions, persistently returned to the charge and finally was

victorious. He passed in the fortuitous capacity of Regent and Legislator the enabling Act to establish the department and purchase the goodly estate and declining school; in the equal fortuitous capacity of Regent, Committee-man and purchaser did purchase the goodly estate and declining school; in the not less fortuitous capacity of Regent, legal adviser of the owners, and vendor, did vend the goodly estate and declining school, and finally for the manifold and intricate duties as Legislator, Regent, Legal Adviser, Purchaser and Vendor, we are now told received no "pay." To ascertain whether or not this be so, whether or not he received any equivalent whatever, even for professional services rendered would now be a thankless task, nay an uncharitable endeavor, since he has in the cold earth found his resting place. We should henceforth remember only the good he has done for the University in other respects, the manliness with which he acknowledged a few days before his death, (see Inauguration of President Gilman, Oakland Daily News, November 8, 1872), "that mistakes had been made by the Regents, but that they were mistakes of the head, not of the heart."

Is it to be wondered at, that Governor Booth, surely a true friend of education and of the University, in view of the evident and censurable missapplication of funds, *repealed* in 1872 the bill appropriating an additional \$300,000 of the people's money? Is it surprising that he, as I have been informed by one of the Regents, had conceived strong and it seems justifiable prejudices against the Board, when he by virtue of his office became its president; prejudices, which to judge from his rare presence at the meetings of the Board, do not seem to have fully subsided?

Having, I presume, satisfactorily established the fact that the Regents unlawfully diverted funds, in appending the incongruous University Kindergarten, by which measure also—as a tuition fee was in it enforced—their "*Free University*" became a ludicrous anomaly, in their mouth a hypocritical boast, and on the lips of the stranger a mortifying sneer; having, moreover, demonstrated that the Board in the mean time forgetful of their

duty to establish, according to law, a *real, stationary and working* agricultural college, which would have beyond any doubt attracted students for the University then almost empty, I will now proceed to show how they rose on the wings of fancy and founded the *ideal, ubiquitous and traveling College of Agriculture of the State University of California*. They had evidently heard of the German "Kindergarten" but not of the German "*Liebig*"; thus one of the *many* disciples of *Themis* in the Board,* who undoubtedly also heard of, and it may be read, Don Quixote, one day it seems withdrew to the remotest recess of his office, and there musing, hatched the following ludicrously impracticable resolution, which was unanimously adopted by the Regents. By it they inadvertently commanded the able and ever active Carr, the *one* Professor of Agriculture, the only agricultural *reality*, if I may so say, now at Berkeley—to mount the famous charger Rosinante and re-enact in practical America the ingenious *impossibilities* of that famous hidalgo, "*Don Quixote de la Mancha*." I reproduce the resolution in full from my brief treatise, entitled "The State University of California particularly, and the Educational Systems of America and Germany comparatively," which was published in January, 1871.†

"*Resolved*—That in order to extend the advantages of the *Agricultural College* of the University to the largest number of citizens possible, and especially to persons practically interested in farming, fruit-culture, wine-making, wool growing and stock-raising, the Professor of Agriculture, Agricultural Chemistry and Horticulture, shall visit, as far as possible, *all* the agricultural centres of population in the State, and in every convenient neighborhood, where suitable accommodations can be obtained, deliver one or more lectures, illustrated where practicable,

* I beg it to be understood that I entertain no ill feelings against the profession of law; on the contrary my only son is intended to become a lawyer.—G. S.

† That treatise was submitted to the Board of Regents, and if the *Oakland News* was correctly informed, referred to the Committee of Instruction, where it died a natural death, unnoticed as were then and have ever been by the Board, the honest criticism and counsel offered by the press, or coming from any other source whatsoever. Although they did not weigh in behalf of the young University, my views on progressive education, I had the satisfaction of finding that among the many organs of the daily and weekly press who noticed them, the *San Francisco Examiner*, the favored organ at the time of the larger number of the Regents, while not subscribing to all I had advanced, devoted to their analysis in its issue of January 24, 1871, with creditable fairness and candor, and free from all party bias, two entire columns, terminating with: "Mr. S.'s observations deserve a careful consideration from all friends of the University and from all friends of learning in California."

upon subjects connected with agriculture likely to be of most value and interest to the people of the locality. In these lectures it shall be his care to disseminate such information derived from *study, from observation, from correspondence and general experience*, as will be of practical use to the *farmers, fruit-growers and stock-raisers*, having special reference to the imparting of *reliable* information upon the *nature and best mode of culture of such new crops, fruits, trees and vines, (and the preparation of their products for market)* as may be adapted to the soil and climate of California, and likely to increase the productive resources of the State.

His course of lectures shall embrace the branches for which instruction is now provided in the University, viz:

Agriculture proper,
Agricultural Chemistry,
Zoology,
Horticulture,
Geology,
Veterinary Science,

Botany,
Rural Economy,
Meteorology,
Diseases of Animals and Plants,
Forestry.*

And all kindred subjects, it being the intention of the Regents by the course here adopted to *transfer the Agricultural College of the University from the closet to the field*, and make its instruction of *practical value* to the people of the State. These lectures shall be free, and public notice shall be given of the time and place of their delivery.

During his tour through the State, the Professor of Agriculture shall carefully examine the *growing crops, study their culture, noting particularly any exceptional influences calculated to improve or injure them, and communicate the result of his observations in his lectures.*

HE shall take special pains to COLLECT STATISTICS of the *crops, flocks and herds of the State*, and shall REPORT them from time to time for publication.

HE shall open communication with ALL local agricultural societies, and as far as is possible PLACE HIS SERVICES AT THEIR DISPOSAL and deliver his instructions under their auspices.'

HE shall—one of the Professors at the University is said to have added, when this interminable list of duties was read before the assembled colleagues, next morning from the *Alta*—he shall, thoroughly convinced as we are that the adjective "*impossible*" is not, never was, or ever will be found in any of our dictionaries, arm himself with a horn of the most formidable size and powerful tone, procurable in the United States, and from the cottage porch, before the assembled household and laborers of each farm, drive from its boundary, now and for ever, all gophers, skunks, bats, rats and mice, and all other thieving vermin—winged, quadruped or biped—by a three times repeated thundering *Toot! Toot! Toot!*

* Of these branches Zoology, Geology, Botany and Meteorology, do not even belong to the Professor's department.

The devoted Professor of Agriculture, who, *up to that day*, had done more to keep the University prominently and favorably before the public than any one else in its connection, had been peeping o'er the readers shoulders, and with every new batch, in the endless string of duties, had risen higher on his feet, and the ludicrous *finale* caused him to split his sides with tremendous bursts of contagious laughter that set going all the Professors around, and so much deranged their equilibrium as to make it impossible for them (some wag informs us) fully to restore it to this day."

The entire faculty, including the Professor of Agriculture, agreed that nothing short of half a dozen lecturers with a corps of assistants, could do justice to and execute that magnificently conceived resolution, so as to warrant any practical and beneficent results.

Prof. Carr consequently could not attend to the hundredfold specialties of the interminable resolution, some of which, according to Articles 66 and 67 of the organic law, fell within the range of the secretary's duties, whose time, however, was greatly absorbed by the duties imposed upon him by the second secretaryship, most congenial, indeed, as has already been inferred, with those imposed by California's crowning fabric of the educational sanctum.

The Professor, ever indefatigable, delivered in neighboring towns and accessible parts of the country, lectures on agricultural and other topics of general interest, as he informed us in his communication to the Board, endeavoring especially to make the object and scope of the University and its practical value to the State more thoroughly understood. To expect anything beyond this from *one* instructor who had to attend to the duties of his chair at home would be inconsistent. The Professor has, however, not become reconciled with the idea of continuing to be *THE ideal traveling* agricultural college. He and the people of California are desirous that we no longer tarry in conforming to the law and establish *THE Real Stationary College of Agriculture* with all its prescribed appendages—at Berkeley, where the teaching of scientific and practical agriculture at present amounts to absolutely nothing, and that of agricultural chemistry, without the soil and its products, to no more than does the

teaching of general chemistry, without chemicals, from—a text book.

I will now, in brief, place before the reader conclusive evidence of the gratifying results which have attended the founding of agricultural schools and academies in Europe, especially in Germany, to which I shall add proof of their having been upon the whole successful in the United States, and, furthermore, that the statement reported to have been made before the Legislature by the President of the University, to the effect that agricultural colleges have disappointed the hopes of their friends, or even proved a failure, is based on error, or must be a misconstruction of the President's meaning, if he at all made the statement.

The question of agricultural schools has in our day risen to be a momentous question in the domain of rural economy. In Germany the potent and beneficent influence of such schools is recognized more and more from year to year; their friends in that country, at least, increase in number. An effort to found agricultural schools, although not successful, was made by an Abbe Rosier, in France, as far back as 1775. The first that was successfully operated was established at Hofwyl, in the German speaking portion of Switzerland. It flourished 30 years and educated 3,000 farmers. Other schools subsequently flourished in Germany, France and various countries of Europe. Prior to the advent of Liebig, scientific instruction was, however, most imperfectly developed and understood. Through his teaching it became lucidly clear *that practical and scientific instruction in husbandry must be closely united*; that without the latter all instruction leads to unsatisfactory results. Liebig was the first who in hard and bitter words indicated that a continuous 'plunder-culture' of the land must end in its complete exhaustion. He not only pointed out the evil, but also the ways and means enabling the husbandman to return to the soil what in a given period is withdrawn from it, so as to maintain an equal degree of fertility. His first work on chemistry as applied to agriculture appeared in 1862; his chief work on the natural laws of field-culture in 1865. English and French scientists, such

as Moll, Sinclair and Low—Payan and Buchard, soon followed, corroborating the correctness of his views and researches. As the elevation of industry properly dates from the time only when it called science to its aid, so agriculture rapidly advanced in the road to progress, only then, when empiricism and a practice sanctified by hereditary custom, refused no longer to take science as a helpmate. What the numerous technical schools in Germany are with respect to industry and the mechanic arts, are the agricultural schools and academies or colleges to husbandry and field culture. Germany alone had in 1864, some fifty of these schools, high and low, of which 23 were located in Prussia. It has now above 150. In many of these some 500 students receive instruction. France has some 75, and Russia 68. All other European countries possess them, their number being proportionate to population, while in England, where the soil yet chiefly belongs to feudal barons, there are but 5. Space forbids a description of their organism and working details. The scientific and practical College of Agriculture and Horticulture at Hohenheim in Germany may serve as an illustration of their effective completeness. It has a farm of 825 acres, a forest of 5,000 acres, botanic garden, arboretum, geological, mineralogical and botanical collections, collections of woods, seeds, resins, models of instruments of tillage and chemical laboratory, meadows, irrigation, culture of flax and the vine, stock-farms and the manufacture of agricultural implements, etc.

The United States have not been behind in imitating the Agricultural and Technical schools of Germany. The department of Agriculture at Washington in its last collection of the reports from the various States of the Union, *in which California has nothing to show*, gives thirty-two colleges as being in active operation, attended by more than 3,000 students. The State of Illinois has an experimental farm of 212 acres with the University buildings, and a model farm of 400 acres one mile distant. Kansas numbers more than 217 students in its Agricultural college; Maryland, 147; Minnesota, 117; Massachusetts, 171. Diminutive Delaware has a farm of 70 acres, and

38 students. Cornell University reports 207 in 1872. It was Goldwin Smith, the English Professor at Cornell, who regaled his hearers during a recent visit to England, by stating that in the agricultural department at Cornell the daily severe manual labor unfits the students for higher scientific studies. If this be so, the aim of agricultural colleges is little understood at Cornell. Their aim is to develop scientific and practical farmers, not farm laborers, equally as much as it is the aim of technical schools to educate scientific and practical mechanics, not day laborers. While in agricultural colleges, to theoretic and scientific investigation has to be added *instructive* labor in the laboratory and the field, the student is not supposed to absorb his time by the mechanical *non-instructive* labor of ploughing, harrowing, hoeing, etc. Cornell should not, in this respect, be imitated in California, if the Professor have presented matters in their real light. Our University cannot be expected—as one of the Regents correctly observed—to educate journeymen blacksmiths, etc., nor can it be expected to train farm hands.

Congress not alone and State Legislators have been and still are, the friends of agricultural schools, private individuals also have been and still are so. In evidence of this I refer to the institution founded by and bearing the name of the first named of the Baltimore trinity of philanthropists, John McDonough, George Peabody and John Hopkins. The institution was opened in October last, in the vicinity of the city of Baltimore endowed with five hundred thousand dollars. Instruction during a course of four years is gratis, embracing all that is needed to elevate cultured, scientific and practical farmers. The inmates are besides fed and clad, and on leaving the institution their future welfare is to be watched with paternal care.

Having demonstrated that agricultural schools and colleges are in active and successful operation, both in Europe and America ; having observed the wanton destruction of fertility in the still virgin soil of California, through ignorant, unscientific and wasteful cultivation; being besides convinced that the agricultural interest is the chief interest of the State—I should

deem it undutiful, nay, dishonorable in the people of California, and the Legislature—still in session—were they to permit the *wheat-sheaves* ornamenting the agricultural college building to remain, *there alone* an unnatural, a mocking symbol, a reminder of indifference, neglect, and disregard of law!

Nothing short of a school combining practical instruction in the field with the theoretical and scientific education in the lecture room and laboratory, will do. An one-sided way must lead, as it has done everywhere, to—failure!

The department of mechanic arts, it would seem, were better located in San Francisco, the business and manufacturing center of the State.

With a few short remarks on education in general, and the mode of imparting knowledge in our schools, high and low, I will conclude.

Education is still too much regarded in the narrow sense in which it aims at the acquisition and possession of the accumulated knowledge of the past and present. It has a more exalted purpose, that of improving and enlarging the inherited treasures by the cultivated exertion of our own inward powers; its aim is the individuum, the growth to knowledge not alone, but to skill; knowledge is the means to an end, not the end itself. Every topic of instruction must become an exercise for the reflective powers and learning facilitated by interesting the student in self-thinking and self-activity. With our text-book system of memorizing, our sons and daughters leave school having learnt everything except to think. The students of the University would indeed learn more, know more and *do* more, were they guided to self-research; were they made to study nature more than—books. How this mere memorizing process—this pouring in of undigested knowledge, instead of drawing out and developing the inward faculties and powers, leading to digested knowledge, and creating *thinkers*—should have found its way among a free, independent, self-relying, republican people, is an anomaly the enormity of which the mind can

hardly realize. During the early times of the republic the absence of trained teachers was an acceptable apology for the preservation of the system ; there is no tenable justification now. Have we to assign to that system the superficiality in learning which is at home and abroad regarded to be a standing opprobrium attached to our schools? Have we to ascribe to it the number of mental dyspeptics in the place of thinkers? Does spring from it the implicit faith in traditional authority, the aversion to self-inquiry in matters of religion, the empiricism and blind dogmatism which characterizes Protestant America more than any other nation ; Protestant and protesting against the return of medieval darkness? Observing and thinking minds, tried educators, such as Agassiz, Higginson, Herbert Spencer, etc., have found and publicly declared what has also fallen within the range of my own experience, that however lavishly munificent the people may be in the general development of our public school system, there can be no change for the better in the *mode of imparting knowledge*, so long as teaching is not elevated to the dignity of a profession ; so long as training schools do not largely multiply ; so long as the teacher only *hears* a class ; so long as the text-book, an oft illy-adapted, imperfect book, supersedes the teacher ; so long as the main text-book is not located above his brows ; so long as he does not hold within his grasp the fruit of all who have thought upon his theme, and searched and found and spreads it out before the hungry class of his own creation, with the results of his own thoughts, his own labor, ever fresh and new ; so long in fine as he is not the element from whom all springs, the animating and creating spirit of the school room or the lecture hall—the thinker, the *professional* teacher, lecturer, professor.

With such instructors our University, (we may congratulate ourselves that it already possesses *some*,) and the public schools throughout the country, will rise high, so high as, or even higher than the famous public schools, agricultural and technical academies, and the renowned seats of learning in the Fatherland which gave a Humboldt to the world, an Agassiz to America.

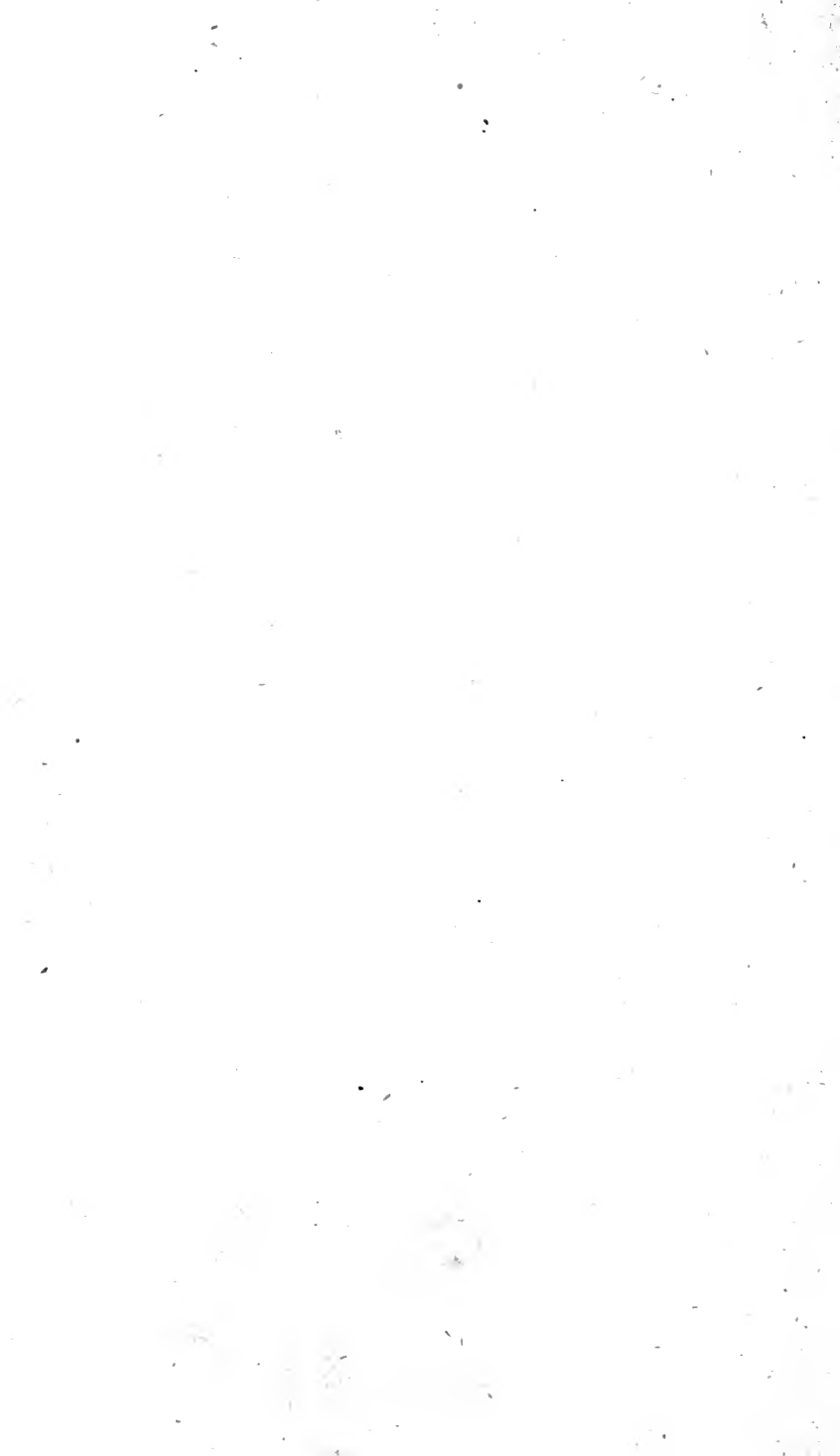
With the powers of the Faculty enlarged, with a fit superintending Board and with confidence restored, we shall, as time rolls on, see arise college after college, filled with our sons and daughters, all thirsting for knowledge and for skill, near the fair mountain range of Contra Costa, where the rugged hill and maiden plain in wedlock joined, gave birth to gentle slopes, trimmed with winding silver brooks, o'erhung with foliage evergreen. We shall see thence go forth the philosopher and scientist to divulge the secrets of humanity and nature; the tutored mechanic, to utilize the powers in iron and in steam; the learned agriculturist, to make the earth give forth her bounty; the fearless and erudite miner, to draw the boundless treasures from her bosom.

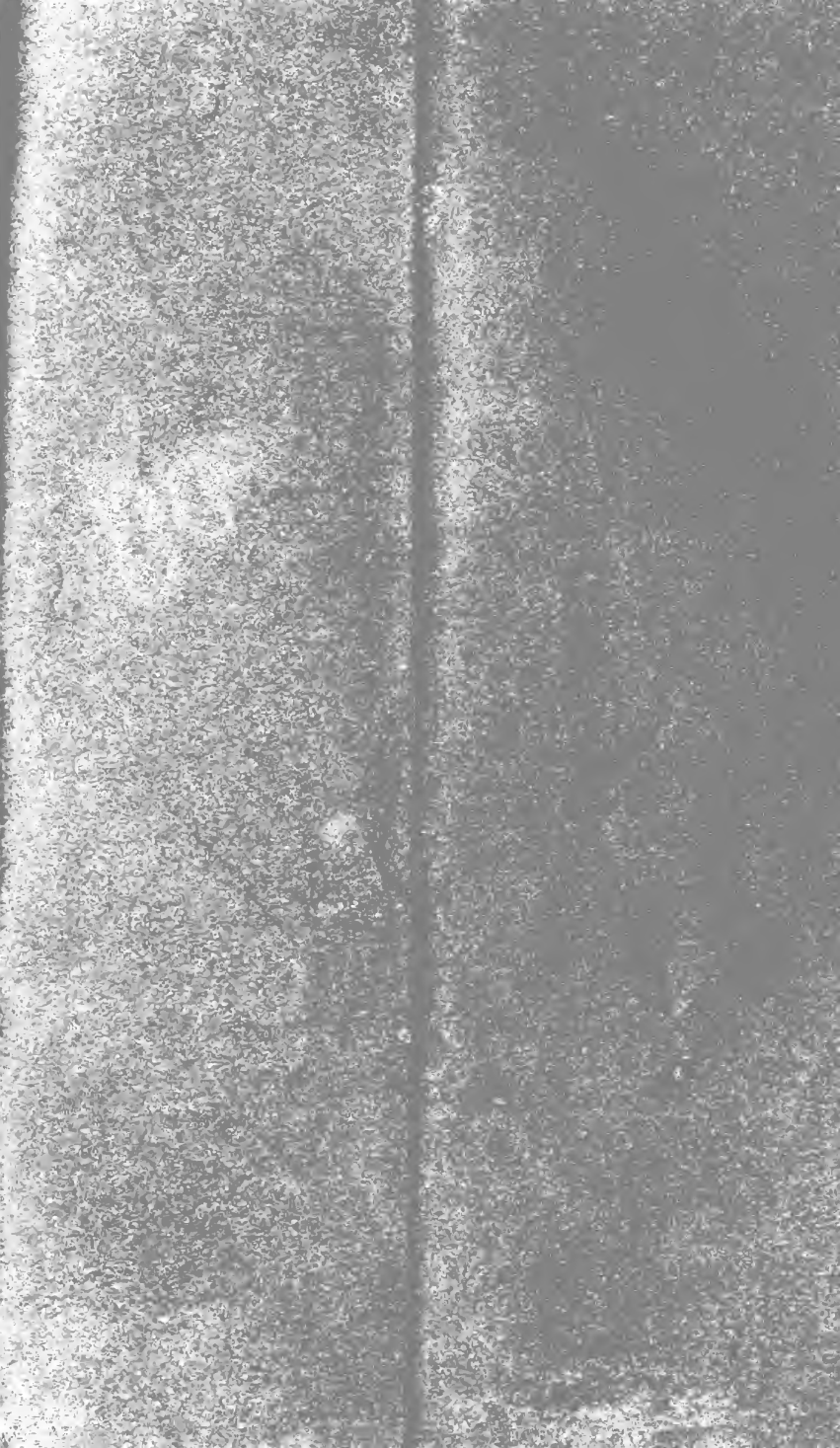
There, at Berkeley, the renowned *University of California*, a ramified temple of wisdom, its beacon lights high aloft, will frown down ignorance and error, empiricism, bigotry and dogmatism, as the battlements of our country's forts frowned down our country's foes; its professors, instructors, students, one and all, zealous and enthusiastic in furthering the never faltering advancement of the revered Alma Mater.

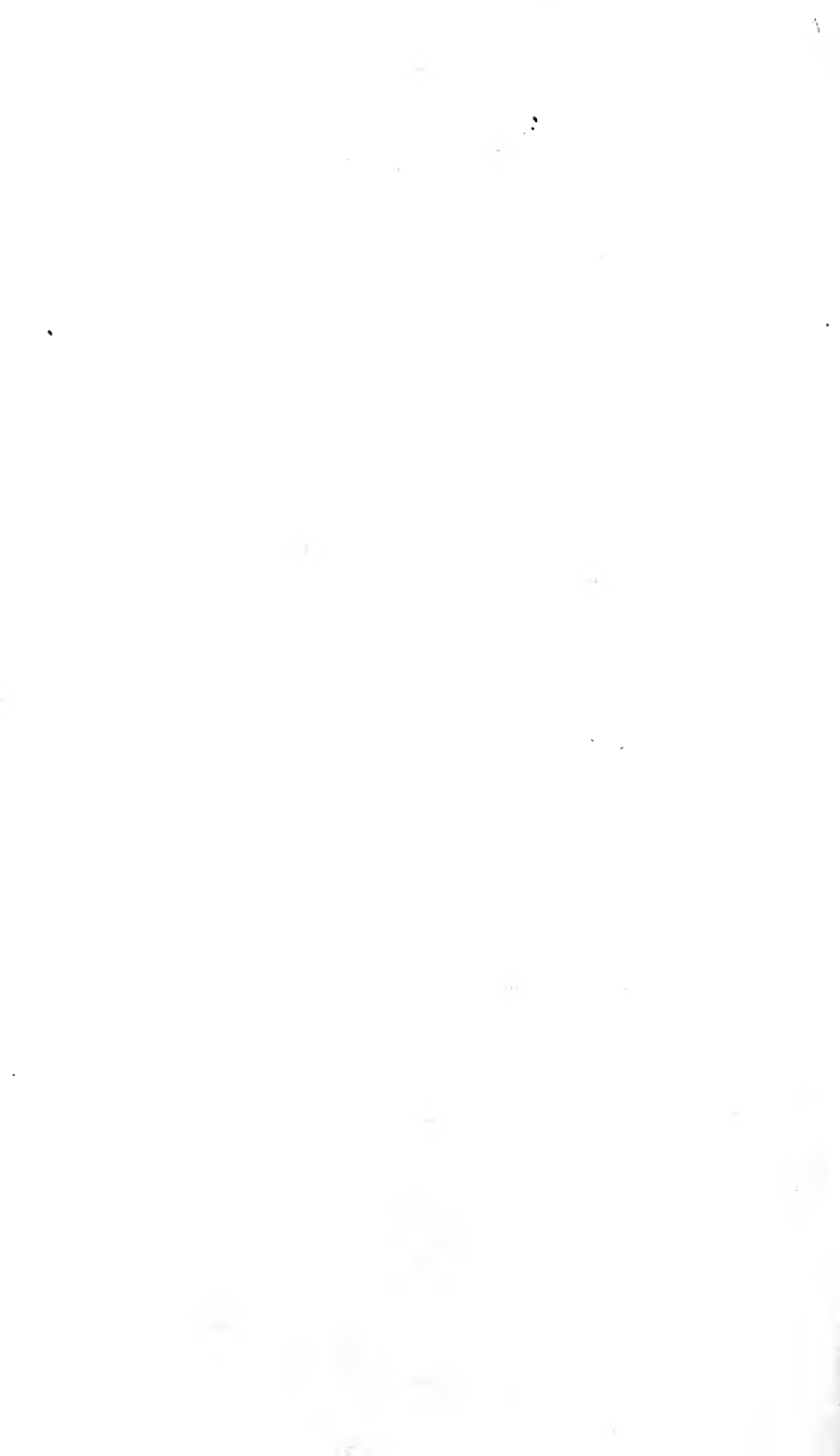
Free thought honestly expressed, being the birthright of a free people, he who in our country launches upon the world his criticism of public men and matters under an anonymous garb or *non de plume*, is, I repeat it here, either a coward or a knave. Thus, I sign my humble name, as I always do and a freeman always should, in *full*.

GUSTAVUS SCHULTE.

OAKLAND, Cal., March 21st, 1874.









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