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# PREAMBLE AND RESOLUTIONS

Of the Joint Committee from the State Grange,  
Mechanics' State Council, and Mechanics'  
Deliberative Assembly,

AND

# REPLY OF THE BOARD OF REGENTS

Of the University of California.

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SAN FRANCISCO, August 8, 1874.

*To the Board of Regents State University, California.*—GENTLEMEN: The Joint Committee from the State Grange, Mechanics' State Council, and Mechanics' Deliberative Assembly, met in this city August 7, 1874; when, on motion of A. M. Winn, W. H. Baxter was called to the chair and A. M. Winn chosen Secretary. After preliminary organization, and explanation of the objects of the meeting, the following preamble and resolutions were unanimously adopted:

## PREAMBLE:

WHEREAS, The Act of Congress providing for the support of State Universities requires that the leading objects shall be to teach such branches of learning as relate to agriculture and mechanic arts; and

WHEREAS, The Board of Regents has totally ignored the mechanical department of the University of California, and appointed but one Professor for the Agricultural Department, while for the College of Letters the Board has elected nine Professors, including the President, two instructors and eight assistants, making nineteen Professors and assistants engaged in teaching Latin, Greek, Hebrew, Mathematics,

Modern Languages, Chemistry, Physics, Geology, Engineering, Astronomy, Rhetoric, History and the English language; and

WHEREAS, The Board of Regents propose to remove E. S. Carr, the Professor of Agriculture, assigning therefor no adequate reason; therefore,

*Resolved*, 1st. That we hereby respectfully remonstrate against the removal of Professor Carr, because we firmly believe that he is fully competent for the position he now occupies, and has the entire confidence of the people of the State.

2d. That we are opposed to the appointment of any lecturers on agriculture, because it would be a misappropriation of the funds set apart for the exclusive benefit and practical development of the mechanical and agricultural departments of the University, and of no material benefit to the State.

3d. That we demand, in the name of the farmers and mechanics of the State, that the agricultural and mechanical departments of the University shall be fully recognized, and each receive as much money and as much attention as the College of Letters.

4th. That a copy of the foregoing preamble and resolutions be furnished to Regent Hamilton, with a request that he present the same to the Board of Regents at their next meeting.

The preamble and resolutions were then signed by the committee, as follows: W. H. Baxter, J. G. Gardner and J. D. Blancher, of the State Grange; A. M. Winn, G. B. Merriam and J. W. Duncan, of the Mechanics' State Council, and E. D. Sawyer, C. C. Terrill and M. J. Donovan, of the Mechanics' Deliberative Assembly.

Then the Joint Committee adjourned to meet again at the call of the Chairman.

W. H. BAXTER, Chairman.

A. M. WINN, Secretary.

OFFICE OF THE REGENTS OF THE UNIVERSITY, }  
SAN FRANCISCO, Sept. 21, 1874. }

*To the Joint Committee from the State Grange, Mechanics' State Council, and Mechanics' Deliberative Assembly.*—GENTLEMEN: The Regents of the University respectfully acknowledge the receipt of your memorial of August 8th, consisting of preamble and resolutions setting forth statements and remonstrances concerning the action of this Board in the administration of the affairs of the University. While the Regents confess their surprise and regret at the mistakes and misapprehensions embodied in your memorial, they gladly avail themselves of the opportunity thus offered to correct them; and in doing so, will have in view the diffusion of intelligence rather than any controversy with your committee. The Regents assume that all good citizens desire only the welfare of the University, and that, while they would take little interest in a controversy, they would like to have some facts.

Your committee are under a misapprehension in supposing that the Congressional grant, as it is called, was "for the support of State Universities." That grant was for "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 as are related to agriculture and the mechanic arts, in such manner as the Legislatures of the States may prescribe." The Act of Congress does not establish an University, but a *College*, leaving the State great liberty to carry out the details of the plan. The University of California is established by the State of California, and includes the College referred to in the Congressional Act. The law of the State says: "The University shall have for its design to provide instruction and complete education in all the departments of science, literature, art, industrial and professional pursuits, and general education; and also special courses of instruction for the professions of Agriculture, the Mechanic Arts, Mining, Military Science, Civil Engineering, Law, Medicine and Commerce, and shall consist of various Colleges, namely: First, Colleges of Arts; second, a College of Letters; third, such professional and other Colleges as may be added thereto or connected therewith." The University is

founded by the State, and includes the *College* referred to in the Act of Congress. The misapprehension on this point is a natural one to those who have not informed themselves, and the Regents are glad to correct it.

Out of this error arises another—the error of supposing that the Act of Congress prescribes “the leading objects” of the University. It does prescribe “the leading objects” of the *College*, but the University has for its purpose the interests of good education and sound learning in every department of human study and pursuit. No just idea of the University or of the administration of its affairs can be got unless these two things be kept distinct.

It is not true that the Regents have totally ignored the Mechanical Department of the University of California. On the contrary, that department was early organized, with a complete four years course, as may be seen by consulting the registers of the University, published during the last four years, and particularly that for 1874, published last spring. The Professors assigned to give instruction in that department are President Gilman, and Messrs. John Le Conte, Joseph Le Conte, Rising, Soule, Welcher, Kellogg, Pioda, Sill, Putzker and Corella, eleven in number. A Professor in Industrial Drawing will soon be added, making twelve in all. The course of instruction will then be complete, but it is desirable, although not absolutely necessary, that a special Professor of Mechanics should be appointed to take the place of some of the Professors in some of the above mentioned branches of instruction.

It is also an error to state that the Regents have chosen “but one Professor for the Agricultural Department, while for the College of Letters the Board has elected nine professors, including the President, two instructors and eight assistants, being nineteen professors and assistants engaged in teaching Latin, Greek, Hebrew, Mathematics, Modern Languages, Chemistry, Physics, Geology, Engineering, Astronomy, Rhetoric, History, and the English language.”

The above statement is utterly erroneous. No professors or instructors have been elected for the College of Letters, or for any other College. The Professors and Instructors are elected for the University, and not for any particular college. The organic law creating the University, Section 3, makes it the duty of the Regents “so to arrange the several courses of instruction that the students of the different colleges and the students at large may be largely brought into social con-

tact and intercourse with each other by attending the same lectures and branches of instruction."

The students in the College of Agriculture have a right to receive instruction from *all* the Instructors named above. They were compelled to receive it as a part of their prescribed course from thirteen of the Professors in the University, in the following branches of instruction, namely: Political Economy, Social Science, Agriculture, Agricultural Chemistry, Horticulture, Botany, Physics, Mechanics, Geology, Natural History, Chemistry, Civil Engineering, Surveying, Astronomy, Mathematics, Drawing, and Modern Languages.

The organic law creating the University, Sections 4 and 5, makes it the duty of the Regents to establish the College of Agriculture first, and next the College of Mechanics. This duty the Regents have faithfully discharged. Those two colleges were the first organized. They were the first equipped with the necessary material and apparatus. The College of Civil Engineering was not completely organized until two years afterwards. The College of Mines has not received its complete organization until within the last three months. The College of Letters stands precisely as the legislature bequeathed it to the University.

In reply to the assertion that the College of Agriculture has been neglected, the Regents call attention to the following facts, premising that not a year has yet passed since the completion of the building and the beginning of instructions at Berkeley. They also remark that Dr. Carr under oath last winter before the legislative committee testified that the Regents had done as well as they could in the time and with the money at their disposal. He also testified that the course of instruction compared favorably with that of Agricultural Colleges elsewhere. That course of instruction has not since been modified. In the opinion of the Regents it only needs a competent Agricultural Professor to be worthy of the State and the University, and to satisfy all requirements of the Agricultural community.

Within the past year, the following among other things have been accomplished :

The Berkeley property has been surveyed by a competent engineer, the right places marked out for Agriculture, Horticulture, Botanical Garden and Forestry, and also for roads, paths, buildings and bridges. This has also been mapped.

A special survey has been made of the water rights of the University so that the supply of water for household and garden purposes, and the drainage may be wisely regulated.

The grounds have been placed under the charge of a competent Agriculturalist, who is also by law the Secretary of the Board, residing and holding his office at Berkeley.

With him is associated a well trained gardener who has charge of horticultural work.

The manual labor of the students has been employed, and paid for at good prices.

A convenient propagating house, with the necessary appurtenances, has been constructed.

A barn has been contracted for.

Additions have been made to the Agricultural and Botanical Museums.

A special appropriation of \$1,000 has been made for the purchase of Auzoux models, showing the internal structure of domestic animals, and of plants.

The lecture diagrams made use of by the late Professor, H. J. Clarke of the Amherst Agricultural College have been bought.

Four Eastern gentlemen, familiar with the Agricultural schools of other States, have been invited to come here and give special instruction to the students in Agriculture, in addition to what they will receive as heretofore, from the Professor of Agriculture.

Arrangements are making to secure the aid of California Agriculturists in the specialties, to which they are devoted, and to enable the students to visit the best farms, dairies, and gardens of the neighborhood.

A diploma, equal if not superior to that given in the College of Letters, and appropriate to all the scientific colleges, has been engraved and given to the Agricultural graduates of this year and the last.

A printing establishment at an expense of some \$6,000 has also been equipped, where some 20 or 30 students under proper regulations will find appropriate practice and remuneration.

As regards the removal of Prof. Carr from the position of Professor of Agriculture, the Regents have this opinion, namely: that it is their duty in the discharge of the trusts committed to their care to know more of the internal administration of the University and of the fitness



or unfitness of any member of the Educational Staff, than their fellow-citizens of the State in general can know. The Regents believe that they do know more of these matters. If they did not, they could hardly maintain their self-respect in an office whose duties and obligations they had neither the faithfulness nor the intelligence to discharge. The removal of that Professor was deliberate and well considered. And so careful were the Regents in regard to all its personal relations, that the informal opinion of the Board, that Prof. Carr should resign, was conveyed to him privately. Instead of accepting that opinion and acting on it, as a true regard for the welfare of the University and his own good name would suggest, he resented the well-meant courtesy of the Regents and compelled them to remove him. He was removed for "incompetence and unfitness." The Regents desire to avoid all personal controversy and all personal allusions. They believe that they know what incompetence and unfitness are, and that they have had abundant opportunity to observe and judge during a period of five years for which Prof. Carr has held a position in the University, and every day confirms them in the wisdom of their course.

Your memorial expresses an opposition to the appointment of any Lecturers on Agriculture, because it would be a misappropriation of the funds set apart for the exclusive benefit and practical development of the agricultural and mechanical departments of the University, and of no material benefit to the people of the State. Now, Section 13 of the organic act creating the University makes it the duty of the Regents to consider and decide the question "whether the interests of the University and of the students, as well as those of the State, and of the great body of scientific men in the State whose purpose is to devote themselves to public instruction, will not be greatly promoted by committing those courses of instruction which are brief and special to professors employed for short terms, and for only a portion of each year in their special departments, and to be termed Non-resident Professors;" and other sections of the same law prescribe that such non-resident Professors shall not participate in the government of the University. Now, this whole plan, adopted from the organic law of Cornell University, contemplates the establishment of lecturers in the University, according to the most approved methods of instruction in the most distinguished institutions.

Finally, the memorial of your Joint Committee makes a strong impression upon the minds of the Regents of the mistake and misapprehension that may possess so intelligent a body as yourselves. To correct this and to diffuse more intelligent opinions, the Regents invite you and their fellow-citizens generally to visit the University and observe its administration and instructions. The University is in a prosperous and flourishing condition, and ought to be better known by those who take so great an interest in its welfare.

Very respectfully,

For the Board of Regents,

R. E. C. STEARNS, Secretary.



