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THE PIONEER UNIVERSITY OF THE WEST, 1780-1865

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52
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TABLE OF CONTENTS

	Page
LIST OF TABLES	x
Chapter	
I. DEFINITION OF THE PROBLEM	1
Purpose of the Study	1
Central Themes	1
Efforts to establish a state university	2
Controversies, religious, political, and personal ..	4
Professional education contributions	6
Delimitation	7
Organization of the Study	7
Need for the Study	8
Definition of Terms	9
Arminianism	9
Calvinism	10
Hopkinsianism	10
Liberalism	10
Socinianism	12
Related Studies	12
Sources of Data	15
Primary sources	15
Secondary sources	18
II. PIONEER TRANSYLVANIA, 1780-1804	20
Transylvania Seminary, 1780-1799	20
Chartered by Presbyterians	20
Administrations of Mitchell and Wilson, 1785-1791 ..	23
(a) Financial Problems	25
(b) Administrative Problem	26
Moore's Administration, 1791-1794	27
Toulmin and Presbyterian secession, 1794-1796	29
Moore's Second Administration, 1796-1799	32
Presbyterian Sectarianism and Kentucky Academy, 1794-1799	34
A Sectarian Point of View	35
A Liberal Point of View	37
Controversy: Sectarianism versus Liberalism	38
Kentucky Academy, By-product of Controversy	39
Presbyterian Clergymen for the Frontier	40
Merger of Transylvania Seminary and Kentucky Academy ..	42
Partisan Transylvania University, 1799-1804	45
Plan of a Central University	46
Ambitious Organization	48
Conflict of Presbyterian and Liberal Parties	50
Summary	56

III. PRESBYTERIANISM, SECOND RISE OF LIBERALISM, AND PROFESSIONAL SCHOOL DEVELOPMENT, 1804-1818	59
Presbyterian Sectarianism, 1804-1816	59
Acting President Blythe and Transylvania	59
(a) Financial Report	60
(b) War Years	61
(c) Appraisal of Blythe's Administration	63
Investigation by House of Representatives	64
Reaction to House Investigation	69
Liberal Plans, 1815-1816	72
Second Rise of Liberalism, 1816-1818	72
Challenge of Presbyterian vested interests	72
Election of Horace Holley, a Liberal	73
(a) Continuation of Political Controversy	75
Presbyterians' decision to fight	77
(a) First Attack on Holley	79
Revolution of the Liberals	80
Professional School Development, 1804-1818	83
First Medical School of the West	84
(a) Early Medical Education in Kentucky	84
(b) Reorganization of 1809	85
(c) Reorganization of 1817	86
(d) Controversy at the Outset	87
America's First Collegiate Law School	89
(a) Founding under Republican Influences	89
(b) Place among early American Law Schools	90
Liberal Control Established	91
Summary	92
IV. LIBERAL STATE UNIVERSITY, 1818-1823	94
Holley, Liberal Theologian and Educator	94
Parentage, Education, and Training	95
Holley's Liberal Religion Defined	98
Attitude Toward Kentuckians	100
Clergy's Acceptance of Holley	101
Visit to Kentucky	102
Inauguration	103
University Organized for Progress	104
Professor and Executive	105
Bishop and Sharpe's Dissatisfaction	106
Demonstration of Leadership	107
Increase in Enrollments	108
Holley's Liberal Religious Instruction	110
Early Retrenchment of Preaching Duties	111
Distinctive Features of Holley's Religion	112
Calvinists' Reaction to Holley's Liberalism	113
Holley's Acceptance by Liberals	115

Chapter	Page
Presbyterian Clergy's Opposition to Holley	117
Attacks on Holley through the Press	118
The Professional Schools, 1818-1823	121
Ambitious Medical School	121
(a) Library, Facilities, Anatomical Problems	122
Vigorous Legal Education	124
(b) Graduation Exercises	125
Summary	126
 V. CHALLENGE OF LIBERALISM AND PROFESSIONAL GROWTH, 1823--	
1825	128
A National Institution	128
Holley's Reverberating Oration	130
Preparation for War by the Presbyterians	132
Charges of "Liberal Sectarianism"	133
Accusations against Holley's Unitarianism	134
Fatal Sting of The Literary Pamphleteer	135
Serious Charges Against the University	137
Financial Carelessness	139
Unduly High Salaries	140
Quality of Education	141
Defense of Holley by His Students	142
Other Presbyterian Attacks	145
Presbyterian Subterfuge; Trotter Case	149
New Revolving Plan of Religious Instruction	151
Final Attack upon the Liberal University	153
The Professional Schools, 1823-1825	157
Rapidly Growing Medical School	157
(a) Pioneer Botanic Garden	157
Expanding Law School	159
Summary	160
 VI. DECLINE OF LIBERALISM, 1825-1828	162
The State and Transylvania University	162
Historical Background	162
Effect of Economic Conditions	165
State Politics and University Finances	168
Further Charges Against the University	172
Governor's Hostility toward Transylvania	173
Presbyterian Attempt to Recover Property	175
Holley's Withdrawal, A Defeat of Liberalism	175
Resignation and Decline in Enrollment	175
President's Report	176
Departure for Louisiana	178
Defeat of Liberal Kentuckians	179
Investigation by the House	179
Senate Investigation	181
Failure of Liberal University Plan	181

Chapter	Page
The Professional Schools, 1825-1828	183
Expansion of Medical School Facilities	183
(a) Medical School Publications	185
Crisis in Law School	186
(a) President Holley as Law Professor	187
Summary	188
 VII. DENOMINATIONAL AND LIBERAL INFLUENCES: PROFESSIONAL	
EMINENCE, 1828-1842	190
Baptist Influence, 1828-1831	190
The Woods Administration	191
Woods' Departure Followed by Decline	193
Episcopalian Influence, 1831-1838	195
The Peers Administration	197
(a) Progressive Plan for Advancement	197
(b) Peers' Failure	200
The Coit Administration	202
(a) Coit's Plan for Advancement	202
(b) Competition for Funds	204
(c) Competition for Students	204
Rise of Liberalism, 1838-1842	206
Reorganization Period, 1838-1840	207
(a) Plan of Revival	208
(b) Reorganization Accomplished	209
(c) Causes Retarding Progress	210
The Davidson Administration, 1840-1842	212
(a) Disinterest of the Presbyterians	213
Professional Educational Eminence, 1828-1842	215
America's Second Most Eminent Medical School	215
(a) Multiplication of Medical Schools	216
(b) Faculty Split	218
(c) Reorganization	218
(d) Expansion of Medical School Facilities	219
America's Leading Law School	220
(a) Comparison with Other Law Schools	220
(b) George Robertson, Professor of Law, 1834-1857	222
(c) Reorganization	223
Summary	224
 VIII. METHODIST EXPANSION; LIBERAL DECLINE, 1842-1856	227
Methodist Control of Morrison College	227
Tender of Academic College Control	227
Final Contract	228
Defect of Agreement	228
Bascom and Methodist Expansionism, 1842-1850	230
Organization for Progress	230
Favorable Reports on the New Administration	232
Methodist General Conference, 1844	234

Bascom's Support of Henry Clay	236
Southern Convention of the Methodists	237
Bascom's Personal Difficulties	238
Bascom's Conflict with the Trustees	239
Faculty Tenure Problems	240
Bascom's Resignation	241
Methodist General Conference, 1850	241
Bascom's Service	242
The State and Transylvania University	243
Failure of Bascom and the Methodists	245
Some Comparisons with Other Universities	245
Decline under Liberal (Joint Public and Private) Con- trol, 1850-1856	248
Dodd's Administration	248
(a) Religious Instruction	249
(b) Decline of the University	249
(c) Causes of Decline	250
The Professional Schools, 1842-1856	252
Decline of the Medical School	252
(a) Frequent Personnel Changes	252
(b) Decline in Enrollments	253
Causes for Decline in the Medical Student Body	255
(a) Attempts to Prevent Decline	257
(b) Causes of Decline	259
Decline of the Law School	261
Comparison of Administrations of Holley and Bascom ...	263
Summary	264
 IX. SURVIVAL THROUGH WAR AND POSTWAR REORGANIZATION, 1856-1865	266
Emphasis on Public Teacher Training, 1856-1858	266
Kentucky's Public School System	266
Early Efforts to Establish a State Normal School	268
State Reorganization of 1856	270
Expansion under Rev. Lewis Green	271
President Green's Plan of Education	273
Student Opportunities	274
Normal Course of Instruction	276
Failure of the Normal School	276
Green's Resignation	277
Transylvania "High School," 1858-1865	279
English and Classical Curricula	280
Military School Competition	281
Civil War Years under the Direction of James K. Pat- terson	282
(a) The Patterson Brothers	283
(b) War in Kentucky	284
(c) Academic Year, 1862-63	285

Chapter

Page

(d) Academic Year, 1863-64	288
(e) Academic Year, 1864-65	289
Consolidation of Sectarianism and Liberalism	290
Establishment of a Secular State College	291
Miscellaneous Problems	294
The Plight of Transylvania University	294
(a) Kentuckians' Divided Social Interests	295
(b) New Liberal Hope of the State Normal School ..	296
(c) Problem of a State Secular University in Kentucky	297
(d) Inadequate Financial Support	299
Academic Freedom	299
Summary	300
 X. SUMMARY AND CONCLUSIONS	303
Definition of the Problem	303
Purpose, Themes, and Need of the Study	303
Delimitation and Organization of the Study	304
Definition of Terms	304
Related Studies and Sources of Data	304
Theme I: Efforts to Establish a Liberal State Univer- sity	305
Limitation of Early Success	305
Horace Holley's Liberal Leadership	306
Quasi-Liberalism	308
Third Period of Liberal Control	309
A Permanent Liberal College	309
Theme II: Sectarianism versus Liberalism	310
Plight of Transylvania	310
Administrative Ability of the Presbyterians	311
Success of the Liberals	311
Theme III: Professional Educational Contributions ...	313
The Transylvania Medical School	313
(a) Pioneer Medical Instruction	313
(b) Rise of the Medical School	314
(c) Medical School Split over Controversy	314
The Transylvania Law School	315
(a) Early Legal Education	316
(b) Holley's Impact upon the Law School	316
(c) Reorganization of the Law School	317
(d) Decline of the Law School	318
Minor Themes	319
Contributions to Education	319
(a) Pioneering	319
(b) Numerous Denominational Affiliations	321
Failure to Achieve Founders' Goals	323
(a) Insufficient Financial Support	323

Chapter	Page
(b) Insufficient Public Support	324
(c) Ineffective Leadership	325
(d) Population Redistribution	326
(e) Inadequate "Feeder" Schools, Public or Private	327
(f) Establishment of Strong Competing Schools	328
(g) Lack of Academic Freedom	329
Problems for Further Study	330
BIBLIOGRAPHY	332
APPENDIX	356
A. Principal Administrative Heads of Transylvania Seminary and University, 1780-1865	356
B. Endowments of Transylvania University, 1780-1865 .	357
C. An Act to Vest Certain Escheated Lands in the County of Kentucky in Trustees for a Public School	360
D. An Act to Amend an Act, Entitles An Act to Vest Certain Escheated Lands in the County of Kentucky in Trustees for a Public School	361
E. An Act for the Union of the Transylvania Seminary and Kentucky Academy	362
F. An Act Further to Regulate the Transylvania University	364
G. An Act to Incorporate the Transylvania Institute, and for Other Purposes	366

LIST OF TABLES

Table	Page
1. Comparative Enrollment Figures of Four Leading Law Schools, 1828-1840	221
2. Enrollments for Six Years of the Holley Administration Compared with Six Years of the Bascom Administration	246
3. Annual Number of Students and Graduates of the Medical School, Transylvania University, 1842-1859	254

CHAPTER I

DEFINITION OF THE PROBLEM

Purpose of the Study

The purpose of this study is to discuss efforts of Kentuckians to establish a permanent public university. With roots extending back to 1780, Transylvania University served as Kentucky's quasi public university until 1865, when she lost her nominal identity in a merger with Kentucky University under the name of the latter. In attempting to establish a university, Kentuckians became involved in a number of controversies, religious, political, and personal, which seem to have been stumbling blocks in their road to progress. However, in spite of these controversies, citizens of Kentucky were able to make some educational contributions in the fields of the arts and sciences, and professional training in medicine and law, the latter being emphasized. In evaluating the central purpose (efforts of Kentuckians to establish a permanent public university), it is purposeful to observe the controversies that hindered Transylvania's progress and to enumerate the accomplishments that brought Transylvania praise. Through this discussion many of the important phases of the history of Transylvania University are unveiled.

Central Themes

Three central themes, (1) efforts to establish a state university;

(2) controversies, religious, political, and personal; and (3) professional education contributions; extend virtually through the entire history of Transylvania University.

Efforts to establish a state university.—A significant theme in Transylvania's history is the idea of a great central university with "feeders" throughout the state. Plans for Transylvania's becoming a great central university were made before the University of Virginia central university plan, originated by Thomas Jefferson, was inaugurated.

The history of Transylvania University, perhaps as much as that of any other university, is typical of a number of colleges that depict the struggle of higher education in the United States between the Revolutionary and the Civil Wars. Since Kentucky was one of the four, along with Vermont, Maine, and Texas, of the twenty-one new states admitted to the Union before the Civil War that did not receive Congressional land grants, her problem in establishing a state university was a difficult one and was somewhat similar to that of the original states of Georgia, North Carolina, South Carolina, Maryland, Virginia, and Delaware.¹ In addition to Kentucky, one other state without a

1

Four of the original states in the East, viz., Massachusetts, Connecticut, Rhode Island, and New Jersey, resolutely refused to follow the new ideals of a "revolutionary" type of state university, and three, viz., New York, Pennsylvania, and New Hampshire, after a brief period of experimentation, finally decided not to follow the new and "revolutionary" conceptions of a state university advocated in that day. Of the seventeen new states admitted to the Union receiving land grants, twelve, viz., Tennessee, Ohio, Louisiana, Indiana, Mississippi, Alabama, Missouri, Michigan, Iowa, Wisconsin, California,

Congressional land grant, Vermont, established a state university prior to the Civil War, but Maine and Texas did not found ante bellum state universities.

The University of Virginia in the South and the University of Michigan in the North have generally been conceded by educational historians to have achieved greater success during the period before the Civil War than perhaps any of the other state or quasi state universities in the nation. However, since the history of Transylvania University has remained in a very dormant state, in spite of the publication of many monographs and articles describing certain phases of her history, her history has not been as well known as those of the state universities of Virginia and Michigan. Since the history of the University of Michigan begins in 1837, there is a long period of Transylvania history with which there was no comparable institution in the North or West for the period prior to that time. In a comparison of Transylvania University and the University of Virginia, it is found that the former completely outstripped the latter for the decade 1817 to 1827, and Transylvania competed on an equal, if not a superior basis, with the Jeffersonian institution for many of the other periods prior

and Minnesota, established thirteen state universities (Ohio had two). No state universities were established before the Civil War in the remaining five new states receiving Congressional land grants, viz., Illinois, Arkansas, Florida, Oregon, and Kansas. For a further discussion of this subject, see Donald G. Tewksbury, The Founding of American Colleges and Universities Before the Civil War. New York: Bureau of Publications, Teachers College, Columbia University, 1932. Pp. x / 254.

to the Civil War.² Thus one, possibly the most important, aspect of Transylvania's history is her significance as a quasi state university. Then, the repeated attempts of some supporters of Transylvania to establish a central, secular, and liberal state university is a theme extending throughout the study.

Controversies, religious, political, and personal.—Partisan strife evidently faced Transylvania from its very outset, as the Kentucky Gazette, Kentucky's first newspaper, published letters which outlined two distinctive philosophies of education as early as 1787. The viewpoint taken by one held that Transylvania, which was founded by the Presbyterians, should have as its primary objective, an emphasis upon religion. To the Presbyterians and their Calvinistic allies, the Associate Reformed and (Calvinistic) Baptists, religion meant something quite different from what it meant to some of the more liberal groups. Certainly the Presbyterians, generally, were at no loss to explain that religion was what John Calvin had said it was, and further it was what the young ministers, who had studied at Princeton's theological seminary, had said it was. Religion to the Presbyterian sectarians meant Presbyterian theology. Calvinism to the Presbyterians and their allies was "orthodoxy;" anything conflicting with Presbyterian teachings was "unorthodox" and not to be tolerated. Since Transylvania was founded by Virginia Presbyterians, its early control was subject to a

² See John S. Patton, Jefferson, Cabell and the University of Virginia. New York: The Neale Publishing Co., 1906. Pp. viii / 380.

rather narrow Presbyterian sectarianism of this period. Although few in number the Presbyterians had developed an intelligentsia, which occupied many positions of responsibility and trust in Virginia, and later, in young Kentucky. Anticipating the development of Western Virginia in the latter part of the eighteenth century, the Presbyterians, after establishing two colleges in Eastern Virginia,³ proceeded to make preliminary arrangements for a college in Western Virginia (District of Kentucky). They succeeded in obtaining certain concessions from the State of Virginia to aid them in furthering their educational plan. It is conceivable that these founders anticipated a central university, for they revealed such an idea in their early charters.

In contrast to the conception of religion held by the Presbyterians there was an infiltration of French Republican political philosophy in the United States during the Revolutionary period. Influences of this French philosophy were such that large numbers of the educated classes felt compelled to do more introspection in regard to their particular creed, denomination, or sect. This "free" thinking about religious matters, again, caused certain intellectuals in America to adopt a "creedless" religion, a religion free from those concepts which tend to divide Christianity into denominations and sects. In other words, a religion based upon ethics and "great religious principles"

³ The two colleges were Washington (now Washington and Lee University) and Liberty Hall (now Hampden Sidney College).

came to supplant the sectarianism and denominationalism of many of the educated people in America. This type of religion is defined later in this chapter as liberalism or as a liberal religion. It is in this sense that liberalism is used in this study. Those adhering to liberalism opposed the strict sectarianism of the Presbyterians from the start. Sectarian plans and liberal plans for Transylvania, which had been published in the Gazette, became the basis for a long controversy which plagued Transylvania's development into a significant central university. Along with this liberal-sectarian controversy were other controversies, personal, political, economic, religious, and social, which, perhaps more than anything else, prevented Transylvania's blossoming into genuine greatness prior to the Civil War.

Professional education contributions.—Not the least important in the history of Transylvania University were her professional schools, medicine and law. Since these professional schools were pioneers and were prominent in the development of professional schools in America's system of higher education, their history is an interesting and integral part of the story of Transylvania. A third theme or thread extending through this history is that centering around these professional schools. During periods when the general usefulness of the professional schools surpassed that of the academic department their decline or rise was significant to the latter. Once the professional schools were allowed to decline to a low level, the academic department was affected similarly. The story of Transylvania's successful professional schools is one that

makes the history of Transylvania unique among American colleges established in the Revolutionary period. Considered as a professional educational team, Transylvania's medical and law schools led those of all other universities in the United States for a quarter of a century, 1819-1844.

Delimitation

The present study is delimited to the development of the central themes as set forth here, with no attempt being made to discuss student life, curricula, or the contributions of various individual professors. Obviously, all phases of the eighty-five year history cannot be told in a single study, but the writer has attempted to select those phases of Transylvania's history which most nearly describe Transylvania, both as an educational institution, and as a phase of the ante bellum higher educational movement.

Organization of the Study

Approach to this study is made by both chronological and topical discussions. The chapters are divided chronologically into eight periods. "Pioneer Transylvania Seminary and University, 1780-1804," includes a discussion on the formative period; and "Presbyterianism, Second Rise of Liberalism, and Professional School Development, 1804-1818," describes another pioneer and developmental period in which a sectarian atmosphere was created around Transylvania. Three chapters,

"Liberal State University, 1818-1823;" "Challenge of Liberalism and Professional Growth, 1823-1825;" and "Decline of Liberalism, 1825-1828," are concerned with the rise and decline of the Holley administration.

"Denominational and Liberal Influences; Professional Eminence, 1828-1842," includes discussions of several unsuccessful attempts to secure denominational support and a discussion of a reorganization under a liberal management. After an agreement between the academic department and the Methodists was reached, certain indications pointed to a brilliant period of progress. Although this period was epochal, controversy between the Northern and Southern branches of the Church soon caused friction and Transylvania entered another period of decline. "Survival through War, Postwar Reorganization, and Other Problems, 1856-1865," describes the reorganization of Transylvania into what was virtually a state teachers college, a period of decline during the Civil War and its reorganization into a school, Kentucky University, which was the parent of the University of Kentucky and Transylvania College.

Need for the Study

Long have Kentuckians boasted of Transylvania's contributions to American higher education, but no where has this story been presented objectively. The story of Transylvania is woven around the personalities of many men who were prominent in ante bellum American political and social history. Some of these men were members of her board of trustees, some were her presidents, and others were her faculty members and students.

Transylvania, a regional university, graduated professional and business men who were cast in leading roles in all phases of American life. The story of Transylvania fills a definite need in the field of educational history.

Definition of Terms

In a discussion of the religious controversies centered around Transylvania some terms arise, the meaning of which may not be clear. In order to relate these events in as clear and concise language as possible the following terms are defined.

Arminianism.--Arminianism pertains to the system of religious theology advanced by James Arminius (1560-1609), a Dutch Protestant theologian. The five articles of this system are: (1) conditional election and reprobation, in opposition to the absolute predestination taught by Calvin; (2) universal redemption, or that the atonement was made by Christ for all mankind, though none but believers can be partakers of the benefit; (3) that man, in order to exercise true faith, must be regenerated and renewed by the operation of the Holy Spirit, which is the gift of God; (4) that man may resist divine grace; (5) that man may relapse from a state of grace--in opposition to Calvin's doctrine of the perseverance of the saints. These articles were condemned by the Synod of Dort, 1619, but have been widespread among Protestant denominations. The theology of the Wesleyans of Great Britain and the Methodists of America is Arminian. ⁴

⁴ See William A. Neilson, Editor, Webster's New International

Calvinism.—Calvinism refers to the theological tenets or doctrines of the French theologian and reformer, John Calvin (1509–1564) and his followers, or of the so-called Calvinistic churches. The distinguishing doctrines of this system, usually termed the Five Points of Calvinism, are election or predestination, limited atonement, total depravity, irresistibility of grace, and the perseverance of the saints. Calvinism especially emphasizes the sovereignty of God in the bestowal of grace.⁵ Calvinism conceives of the church as coextensive with the natural community but does not readily yield control of the church to the state. In its internal organization it makes some concessions to the democratic principle but subordinates the local congregation to the institution and the laity to the clergy.⁶

Hopkinsianism.—Hopkinsianism is the theology taught by Samuel Hopkins (1721–1803), the New England theologian, a follower of Jonathan Edwards. Specifically it is the tenet that one must be willing to be damned if the glory of God requires it.⁷

Liberalism.—The position of liberalism is more difficult to define than are organized religious denominations. This is due to the substance

Dictionary of the English Language, Second Edition, Unabridged, p. 150. Springfield, Mass.: G. and C. Merriam Co., 1940.

⁵ See ibid., p. 216.

⁶ See H. Richard Niebuhr, "Protestantism," Encyclopedia of the Social Sciences, Vol. 12, p. 571. Edited by Edwin R. A. Seligman and Alvin Johnson. New York: Macmillan Co., 1934.

⁷ See William A. Neilson, Editor, op. cit., p. 861.

of liberalism itself, which does not regard truth as a fixed position, but which perceives intellectual activity as the search of the individual for truth, restricted only by the limitations of reason, and in the case of Christians, by the Bible. To a large extent liberalism in this study refers to all those theological positions opposed to Presbyterianism. Presbyterians regarded all other theological positions as heresies. David Rice, writing in 1805, listed these "heretical" positions in the order of their deviation from the absolute truth of Calvinism as Arminianism, Universalism, Pelagianism, Semi-Pelagianism, Arianism, Socinianism, Deism, and Atheism.⁸ Liberalism has many shades of meaning in this study. Thus, in discussing early Kentucky liberalism, individual positions of several key men, who had substantial numbers of followers, must be discussed. Since these men were not of the "orthodox" (Presbyterian) faith, and because they suffered for their beliefs, in some instances, at the hands of those who professed to be exponents of religious liberty, they were warm in their insistence upon separation of church and state and upon religious freedom. The attempt by these men to establish the principle that education should be concerned with words, was an effort to preserve their point of view. As they practiced freedom of thought, insisted upon religious freedom, and were Republicans in politics, for the most part, they could be designated Jeffersonian liberals or Jeffersonian Republicans.

⁸ David Rice, An Epistle to the Citizens of Kentucky, pp. 9-10. Lexington, 1805. Reprinted in Robert H. Bishop, Outline of the History of the Church. Lexington: Thomas T. Skillman, 1824.

Socinianism.—Socinianism refers to the tenets or doctrinal system of Faustus Socinus, an Italian theologian (1539-1604), which was originated by him on the basis of hints and suggestions found in the papers left by his uncle Laelius Socinus (1525-1562). Socinus denied the Trinity, the divinity of Christ, the personality of the Devil, the native and total depravity of man, the substitutionary atonement, the efficacy of sacraments, and the eternity of future punishment. His tenets were that Christ was a man miraculously conceived by the Virgin Mary; that the Holy Spirit is a power or influence exerted by God; that human sin was the imitation of Adam's sin, and salvation something to be achieved by the imitation of Christ's virtue; that the Bible is to be interpreted by, and as being in accord with, human reason. The Socinian movement, which was vigorously opposed by both Catholics and Protestants, has long since ceased to exist in organized form, but its influence has continued.⁹

Related Studies

Numerous writers have used Transylvania as a subject of study, but only a few fundamentally significant works have been published, and these cover only certain phases of the university's history. Lewis gives an outline of the history of Transylvania University in his History of Higher Education in the United States.¹⁰ This outline is largely

⁹ See William A. Neilson, Editor, op. cit., p. 2387.

¹⁰ Alvin F. Lewis, History of Higher Education in Kentucky.

factual and does not attempt to delve into the controversies, reorganizations, and administrative policies of the school, nor are many of the primary sources used. Robert Davidson, in his History of the Presbyterian Church,¹¹ discusses the conflict of sectarianism versus liberalism from a strictly orthodox Presbyterian viewpoint. This work in fact may be regarded largely as a transformation of the controversial party literature of the time into more permanent history. It is regrettable that this work, both inaccurate and highly colored, should have become almost definitive for the early history of Transylvania University. Robert and Johanna Peter's Transylvania University, Its Origin, Rise, Decline, and Fall,¹² which in part answers Davidson, lacks the deep understanding of the latter, although it is more accurate. Of the recent works, Niels H. Sonne's Liberal Kentucky, 1780-1828,¹³ is a clear functional picture of the Holley Administration from the religious viewpoint, and it tells of the forces at work, both in creating and in destroying this administration. Judd's The Educational Contributions of Horace Holley,¹⁴ while covering

U. S. Bureau of Education, Circular of Information, No. 3. Washington: Government Printing Office, 1899. Pp. 350. Lewis devotes pages 35-81 to Transylvania Seminary and University.

¹¹ Robert Davidson, History of the Presbyterian Church in Kentucky. New York: Robert Carter Co., 1847. Pp. viii / 368. Davidson discusses Transylvania Seminary and University on pages 288-320.

¹² Robert Peter and Johanna Peter, Transylvania University, Its Origin, Rise, Decline, and Fall. Louisville: The Filson Club, 1896. Pp. iv / 202.

¹³ Niels H. Sonne, Liberal Kentucky, 1780-1828. New York: Columbia University Press, 1939. Pp. x / 287. Sonne's study includes chapters on "Early Transylvania," pp. 46-77, and "A Revolution at Transylvania University," pp. 135-59. In addition, three other chapters deal with liberalism versus Presbyterianism during the Holley administration, pp. 160-262. These chapters are titled "Horace Holley, Liberal Theologian and Educator," "Liberalism on the Defensive," and "Liberalism Defeated."

¹⁴ Romie D. Judd, "The Educational Contributions of Horace Holley."

somewhat the same period as Sonne's study, is not nearly as strong as the former.

Charles Kerr's "Transylvania University's Law Department"¹⁵ is a valuable and enlightening monograph dealing with the instruction in law and politics at Transylvania. Robert and Johanna Peter's The History of the Medical Department of Transylvania University¹⁶ is largely a series of laudatory biographies of the medical professors. Hix's "The Conflict between Presbyterianism and Free-Thought in the South, 1776-1838,"¹⁷ is a study similar to that of Sonne's except that it discusses free-thought versus Presbyterianism throughout the South, while Sonne's work is limited to the state of Kentucky. Sonne's study is centered around the intellectual center of Kentucky at that time, Transylvania University at Lexington, while Hix's study touches upon Transylvania University and the University of Virginia, but bears heavily upon Thomas Cooper's activities in South Carolina. Cooper's position in South Carolina was parallel to Holley's in Kentucky. They were both driven from their posts

Unpublished Doctor's thesis, George Peabody College for Teachers, 1936. Pp. 157.

¹⁵ Charles Kerr, "Transylvania University's Law Department," Americana, 31 (January, 1937), 1-40.

¹⁶ Robert Peter and Johanna Peter, The History of the Medical Department of Transylvania University. Louisville: The Filson Club, 1905. Pp. x / 193.

¹⁷ Clarence E. Hix, "The Conflict between Presbyterianism and Free-Thought in the South, 1776-1838." Unpublished Doctor's thesis, University of Chicago, 1937. Pp. ii / 171.

by the Presbyterians.

Sources of Data

This study is based principally upon primary sources, but some secondary biographical materials are utilized, due to the very large number of primary sources involved and to the remoteness of many primary sources. The primary sources include manuscripts, legal documents, Acts of Virginia and Kentucky, university catalogues and announcements, magazines, newspapers, professional journals, court decisions, addresses of the presidents, and miscellaneous publications, such as reports, lectures, orations, and letters. Secondary sources include Kentucky histories, educational histories, histories of medicine, histories of law, related studies, books and periodical articles, and biographies.

Primary sources.—The best sources of material on Transylvania University are the collection of manuscripts contained in Transylvania College. These were catalogued by Lunger¹⁸ in 1911. Contained in this collection are minutes of the Board of Trustees, numerous letters, diaries, receipts, scrapbooks, and other papers. The Rafinesque Papers, Peter Papers, Buchanan Papers, and some of the Holley Manuscripts have been added since the cataloguing. The Patterson Manuscripts are filed in the University of Kentucky and the Drake Manuscripts are owned by the

¹⁸ Henry J. Lunger, "A Catalogue of the Unbound Documents of Transylvania University, 1783-1851." Unpublished Master's thesis, Transylvania University, 1911. Pp. 191.

Ohio State Historical Society. The collection at the Presbyterian Historical Society (Philadelphia) contains a very valuable file of letters and other papers on the early years of Transylvania Seminary and Transylvania University. The Draper Manuscripts in the Wisconsin State Historical Society contain thirty-two volumes of bound letters and other manuscripts, one of the most significant being the Diary of John Roche, Professor of Ancient Languages, 1818-1829.¹⁹ These manuscripts are catalogued.²⁰

Journals of the House of Representatives,²¹ and Journals of the Senate,²² contain many reports and discussions concerning prospective legislation affecting the university. Statutes at Large²³ contains the acts passed by the General Assembly of Virginia while Transylvania Seminary was under that state from 1780 to 1792. The Statute Law of

¹⁹ Draper 17CC53-98.

²⁰ Calendar of the Kentucky Papers of the Draper Collection of Manuscripts. Wisconsin State Historical Society, Calendar Series, Vol. II. Madison: Published by the Society, 1925. Pp. 624. (Prepared by Mabel C. Weeks).

²¹ Journals of the House of Representatives, 1792-1866. Seventy-four volumes.

²² Journals of the Senate, 1792-1866. Seventy-three volumes.

²³ William W. Hening, Editor, The Statutes at Large; Being a Collection of All the Laws of Virginia. Richmond: George Cochran, 1810-23. Thirteen volumes.

Kentucky ²⁴ contains the early laws of Kentucky that affected the university. Acts of Kentucky ²⁵ include the acts of the state legislature that have changed the relationship of Transylvania University to the state. Announcements and catalogues ²⁶ were issued by the university as a whole, and at intervals for the medical school ²⁷ and the law school. ²⁸

Newspapers ²⁹ most frequently used are those published in Lexington, ³⁰ but for a national viewpoint Niles Weekly Register ³¹ and the

²⁴ William Littell, Editor, The Statute Law of Kentucky. Frankfort: William Hunter, 1809-1819. Five volumes.

²⁵ Acts of Kentucky, 1792-1866. Seventy-six volumes.

²⁶ Catalogues of the Officers and Students of Transylvania University. Lexington: The University, 1821-1855. Title varies. These catalogues are very rare.

²⁷ Catalogues of the Officers and Students of the Medical Department, Transylvania University. Lexington: The University, 1827-1856. Title varies.

²⁸ Catalogues of the Law Department, Transylvania University. Lexington: The University, 1832 and 1851. Pp. 4 and 8.

²⁹ Some of the contemporary newspaper materials are classified as secondary sources, depending upon whether they are eye-witness reports.

³⁰ Kentucky Gazette, 1787-1860.
Kentucky Reporter, 1808-1832.
Lexington Observer and Kentucky Reporter, 1832-1838.
Observer and Reporter, 1838-1840.
Lexington Observer and Reporter, 1840-1865.
The Kentucky Statesman, 1849-1861.

³¹ Niles Weekly Register, September, 1811-July, 1849. Seventy-six volumes. Published at Baltimore, Washington, and Philadelphia.

National Intelligencer were consulted.³² Court decisions reveal information about the costs of the Medical Hall building,³³ and the amount of money recovered by Kentucky University for damages to Transylvania University's real property by troops of the federal occupation during the Civil War.³⁴ Addresses of presidents, published lectures, pamphlets, reports, and other miscellaneous published material comprise the primary materials used. A few early magazines and technical journals were found useful.

Secondary sources.—Secondary sources used include such publications as Tewksbury's The Founding of American Colleges and Universities before the Civil War,³⁵ Thwing's A History of Higher Education in America,³⁶ Butts' The College Charts Its Course,³⁷ the Dictionary of American

³² National Intelligencer, 1801-1865. Published at Washington, D. C.

³³ John McMurtry v. Trustees of Transylvania University, Fayette Circuit Court, file 996, June 2, 1841.

³⁴ "Deposition of Madison C. Johnson," City of Lexington v. Kentucky University, Fayette Circuit Court, file 1717, May 12, 1874.

³⁵ Donald G. Tewksbury, The Founding of American Colleges and Universities before the Civil War with Particular Reference to the Religious Influences Bearing upon the College Movement. New York: Bureau of Publications, Teachers College, Columbia University, 1932. Pp. x + 254.

³⁶ Charles F. Thwing, A History of Higher Education in America. New York: D. Appleton-Century Co., 1906. Pp. xiii + 501.

³⁷ R. Freeman Butts, The College Charts Its Course, Historical Conceptions and Current Proposals. New York: McGraw-Hill Book Co., 1939. Pp. 464.

Biography,³⁸ Lewis' History of Higher Education in Kentucky,³⁹ Kerr's History of Kentucky,⁴⁰ and Davidson's History of the Presbyterian Church in Kentucky.⁴¹

³⁸ Allen Johnson and Dumas Malone, Editors, Dictionary of American Biography. New York: Charles Scribner's Sons, 1928-1937. Twenty volumes and Index.

³⁹ Alvin F. Lewis, History of Higher Education in Kentucky. U. S. Bureau of Education, Circular of Information, No. 3. Washington: Government Printing Office, 1899. Pp. 350.

⁴⁰ Charles Kerr, Editor, History of Kentucky (by W. E. Connelly and E. M. Coulter). New York: American Historical Society, 1922. Five volumes.

⁴¹ Robert Davidson, History of the Presbyterian Church in Kentucky. New York: Robert Carter Co., 1847. Pp. viii / 368.

CHAPTER II

PIONEER TRANSYLVANIA, 1780-1804

The purpose of this chapter is to discuss the formative period in Transylvania's history. Emphasized in this discussion are the founders' plan to establish a central university with a system of preparatory schools to act as feeders, the division of party lines into a liberal party and a Presbyterian-sectarian party as early as 1787, and the establishment of professional schools, medicine and law.

Transylvania Seminary, 1780-1799

Although acts of 1780 and 1783 authorized the trustees to take action toward the establishment of a school, they were not able to open a school until 1785, which was only a grammar school. This school apparently was active for only one year. Various activities consumed the attention of the trustees, and not until 1789 were they able to establish a school upon a permanent basis. This, a classical school, was neither prosperous nor large. Not until 1794, when Harry Toulmin was elected to head the school, was the quality of instruction placed upon a very high level. However, in establishing a seminary in a frontier community, the trustees were faced with many problems not found in other more settled areas.

Chartered by Presbyterians.—Virginia Presbyterians led by Rev.

(Father) David Rice, Rev. John Todd, and Judge Caleb Wallace were able to secure passage of bills in 1780 and 1783 in the Virginia legislature which chartered a seminary and placed it under a cooptative board of trustees, the majority of whom were Presbyterians.

In 1780 the State of Virginia set aside eight thousand acres of land within the County of Kentucky, formerly belonging to British subjects, not yet sold under the law of escheats and forfeitures, which might at a future day be a valuable fund for the maintenance and education of youth.¹ The plan of this act was "for the purpose of a public school or Seminary of Learning, to be erected in said county as soon as the circumstances of the county and the state of the funds will admit." The trustees who were named by the 1780 act found their numbers much reduced as a result of Indian warfare, and that the act empowering them as trustees neither defined their powers nor their method of electing new members. In an effort to obtain a more workable charter, these trustees, entertaining "the full persuasion that the Assembly will listen with pleasure to every proposition that has a tendency to banish Ignorance and Error, and to introduce in their room what may polish the manners, encourage the improvement of the mind, promote liberality of sentiment and by refining give additional Incentives to Virtue," petitioned the legislature of Virginia for a revised and more

¹

William W. Hening, Editor, The Statutes at Large, Vol. X, pp. 287-8. Richmond: George Cochran, 1822.

extensive act.² It was also represented to the General Assembly that "voluntary contributions might be obtained from individuals in aid to the public donations, were the number of the aforesaid trustees now alive and willing to act, increased, and such powers and privileges granted them by an act of incorporation."³

In answer to these petitions, the act of 1780 was amended, and twenty-five trustees of Transylvania Seminary were appointed with "perpetual succession" and were given power "to exercise all the other powers and privileges that are enjoyed by the visitors and governors on any college or university within this state."⁴ Twelve thousand additional acres of land were endowed and exemption from militia duty was granted to all professors, masters, and students enrolled in the seminary. The offices of president, professors, and masters were specified, and they were to "continue in office during good behavior." The trustees were directed to "cause all the students in the said seminary to be carefully examined by the professors and masters of the same, on the several branches of learning which they have respectively studied, that the fidelity of the teachers, and the diligence of their pupils may appear;" and at the second stated session the president in open assembly

² James R. Robertson, Petitions of the Early Inhabitants of Kentucky to the General Assembly of Virginia, 1769 to 1792, pp. 69-71. Louisville: The Filson Club, 1914.

³ William W. Hening, Editor, op. cit., Vol. XI, pp. 282-83.

⁴ Ibid., 286.

was authorized to confer by diploma, signed by the president and five or more of the trustees, the degree of Bachelor or Master of Arts, upon all such students, "if deserving." Power was also given to confer any honorary degrees, which "shall be adjudged to . . . gentlemen on account of special merit." The last provision stated that the trustees were "at all times . . . accountable for their transactions touching any matter relating to the said seminary, in such manner as the legislature shall direct." ⁵

Administrations of Mitchell and Wilson, 1785-1791.—The Transylvania trustees first met on November 10, 1783, when Rev. David Rice, a Presbyterian minister, was elected chairman. ⁶ Rice took a leading part in the organization of the board and in collecting teaching apparatus for a proposed school. ⁷ A year later the trustees resolved to establish one or more grammar schools, ⁸ but it was not until February 1, 1785, that Rev. James Mitchell, a Presbyterian minister, began teaching students under the Transylvania charter. ⁹ Mitchell

⁵ For the entire act, see ibid., pp. 282-87.

⁶ "Minutes of the Board of Trustees of Transylvania Seminary, Lincoln County, November 10, 1783," p. 1.

⁷ Ibid., p. 2 and Danville, November 3, 1784, pp. 3-5.

⁸ Ibid., p. 3.

⁹ Ibid., May 26, 1785, p. 6.

Mitchell was Rice's son-in-law and later had an impressive career in Virginia. See W. H. Foote, Sketches of Virginia, Historical and Biographical, Vol. II, pp. 133-41. Philadelphia: William S. Martien, 1855.

remained with Transylvania but one year and the school seems to have been inactive from 1786 to 1789. However, the trustees continued to meet and to plan for such time when a school could again be operated.¹⁰ Isaac Wilson, who had a bachelor of arts degree from the "Colledge and Academy of Philadelphia," was appointed teacher of Latin and Greek beginning June 1, 1889 "at the Public School house near Lexington."¹¹ Wilson continued to operate the school for two years.¹²

Early in Wilson's term there were thirteen students, but this number declined to five toward the end of his employment.¹³ Some evidence of Wilson's success as a teacher is revealed by a description of his commencement exercise in April, 1790:

Friday, the 10th inst., was appointed for the examination of the students of Transylvania Seminary by the trustees. In the presence of a very respectable audience several elegant speeches were delivered by the boys, and in the evening a tragedy was acted, and the whole concluded with a farce. The several masterly strokes of eloquence throughout the performance obtained general applause and were acknowledged by an universal clap from all present. The good order and decorum observed throughout the whole, together with the rapid progress of the school in literature, reflects great honor on the President.¹⁴

¹⁰ "Minutes of the Board of Trustees of Transylvania Seminary, Danville, September 21, 1786," p. 8-(Lexington, April 14, 1789), p. 21.

¹¹ Ibid., Danville, June 21, 1786, pp. 8-9.

"... boarding and accomodations for students may perhaps be had as good and cheap as in any part of this district, and tuition at the moderate rate of three pounds per annum." See Kentucky Gazette, 2 (June 13, 1789), 1.

¹² "Minutes of the Board of Trustees of Transylvania Seminary, Danville, April 13, 1791, p. 36.

¹³ Ibid., p. 7.

¹⁴ The Kentucky Gazette, 3 (April 26, 1790), 1.

(a) FINANCIAL PROBLEMS.—Transylvania Seminary faced financial problems from the beginning. An early committee appointed to collect real and personal property for the seminary met with little success.¹⁵ The trustees experienced difficulties in acquiring titles to the lands granted them by the State of Virginia,¹⁶ and in an attempt to accumulate more funds, they asked the General Assembly of Virginia to grant to Transylvania one-sixth of all surveyor's fees arising within the Kentucke District, which was at that time being paid to the University of William and Mary.¹⁷ The suspension of the grammar school from 1786 to 1789 was due to a lack of funds.¹⁸

Lotteries were used frequently during this period by municipalities, churches, and schools to raise funds. The trustees of Transylvania worked out lottery schemes which were to raise \$800 and \$867, respectively, in April, 1791;¹⁹ the amount actually received from the

¹⁵ "Minutes of the Board of Trustees of Transylvania Seminary, Lincoln County, November 10, 1783," p. 1.

¹⁶ See *ibid.*, Danville, November 3, 1784, p. 3; July 18, 1787, p. 10; July 19, 1787, p. 12.

¹⁷ *Ibid.*, June 21, 1786, pp. 8-9.

¹⁸ See *ibid.*, April 14, 1789, p. 21.

¹⁹ *Ibid.*, April 11, 1791, p. 30. The purpose of the lottery was to raise five hundred pounds for general use.

William W. Hening, Editor, *Statutes at Large*, Vol. XIII, p. 173. Philadelphia: Thomas Desilver, 1823.

"Scheme of a Lottery," *The Kentucky Gazette*, 4 (April 30, 1791), 2.

lottery scheme is not recorded. The treasurer's report showed an unexpended balance of eighty-six pounds, sixteen shillings, and six pence on April 12, 1791.²⁰ However, on the next day one hundred and ten pounds, five shillings, and eight pence were received from the surveyors of Nelson, Madison, Jefferson, Woodford, Bourbon, and Lincoln counties, making the balance one hundred seventy pounds, fourteen shillings, and two pence.²¹ The trustees were very strained at the outset for cash resources, and this condition seemed to be characteristic throughout the life of the institution.

(b) ADMINISTRATIVE PROBLEM.—A committee was appointed to present at the next stated meeting a report on "Whether in their opinions the present mode of education can be changed for the better," and, if so, a plan on how best to meet that purpose.²² The trustees asked the legislature to repeal such parts of the laws respecting Transylvania Seminary that required thirteen members to constitute a board and to substitute seven as a sufficient number.²³ This request obviously referred to called meetings, for the necessity of having so many members present to conduct business had been one of the factors preventing development of the seminary. The trustees were prompted, in 1790, to

²⁰ "Minutes of the Board of Trustees of Transylvania Seminary, Lexington, April 12, 1791," p. 32.

²¹ Ibid., April 13, 1791, p. 35.

²² Ibid., pp. 61-62.

²³ Ibid., p. 62.

petition the Virginia legislature "that the number necessary to conduct the business of the said Seminary should be reduced to seven or such number as the wisdom of the House may direct."²⁴ This petition was acknowledged, and an act of December 3, 1790, stated "that from and after the passing of this act, seven members shall be sufficient to constitute a board to transact business at the two annual stated meetings, as fixed by law."²⁵ Although acknowledging a lack of authority to transact business at called meetings with seven members, the board of trustees proceeded to act illegally, as will be demonstrated later in the election of Harry Toulmin as president, and in the performance of other business.

Moore's administration, 1791-1794.—James Moore, a candidate for the Presbyterian ministry,²⁶ was placed at the head of Transylvania Seminary on September 1, 1791.²⁷ Moore kept the school in his own house, having no alternative, and was compensated for rent.²⁸ During Moore's first year of office Lexington was selected as the permanent seat of the seminary in answer to a proposal made by the Transylvania Company, which offered a lot of "about Three acres on the South side of

²⁴ James R. Robertson, Petitions of the Early Inhabitants of Kentucky to the General Assembly of Virginia, 1769 to 1792, pp. 161-62. Louisville: The Filson Club, 1914.

²⁵ William W. Hening, Editor, Statutes at Large, Vol. XIII, p. 147. Philadelphia: Thomas Desilver, 1823.

²⁶ "Minutes of the Transylvania Presbytery, Danville, April 26, 1794," Vol. I, p. 120.

²⁷ "Minutes of the Board of Trustees of Transylvania Seminary, April 12, 1792," p. 42.

²⁸ Ibid., April 12, 1792, p. 42. The rent for one academic year

Lexington in a high and commanding situation." ²⁹ An early scholarship arrangement made it possible for as many as ten orphan boys, whose talents seemed to merit such consideration, to attend the seminary. ³⁰ Moore served as head of the school until October, 1794. ³¹

Reports submitted by Moore indicate that he was not satisfied with the position of president. He wrote in 1792 that he would have to resign, ³² and remained in 1793 only on the condition of procuring an assistant. He complained that he had too much work to do and that the salary was too low. But despite teaching in a new brick building, located in Lexington, his students numbered only sixteen, and he omitted the teaching of criticism, belles lettres, logic, metaphysics, and moral philosophy. ³³ In his letter of resignation, Moore stated that many of his students had been absent during the past three or four weeks, and requested the board to call upon certain "whisperers" against himself to speak out, and thus give the board an opportunity to act "as the interest and dignity of the institution which you patronize demand." ³⁴

amounted to four pounds, thirteen shillings, and four pence. Part of Moore's salary was paid in property, see *ibid.*, October 8, 1792, p. 44.

²⁹ *Ibid.*, April 8, 1793, pp. 52-53.

³⁰ *Ibid.*, October 9, 1793, p. 59; these scholarships were revoked the following year, see *ibid.*, June 30, 1794, p. 75.

³¹ *Ibid.*, February 5, 1794, p. 64. After the two-year administration of Harry Toulmin, Moore again became head of Transylvania, a position he held until 1804.

³² "James Moore to John Hawkins Esq., letter, dated September 27, 1792." Manuscript. Presbyterian Historical Society, Philadelphia.

³³ "James Moore to John Bradford, letter, dated October 7, 1793." Manuscript. Presbyterian Historical Society, Philadelphia.

³⁴ "James Moore to John Bradford, letter, dated April 7, 1794." Manuscript. Presbyterian Historical Society, Philadelphia.

Apparently no action was taken in regard to this request. Moore may have been referring to a party controversy, although the evidence is not positive on this point.

Toulmin and Presbyterian secession, 1794-1796.—At a meeting on February 5, 1794, not a stated meeting, a committee was appointed to confer with James Moore concerning his acceptance of the office of President of Transylvania Seminary.³⁵ Upon motion, a ballot for president, whose office was to commence October 9, 1794, was taken, and Rev. Harry Toulmin, a Baptist minister with professed Unitarian and Socinian views,³⁶ was elected president.³⁷ Toulmin carried a letter of recommendation from James Madison when he arrived in Lexington in search of a position as teacher.³⁸ The trustees' confidence in Toulmin's ability as a teacher is evidenced from an announcement stating "The presidency of the College is committed to Mr. Harry Toulmin, whose qualifications for and experience in such business induce the most flattering expectations."³⁹

³⁵ "Minutes of the Board of Trustees of Transylvania Seminary, Lexington, February 5, 1794," p. 64.

³⁶ See Willard R. Jillson, A Transylvania Trilogy. Frankfort: The Kentucky State Historical Society, 1932. Pp. 204. This volume contains three of Toulmin's works, published originally in 1791, 1792, and 1793.

³⁷ "Minutes of the Board of Trustees of Transylvania Seminary, Lexington, February 5, 1794," p. 64.

³⁸ "James Madison to John Breckinridge, letter, dated Orange, November 19, 1793." Manuscript. Library of Congress. Letters of recommendation usually said to have been sent by Thomas Jefferson were not found.

³⁹ Kentucky Gazette, 10 (July 5, 1794), 1.

Although Toulmin's writings, orations, and later success as a statesman⁴⁰ indicate his rare scholarship, a student, an eyewitness, wrote that "Mr. Toulmin was a fine scholar and as to learning was amply qualified for a teacher, yet he was deficient in the natural tact necessary to make a successful teacher."⁴¹

A controversy developed within the board concerning the election of Toulmin. The minority complained that the election was premature, being about eight months before a vacancy, and not at a stated meeting and because there were not thirteen members who agreed to vote on the occasion. "Therefore, the Election was not held as directed by Law, nine only having Voted."⁴² Moore resigned on April 9, 1794, and a committee was appointed to superintend the classical school and to appoint a teacher pro tempore to conduct the school until Toulmin's arrival.

On November 23, 1795, an act of the legislature suspended the trustees from any further proceeding in the execution of the trust reposed in them, "until the end of the present General Assembly."⁴³ The board entertained a strong belief that this restraining law was "enacted either without just

⁴⁰ See Harry Toulmin, "Independence Day Oration," The Guardian of Freedom, 5 (July 14 and 21, 1804), 1-2 and 1-2.

⁴¹ "The Life and Times of Robert B. McAfee," Kentucky State Historical Society Register, 24 (Second quarter, 1927), 134. McAfee was a student at Transylvania Seminary from 1795 to 1796.

⁴² "Minutes of the Board of Trustees of Transylvania Seminary, Lexington, February 5, 1794," p. 66.

⁴³ Ibid., November 23, 1795, p. 103.

William Littell, Editor, The Statute Law of Kentucky, Vol. I, p. 345. Frankfort: William Hunter, 1809.

or upon improper suggestions of the situation, rights and privileges of the seminary, and requested the privilege of the General Assembly to support their manifestations at the bar of the House, or in such other way as may be thought best. ⁴⁴ John Breckenridge (also spelled Breckinridge) was employed as assistant council to George Nicholas at the same pay to present the seminary's case. ⁴⁵

Toulmin's first report states that he started with six students and had over thirty under his immediate supervision in October, 1794. ⁴⁶ His report for April, 1795, indicated that progress was being made, but it was not as promising as the first. He pointed out that the enrollment had declined to twenty-one, and explained that this was due to boarding conditions. ⁴⁸ Reports for October, 1795, and April, 1796, are not available, but Robert B. McAfee wrote that the student body was composed of not more than eighteen or twenty at the time of Toulmin's

⁴⁴ "Minutes of the Board of Trustees of Transylvania Seminary, Lexington, November 23, 1795," p. 105.

⁴⁵ Ibid.

⁴⁶ "Harry Toulmin to John Bradford, report, undated." Manuscript. Presbyterian Historical Society, Philadelphia. Although undated, this report is obviously that of October, 1794.

⁴⁷ Ibid.

⁴⁸ "Harry Toulmin, report, to Board of Trustees, Transylvania Seminary, dated April, 1795." Manuscript. Presbyterian Historical Society, Philadelphia.

William W. Sweet, Religion on the American Frontier, Vol. II, The Presbyterians, pp. 579-83. New York: Harper and Brothers, 1936.

resignation.⁴⁹ Toulmin gave as his reasons for resigning the fact that the salary was inadequate, the legislation rendered the position too "precarious" by filling it from year to year, and circumstances attending his first nomination operated against the institution.⁵⁰ Information was received by the trustees on June 3, 1796, that Kentucky Academy was desirous to communicate on the subject of a union of the two seminaries.⁵¹

Moore's second administration, 1796-1799.—Toulmin had predicted that a new era in the history of Transylvania was commencing, but he had questioned:

It is now to be tried whether after all the past difficulties in assembling a board, whether after all those striking instances which have been exhibited of that discordance of sentiment so incident to the frail state of humanity; it is now to be tried whether thirteen breasts can be animated with an hitherto unexampled ardour in prosecuting the business of the institution, . . . whether thirteen can assemble twice a year and be all of one heart and one soul.⁵²

This division of parties within the board continued to plague the school for another quarter of a century, as Toulmin may have surmised.

James Moore, elected unanimously on September 23, 1796, as president

⁴⁹ "The Life and Times of Robert B. McAfee," Kentucky State Historical Society Register, 24 (Second quarter, 1927), 134. Toulmin presented his resignation at the April, 1796, meeting. See "Minutes of the Board of Trustees of Transylvania Seminary, Lexington, April 4, 1796," p. 106; Kentucky Gazette, 9 (April 9, 1796), 2.

⁵⁰ Kentucky Gazette, 9 (April 9, 1796), 2.

⁵¹ "Minutes of the Board of Trustees of Transylvania Seminary, Lexington, June 3, 1796," p. 108.

⁵² Kentucky Gazette, 9 (April 9, 1796), 2.

of the seminary, accepted the office on October 3.⁵³ A student, an eyewitness, wrote:

The trustees had been able to secure the services of Reverend James Moore, an Episcopalian preacher and one among the best men who ever lived. He had been superceded by Mr. Toulmin, under circumstances calculated to wound his feelings yet upon earnest solicitation from his friends he again took charge of the school, which brought to it a considerable increase of students.⁵⁴

A union with Kentucky Academy was proposed,⁵⁵ terms of the union were recorded in the minutes, and a tentative agreement reached on October 24, 1796, to become effective on January 1, 1797, but was not finally accepted.⁵⁶ At the October, 1798, stated meeting, a committee was directed to confer with representatives from Kentucky Academy about a union, and to report within seven weeks.⁵⁷ A committee was appointed on November 2, 1798 to inquire into the possibility of a union between the Transylvania Seminary and the Kentucky Academy and the Lexington Academy or either of them.⁵⁸ A petition was forwarded to the

⁵³ "Minutes of the Board of Trustees of Transylvania Seminary, Lexington, September 23, 1796," p. 111, and October 3, 1796, p. 112.

⁵⁴ "The Life and Times of Robert B. McAfee," Kentucky State Historical Society Register, 24 (Second quarter, 1927), 139.

⁵⁵ "Minutes of the Board of Trustees of Transylvania Seminary, Lexington, October 3, 1796," p. 114.

⁵⁶ Ibid., October 24, 1796, p. 121.

⁵⁷ Ibid., October 1, 1798, p. 168.

⁵⁸ Ibid., November 2, 1798, p. 168.

legislature on November 3, 1798, proposing the establishment of a university out of the two academies, Transylvania Seminary and Kentucky Academy.⁵⁹

Presbyterian Sectarianism and Kentucky Academy, 1794-1799

The roots for the establishment of Kentucky Academy lay in the place assigned to religion in the curriculum of Transylvania Seminary and in the philosophy of education of the trustees of Transylvania Seminary from 1783 to 1794. Several letters, published in 1787, bring into the open the paternalistic attitude of the Presbyterian Church toward Kentucky's public school, Transylvania Seminary. Other letters indicate that some liberal-minded leaders in the community desired that the public school be operated completely free from any sectarian domination or preference. Since the Church of Virginia had been disestablished, it was feared by some that a tie of church and public school might operate in favor of another established church.

This controversy between Presbyterianism and liberalism culminated in the Presbyterians' withdrawal from Transylvania Seminary in favor of the establishment of a seminary of their own, which was chartered as Kentucky Academy in 1794. However, upon the establishment of their own school, the Presbyterians continued their activities toward gaining control of Transylvania Seminary. They were able to bring sufficient

⁵⁹ Ibid., p. 170.

pressure to cause the resignation of the liberal president, Harry Toulmin, in 1796. During the next two years overtures were made between the two schools for consolidation, which finally was agreed upon in 1798 to become effective January 1, 1799.

A sectarian point of view.—An article signed "Catholicus," probably written by Caleb Wallace, is the most enlightening of the comments appearing on this subject.⁶⁰ After discussing the delay of the trustees in establishing a school, "Catholicus" reasoned that the election of teachers may have been delayed because the trustees, "being of various Religious Denominations, are each of them averse from the election of Teachers, until they severally can have the prospect of succeeding in the choice of those who are of their own Profession." "Catholicus" gave advice to the Presbyterian majority of the board of trustees as follows:

I am therefore persuaded, that the Gentlemen will candidly consider by what means their pernicious consequences may be avoided in the interesting business they have been entrusted with. It is an essential right of free agency, to embrace the doctrines we prefer; and it is as certainly a violation of the same right, to enforce them on others by any methods but that of persuasion: therefore should a faction predominate in any social combination, it may subvert the privileges the compact was designed to secure.

"Catholicus" proceeded to propose three remedies to answer the problem of religion in the public school. (1) He suggested that a "kind of balance between the Sects" be kept up by the board's election of an equal number of teachers from each sect. (2) He pointed out

⁶⁰ The Kentucky Gazette, 1 (September 1, 1787), 1. For pseudonym, see Calendar of the Kentucky Papers of the Draper Collection of Manuscripts, p. 30. Madison: Wisconsin State Historical Society, 1925 (Prepared by Mabel C. Weeks).

that religious instruction "be solely confined to mere moral precepts and the knowledge of things temporal," without permitting any "Theological Tenets to be taught, or Religious Exercises to be performed within the limits of the institution." (3) He advised in his third remedy that the designs of a seminary of learning can neither be considered as a political nor an ecclesiastical institution, but should be considered like a private family, being conducted so as to be subservient to the true interest of both civil and religious life. "Catholicus" wrote: "Without regard to Denominations, let Matters of enlarged minds and virtuous deportment be encouraged; the moral Sentiments being the same in all, where they are not obscured by ignorance nor corrupted by vice, it will be found that such Men generally agree in the great Doctrines of Religion, however they may differ about Rites, Ceremonies, or matters of Speculation, which all parties must acknowledge to be of less importance and of doubtful disputation; and as such, may be deferred until the mind is well furnished and at leisure for their investigation." "Catholicus" summarized that his system, one committing the education of youth to parents and guardians, had been universally adopted in every age, and that it was far more rational than that "of discarding all Religion from Seminaries of Learning, through fear that the Students may embrace that which is erroneous." Yet, "Catholicus" did not favor the teaching of morals without theology. This plan might eliminate sectarian jealousy, it would also have "a powerful tendency to eradicate any remains of the Christian religion

with which we are still shackled." He suggested a plan wherein Christianity and education would be united very intimately in the seminary. He would not favor a "Religion of Nature," which "like Fate, means nothing that has yet been defined." It can be surmised that "Catholicus" did not approve educating Unitarians, "Deists," "Arians," "Socinians," and others of similar views, without subjecting them to orthodox doctrines. A letter signed "Roger Dean" inquired sarcastically of "Catholicus"'s religion and asked for another article further explaining the subject of the first.⁶¹

A liberal point of view.—A letter signed "A Transylvanian" took an opposing view from "Catholicus," and, after speaking of the neglect to enlighten tender minds and impress young hearts with the principles of virtue and honor as a "disgrace upon human nature," he stated that he did not favor "banishing religion from seminaries of learning," but that he recognized a difference between schools and churches.⁶² "A Transylvanian" thought it sufficient "to inspire the tender minds of youth with a reverence for the religion of their country; and a sincere benevolence for all who profess it," but believed that there were only two ways that a seminary of learning could be kept from becoming subservient to the views of a particular sect. First, the teachers

⁶¹ The Kentucky Gazette, 1 (September 15, 1787), 2.

⁶² The Kentucky Gazette, 1 (November 10, 1787), 1.

must be chosen in some equal manner from the different denominations of Christians, and, second, the board should impress upon the teachers that they are "employed to enlarge the minds and not to . . . train up their pupils for the controversies of particular sects."

Controversy: sectarianism versus liberalism.—A letter signed "Paddy Money-Man" ⁶³ stated that he thought "Catholicus" "a very good Christian," and stated that the latter's "gainsayers ought for shame to stop their mouths." A letter signed by "A Sectarian" ⁶⁴ stated the sectarian view point and opposed the liberal views of "A Transylvanian." "A Sectarian", in answering "A Transylvanian," stated that those who were superstitious and party spirited do not generally take the leadership in education out of the hands of those who are liberal and disinterested. However, he said that sectarians, with a benevolent regard for the public, were obliged to take the leadership in education because liberal-minded citizens usually were not interested in taking a leading role. "A Sectarian" concluded:

We have spent years in wishing and praying, that the liberal and disinterested would take the lead; and with wisdom and vigour conduct the important business of the education of youth: but we have waited till our small stock of patience is exhausted and see no hopeful movement yet As to the disinterested, I find from long observation and experience that nothing can be expected of them.

Thus the two positions of opposing forces, which were long to remain a controversy within the administration of Transylvania Seminary,

⁶³ The Kentucky Gazette, 1 (November 10, 1787), 1.

⁶⁴ The Kentucky Gazette, 1 (December 22, 1787), 1.

early took shape. The Presbyterian position varied from time to time, but was characterized by an intimate relationship between orthodox religion and public education. The liberal position opposed a close relationship between education and any particular religion, especially when the latter attempted to effect a tie between church and state.

Kentucky Academy, by-product of controversy.—By 1793 the Presbyterians had lost control of the board through frequent replacements and through the law of 1790,⁶⁵ which stated that "seven members shall be sufficient to constitute a board to transact business at the two annual stated meetings, as fixed by law." The act of 1783, chartering Transylvania Seminary, had stated that "not less than thirteen of the said trustees shall constitute a board to determine upon any matter relating to the seminary, and in fixing upon the place for establishing the seminary, forming the constitution thereof, electing the president and professors, and ascertaining their salaries; as also in the disposal of any lands belonging thereto, thirteen of the members shall concur in opinion thereupon."⁶⁶

With the Presbyterians' loss of control of the board and with yearly elections of the president, it was a simple matter for the liberals to elect Rev. Harry Toulmin, who embraced the liberal

⁶⁵ William W. Hening, Editor, The Statutes at Large, Vol. XIII, p. 147. Philadelphia: Thomas Desilver, 1823.

⁶⁶ Ibid., Vol. XI, p. 286. Richmond: George Cochran, 1823.

Republican party in politics, and who adhered to some Socinian views in religion. This situation was revolting to Presbyterian Calvinism. As a result the Presbyterians set about to establish their own grammar school and academy immediately, and to work toward regaining control of Transylvania Seminary at leisure.

Presbyterian clergymen for the frontier.—As early as February, 1792, the Presbyterians recorded indirectly some dissatisfaction with Transylvania Seminary as a proper place for the training of their ministers. The trustees of the Transylvania Presbytery resolved: "Presbytery being deeply sensible of the importance of training up youth for the gospel ministry and at the same time without the means in these new western settlements to procure books and other apparatus necessary for this purpose do hereby appoint Mr. Rice to solicit donations in the Eastern settlements to carry the better this design into execution."⁶⁷ The Transylvania Presbytery took definite action on April 24, 1794, and resolved that a grammar school be established "within their bounds," with David Rice, James Crawford, James Blythe, Robert Patterson, and John Caldwell, or any three of them as commissioners.⁶⁸

Evidence that the school was established immediately is revealed by the fact that an investigating committee was appointed on October 8,

⁶⁷ "Minutes of Transylvania Presbytery, Danville, February 29, 1792," Vol. I, p. 61.

⁶⁸ Ibid., April 24, 1794, Vol. I, p. 110.

1794. David Rice and James Blythe were appointed commissioners to the General Assembly for purposes of procuring a charter for the academy,⁶⁹ which was granted December 12, 1794.⁷⁰ Rice and Blythe were also appointed solicitors of donations for the academy to be secured in the Atlantic states.⁷¹ There they were received by President Washington who, along with James Madison and Aaron Burr, gave cash contributions for the school.⁷² James Moore, who resigned the presidency of Transylvania Seminary on April 9, 1794,⁷³ was announced as teacher of the Kentucky Academy grammar school, on April 13, 1796,⁷⁴ in spite of the fact that he had been dismissed as a Presbyterian ministerial candidate in April, 1794,⁷⁵ and that he had remonstrated against the presbytery in such terms that a committee consisting of Rice, Shannon, and Blythe was appointed to "defend the proceedings of this presbytery respecting the same."⁷⁶

⁶⁹ Ibid., October 10, 1794, Vol. I, p. 141.

⁷⁰ "An Act for Establishing the Kentucky Academy and Incorporating the Trustees Thereof." Manuscript. Kentucky State Historical Society, Frankfort.

⁷¹ "Minutes of Transylvania Presbytery, Danville, October 10, 1794," Vol. I, p. 141.

⁷² Robert Davidson, History of the Presbyterian Church in Kentucky, 292-93. New York: Robert Carter Co., 1847.

⁷³ "Minutes of the Board of Trustees of Transylvania Seminary, Lexington, April 9, 1794," p. 70.

⁷⁴ "Minutes of Transylvania Presbytery, Danville, April 13, 1796," Vol. II, p. 96.

⁷⁵ Ibid., April 26, 1794, Vol. I, p. 120.

⁷⁶ Ibid., February 13, 1795, Vol. II, p. 101.

Kentucky Academy's seminary did not open until 1797. The Transylvania Presbytery resolved in September, 1797,⁷⁷ to "give up their care of the Pisgah grammar school, as also their right to the house in which said school is taught and any and all lands given for its use, to the Trustees of the Kentucky Academy to dispose of the same for use of said Academy as they may think proper, so soon [as] Said Academy shall be opened!"⁷⁸

Merger of Transylvania Seminary and Kentucky Academy

It has been stated that two months after Toulmin resigned the presidency of Transylvania Seminary, a committee from Kentucky Academy approached the trustees of Transylvania Seminary on the subject of a union between the two schools.⁷⁹ The trustees of each school seemed receptive to a union, in spite of the fact that the resources of Kentucky Academy amounted to 621 pounds, 3 shillings, and 4-3/4 pence cash; 288 pounds, 11 shillings, and 6 pence in books, and various uncollected subscriptions amounting to 1,389 pounds.⁸⁰ Although each board made official declarations of a desire to promote the public good, the real

⁷⁷ Ibid., September 14, 1797, Vol. II, p. 150.

⁷⁸ Ibid.

⁷⁹ "Minutes of the Board of Trustees of Transylvania Seminary, Lexington, June 3, 1796," p. 106.

⁸⁰ Ibid., September 23, 1796, p. 112 and October 11, 1796, pp. 117-18. The Transylvania Seminary trustees requested a statement of the Kentucky Academy funds on September 23, 1796, and received the statement on October 11, 1796.

motives on the part of both institutions seem to be of a financial character. The trustees of the seminary were very much in need of the active funds of the academy, since their treasurer's report on April, 1796, showed cash in hand as 32 pounds and 15 shillings, and an amount due the seminary on January 1, 1795, as 306 pounds, 6 shillings, and 2 pence.⁸¹ The academy owned little real property, and the trustees sought control over the seminary properties, consisting of 8,000 acres of land,⁸² two school buildings, a home for the president, one-sixth of the surveyor's fees, and location in the important town of Lexington. They could do this by obtaining representation on the board of trustees of the seminary, which would be strengthened by the collaboration of fellow partisans already members.⁸³

The question of a union arose again in October, 1796, when the affairs of the two institutions had reached such a state that a consolidation appeared profitable to both parties.⁸⁴ Both schools

⁸¹ Ibid., April 4, 1796, p. 106.

⁸² Transylvania Seminary lost the twelve thousand acres given in 1783, by act of the Virginia Legislature. See Charles Caldwell, A Discourse on the Genius and Character of the Rev. Horace Holley, LL.D., Late President of Transylvania University, with an Appendix, p. 194. Boston: Hilliard, Gray, Little, and Wilkins, 1828.

⁸³ Especially William Morton and Alexander Parker. Levi Todd, Robert Todd, and John Campbell had also opposed the election of Toulmin.

⁸⁴ "Minutes of the Board of Trustees of Transylvania Seminary, Lexington, October 1, 1798," p. 168. The Transylvania Seminary committee was sent to both the Lexington Academy and Kentucky Academy with orders to effect a union with either or both. November 2, 1798, p. 168.

favored consolidation and a petition was forwarded to the General Assembly for a new charter.⁸⁵ The terms of the union were very similar to those tentatively agreed upon in 1796, with the exception of the union of the boards. Two plans of combining the boards were included in the petition. The previously suggested method favored the seminary with its larger number of trustees, but the alternative arrangement, whereby ten members from each board, together with the governor of the state, were selected to compose the new board, was adopted by the legislature. The charter for Transylvania University, which was the act of union of the two schools, was passed on December 22, 1798, to take effect January 1, 1799.⁸⁶

Less care was shown in deciding upon this step than the trustees had exercised in 1796, when they investigated the resources of Kentucky Academy before reaching any agreement. John Bradford described the action as follows:

At the time the union of these institutions took place, the pecuniary resources of the Transylvania Seminary, were extremely low; and the only motive of some of its Trustees to consent to the union, was the hope of acquiring, in cash £600; a sum reported to be in the treasury in the Kentucky Academy; but after the union, when the treasury came to be examined, it was found to be empty of cash, and the only fund was notes and bonds, to an amount less than £500, with some

⁸⁵ Ibid., November 3, 1798, p. 170.

⁸⁶ William Littell, Editor, The Statute Law of Kentucky, Vol. II, pp. 234-36. Frankfort: William Hunter, 1810.
Kentucky Gazette, 12 (December 26, 1798), 1.

subscriptions, no part of which could be collected. So that the only advantage obtained by the union, was the addition of ten of the trustees of the Kentucky Academy, to the same number of those of Transylvania Seminary, to manage the concerns of Transylvania University.⁸⁷

Robert Parker's report on the part of the trustees of Kentucky Academy, dated January 15, 1799, reached the same conclusion as that of Bradford, in regard to the resources of the school.⁸⁸

Partisan Transylvania University, 1799-1804

The act chartering Transylvania University, along with the academy act approved at the same time, set up an extensive plan of higher education in Kentucky with Transylvania University as the capstone of the state system. The chief weakness of this plan of education was the absence of a public elementary school system to feed the academies, and, in turn, the university. An alternative plan empowering the Transylvania University trustees to establish from time to time, at the seat of the university or elsewhere, "one or more schools as nurseries for the said university" was used in only one instance, and that was the preparatory department of the university.

Rev. James Moore was made president of the university and he

⁸⁷ John Bradford, "Notes on Kentucky, No. 52," Kentucky Gazette, 41 (January 18, 1828), 1.

⁸⁸ Journal of the Senate, 1825-6, Thirty-fourth Assembly (November 7, 1825 - December 21, 1825), November 25, 1825, p. 153.

continued in that office until 1804. It is not known why he surrendered the presidency, but on October 4, 1804, Rev. James Blythe, the local Presbyterian clergyman and professor of the sciences, was elected president pro tempore. The university as a whole enjoyed considerable success at the start, although the total number of students did not exceed fifty per session in the earlier years.

Disharmony in the board of trustees was evidenced by their slowness in selecting a permanent chairman. A conflict between two factions of the board became heated when a group of students presented to the board of trustees a petition containing charges against Rev. James Welsh, which caused the latter's resignation.

Plan of a central university.—The General Assembly envisioned a great system of education in Kentucky when they passed acts in 1798 chartering Transylvania University, and endowing academies throughout the state. The academy act, which endowed an academy in every Kentucky county, stated that these schools were "to be nurseries of Transylvania, as the State University."⁸⁹ The act consolidating Transylvania Seminary and Kentucky Academy, chartering Transylvania University, authorized the trustees to "establish at the seat of the said university, or elsewhere, one or more schools, as nurseries for the said university."⁹⁰ Caleb Wallace, one of the principal founders,

⁸⁹ William Littell, Editor, The Statute Law of Kentucky, op. cit., Vol. II, pp. 219-31.

⁹⁰ Ibid., p. 228.

wrote that "The combined Acts of 1798 established the most enlightened, practical, and complete system of education that could, at that time, be witnessed in America." ⁹¹

The state did not follow the Jefferson plan ⁹² and established its system of public elementary schools as late as 1838, thirty-nine years after chartering Transylvania University. However, little effort to utilize their authority was made by the university trustees, who were authorized to establish at the seat of the university or elsewhere "one or more schools, as nurseries for the said university." Without a system of elementary schools to supply students to the academies, the state system of academies could not hope to prosper. Again, the university would not be able to expand unless a system of "feeder" academies were maintained on an efficient level to furnish students for the university.

Although the consolidation gave the university the six thousand acres of land formerly belonging to Kentucky Academy, ⁹³ the trustees' pleas for financial assistance from the state met with little success. ⁹⁴ With little financial aid from the state, no endowment from private

⁹¹ Caleb Wallace quoted in Mabel H. Pollitt, A Biography of James Kennedy Patterson, President of the University of Kentucky from 1869 to 1910, p. 140. Lexington: Security Trust Co., 1925.

⁹² Andrew J. Lipscomb, Editor, The Writings of Thomas Jefferson, Vol. I, pp. 70-71. Washington, D. C.: The Thomas Jefferson Memorial Association, 1903.

⁹³ "Minutes of the Board of Trustees of Transylvania University, Lexington, December 7, 1799," Vol. I, p. 50.

⁹⁴ Ibid., October 6, 1800, Vol. I, p. 63.

means, and no prospect of any sizable income other than tuition charges, the school was established under conditions other than promising. Since the public school system, upon which the university rested as a capstone, was immature and incomplete, even the anticipated income from tuition reward could not be large, due to the prospect of small enrollments.

Ambitious organization.—In addressing the students at the opening of the second half-year session on May 5, 1800, Moore, in discussing the successful pursuit of learning, pointed out that the most important quality in the student was "an eager curiosity, or ardent desire of knowledge."⁹⁵ Moore advised the students the following year that "We shall spare you no pains to give you the best intelligent instruction on the various subjects which may come before you."⁹⁶ A medical department was organized with Doctors Frederick Ridgely and Samuel Brown as professors.⁹⁷ Brown founded Kappa Lambda, a professional medical fraternity with aims to improve the standards of the medical profession, between 1799 and 1802.⁹⁸ This was the first professional Greek-letter

⁹⁵ Kentucky Gazette, 14 (May 5, 1800), 1.

⁹⁶ Kentucky Gazette, 15 (January 2, 1801), 1.

⁹⁷ Ibid., January 8, 1799, p. 3.

⁹⁸ See "Minutes, dated Lexington, Feb. 2, 1803, and October 5, 1803." Manuscript. Transylvania College, Lexington. Names and activities reveal that these are minutes of this organization, although the nature of the society excluded the name. See Kentucky Gazette, 17 (August 16, 1803), 2, for proof that Kappa Lambda and Lexington Medical Society were separate organizations.

fraternity in America.⁹⁹ George Nicholas, whom a contemporary described as a well-equipped lawyer, an equal of Madison in argument, and as being "probably the only man in the convention whom Henry feared,"¹⁰⁰ was appointed professor of law and politics in the law school.¹⁰¹ The republican political philosophy was taught with such fidelity in the law school that Thomas Jefferson advised young Virginians to study at Transylvania University.¹⁰²

The university was organized into an academy composed of a classical school for the instruction of Greek and Latin, and a school for the French language, together with a grammar school for the instruction of reading, writing, and common arithmetic.¹⁰³ Students from the academy were received into college in accordance with terms of admission established in the Laws of the University. The collegiate course of science in the university was under the guidance of a principal and one professor under

⁹⁹ Benjamin H. Frayser, "Kappa Lambda, the First Professional Fraternity, A secret Society of Medicos Founded about 1800, and Containing Many Characteristics of the Modern Fraternity, Including National Aspect," Banta's Greek Exchange, 23 (October, 1935), 334-37, 344.

"Preface," North American Medical and Surgical Journal, 4 (First quarter, 1826), i-xvi. (Philadelphia: Kappa Alpha Association of the United States, 1826).

¹⁰⁰ Hugh B. Grisby, History of the Virginia Ratification Convention, p. 289. Philadelphia: Thomas Desilver, 1819.

¹⁰¹ "Minutes of the Board of Trustees of Transylvania University, Lexington, January 8, 1799," Vol. I, p. 3.

¹⁰² Ibid., January 8, 1799, Vol. I, p. 3; October 18, 1799, Vol. I, p. 31; and October 25, 1799, Vol. I, p. 32.

¹⁰³ Ibid., October 18, 1799, Vol. I, p. 28.

whom the students studied for two years. The first year course included geography, algebra, Euclid, trigonometry and mensuration, navigation, conic sections, English grammar, and composition. The second year course included natural philosophy and astronomy, moral philosophy, logic, chronology and general history, rhetoric and belles-lettres, and Reid's and Stewart's Essays.¹⁰⁴

The faculty was organized and minutes were ordered to be kept of their transactions.¹⁰⁵ A set of laws was published under the title, "Laws of the Transylvania University," including sections on examinations, study, public speaking, religious worship, and punishments.¹⁰⁶ A committee was appointed "to frame an address to the Legislature praying aid to erect additional buildings to the University stating the increase of students and the insufficiency of funds for this purpose."¹⁰⁷ The trustees advertised the university in the newspapers, stating "the extraordinary success that has attended this Institution for some time past and present prospects of the Board."¹⁰⁸

Conflict of Presbyterian and liberal parties.—A conflict between

¹⁰⁴ Ibid., pp. 28-29.

¹⁰⁵ Ibid., October 18, 1799, Vol. I, pp. 30-31.

¹⁰⁶ Ibid., October 25, 1799, Vol. I, pp. 35-40.

¹⁰⁷ Ibid., October 6, 1800, Vol. I, p. 63.

¹⁰⁸ Ibid., p. 64.

parties within the board became apparent at the outset when a permanent chairman of the board could not be decided upon. This conflict was brought into the open when nine students presented to the board of trustees a petition containing charges against Rev. James Welsh. This petition no longer exists among the sources. The charges were of such a nature that the board held a public hearing on the whole case from June 24 to July 1, 1801. Twenty students gave evidence against Welsh and four testified in his favor.¹⁰⁹ A large part of the testimony contained evidence that Welsh was too rough toward his students, that he was not a good disciplinarian, and that he accused certain Baptist ministers of preaching blasphemy. Evidence on these points was heavy against Welsh, and his personal defense was weak; however, the real reason for the hearings on Welsh did not develop from these charges, but in his opposition to the radical religion and Republican politics of the greater part of the student body. The trustees on the liberal side consistently voted with the students, while those of the Presbyterian faith voted with Welsh. By vote of the board, Welsh was continued as a professor. On the following day, fifteen students withdrew from school,¹¹⁰ and the trustees called for a report from the faculty, in

¹⁰⁹ "Hearings on Rev. James Welsh, dated, June 24 - July 1, 1801." Manuscript. Transylvania College, Lexington. There is a copy by Shane with the Presbyterian Historical Society, Philadelphia.

¹¹⁰ "Minutes of the Board of Trustees of Transylvania University, Lexington, July 2, 1801," Vol. I, p. 97.

John Bradford, "Notes on Kentucky, No. 53," Kentucky Gazette, 41 (January 25, 1828), 1.

consequence of which they decided that Welsh "can no longer be serviceable to this University as a professor."¹¹¹ A vote of nine to eight passing this resolution led to Welsh's resignation.¹¹² This vote was a result of pressure exerted by the students rather than by the sectarians' control of the board. The Welsh case is a clear example of lack of academic freedom at Transylvania during this period.

Sometime after the Welsh hearings, students reported by petition to the board of trustees requesting an investigation of the rumor that there was a deistical club in the university.¹¹³ A committee of four trustees, two sectarians, and two liberals investigated and reported:

. . . that there is not any society in the University for discussing deistical sentiments, nor even for examining or debating on controverted points of religion. And that the Laws of the University on this subject, are carefully attended to by professors and students. That the report had originated, either from mistaken ideas, or with those who are unfriendly to the institution.¹¹⁴

Two actions of the board (refusal to act on a petition favoring the election of James Madison to the presidency, and the replacement of James Moore by James Blythe, a Presbyterian, as president) indicate that the sectarians had gained definite control of that body by 1804. A petition from a large group of liberal citizens urged the election

¹¹¹ "Minutes of the Board of Trustees of Transylvania University, Lexington, July 2, 1801," Vol. I, pp. 97-98.

¹¹² Ibid.

¹¹³ Ibid., June 9, 1802, Vol. I, pp. 211-12.
John Bradford, "Notes on Kentucky, No. 53," op. cit.

¹¹⁴ "Minutes of the Board of Trustees of Transylvania University, Lexington, June 11, 1802," Vol. I, pp. 214-15.

of James Madison, President of William and Mary and Episcopalian Bishop of Virginia, as president in 1802.¹¹⁵ In a letter dated March 29, 1802, Madison had expressed his willingness to accept the presidency, if satisfactory terms could be arranged.¹¹⁶ The petition stated that James Moore was willing to resign, and that Madison was acceptable to the remaining professors. A salary of one thousand dollars a year was guaranteed by a pledge, carrying many of the names on the petition.¹¹⁷ A committee of trustees recommended his election but no further action was taken toward bringing him to Kentucky.

On October 4, 1804, Rev. James Blythe, Lexington Presbyterian clergy-¹¹⁸ man and professor of sciences, was elected president pro tempore. He was unable to qualify for duties of the president assigned by law, those of professor of moral philosophy, logic, criticism, and belles lettres. There is no clear explanation as to how Rev. James Moore, Episcopalian minister, ceased being president. A writer signing the name of "Aristides," purporting to have been a student about the time of Moore's replacement in the presidency, wrote: "The presidency was wrested from an

¹¹⁵ "Petition, dated, Lexington, 1802." Manuscript. Presbyterian Historical Society, Philadelphia.

¹¹⁶ "George Madison to Col. James Trotter, letter, dated March 29, 1802." Manuscript. Presbyterian Historical Society, Philadelphia.

¹¹⁷ "Pledge, dated, April, 1802." Manuscript. Presbyterian Historical Society, Philadelphia.

¹¹⁸ "Report to consider George Madison's letter to Col. James Trotter, filed, April 15, 1802." Manuscript. Transylvania College, Lexington.

Episcopalian, who was an ornament of virtue." ¹¹⁹ A petition from students, calling attention to his eminent qualifications as a teacher and urging that he be retained, was received on October 3, 1804. ¹²⁰ After repeated trials, Rev. Robert H. Bishop was elected to Moore's professorship. ¹²¹ In 1805 Blythe and Bishop, who were formerly elected to one year terms, were elected to five year terms; however, Blythe's position was contingent upon the appointment of a president. ¹²² Although Bishop was of the Associate Reformed Church, he had recently published a work, entitled An Apology for Calvinism, a defense of orthodox Presbyterianism against the heresies of Barton W. Stone. ¹²³

Although John Bradford, an eyewitness, wrote that the liberal trustees assumed lasting control of the university soon after its organization, ¹²⁴ the board action described above refutes this very good authority. For, even before the elections of Blythe and Bishop, a writer signing the name of "The Hibernian Visitor" had written that

¹¹⁹ Kentucky Gazette, 42 (August 20, 1819), 2. Moore became a trustee sometime later.

¹²⁰ "Petition of Students, dated, October 3, 1804." Manuscript, Transylvania College, Lexington.

"Minutes of the Board of Trustees of Transylvania University, Lexington, October 3, 1804," Vol. I, p. 276.

¹²¹ Ibid., November 1, 1804, Vol. I, p. 279.

¹²² Ibid., April 9, 1805, Vol. I, pp. 292-93.

¹²³ Kentucky Gazette, 17 (May 22, 1804), 3. Bishop became a Presbyterian in 1819. Robert Davidson, History of the Presbyterian Church in Kentucky, op. cit., p. 370.

¹²⁴ John Bradford, "Notes on Kentucky, No. 53," op. cit.

bigotry, sectarianism, and incompetence controlled the board and faculty of the university, to the disgust of the public. These statements were of such importance that the Frankfort Palladium reprinted them from the Kentucky Gazette.¹²⁵ The liberals may have hoped that Henry Clay would take the interest in Transylvania University that Thomas Jefferson evidenced in the University of Virginia, but Clay resigned his law professorship in 1807.

Public announcements by the board demonstrate the change of the university's policy with respect to instruction in religion from 1800 to 1805. In 1800 the board announced the following:

Whilst the trustees announce to the public the solicitude with which they are determined to watch over the morals of the youth, they pledge themselves in the most unequivocal manner, that no influence shall be used to inculcate those principles of religion which are characteristic of the different sects. It is their unalterable determination that students shall be left at perfect liberty in the formation of their religious creeds.¹²⁶

In 1805 the board published this announcement:

It has been and still shall be, the care of the Trustees and Professors, to guard against the baneful influence of sceptical principles; and while they carefully prevent the inculcation of the peculiar opinion of any Christian sect, they feel themselves bound to see that the great leading doctrines of Christianity be warmly inculcated by precept and by example.¹²⁷

A review of the liberal versus sectarian controversy within the board shows that the Presbyterians obtained control initially, but

¹²⁵ Kentucky Palladium, 6 (February 24 and March 3, 1804), 2 and 2.

¹²⁶ Kentucky Gazette, 14 (January 2, 1800), 1.

¹²⁷ Kentucky Gazette, 10 (October 10, 1805), 3.

relinquished it to the liberals in 1794. Under the administrations of Harry Toulmin and James Moore, 1794-1804, the liberals enjoyed a measure of control. Moore had proved liberal enough to become an Episcopalian minister after his severance from the Presbyterian Church. The board of trustees continued to be divided into sectarian and liberal factions. However, by 1805, with Presbyterian partisans on the faculty, the university's policy with respect to religion in the curriculum was, in spirit, that of the Presbyterians' Kentucky Academy. The sectarians gained control. There is considerable evidence that the sectarian-dominated university was not in harmony with the community it was serving from 1805 to 1816. However, after a short period, 1816-1818, of highly contested action between the sectarians and liberals, a powerful intellectual and liberal leader, Horace Holley, appeared, who drove the Presbyterians from Transylvania University. He and the liberals were in turn ousted from the university some nine years later.

The union of Transylvania Seminary with Kentucky Academy was virtually a union of two hostile philosophies, but each college in its short-sighted effort to gain strength in terms of endowment, cash, facilities or location was willing to unite with its foe. This was shown to have been a serious mistake.

Summary

It has been shown that the administrations of Mitchell and Wilson, 1785-1791, Moore's first administration, 1791-1794, and Toulmin's administration, 1794-1796, were not successful in terms of recruiting

consistent enrollments. The student body from 1785 to 1796 varied from a few students to a high of about fifty. But since the enrollment was so unstable, it is doubted if any very efficient administration and organization of the student body was ever completed. Available buildings seem to have been very inadequate, and there seems to have been no satisfactory library. The rapid turnover of teacher personnel probably did not give any one teacher sufficient time in which to do any extensive planning or opportunity to utilize specific experience in dealing with problems peculiar to Transylvania. While the treasury did not show a deficit, it was not of sufficient proportions to make for a stable financial policy in reference to the teachers' salaries or to other operating expenses. But considering the place, the time, and the available means, this pioneer school achieved a measure of success by continuing active and by performing educational tasks within its capacity.

Moore returned as the administrative head of Transylvania in 1796, remaining in that position even after its merger with Kentucky Academy in 1799; he continued in office until 1804. Failing to qualify in his examination for the Presbyterian clergy, Moore entered the Episcopalian ministry. In terms of party partisanship in early Transylvania, the Moore administration from 1796 to 1804 can be said to have been liberal. This period was more successful than the previous period, 1785-1796, in that it was more stable. The student body did not vary so greatly in numbers, one administrator was at the head of the school for eight years, and some progress was made in the way of buildings and libraries. The

two professional schools, medicine and law, were organized and met with some success in training medical doctors and lawyers for the new Southwest. Again, as in the earlier period, when consideration is given to the pioneer conditions under which this seminary was operating, it may be considered to have made an educational contribution.

CHAPTER III

PRESBYTERIANISM, SECOND RISE OF LIBERALISM, AND PROFESSIONAL SCHOOL DEVELOPMENT, 1804-1818

The purpose of this chapter is to evaluate the Presbyterians' period of control from 1804 to 1816, to depict the second rise of liberalism from 1816 to 1818, and to present the development of the professional schools, medicine and law.

Presbyterian Sectarianism, 1804-1816

Acting President Blythe and Transylvania.—On October 4, 1804, Rev. James Blythe was elected president pro tempore of Transylvania University.¹ A student wrote that Blythe "was a large, square-built man, five feet eleven, with remarkably stern and heavy eyebrows, and a harsh, deep-toned voice with too exclusive, positive manners to be popular, and yet a firm, good teacher."² A pioneer of the Presbyterian Church in Kentucky, he was zealous for his particular sect and was known for his many excellent traits of character.³ But Blythe provoked the public by his attacks upon the War of 1812. His antagonism arose principally from the fact

¹ "Minutes of the Board of Trustees of Transylvania University, Lexington, October 4, 1804," Vol. I, p. 276.

² "Dr. Christopher C. Graham to Dr. Robert Peter," letter, published in part in Robert Peter and Johanna Peter, Transylvania University, p. 110. Louisville: The Filson Club, 1896.

³ Robert Peter and Johanna Peter, op. cit., p. 88.

that one of his sons was frightfully massacred at the River Raisin in 1812. He was subjected to an ecclesiastical trial in 1813 and 1814, in part because of his war views.⁴ Blythe made frequent attacks upon the "free and easy, tomahawk, and scalping knife societies." These appear to have been Republican political organizations, containing possibly some liberal members of the board of trustees.⁵ Thus Blythe aligned himself with the Federalists by implication.

When President Madison declared January 12, 1815, a national Fast Day, an opportunity was given Blythe to deliver a sermon highly critical of public policy.⁶ This sermon, which was drastically critical of the existing political leadership, intensified tremendously the public's resentment toward him. Unfavorable editorial reviews appeared in many papers. Dr. Joseph Buchanan, one of the liberal leaders, attacked this sermon as a plan for an established religion.⁷

(a) FINANCIAL REPORT.—In a report by Charles Humphreys and Thomas Barr, a committee to examine and settle the accounts of the University, April 4, 1810, gave the statement of accounts as follows:

⁴ William L. MacCalla, Case of MacCalla against Blythe. Chillicothe, Ohio: 1814. Pp. 36.

⁵ Kentucky Gazette, 39 (July 31, 1815), 2.

⁶ James Blythe, Our Sins Acknowledged. Lexington: 1815. Pp. 16.

⁷ See reprint of Kentucky Palladium, editorial in Kentucky Reporter, 8 (March 13, 1815), 3.

Rents of Harrod's Creek lands,	\$ 449.00
Rents of McKee's Survey, estimated at	225.75
Rents of unsold land in Collin's Survey	58.04
Sixty-six shares Kentucky Insurance	
Company, dividend at 10 per cent	660.00
Twenty shares Bank of Kentucky stock,	
dividend at 6 per cent	120.00
Claim of Thomas January, \$1,000,	
10 per cent interest on,	100.00
Interest on bonds for lands sold,	
\$3,160.36 (6 per cent),	264.98
Interest on bonds for lands sold,	
\$3,803.75 (6 per cent),	228.22
Tuition money, exclusive of what	
accrues to the professors,	500.00
Contributions from students to library	46.00
	\$2,681.99
The annual expenses of the University	1,625.00
Leaving a surplus	\$1,056.99 ⁸

This report indicates that the university's budget was small. However, considering the surplus, it seems to have been adequate.

(b) WAR YEARS.—At no time during the period, 1804-1812, was a sincere effort made to acquire a president. The board seemed to have been content with the services of James Blythe, although they never showed sufficient confidence in him to warrant his election as permanent president. In 1812 four liberals, Hunt, Sanders, Morrison, and Barry, were appointed as a committee to search for a suitable president, ⁹ but they appear to have taken no action, and at length their power

⁸ "Minutes of the Board of Trustees of Transylvania University, Lexington, April 4, 1810," Vol. II, p. 1.

⁹ Ibid., July 27, 1812, Vol. II, p. 104.

lapsed.¹⁰ Rev. E. Nott, a Presbyterian, was elected, but declined the post in September, 1813.¹¹ While it is probable that some reduction in the student body took place during the War,¹² this fact does not seem to be significant, since by 1814 the enrollment was about as high as it had been previously.¹³ But by contrast, another Lexington school maintained its enrollment, with a tuition three times as high.¹⁴ In 1812 plans for a new building were completed in order to make possible an improved plan of instruction, but they were probably postponed because of the War.¹⁵

The curriculum was extended during this period. Prior to March, 1816, there were four progressive classes of Latin and two of Greek, and one other for memorization in the classical school, or preparatory department.¹⁶ The college included three classes, representing three years of work, namely, freshman, junior, and senior.¹⁷

¹⁰ Ibid., June 4, 1813, Vol. II, pp. 120-21.

¹¹ Ibid., September 8, 1813, Vol. II, p. 123.

¹² Ibid., April 16, 1812, Vol. II, p. 97. S. Blair, Treasurer, reported fourteen grammar and twenty-seven scientific students.

¹³ Ibid., April 5, 1814, Vol. II, p. 139. There were reported twenty-two classical students, thirty-one scientific students, and nine law students.

¹⁴ Kentucky Gazette, 28 (May 29, 1815), 1.

¹⁵ "Minutes of the Board of Trustees of Transylvania University, Lexington, January 7, 1812 and April 17, 1812," Vol. II, pp. 95 and 104.

¹⁶ Ibid., March 18, 1816, Vol. II, p. 227.

¹⁷ Ibid.

The financial condition of the university improved from 1804 to 1816. The greater part of the original endowment grant of eight thousand acres of land, which had been previously leased for long terms at a low rate, had been sold prior to 1812, at the rate of \$3.75 per acre for \$30,000.¹⁸ This money was invested in 234 shares of the Bank of Kentucky, and sixty-six shares of an Insurance Company, and with its increments and the income accruing from other sources the money endowment of the school amounted, in 1818, to \$67,532. The new board acknowledged the receipt of this amount in their report to the legislature.¹⁹

(c) APPRAISAL OF BLYTHE'S ADMINISTRATION.--Transylvania University enjoyed a moderate degree of prosperity during this period, 1804 to 1816, "not brilliant indeed, but sound and healthy."²⁰ Blythe discharged his duties "diligently and efficiently," and the university assumed a respectable place in the community.²¹ The curriculum of studies was the same as that of Eastern colleges, excepting classical learning, which was considered of less importance in the West.²² Transylvania was regarded as the nucleus for the study of orthodox literature in the West, and its

¹⁸ Ibid., October 31, 1812, Vol. II, p. 110.

¹⁹ Literary Pamphleteer, Vol. VI, p. 2.

²⁰ Robert Davidson, History of the Presbyterian Church in Kentucky, p. 297. New York: Robert Carter Co., 1847.

²¹ Mann Butler, A History of the Commonwealth of Kentucky, p. 187. Louisville: Published by the Author, 1834.

²² Timothy Flint, Recollections of the Last Ten Years, Passed in Occasional Residence and Journeyings in the Valley of the Mississippi, pp. 67-68. Boston: Published by the Author, 1826.

influence upon the intellect and morals of the country was far reaching.²³

Investigation by House of Representatives.—A petition had been circulated in Mason County calling for a reorganization of the university and an amendment of its charter.²⁴ Francis Johnson made a motion that a committee be established to investigate charges "made on common fame."²⁵ Johnson was appointed chairman of this committee and asked for a statement from the board of trustees, on the condition of the university.²⁶ This report, prepared by the majority trustees, was submitted on January 26, 1816, and was made, to some extent, the basis for the committee's report.²⁷ The trustees' report was in essence a justification of their administration.²⁸ They pointed out that they had converted the unproductive landed property of the university into productive bank stock. They stated further that, during Toulmin's presidency of three years, the student enrollment dropped from seventy to forty, to ten.²⁹ The

²³ Robert Davidson, *op. cit.*, p. 297.

²⁴ Kentucky Gazette, 28 (September 25, 1815), 1 and 28 (October 2, 1815), 1. The Journal of the House of Representatives does not mention the receipt of this petition.

²⁵ Journal of the House of Representatives, 24th Assembly (December 4, 1815 - February 10, 1816), p. 35.

Kentucky Palladium, 16 (December 18, 1815), 1.

²⁶ See "Minutes of the Board of Trustees of Transylvania University, Lexington, December 27, 1815," Vol. II, p. 196, for notification of Legislature's request for a report on the "causes which have retarded its [the university's] standing, and of what benefit further legislative aid would do for the advancement of the Institution."

Journal of the House of Representatives, 24th Assembly (December 4, 1815 - February 10, 1816), p. 203.

²⁷ *Ibid.*, p. 200.

²⁸ *Ibid.*, pp. 203-19.

²⁹ One writer states that the trustees' remarks on Toulmin's administration and on the union of Transylvania Seminary and Kentucky Academy

trustees reported that the enrollment from 1799 until 1812 was never less than fifty in number and that during the War of 1812 it fluctuated from forty-two to forty-eight, and that during the session starting in April, 1815, it had not been over forty-two.³⁰

The trustees stated that the professors, Elythe, Bishop and Sharpe, were competent, although none of them was a great celebrity, and the examinations of the students had been adjudged satisfactory by all the informed men who had attended them. In summarizing, they stated that the university's "actual standing is as fair and flattering, as could of right be expected of any seminary possessing as few professors and labouring under but half the quantum of difficulties and discouragements."³¹ They did not mention the quality or length of the course of instruction specifically, but stated that "they [the trustees] have heretofore been obliged to enjoin it upon their professors, so to regulate their lectures and adjust the classes, as to give to western youth, a full course of instruction within the compass of a single year."³² A statement to the effect that many

were completely in error, and refers to parts of the report as "fiction." However, it is difficult to believe that a committee of lawmakers would accept such a report without substantiating vouchers, records, and minutes. See Niels H. Sonne, Liberal Kentucky, 1780-1828, p. 146. New York: Columbia University Press, 1937.

³⁰ Journal of the House of Representatives, 24th Assembly (December 4, 1815 - February 10, 1816), p. 206.

³¹ Ibid., p. 207.

³² Ibid., p. 208. While a "complete" course of instruction was organized on a one year basis, as is indicated from the trustees' report, other evidence points to a longer course of instruction that was also scheduled. "The Exhibition," Kentucky Gazette, 19 (April 12, 1806), 3, describes the graduation exercises of a junior and a senior class. The board minutes in March, 1816, show an organization chart including four

students came unprepared for university work was also made. While it may be inferred from the report that the entrance requirements were not necessarily high, since the school was obviously attempting to serve the western community, there is no definite statement to indicate that graduation standards were not of the usual level or that the one year matriculates were allowed to graduate. In fact, another report stated that there were only twenty-two graduates from 1802 to 1818.³³ Considering the number of enrollees, as compared with the number of graduates, it may be assumed that graduation standards were very high.

Admitting that the university was low in public esteem, the trustees assumed that this fact resulted from the scarcity of students. The small enrollment was due to a number of causes. The conditions of the country did not justify expectation of a large enrollment. There was a popular demand for a brief education, which compelled them to compress the normal course into one year, thus resulting in much smaller student bodies each year than at eastern schools, but a larger total enrollment of individual students over a period of years. The war, and competition from at least thirty academies, also limited the student enrollment. The trustees (the

classes in Latin, two in Greek, and one other for memorizing in the Grammar School; they show three college classes of one year each, freshman, junior, and senior. "Minutes of the Board of Trustees of Transylvania University, Lexington, March 18, 1816," Vol. II, p. 227.

³³ "President Holley's Report to the Trustees of Transylvania University, Lexington, Kentucky, dated March 24, 1827," published as an appendix in Charles Caldwell, The Genius and Character of the Rev. Horace Holley, LL.D., p. 210. Boston: Hilliard, Gray, Little, and Wilkins, 1828.

majority of the trustees) spoke of the uselessness of employing a man of eminent literary ability to build up the university, stating that, in a country in which most people were engaged in supplying the necessities of life, such talents could have but temporary influence. President Elythe and the university had been attacked by former students and alumni who were actuated by base motives, they explained; the charge that the school was becoming a politico-religious establishment had not been asserted until its funds had been greatly increased.

In answering the charge that the board was using the university for sectarian purposes, and aiming to render the institution a Presbyterian school, the trustees pointed out that only one professor was a Presbyterian, and that two were of the Associate Reformed Church. They said that seven trustees were Presbyterians, two or three of the Associate Reformed Church, four were Episcopalians, and a large proportion attached to no church of any denomination. In describing the religion that was taught at the university they stated:

But if this charge [that the trustees aimed to make the university a sectarian school] be bottomed upon the fact, that the members of the board in their individual capacity, are willing, and even solicitous, to encourage and promote the acquisition and influence of those great moral and religious principles which are furnished only in the Bible; if a disposition in the board to institute such discipline as will preserve the youth committed to their care, from the hands of those harpies who strive to make shipwreck of their principles and habits, and of their parents' hopes: if the result of these measures is the redemption of the university from the obloquy under which it labored, as a seat of infidelity and cave of moral death; if these encroachments of the board on the domains of ignorance and depravity, or as these men are pleased to term it, on the rights of private judgment; if these things be to convert Transylvania University into a sectarian establishment, the board are guilty of the

charge.³⁴

The investigating committee, even in the face of the trustees' report, returned a very unfavorable report.³⁵ The committee accepted the fact that the financial condition of the school was good, but emphasized the fact that the character of the school and the number of its students were on the decline; that two private schools in Lexington had more students, even though one charged fees three times as high; that the university students were mostly children; and that the reasons for decline given by the board, such as the War and high cost of board, were not satisfactory. A better reason was the internal conflict within the board, which divided the board into parties based upon politics and religion. Frequent recording of divided votes of "Ayes" and "Noes" was the result of each party's attempt to place the blame for policies.

The committee reviewed the situation with respect to the election of a president. They noted that the trustees had elected Rev. Romeyne, who had declined to serve. They also observed the election of Rev. Horace Holley, but particularly called attention to the fact that his election had been rescinded, because information of his Unitarian viewpoints had been forthcoming.³⁶ The committee viewed with concern the election of

³⁴ Journal of the House of Representatives, 24th Assembly (December 4, 1815 - February 10, 1816), pp. 213-14.

³⁵ Ibid., pp. 199-203. For the public resentment to the trustees' report see Kentucky Gazette, 29 (January 19, 1816), 1.

³⁶ Journal of the House of Representatives, 24th Assembly (December 4, 1815 - February 10, 1816), pp. 201-2.

Blythe for a five year term and his subsequent election as acting president, which they said weakened public confidence. Another reference was made to the politics of the school, which the committee indicated as favoring the British constitution over that of the United States.³⁷ The committee's final action was the reporting of a resolution which read: "Resolved, that a law ought to pass, appointing new trustees in the Transylvania University, to hold their office for two years, and that biennial elections to supply the board shall be made by a joint vote of both branches of the general assembly."³⁸ A resolution that the report be tabled was defeated,³⁹ and the committee's resolution was then passed.⁴⁰

Reaction to House Investigation.—When it became apparent that they might lose any contest in the House of Representatives, the trustees set up a committee to ask a hearing before the bar of the senate, "to disprove unfounded and calumnious charges made against the board and its professors."⁴¹ John Pope was selected as attorney.⁴² Humphrey Marshall adjudged an answer prepared by Rev. James McChord to be so disrespectful and rude that it, in itself, might prove adequate grounds for

³⁷ Ibid., p. 202.

³⁸ Ibid., p. 203.

³⁹ Ibid., pp. 219-20. The vote was 41 to 34.

⁴⁰ Ibid., p. 220. The vote was 46 to 28.

⁴¹ "Minutes of the Board of Trustees of Transylvania University, Lexington, February 3, 1816," Vol. II, p. 215.

⁴² Ibid., February 5, 1816, Vol. II, p. 216.

bringing the trustees to the bar of the house.⁴³ Rev. Robert H. Bishop requested the right to present evidence to answer the report, so far as it related to himself, particularly the charges relating to politics. The action on these petitions took place in the house.⁴⁴ Bishop's petition was first tabled, but later allowed and charges against him were declared unfounded.⁴⁵ A resolution asking that the trustees of the Transylvania University be permitted to appear at the bar of the House, to show cause why they should not be turned out of office, was tabled until March 11, being passed on the vote of the speaker, John J. Crittenden.⁴⁶ Strenuous efforts were made to defeat the bill proposing a change of the trustees, and making them subject to biennial appointment by the legislature, by attaching riders to move the university from Lexington to Harrodsburgh,⁴⁷ Danville,⁴⁸ and Perrysville,⁴⁹ all of which were defeated. The bill passed on the final reading,⁵⁰ but failed of consideration in the senate. This large vote against the university administration in the house indicated their unpopularity among the people

⁴³ "James McChord to Samuel Corothers, Lexington, Kentucky, Feb. 20, 1816." Manuscript. Presbyterian Historical Society, Philadelphia.

⁴⁴ Journal of the House of Representatives, 24th Assembly (December 4, 1815 - February 10, 1816), February 5, 1816, p. 266.

⁴⁵ Ibid., February 5, 1816, pp. 266-67 and February 7, 1816, p. 276.

⁴⁶ Ibid., February 5, 1816, pp. 266-67. The vote was 38 to 37.

⁴⁷ Ibid., February 1, 1816, p. 251. The vote was 31 to 38.

⁴⁸ Ibid., February 7, 1816, p. 285. The vote was 35 to 37.

⁴⁹ Ibid., February 7, 1816, p. 286. The vote was 14 to 44.

⁵⁰ Ibid., the vote was 47 to 17.

as a whole. The Presbyterians and their close allies of the Associate Reformed Church comprised about 3,000 in over 500,000 of the state's population. In addition, the leaders of the Presbyterians did not represent their constituency accurately.⁵¹

Rev. James McChord, in a letter to a minister friend, Rev. Samuel Corothers, tells of the Presbyterian interest in the university. He stated that many of the Presbyterian ministers were materially involved.⁵² After writing that the legislature's desire was to obtain the services of Rev. Horace Holley, "A Socinian of the worst order, and also a Universalist," he stated that the bill was delayed in the senate through the management of its opponents until the house adjourned, but that probably no such delay would prevent its passage at the next session. "Such a measure, if carried," he said, "will of course throw the present professors out of employment; and what their resources will be cannot be even guessed."⁵³ The minister continued by saying that the cry of Federalism and Presbyterianism was the thing raised against the board. ". . . but in all probability I shall be ere long ousted, or at least stormed out," he added. "The congregation at best are miserable pay and miserable attendants, and may now be expected, in the main, to become much worse," McChord wrote. The Presbyterian leaders, it appeared,

⁵¹ "James McChord to Samuel Corothers, Lexington, Kentucky, Feb. 20, 1816." Manuscript. Presbyterian Historical Society, Philadelphia.

⁵² Ibid.

⁵³ Ibid.

had in addition to any ideals they possessed a definite and tangible interest in the professorial positions in the university.

Rev. James Blythe resigned the acting presidency prior to March 12, 1816, after twelve years in that position, and the university was placed in the control of Rev. Robert H. Bishop.⁵⁴ Blythe was elected as professor of chemistry in the medical department.⁵⁵

Liberal plans, 1815-1816.—Immediately following the close of the war, the liberals appear to have adopted a definite and challenging policy with respect to the university. Their policy included: (1) driving out the Presbyterians from their positions of control, both in the board and in the presidency; (2) introducing a president of their own choice, a man of such wide reputation as to bring, by the very fact of his election, wide reputation to the university; and (3) making known their views through the Republican press, particularly through the Frankfort Palladium and the Kentucky Gazette.⁵⁶ Attacks upon the university organization by the liberals became heated after the publication of Acting President Blythe's "hateful fast day sermon."⁵⁷

Second Rise of Liberalism, 1816-1818

Challenge of Presbyterian vested interests.—The trustees having been

⁵⁴ "Minutes of the Board of Trustees of Transylvania University, Lexington, March 12, 1816," Vol. II, p. 224.

⁵⁵ Ibid., February 28, 1816, Vol. II, p. 223.

⁵⁶ See especially April, May, and June, 1815, numbers.

⁵⁷ Kentucky Gazette, 28 (July 17, 1815), 1.

exposed to severe criticism and the threat of expulsion, now made definite attempts to redeem themselves. Although Rev. Robert H. Bishop served as acting president from March, 1816 until December, 1818, Lexington and the West were anxiously awaiting the arrival of a great "Abelard," a man of genius, who could by his very appearance in Lexington spark the university to a bright and prosperous future. While the history of this period, 1816 to 1818, is largely one of jockeying for positions by the Presbyterians, the religious and political liberals, the professors, and the general public, in preparation for the new liberal university that was to appear in 1818, the stage was set by Bishop and his colleagues, and by 1818 all was in readiness for a period of rapid progress and expansion.

Bishop was described by a student in the following terms:

[He] was a tall, gaunt, and good old Scotchman; an impressive lecturer, but of high temper; so much so that he once said to his class, of which I was a member, 'Ye're like jacks, and if ye can't learn through the ears ye shall through the back, with a broad Scotch pronunciation, and in angry tones. He was a good-hearted and well-meaning man, but erred in aiming to bring our fast and free Kentucky youths under the rigid discipline of the old schools of Scotland. ⁵⁸

Election of Horace Holley, a liberal.—A new spirit of progress swept through the university in March, 1816. A new building was begun and an increase in the enrollment took place. ⁵⁹ Some attempts were taken to reorganize the medical and law schools. ⁶⁰ Rev. Philip Lindsley,

⁵⁸ "Dr. Christopher C. Graham to Robert Peter," letter, published in part in Robert Peter and Johanna Peter, Transylvania University, pp. 109-110. Louisville: The Filson Club, 1896.

⁵⁹ "Minutes of the Board of Trustees of Transylvania University, Lexington, October 18, 1817," Vol. II, p. 305.

⁶⁰ One thousand dollars were placed in the hands of Rev. James Blythe, professor, and John D. Clifford, trustee, for the immediate purchase of

a Presbyterian, was elected president, but he declined to accept the position.⁶¹ The press was calling for further exertions for the

development of the school by October, 1817. An editorial in the Kentucky Gazette asked for the election of a liberal president of wide reputation and denounced the election of Lindsley, who, it was said, had no reputation.⁶²

A new effort to elect Holley was made at a meeting on October 1, 1817, but failed by a vote of six ayes to five blank votes.⁶³

However, Holley was successfully elected on November 15, 1817.⁶⁴ It appears that the Republicans overlooked Holley's Federalism in their enthusiasm for an eminent liberal, non-Presbyterian president of wide reputation. "A Native Kentuckian" pointed out that, though labeled a Federalist, Holley had supported the war, and had previously criticized the administration for its lethargy.⁶⁵ One of Holley's manuscripts reveals that his liberalism may have extended beyond his political feeling, since he wrote that he expected to find that many prevailing

chemical apparatus. Ibid., March 2, 1816, Vol. II, p. 256.

Dr. Daniel Drake, who later became the most distinguished man in the field of medicine in the Ohio Valley, (See Albert P. Mathews, "Daniel Drake," Dictionary of American Biography, Vol. V, pp. 426-27. New York: Charles Scribner's Sons, 1931.) was elected professor of materia medica and botany. Ibid., December 14, 1816, Vol. II, p. 269.

⁶¹ Ibid., April 18, 1817, Vol. II, p. 285, and June 23, 1817, Vol. II, p. 287.

⁶² Kentucky Gazette, 30 (October 4, 1817), 1; 30 (October 18, 1817), 1. Lindsley, a few years later, attained a wide reputation as President of the University of Nashville.

⁶³ "Minutes of the Board of Trustees of Transylvania University, Lexington, October 1, 1817," Vol. II, p. 310.

⁶⁴ Ibid., November 15, 1817, Vol. II, p. 312.

⁶⁵ Kentucky Reporter, 10 (November 22, 1817), 1.

prejudices against Thomas Jefferson's scientific, literary, and moral character were not justified.⁶⁶

(a) CONTINUATION OF POLITICAL CONTROVERSY.—Some points on the election of Holley were described in the Kentucky Gazette, obviously by a trustee. It was stated that Kentucky was a Republican State, that a report was abroad that the trustees were all Federalists, and that they ought to elect Holley to disprove this, and that, if they did not elect him, this would probably be the last meeting of the board.⁶⁷ Apparently Stewart (probably Robert Stuart) objected to Holley's religious tenets, which would not suit the Presbyterians, Methodists, Baptists, and Episcopalians. Breckinridge (Joseph C.) contended that the trustees had no right, in the selection of a president, to inquire into the sectarian belief of the gentleman, this subject being "too sacred—they were not a church appointing a preacher." Breckinridge stated further that Holley was unanimously admitted to be a man of the "strictest integrity; the strictest purity of morals; of science; of learning and splendid talent." "To reject such a man," Breckinridge was quoted as saying, "because one or two points in his religious opinions did not accord with those of a majority of the Board could not be tolerated;" Holley was considered too correct, too intelligent, ever to attempt to teach his peculiar religious faith in

⁶⁶ "A journey from Boston in Massachusetts to Lexington in Kentucky commenced February 3rd, 1818 by Horace Holley." Typewritten copy in Transylvania College, Lexington of manuscript owned by Mrs. Benjamin Gratz Crosby, Woodford County, Kentucky; Horace Holley, "Mr. Clay and Colonel Meade," in John W. Townsend, Kentucky in American Letters, 1784-1912, Vol. I, pp. 53-56. Cedar Rapids, Iowa: The Torch Press, 1913. Two volumes.

⁶⁷ Kentucky Gazette, 31 (November 22, 1817), 1.

the university.⁶⁸ Pope, it was said, agreed that they had no right to introduce a religious test in the board unknown to the constitution and laws (of which they had been accused). This would be a good cause for their removal from office, and for a change in the charter by the legislature, Pope was credited as saying. It was asserted that Cunningham had his feelings hurt by the imputation that he was under the influence of "bigoted feelings," and that he voted aye, to the great displeasure of his religious colleagues, the Presbyterians.⁶⁹

An article in the Kentucky Gazette dated November 29, 1817, made a revealing observation. It stated that the trustees had elected two Republicans to fill two vacancies on the board, making nine Republicans (decided) and two moderate ones, and ten decided Federalists and two moderate ones. Therefore, the board was decidedly Federal and a constant struggle would probably follow.⁷⁰ It asserted that there were now only two ways in which any important business could be transacted; one, to drum up all the Federalists; the other, to threaten, as had been done, the board with the legislature.⁷¹

It has been said that Holley's election was literally forced upon the trustees.⁷² After the legislative session of 1815-1816, the power

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Kentucky Gazette, 31 (November 29, 1817), 1.

⁷¹ Ibid.

⁷² See Niels H. Sonne, Liberal Kentucky, 1780-1828, p. 154. New York: Columbia University Press, 1937.

The suggestion of a writer in the Weekly Recorder, that Holley was

of the Republicans had become greatly strengthened. With the elevation of Lieutenant Governor Gabriel Slaughter to the governorship at the death of Governor George Madison, and his subsequent appointments of the anti-war, anti-Clay John Pope as secretary of state, and General M. D. Hardin as United States senator to succeed W. T. Barry, retired, a wave of political dissatisfaction was created. In August, 1817, a new house of representatives and one-fourth of the senate were elected, and these were Republican by a large popular vote, forcing a new gubernatorial election. Joseph C. Breckinridge, speaker of the house, accepted a leading role in this attack upon Governor Slaughter.

Presbyterians' decision to fight.—The Presbyterians were quick to take action to prevent Holley's acceptance of the presidency of Transylvania. An anonymous letter was addressed to Rev. Jedidiah Morse at Charlestown, Boston, in which the writer stated that the attempt to elect Holley to the presidency of Transylvania University had at last succeeded, to the real regret of the religious people of Lexington, especially the Calvinists.⁷³ He stated that, although the election

chosen because Henry Clay wished to conciliate New England in his attempt to win the presidency of the United States, possibly contains some truth, but the overwhelming nature of the liberals' votes in the legislature indicates that local forces were instrumental in this action. See Weekly Recorder, 5 (December 18, 1818), 2.

See also James H. Rodebaugh, Robert Hamilton Bishop, p. 41. Columbus, Ohio: Ohio Archaeological and Historical Society, 1935.

⁷³ "Lexington, Ky., Nov. 24, 1817. To Rev. Jedidiah Morse, D.D., Charlestown, Boston, Massachusetts." Manuscript. Yale University, New Haven.

would probably be announced to the public and to Holley as unanimous, this had not been true, and that actually Holley had only nine or ten trustees in his favor. The fact that Holley was a known Socinian or Unitarian, and that the religious people of Central Kentucky were Trinitarians, with few exceptions, would cause a struggle in which the people would pit themselves against him, and the progress of the university would, of consequence, suffer a decline. Some gentlemen known to the writer would remove their sons upon Holley's acceptance. The writer requested Morse to send immediately Holley's pamphlet productions, especially those confirming the charge of Socinianism, to Rev. R. H. Bishop, who was not aware of this letter.

The more intriguing part of the letter proposed that Morse publish an extract, which the writer had prepared, in the newspapers read by Holley. This extract stated that Holley had been elected after considerable delay to the presidency of Transylvania University. Although his election would probably be announced as unanimous, only twelve or thirteen trustees of the eighteen present,⁷⁴ and of a total of twenty-one in the board, had voted in his favor. A member of prominence had asked that the vote be regarded as unanimous, and this had been done by the silence or withdrawal of the members of the minority. The trustees in favor of Holley had threatened the board with legislative action, should it fail to elect him president. The writer believed that two or

⁷⁴ There were seventeen trustees present. "Minutes of the Board of Trustees of Transylvania University, November 15, 1817," Vol. II, p. 313.

three members voted for Holley only because they expected that he would not accept the presidency if elected. If Holley accepted, he would encounter public sentiment arrayed against him so strongly that he would have to pass through "the crucible of public investigation, before he will be either patronized or much esteemed." If he succeeded, he would reach only "the standard of classical and oratorical elevation his friends in Lexington have erected for him." It cannot be ascertained whether Jedidiah Morse consented to the publication of this extract. However, Holley later referred to his unanimous election. ⁷⁵

(a) FIRST ATTACK ON HOLLEY.--The Presbyterian leaders in the Ohio Valley, realizing that they had been in a sense deposed, resolved not to take their defeat without returning fire. Shortly after the election of Holley, an editorial entitled, "No Saviour for Transylvania University," appeared in the Weekly Recorder of Chillicothe, Ohio. ⁷⁶ The writer stated that the trustees had rejected the "Lord's Anointed," whose divinity and vicarious atonement constituted the vital elements of the Christian religion. He held that the trustees appeared to be more concerned with the sacredness of a man's rights than with those of Christ. The trustees' assertion that they had nothing to do with the president's creed, the writer regarded as "unphilosophical and untrue." The president's views would, of course, affect the students, according to the principles of human nature, since young students imitate able and

⁷⁵ Kentucky Reporter, 12 (March 24, 1819), 1.

⁷⁶ Weekly Recorder, 5 (December 10, 1817), 3.

impressive teachers.

The Presbyterians' decision to fight Holley is stated in this attack upon the board. The writer asserted that he was not "as yet" dealing with Holley and his principles, and further proclaimed that, if the trustees intended to do without a Saviour, they would also have to do "without the aid of those bigoted believers, or sectarians, who esteem and reverence the omnipotent, the glorious and blessed Jesus more than all the liberal, the accomplished and learned anti-Christians, that ever have, or will command the homage of an apostate world."⁷⁷ This was a preview of the Presbyterians' attacks that were to follow. These attacks were to continue for nine years, until Rev. Horace Holley was forced to resign from the university.

Revolution of the liberals.—By the fall of 1817, the state of the university, from the administrative standpoint, was that of discouragement. A liberal president had been elected by a board, the majority of which was sectarian, because of legislative threats and strong public opinion. The public now clamored for solution to this problem through newspaper agitation for a more liberal board.⁷⁸ The legislature considered the matter in December, 1817, and established a committee, consisting of Francis Johnson, W. T. Barry, Jesse Bledsoe, and Herman Bowman,⁷⁹ to

⁷⁷ Ibid.

⁷⁸ See Kentucky Gazette, 31 (October 4, 1817), 2; 31 (October 18, 1817), 1; and 31 (November 29, 1817), 1.

See Kentucky Reporter, 10 (November 22, 1817), 1; 10 (November 26, 1817), 3.

⁷⁹ Journal of the Senate, 26th Assembly (December 1, 1817 - February 4, 1818), pp. 20-21.

draft and report a bill "to reduce the number and alter the mode of electing the trustees of the university." The committee wrote a bill designed to discharge the present trustees, to elect a new board consisting of thirteen members, and to make it responsible to the legislature by requiring a biennial election by that body.

The new board was to consist of Henry Clay, Edmund Bullock, Robert Trimble, John T. Mason, Jr., Robert Wickliffe, James Prentiss, Hubbard Taylor, John Pope, Lewis Sanders, Samuel H. Woodson, John Brown, Charles Humphries, and Thomas Bodley. These men were well-known citizens, legislators, judges, members of Congress, and business men, qualified to direct the university without the inner divisions which allegedly came from sectarian religious distinctions. But to the Presbyterians and their allies they were men without religion, and consequently ill-fitted for their duties, because they were "corrupters" of youth. The bill as recommended passed in the senate without a single dissenting vote; the "Ayes" and "Noes" were not called on any of the three readings.⁸⁰ Petitions from the friends of the existing trustees were received, but the bill passed in the house by a large majority.⁸¹ Out of a total of 121 votes, there were only nineteen who opposed the change. This large majority precludes the possibility of a political manipulation by a few politicians from Lexington in the reorganization.

The religious apprehensions of the Presbyterians, especially of the

⁸⁰ Ibid., pp. 36, 41, and 51.

⁸¹ Journal of the House of Representatives, 26th Assembly (December 1, 1817 - February 4, 1818), pp. 295-96. The vote was 56 to 19.

old board members, already considerably aroused by the Unitarianism of Holley, were further intensified by this action of the legislature, which they considered dangerous in its religious tendencies and also as illegal, in that it had not been petitioned for by a majority of the trustees, as required by the charter. The language of the charter and the position taken by previous legislatures gave them a good basis for this position. The act of 1783 had merely declared "that the said trustees shall, at all times be accountable for their transactions touching any matter or things relating to said seminary in such manner as the legislature shall direct."⁸² The natural inference from this act was that they might be removed from office or otherwise punished for malfeasance, but not that their organization could be altered except according to the provisions of the charter itself. This was the construction put upon that charter by the acts of November 21, 1795, which did not reorganize the old board, but merely suspended them from office in the one case and in the other made them accountable for the discharge of their duties to the district court.⁸³ The legislature's action was adverse to the interests of the

⁸² William W. Hening, Editor, Statutes at Large, Vol. XI (1782-1784), pp. 282-87 (see section XII). Richmond: George Cochran, 1823.

⁸³ William Littell, Editor, The Statute Law of Kentucky, Vol. I, p. 345. Frankfort: William Hunter, 1809.
Ibid., Vol. I, pp. 345-46.

All Transylvania University historians seem to have taken a definite stand on this point. Lewis wrote that the position taken by the Presbyterians was at least as tenable as the opposite one, stated by Peter. See Alvin F. Lewis, History of Higher Education in Kentucky, p. 57. U. S. Bureau of Education, Circular of Information, No. 3. Washington: Government Printing Office, 1899; and Robert Peter and Johanna Peter, Transylvania University: Its Origin, Rise, Decline, and Fall, pp. 22-4. Louisville: The Filson Club, 1896.

university in raising up against it a strong religious prejudice in the public mind generally and in causing the Presbyterians particularly to be unfavorably disposed toward the new administration and very much inclined to withdraw their patronage. On the other hand, this act of reorganization had its beneficial effect, as expressed by a committee of the two houses of the legislature in 1827, in taking Transylvania University into their more immediate control, and attempting to make of it more distinctively a state institution and to build it up into a great university under the auspices of the state. The old board took its last official action on February 28, 1818.⁸⁴

Professional School Development, 1804-1818

Transylvania University justly claims the first medical school in the West and the first collegiate law school in America. However, the period, 1804 to 1818, was one in which these professional schools were rather insecurely established, and one in which much development, experimentation, and growth were taking place. While these schools were important from the standpoint of professional educational pioneering, their development into full professional status cannot be said to have taken place until the advent of President Holley in 1818. During this period the academic department was by far the most important in the

⁸⁴ "Minutes of the Board of Trustees of Transylvania University, Lexington, February 28, 1818," Vol. II, pp. 319-20. This action was a report on the interests and prospects of the university, the former of which they considered of "great public importance," and the latter "very flattering."

university's history as an educational institution. During later periods the professional schools outweighed the academic department in general usefulness toward the development of the new South and West, to which Transylvania was sending many young leaders.

First medical school of the West.—While two professors of medicine were appointed in 1799, a regular faculty had been appointed and a library had been assembled by 1805. However, there seems to have been no regular schedule of lectures, and all the professors resigned their chairs in 1806.⁸⁵ Although the school was launched on a rather successful basis in the fall of 1817, a controversy developing within the faculty disrupted the school, preventing its opening in 1818.

(a) EARLY MEDICAL EDUCATION IN KENTUCKY.—After the appointments of Doctors Samuel Brown and Frederick Ridgely as Professors of Medicine in 1799, Dr. Elisha Warfield was added to this prospective medical faculty as professor of surgery and midwifery in 1802,⁸⁶ and Rev. James Fishback, M.D., was appointed professor of the theory and practice of medicine in 1805.⁸⁷ Fishback was during his lifetime a doctor, a lawyer, and a candidate for the state legislature.⁸⁸ His religious preference was Presbyterianism, and as an active layman he was largely responsible

⁸⁵ Ibid., April 14, 1806, Vol. I, p. 257.

⁸⁶ Ibid., June 7, 1802, Vol. I, p. 211.

⁸⁷ Ibid., April 10, 1805, Vol. I, p. 249.

⁸⁸ Robert Davidson, History of the Presbyterian Church in Kentucky, p. 275. New York: Robert Carter Co., 1847.

for the establishment of the Western Monitor in 1814, avowedly for the purpose of injecting religion into politics.⁸⁹ Fishback devoted a chapter to the true relations of religion and the state in a theological work published in 1813.⁹⁰ He became a Baptist in November, 1816, and was licensed to preach in December.⁹¹ Fishback supported President Blythe and the Presbyterians in their sectarian movement to retain control over Transylvania, becoming a strong opponent of President Holley. In some measure, he led the Baptists to join with the Presbyterians in ousting Holley in 1827.

(b) REORGANIZATION OF 1809.—On April 8, 1809, a more complete faculty was appointed.⁹² Dr. Buchanan wrote that he made efforts to establish a medical school at Transylvania University in 1809.⁹³ Buchanan was granted the degree of bachelor of arts, on the recommendation of the full faculty,⁹⁴ but the school did not materialize and Buchanan published the substance of his projected lectures as The Philosophy of Human Nature.⁹⁵ This volume, along with a great amount

⁸⁹ See James Fishback, An Oration Delivered in the First Presbyterian Church in the Town of Lexington, Ky. on the 4th day of July, 1816. Lexington: Published by the Author, 1816. Pp. 16. Here Fishback restates his position on the amalgamation of religion and politics.

⁹⁰ James Fishback, The Philosophy of the Human Mind, Chapter VI. Lexington: Published by the Author, 1813. Pp. 306.

⁹¹ Robert Davidson, op. cit., pp. 275-76.

⁹² "Minutes of the Board of Trustees of Transylvania University, Lexington, April 8, 1809," Vol. I, p. 326.

⁹³ Joseph Buchanan, Philosophy of Human Nature, Preface. Richmond, Kentucky: Published by the Author, 1812.

⁹⁴ "Minutes of the Board of Trustees of Transylvania University, Lexington, April 8, 1809," Vol. I, p. 326.

⁹⁵ Joseph Buchanan, op. cit., pp. 321.

of newspaper material, contains the literary remains of the "infidelity," which the Presbyterians vigorously opposed.

Buchanan entered into a partnership with Robert Johnson to publish the Kentucky Palladium at Frankfort prior to August, 1813,⁹⁶ and established the Literary Cadet and Cheap City Advertiser at Cincinnati in 1819, which soon merged with the Western Spy to form the Western Spy and Literary Cadet, with Buchanan as editor.⁹⁷ Later, 1826 to 1829, he edited the Louisville Focus. Buchanan was extremely versatile, having been writer, publisher, editor, physician, professor, lawyer, inventor, historian, politician, scientist, and philosopher.⁹⁸ He strongly favored a complete separation of religion and politics, and contributed many newspaper articles opposing the sectarian administration of Rev. James Blythe. There is good evidence that his agitation drove Blythe from the presidency in 1816, although this probably would have taken place without his assistance.

(c) REORGANIZATION OF 1817.—On November 11, 1815, another medical faculty was elected, but they resigned before beginning their duties.⁹⁹

⁹⁶ Kentucky Reporter, 6 (August 2, 1813), 2.

⁹⁷ Western Spy and Literary Cadet, 1 (April 29, 1820), 1.

⁹⁸ See Merle E. Curti, "Joseph Buchanan," Dictionary of American Biography, Vol. III, pp. 215-16. New York: Chas. Scribners' Sons, 1928-1937. There is a sketch by Buchanan's son in Lewis Collins, Historical Sketches of Kentucky, pp. 559-60. Maysville, Kentucky: Published by the Author, 1847.

⁹⁹ "Minutes of the Board of Trustees of Transylvania University, Lexington, November 11, 1816," Vol. II, p. 196.

Doctors Daniel Drake, James Overton, James Blythe, Benjamin Dudley, and William Richardson became the first fully active and complete faculty of the medical school. Lectures were regularly scheduled and delivered during the 1817-18 session to a class of about twenty students,¹⁰⁰ and in 1818 the first medical commencement in the Mississippi Valley was held at Lexington, the degree of M. D. being conferred on John L. McCullough.¹⁰¹

(d) CONTROVERSY AT THE OUTSET.—The medical school was established under conditions unfavorable to expansion and success. Dr. Drake and Dr. Dudley became involved in a controversy, the details of which were recorded in three pamphlets. Drake, in two letters to the people of Lexington, explained why he was resigning.¹⁰² A challenge to a duel between Doctors Dudley and Drake arose over Dudley's charge that Drake was attempting to disrupt the medical school and disagreement over a postmortem examination.¹⁰³ Drake declined Dudley's challenge, but his friend, Dr. Richardson, accepted and received a serious wound from which he recovered. Dudley answered Drake's two letters in a reply dated

¹⁰⁰ Ibid., February 22, 1817, Vol. II, p. 256.

¹⁰¹ Ibid., February 28, 1818, Vol. II, p. 318.

¹⁰² Daniel Drake, An Appeal to the Justice of the Intelligent and Respectable People of Lexington. Cincinnati: Looker, Reynolds and Co., Printers, 1818. Pp. 23.

Daniel Drake, A Second Appeal. Bound with Benjamin W. Dudley, To Dr. Drake (Ohio State Historical Association, Cincinnati). Lexington: Published by the Author, 1818. Pp. 18.

¹⁰³ Robert Peter and Johanna Peter, Transylvania University, op. cit., pp. 24-25.

September 25, 1818. Here, Dudley predicted a great future for the Transylvania Medical School.¹⁰⁴

Students wrote of their appreciation of the efforts of Doctors Overton, Dudley, and Blythe for "their perseverance . . . in teaching medical science."¹⁰⁵ Twelve students signed a petition addressed to the trustees of the university in which they praised the services of Doctors Overton, Dudley, and Blythe, but spoke of Dr. Richardson as being too busy at other endeavors to take a serious interest in his medical lectures.¹⁰⁶

The medical school was inactive for the year, 1818-19, but was launched upon an impressive basis on November 8, 1819;¹⁰⁷ with an enrollment of 37 beginning in 1819-20, and advancing yearly to 93, 138, 171, 200, reaching 234 in 1824-25.¹⁰⁸ Transylvania soon became the leading medical school in the West. In point of number of students and eminence of faculty, it was soon to rank second only to the medical

¹⁰⁴ Benjamin W. Dudley, op. cit., pp. 18.

¹⁰⁵ Kentucky Gazette, 30 (March 10, 1817), 1. Signed by David C. Ayres, Thomas J. Garden, and Charles H. Warfield.

¹⁰⁶ "F. C. Smith, J. C. Fraser, L. J. Gorgen, and nine Others to the Trustees of Transylvania University, petition, dated Lexington, February 18, 1817." Manuscript. Transylvania College, Lexington.

¹⁰⁷ "Minutes of the Medical Department, Transylvania University, Lexington, November 8, 1819," p. 1.

¹⁰⁸ Annual Announcement of the Medical Department of Transylvania University, 1840, p. 23. Lexington: The University, 1840.

school of the University of Pennsylvania in the United States.

America's first collegiate law school.—Charles Warren, in his History of the American Bar, summarizes the early history of the Transylvania Law School:

In the same year as Kent's resignation at Columbia, 1798, there was founded the first collegiate professorship, intended for other than under graduates, which had any permanency. It is certainly striking that this event should have occurred in a little frontier town of about 1700 inhabitants—at the University of Transylvania in Lexington, Kentucky. This institution was chartered in 1798, and the next year the Law Department was organized with George Nicholas as Professor of Law and Politics. On his death, the same year, he was succeeded by James Brown, who held office until 1804. In that year Henry Clay, a young man of twenty-seven, who had been admitted to the Bar seven years, was appointed and held the professorship until 1807. Then the office lapsed but was renewed in 1814, when John Pope held it until 1816, and was succeeded by Joseph Cabell Breckinridge in 1817.

The University, though small and local, had by 1802 acquired a library of 1700 volumes, and also a separate law library. ¹¹⁰

(a) FOUNDING UNDER REPUBLICAN INFLUENCES.—The Transylvania Law School, which had as its first head a strong Jeffersonian Republican, George Nicholas, soon became predominantly Republican in contrast to the Federalist stamp which was to apply to the later schools of the North, especially Litchfield and Yale. ¹¹¹ From 1807 to 1814 the law school

¹⁰⁹ Francis R. Packard, History of Medicine in the United States, Vol. II, p. 1078. Philadelphia: Paul Hoeber, Inc., Publishers, 1931.

¹¹⁰ Charles Warren, History of the American Bar, p. 39. Cambridge: Harvard University Press, 1932.

¹¹¹ Ibid., pp. 130, 140.

Alfred Z. Reed, Training for the Public Profession of the Law: Historical Development and Principal Contemporary Problems of Legal Education in the United States, pp. 130; 140. Bulletin Number Fifteen. New York: Carnegie Foundation for the Advancement of Teaching, 1921.

declined due to the fact that no regular professor was in charge, but some lectures were given to law students by volunteers and by the academic faculty. At a meeting of the board in March, 1814, it was determined to place the law department on a more permanent basis, when a new faculty was appointed.¹¹²

(b) PLACE AMONG EARLY AMERICAN LAW SCHOOLS.--When the Transylvania Law School was established, William and Mary was the only other law school in America having a law curriculum.¹¹³ William and Mary's law course was begun in 1779.¹¹⁴ The early law courses at the University of Pennsylvania (College of Philadelphia) and at Columbia were short lived, existing from 1790-92 and 1794-98, respectively.¹¹⁵ For a generation Transylvania was the only organized center of legal education west of the Alleghanies,¹¹⁶ and it led all law schools from 1799 until 1821 except one private school, Litchfield, and for a year or two Harvard, which enrolled a few more students. By 1821 Transylvania had surpassed Litchfield, and held the lead again until 1838, when Harvard, Virginia, Yale, and William and Mary took the lead, which they held until 1860.

¹¹² Alfred Z. Reed, *op. cit.*, p. 423.

"Minutes of the Board of Trustees of Transylvania University, Lexington, March 14, 1814," Vol. II, p. 141.

¹¹³ Alfred Z. Reed, *op. cit.*, p. 423. While William and Mary employed a professor of law in its liberal arts college it did not organize a collegiate law school during this early period.

¹¹⁴. *Ibid.*

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid.*, p. 118.

Liberal Control Established

The liberal elements had regained control of the university and now planned to build it up, according to their own ideals, as a great educational institution and as a source of economic advantage to the community. It will be shown in the following chapters that their policies with respect to the place of religion in the university were as follows: The idea of religious toleration would be everywhere encouraged; sectarian religious teaching would be rejected. Viewpoints of the president would be a personal thing of importance only to himself. However, in his preceptorial capacity, although teaching no sectarian theology, he would teach simply the elements of religion as they were needed for morality. The president would speak from the university pulpit each Sunday, to present the great leading principles of Christianity, but he would make a careful avoidance of both the inculcation of sectarian peculiarities and the maintenance of positions untenable on scriptural grounds. A high standard of personal morality would be set by the president, and he would exact the same from the students under his control. Under no circumstances would religious distinctions be made in the choice of professors and students, and in conferring of privileges and honors.

As to politics, it will be shown that political parties were completely disregarded. The school would be a republican institution, devoted to teaching the arts and sciences; it would grow under the control of a liberal and accomplished leader and a brilliant faculty; and it would above all create citizens free to choose for themselves their

own religion and their own politics. Chapters IV and V deal largely with religious and personal controversies, while chapter VI includes some interpretation of the political and economic controversies that were brought to bear upon the university.

Summary

It has been shown that the Presbyterians made serious efforts to establish Transylvania as a sectarian university from 1804 to 1816. The board of trustees, which was predominantly Calvinistic during this period, seemed to have made no really strong efforts to develop the school or to increase its effectiveness. The small academic department expanded very little, if any, during this period. The medical school was never a seriously considered entity of Transylvania prior to 1817, and the law school seemed to have at least one professor during this period, but its effectiveness must have been limited. Liberal elements of the community, although interested in breaking the Presbyterians' monopolistic hold upon Transylvania, did not become very effective until 1817. The liberalism-sectarian controversy did not become a real contest until Horace Holley's name was mentioned for the school's presidency. However, as the community grew more liberal in 1817 and 1818, an environment of liberalism affected the board and eventually the university. A climax was reached in 1818 when the state became liberal enough to oust the old sectarian board and replace it with liberal-minded citizens. This action was referred to as a liberal revolution, since it amounted to a sudden

and drastic change in the intellectual center of young Kentucky. The discussion of Transylvania's professional schools shows that these departments remained in a pioneering and formative status during this period.

Transylvania's contributions to the state during this period lie in her professional training, which was restricted largely to religious leaders; graduate doctors and lawyers were few. But the first collegiate law school had been established and the ground work for a very effective medical school had been laid. The school may be credited with the performance of a certain amount of general pioneering on the part of higher education, as it must be remembered that the frontier was not far from Kentucky, and that efforts toward sustaining higher education usually were expended only after the expenditure of many tiresome efforts to sustain life, to promote peace, and to maintain the general social order.

Possibly the most important barrier to Transylvania's success lay in the trustees' desire to start their college department before they had established sufficient "feeders" or preparatory schools which could keep a college supplied with qualified students. Another cause which seems to have been an obstacle in Transylvania's development was a lack of effective leadership. Since the trustees' various committees often sought to solve administrative matters and seemed constantly to interfere with the president's prerogative of administration, they should have been carefully selected with regard to their duties.

CHAPTER IV

LIBERAL STATE UNIVERSITY, 1818-1823

Holley, Liberal Theologian and Educator

When Horace Holley accepted the presidency of Transylvania University, the conflict between liberalism and Presbyterianism in Kentucky developed into a contest centering around Holley, his ideals, ambitions, successes, failures, and his personality generally. If he had been successful in accomplishing the aims of the party of which he was now the leader, *i. e.*, if he could provide an effective liberal education for the youth of the Western country, the Presbyterian clergy's hopes for the type of Christian society which they would offer might have been destroyed or at least defeated for a time. The dominant party of liberal gentlemen, politicians, lawyers, business men, and those who enjoyed the theatre, the racetrack, and the material pleasures of life, would become universally accepted and continue to prosper in place of the more God-fearing type of Christian ladies and gentlemen who would receive greater social recognition in a society controlled by the Calvinist clergy.

In order to grasp the fierce nature and intensity of the "death" struggle which was soon to take place, some consideration of the character of Holley as an individual is of value. What was his true character and how did it serve as an easy target for the enemies of liberalism, both religious and political? Briefly stated, Holley's most provocative characteristics included an ingenuously expressed liberalism in religion,

an aristocratic and highly effective social disposition, and an ability to succeed where his opponents were unsuccessful.

Parentage, education, and training.—The new president of Transylvania University was born at Salisbury, Connecticut on February 13, 1781. His father was Luther Holley, a New Englander who had gained considerable wealth through business ventures and farming. Although the father had no formal schooling, he was well read for his opportunities and in all probability influenced his son's attitude toward literature and education. Two other sons, Myron Holley and Orville Holley, achieved prominence in New York City. Sarah Dakin Holley, his mother, the daughter of a Baptist minister, did not accept the doctrine of predestination. Luther Holley was liberal in his religious views and disregarded sectarian divisions and Horace Holley was influenced by this environment of mild religion. Entered in school at the age of little over three years, he completed the elementary curriculum available to him and returned to work in his father's store. In 1797, at the age of sixteen, he attended an academy at Williamstown in preparation for Williams College, but decided upon Yale College, which he entered in 1799.¹

Horace Holley was successful at Yale and received high approbation from Timothy Dwight. He enjoyed the refined society and developed an intense interest in mental philosophy,² and in intellectual and literary

¹ Charles Caldwell, A Discourse on the Genius and Character of the Rev. Horace Holley, LL.D., Late President of Transylvania University, with an Appendix Containing Copious Notes Biographical and Illustrative, pp. 110-18 of Appendix. Boston: Hilliard, Gray, Little, and Wilkins, 1828.

² Ibid., p. 122 of Appendix.

pursuits. Holley had great oratorical abilities.³ He came under the influence of the revival occurring in New Haven in 1803.⁴ His oration at Commencement was entitled "The Slavery of Freethinking," when he received the degree of Bachelor of Arts a short time later.⁵ In the winter he worked in a New York law office, but deciding against law as a profession soon returned to New Haven to study divinity under Timothy Dwight.⁶ While studying with Dwight he adopted the Hopkinsian theology, which he tried without success to impart to his liberal-minded father.⁷

In 1805 Holley, now married and his ministerial studies completed, accepted the post of minister at Greenfield Hill, Fairfield County, Connecticut, at \$560 per year. An honorable dismissal from the Western District of Fairfield County in September, 1808, indicated that he retained his reputable orthodox standing.⁸ After some canvassing, he accepted the ministry of the Unitarian South End Church, Hollis Street, Boston. At the installation service on March 8, 1809, Rev. Joseph

³ Ibid., p. 127 of Appendix.

⁴ Ibid., pp. 127-28 of Appendix.

⁵ Franklin B. Dexter, Biographical Sketches of the Graduates of Yale College, Vol. V, p. 286. New York: Harper and Brothers, Publishers, 1911.

⁶ Charles Caldwell, op. cit., pp. 130-33 of Appendix.

⁷ Ibid., pp. 129-30 of Appendix.

⁸ Ibid., pp. 133-34 of Appendix.

Eckley preached, Rev. John Lathrop gave the charge, and Rev. John Thornthton Kirkland, who was soon to become Unitarian president of Harvard, gave the right hand of fellowship to the young pastor before an audience of over two thousand.⁹

It was at the Unitarian South End Church that Holley achieved the success which gave him a national reputation. The oratorical ability he had developed so masterfully accounted primarily for his achievement. Loring, in his Hundred Boston Orators, wrote of Holley's great effectiveness in the pulpit: ". . . and it may safely be asserted that Stillman and Holley were the most eloquent pastors that ever graced the Boston pulpit."¹⁰ In addition to his power in the pulpit, Holley was effective in other pastoral duties; he doubled the size of the congregation and thus necessitated a new church.¹¹ Ten years after his departure from the South End Church, at the time of his death, great care was taken to pay adequate tribute to him, with an appropriate service, and the delivery of a eulogy by Rev. Pierpont.¹² Holley seemed to be averse to publishing his sermons; only one has been printed and that

⁹ Joseph Eckley, A Sermon Delivered at the Installation of the Rev. Horace Holley, p. 35. Boston: Published by the author, 1809.

¹⁰ James S. Loring, The Hundred Boston Orators, p. 373. Boston: Published by the author, 1853.

¹¹ Charles Caldwell, op. cit., pp. 146, 165, and 222 of Appendix.

¹² John Pierpont, A Discourse . . . Occasioned by the Death of Horace Holley, pp. 31. Boston: From the Press of the Christian Examiner, 1827. (Houghton Library, Harvard University).

Charles Caldwell, op. cit., pp. 138-39 of Appendix.

from his Transylvania days.¹³ His other interests in Boston, in addition to his pastorate, included memberships on the School Committee of Boston and on the Board of Overseers of Harvard University.¹⁴ Politically, he exhibited strong sympathy for the Federalist party in national politics.¹⁵

Holley's liberal religion defined.—Holley's greatest mistake may have been his decision to go to Kentucky.¹⁶ He had won approbation from John Adams,¹⁷ had been recommended for the pulpit of the Independent Church of Baltimore,¹⁸ had received high approval for his speech before the House of Representatives in Washington,¹⁹ and had been asked repeatedly to return to Boston.²⁰ From the standpoint of personal ambition, it would seem that his greatest opportunities lay in the East. However, it is probable that he wished to give up his position as minister of the South End Church because his viewpoints on religion had changed, and the position was a "term of severe trial."²¹ Mrs. Holley

¹³ Charles Caldwell, op. cit., pp. 370-71 of Appendix.

¹⁴ Ibid., p. 148 of Appendix.

¹⁵ James S. Loring, op. cit., p. 370.

¹⁶ Franklin B. Dexter, op. cit., Vol. V, p. 588.

¹⁷ John Adams to Thomas Jefferson, Quincy, May 29, 1818.

¹⁸ Commentator, 19 (July 10, 1818), 3, reprinted from the Federal Gazette of Baltimore.

¹⁹ Charles Caldwell, op. cit., p. 164 of Appendix.

²⁰ Ibid., p. 140 of Appendix.

²¹ Ibid., p. 137 of Appendix.

stated that he had first adopted Calvinism in a period of religious excitement, when he was especially enthusiastic.²² In addition, Holley had little choice in the matter, since the system was almost completely dominant, so that one could deviate only in the direction of simplification without suffering severe penalties. Apparently he had no opportunity for a fair examination and was forced to accept the prevalent system, and not his own interpretation of the Scriptures, as the standard of faith.

Not long after Holley decided upon the ministry, he began to think for himself and to look at the various sides of theological questions. A liberal viewpoint was growing; when he arrived in Boston and began discussing religious questions with other clergymen, particularly those of liberal opinion, he soon became one of the leading disciples of Unitarianism, with some personal modifications. The religious position that Holley adopted while at the Boston Church qualified him for the presidency of Transylvania University, in accordance with the standards and objectives of its new trustees.

First, he had adopted a position of rational and catholic Christianity as the sole standard of faith in preference to a system of theology such as Calvinism.²³ His rationalism and catholicity made it possible for him to look upon all sects with sympathy, though accepting none

²² Ibid.

²³ See "Review of 'A Contrast between Calvinism and Hopkinsianism,'" A General Repository and Review, 3 (November, 1814), 364.

For authorship, see Franklin B. Dexter, op. cit., Vol. V, p. 590. Draper Manuscript 17CC54-55.

as a whole. Second, Holley shared the liberal Kentuckians' opposition to Calvinism in all its forms. Holley had published his views opposing Calvinism. He wrote: "The general progress of the mind, in the arts and sciences and in the knowledge of human nature, the progress of biblical criticism, and the growing influence of truth are all opposed to the prevalence of Calvinism."²⁴ Holley wrote that the different creeds were not only the instruments of power over men's minds and the bases of control over large vested interests, but that they were destructive of peace among religious sects and of intellectual truth.²⁵ These consequences of creedal religion were obvious to liberal Kentuckians from a long observation, and the reorganization in Transylvania University, in so far as it was an intellectual revolt, was planned to keep the state as free as possible from such creeds.

Attitude toward Kentuckians.—In describing his liberal position, Holley wrote: "There is indeed, in my opinion, no good reason for opposition to me, or for jealousy towards my principles or objects, on the grounds of my religious doctrines and mode of instruction."²⁶ He stated further that he was to be liberal without indifference, moderate without coldness, rational without skepticism, evangelical without fanaticism,

²⁴ "Review of 'A Contrast between Calvinism and Hopkinsianism,'" A General Repository and Review, 3 (November, 1814), 377.

²⁵ Ibid., p. 347.

²⁶ "A Journey from Boston in Massachusetts [sic] to Lexington, in Kentucky commenced Feb. 3, 1818 by Horace Holley." Manuscript. Owned by Mrs. Benjamin Gratz Crosby, Woodford County, Kentucky; typewritten copy in Transylvania College, Lexington.

simple without crudeness, natural without licentiousness, and pious without the spirit of exclusion or intolerance. After stating that he was not a skeptic, a Socinian, an Arian, or a tritheist, Holley said that with his countrymen generally, and Christians at large, he believed there was one God, and that he profoundly and cordially respected the religion of the land.²⁷ If Holley practiced what he wrote, that acceptance of the catholic position was the best choice for a vote-seeking politician;²⁸ he may have believed that by adopting a liberal, catholic, and Unitarian position, a stand that he regarded as orthodox, he was most truly representing the religious sentiments of Kentuckians and was most likely to satisfy a majority.

Clergy's acceptance of Holley.—Holley had hoped that his position would provide a temporary arrangement of toleration with the orthodox. A writer of the Reporter stated that he succeeded and that "the professors of religion of every denomination, who were present [at his sermon in the Episcopal Church] have declared themselves entirely satisfied with the exposition of his principles [of the various theories of the trinity]." ²⁹ The Reporter writer explained that Holley opposed idle metaphysical speculations, and insisted upon the value of practical Christianity. The editorial policy of the Reporter consistently agreed with Holley throughout

²⁷ Ibid.

²⁸ "Review of 'A Contrast between Calvinism and Hopkinsianism,'" A General Repository and Review, 3 (November, 1814), 374-76.

²⁹ Charles Caldwell, op. cit., pp. 157-58 of Appendix.

his presidency, that liberal Christianity is the most general form of Christian faith, and consequently is true orthodoxy. But James Fishback, a Baptist minister and stricter theologian, readily identified Holley as a "natural religionist,"³⁰ and the Presbyterian clergy never regarded him as orthodox. However, Holley's trip to Kentucky appears to have been successful in causing most of the religious sects to favor him, at least publicly. Governor Slaughter and other Baptists of both orders, regular and separate, approved of Holley so completely that they promised to send their children to the university and to support legislative appropriations to it.³¹ Even Rev. James McChord, A Presbyterian minister and former professor, after a lengthy conversation, told Holley that he was no longer opposed.³²

Visit to Kentucky.—Holley visited Kentucky with the purpose of discovering by personal contact whether there was sufficient unanimity among himself, the trustees, the principal clergymen, and the leading laymen to make possible successful operation of the school, before consenting to accept the position of president.³³ He arrived late in May and was cordially received.³⁴ Many prominent citizens, including Henry Clay

³⁰ Western Monitor, 1825, undated clipping at Transylvania College, Lexington.

³¹ Charles Caldwell, op. cit., p. 156 of Appendix.

³² Ibid., p. 159 of Appendix.

³³ See Western Luminary, 1 (March 9, 1825), p. 127, for quotation from letter of 1815 to James Prentiss from Horace Holley.

³⁴ Charles Caldwell, op. cit., pp. 151-52 of Appendix.

and Governor Slaughter, greeted him warmly, and he was the guest at numerous dinners and parties. He also was received favorably by the churches; the Episcopalians, the Baptists, and the Methodists invited him to preach. The Associate Reformed Church was less receptive, and Rev. James McChord consented to his invitation only after it had been tendered by the elders. McChord received anonymous letters for this "condescension."³⁵ Although placed in a difficult position in respect to his visiting preaching assignments, Holley, by placing himself above sectarian strife, by avoiding technical theological issues, and by concerning himself chiefly with the principles of morality and piety, was able to merit a gratifying response.

Inauguration.—The fact that Holley found conditions at the school at a low ebb (there were no regular class divisions, no extensive system of rules, few books, and little apparatus) pleased him, since there would be nothing to reform, but all planning would be starting anew.³⁶ He observed the excellent quality of potential students, and noted that he was given full liberty to direct the school as he wished.³⁷ He determined to accept the presidency with its \$2,250 per year salary, in addition to the diploma fees.³⁸ Holley was cognizant in his letter of acceptance³⁹

³⁵ Ibid., pp. 152-61 of Appendix.

³⁶ Ibid., p. 162 of Appendix.

³⁷ Ibid., p. 157 of Appendix.

³⁸ Ibid.

³⁹ "To the Trustees of Transylvania University, Horace Holley. Lexington, June 25, 1818." Manuscript. Transylvania College, Lexington.

of the wide popular support of his appointment, the prospect of general support of the university from the whole community, and the great expectation of state aid. He assumed his position in November, 1818, and was formally inaugurated on December 19, 1818.⁴⁰ The chairman of the board of trustees administered the oath of office to Holley and to the instructors of the university, at the inauguration, and afterwards "delivered to the President the keys of the college, as a symbol of his authority and charge: a bible, as containing the evidence of that religion which is acknowledged in that seminary, and which prevails throughout our land; and lastly a volume of science, as an indication that instruction in knowledge and literature was his peculiar duty as head of an institution of learning."⁴¹ In order to achieve his recently conceived ambition to become the dominating intellectual force in the West, Holley, characteristically, commenced his duties with zeal, industry, and devotion.

University organized for progress.—The reorganized university was now in a position to expand and develop. Besides the recent reorganization of the trustees and the election of a liberal and eminent president, the physical facilities (including adequate space for classroom exercises for the academic department, lodging for one hundred students, and board in a refectory, priced upon a nonprofit, mutual-sharing basis) had

⁴⁰ Charles Caldwell, op. cit., p. 199 of Appendix.

⁴¹ Kentucky Gazette, 32 (December 25, 1818), 1.

been recently completed. The total cost of education was greatly reduced, and with the establishment of strict standards of admission, division of the academic year into the usual two semesters, and introduction of the regular academic system of four classes, the quality of education was destined to improve. These innovations, suggested by Holley during his spring visit, were put into operation before his permanent settlement in Lexington.

Professor and executive.—As president, Holley became professor of mental and moral philosophy and was particularly in charge of the senior class. Some of the textbooks Holley selected included: Thomas Brown's Lectures on the Philosophy of the Human Mind, Hedge's Elements of Logic, Say's Political Economy, and Murray's Grammar. In addition to preaching at the Sunday Chapel services, Holley, together with Professor Bishop, offered a volunteer class in biblical criticism and theology,⁴² where Paley's Evidences of Christianity and Butler's Analogy were discussed and analyzed. John Roche, a liberal in religion, and John Everett, a brother of Edward Everett, were appointed tutors in Latin and Greek. A versatile scientist, Constantine Rafinesque, was appointed professor of natural history and botany and teacher of modern languages. A traveler passing through Lexington in 1819 observed the liberalism of the reorganized school:

A college at which are already one hundred and forty students; its

⁴² Kentucky Reporter, 6 (March 5, 1821), 3.

professors, chosen purely for their talents, without any requirement of unanimity of religious opinion, as in the colleges with you; professors so chosen not being confined to any particular sect, are likely to fill their stations with ability; and as far as I am capable of judging are eminently calculated for their respective positions to which they are chosen. This institution promises to be in the moral world what the sun is in the natural world. ⁴³

Bishop and Sharpe's dissatisfaction.—However, some ill feeling was caused in relation to this reorganization. Rev. Robert Bishop, who had been acting president for the two years preceding Holley's arrival, 1816-1818, demonstrated some dissension, when he petitioned the trustees to award him the same salary as was credited to Holley. Bishop claimed that the increase in students was due to himself, since he had been in charge of the university following Blythe's resignation. ⁴⁴ Bishop also stated that he had taught many more branches than the statutes required of him, and that the character of the school in May, 1816, was completely gone, when he in conjunction with a friend (Sharpe), who had been forced to retire from the service, managed the entire affairs of the school. He had increased the students from twenty or twenty-five to upward of one hundred and ten; and had spent too much of his time and labored too hard, by night and day, for the institution to be indifferent to him. Bishop revealed his anger as follows: "Whatever may be the talents and acquirements of our new president, it is a most degrading thought—a thought

⁴³ Richard Flower, Letters from Lexington and the Illinois, London, 1819. In Early Western Travels, edited by Reuben G. Thwaites, Vol. X, pp. 94-95. New York: McMillan and Co., 1911.

⁴⁴ Letter to the Chairman of the Board of Trustees of Transylvania University, dated December 19, 1818, from Robert H. Bishop, published in Robert Peter and Johanna Peter, Transylvania University, pp. 112-13. Louisville: The Filson Club, 1896.

under which no mind which has any sense of independence can act with vigor—that his services to the institution as compared to mine should be considered by the Board as three to one." ⁴⁵ He threatened: "If the Board wish me to act with spirit and feel as a man, when attempting to discharge my duty as a professor, I must be placed immediately, as to salary, on an equality with the president." ⁴⁶ Ebenezer Sharpe, who had been professor of languages, resigned because his hours had been changed to such an extent that he would have to live in town to meet them, and because Holley was allowed to "teach his Socinian views." ⁴⁷ These two discontented ministers were in positions where they could do much injury to the university, Sharpe from the outside and Bishop from within.

Demonstration of leadership.—Holley's value as a leader cannot be over emphasized, especially the spirit of emulation and ambition he introduced, his example of vigorous activity, practical demonstrations of intellectual achievement, and exceptional oratorical abilities. The course of study was reorganized to include curricula leading to the degrees of Bachelor of Arts and Master of Arts. ⁴⁸ A system of weekly

⁴⁵ Ibid., p. 112.

⁴⁶ Ibid.

⁴⁷ Sharpe's letter of resignation is printed in the Weekly Recorder, 5 (October 30, 1818), 6.

⁴⁸ See "Transylvania University," Kentucky Reporter, 17 (June 7, 1824), 2, for announcement to students wishing a second degree (Master of Arts).

exhibitions was introduced by Holley, in which the students were given an opportunity to display their talents in oratory, literature, and science to an appreciative audience.⁴⁹ Statements from contemporary sources,⁵⁰ and biographies of many graduates,⁵¹ give testimony difficult to refute, relating to the high quality of instruction during Holley's administration, especially on the part of the president, himself. The university soon gained a national reputation,⁵² and vied with the large eastern colleges in number of students and in quality of instruction.

Increase in enrollments.—No information exists to indicate exactly what the enrollment of college matriculates was at the close of Bishop's incumbency as acting president. In October, 1817, just prior to Holley's

⁴⁹ Charles Caldwell, op. cit., pp. 199-200 of Appendix.

Frequent notices of these exhibitions appear in the Lexington newspapers of this period.

⁵⁰ Kentucky Reporter, 14 (April 30, 1821), 3; 15 (June 24, 1822), 3; and 15 (July 1, 1822), 3.

Western Monitor, 3 (June 27, 1822), 4; and 4 (July 16, 1822), 4.

Argus of Western America, 10 (June 27, 1822), 2.

⁵¹ See Allen Johnson and Dumas Malone, Editors, Dictionary of American Biography, Index volumes I-XX, pp. 342-43. New York: Charles Scribner's Sons, 1937. Eighty-six biographies of men who attended Transylvania between 1780 to 1858 are indexed in this volume. Fifty-two are listed under Transylvania College (Academic Department), twenty-two under the Law Department, and twelve under the Medical Department. A large number of these men were graduates of the classes of 1822, 1823, and 1824, which produced at least seventeen members of Congress, and governors of Kentucky and Indiana. Jefferson Davis was included among these.

⁵² Western Monitor, 3 (May 8, 1821), 3.

Commendatory notices appeared in the National Intelligencer (Washington), Richmond Enquirer, New York American, and elsewhere.

Kentucky Reporter, 14 (February 23, 1820), 3, reprints a favorable article from the Pittsburgh Gazette.

Unitarian Miscellany (Baltimore), 14 (April, 1821), 143.

Niles Weekly Register (Baltimore) often contained articles pointing

election, there were seventy-seven students, including those of the preparatory department.⁵³ Bishop wrote that the enrollees numbered 110 at the time Holley took over the management of the university in 1818.⁵⁴ Since the figure, 110, does not identify the number of preparatory students contained, it is of little consequence in determining the number of undergraduates at this time. Although it is somewhat questionable whether Bishop or Holley was responsible for this first increase in enrollment, it is more probable that the liberal forces supporting Holley were responsible for most of the progress. A small decline was recorded when Holley was inaugurated,⁵⁵ but a rapid expansion in college students, as well as in preparatory students, was indicated soon afterward. Although the statistics for 1819 and 1820 do not exist, figures for the ensuing six years are as follows:⁵⁶

	Undergraduates	Preparatory
1821-22	108	72
1822-23	138	62
1823-24	121	51
1824-25	124	27
1825-26	107	27
1826-27	92	45

out the great progress and success of Transylvania University. See especially 15 (October 24, 1818), 132-33; 21 (December 15, 1821), 253; 23 (February 15, 1823), 375-78; 24 (July 26, 1823), 336; 24 (August 9, 1823), 368; 28 (August 6, 1825), 368; 29 (October 15, 1825), 97; 29 (December 10, 1825), 230; 29 (January 21, 1826), 326; 30 (March 18, 1826), 39; and 30 (July 22, 1826), 366.

⁵³ Journal of the Senate, 34th Assembly (November 7, 1825 - December 21, 1825), pp. 145-46.

⁵⁴ Letter to the Chairman of the Board of Trustees of Transylvania University, dated December 19, 1818, from Robert H. Bishop, published in Robert Peter and Johanna Peter, Transylvania University, op. cit., pp. 112-13.

⁵⁵ Kentucky Reporter, 12 (March 24, 1819), 3.

⁵⁶ Catalogue of the Officers, Students and Graduates of the

Causes for a decline after 1822 are the subject of a later discussion, but one brief explanation is included at this point. Out-of-state students were attracted to Kentucky, for one reason, because of the inflated condition of Kentucky's currency. This same reason caused Kentucky families to keep their sons within the state. An assertion has frequently been made that Transylvania's enrollment exceeded that of Harvard or Yale at times during Holley's presidency. This assertion is based upon the total number of students (including students in the preparatory classes), which ranged from 387 to 418 during the years, 1821-1826, and is true with that qualification.

Holley's Liberal Religious Instruction

Since Holley's religious teachings became the object of the great body of the assaults launched by the Presbyterian clergy and their allies (the other orthodox sectarians of Kentucky), an outline of the structure of his liberal religious viewpoint and the content of his religious instruction to Transylvania students (and their parents) will aid in defining the issues over which a great intellectual struggle took place. This struggle, most of which expended itself during the years, 1823-1828, but which had commenced in 1780, and had risen to very hostile proportions in the years, 1794-1796, flared up again in 1816, when a reorganization of the university was threatened by the state legislature. When

Transylvania University, January, 1827, pp. 14-15. Lexington: The University, January, 1827.

Holley was elected president in 1817, and a reorganization was actually executed by the legislature, the Presbyterian clergy received a staggering blow. The immediate reaction of the Presbyterians against the liberal forces that had wrested the control of Transylvania University from them was that of confusion, challenge, and antagonism. The liberals' most vulnerable point lay in the unorthodox religion of Holley, their intellectual leader. The Presbyterians struck at this point, with light strategic blows at first in 1817, but later, in 1823, with a full offensive.

Early retrenchment of preaching duties.—In addition to his duties as teacher, administrator, and builder of a university, Holley preached in the university chapel and published articles occasionally in the Western Review. It is difficult to define his religious position from published sermons or other writings, but from a manuscript outline of his sermons delivered during his first year at Transylvania, and from newspaper commentaries, a fairly accurate picture of Holley's religion can be constructed. One of the early attacks upon Holley was based upon notes taken while he was preaching,⁵⁷ but he appears to have declined this activity after one year, with the consent of the trustees. Holley's enemies stated that he had stopped preaching because of the resulting criticism,⁵⁸ but both Holley and the trustees answered that the change was due to the academic burdens of his office, which at the time were

⁵⁷ The attack referred to was published in two numbers in the Weekly Recorder, 6 (October 6, 1819), 16, 6 (October 13, 1819), 3.

⁵⁸ See Western Luminary, 1 (March 23, 1825), 71.

described as "more than double, in amount, those of the President of any other similar institutions [sic] in the United States." ⁵⁹ Since the enrollment was on the increase at this time, there was no cause for alarm over a decline, as was claimed. ⁶⁰

Distinctive features of Holley's religion.—Perhaps the most distinctive feature of Holley's religious position was his positive and optimistic conception of human nature, and his idea of religious life as the full realization of all the given potentialities of the individual. He stressed the point that man's nature is a whole, involving sensitive, moral, intellectual, and religious aspects, and that all of these must be cultivated to ensure happiness here and hereafter. ⁶¹ Holley pointed out that man's sensitivity makes possible all his knowledge and enjoyment, and that through it the "material universe is made to contribute to knowledge, to imagination, to taste, to poetry and geometry, to genius and the arts, . . . to all that is philosophical, great, and beautiful in nature." ⁶² Holley wrote that one must cultivate his sensitive nature, and preserve it "active, pure, healthy, moral," that he must harmonize with the laws of his mental nature, that his sensations must blend with his thoughts and devotions, and that this is the

⁵⁹ Western Monitor, 6 (April 9, 1824), 3.

⁶⁰ Western Luminary, 1 (March 23, 1825), 72.

⁶¹ "'The Nature of Man', sermon outline by Horace Holley, undated." Manuscript. Transylvania College, Lexington.

⁶² Ibid.

"true theory of beauty, poetry, and immortality." "Heaven has this perfectly," he stated further, "and is therefore better than the present state."⁶³ He also believed that sensual excesses of all kinds were abuses of the sensitive nature, and destructive of perfect self-realization.⁶⁴

Calvinists' reaction to Holley's liberalism.—Holley created resentment among the Calvinists in two ways. He made open and frequent expressions of his liberal philosophy of life, and opposed vigorously those positions and conceptions which he referred to as "morose," "bigoted," "illiberal," and "contracted." Holley made practical demonstrations of his liberal position by actions which were considered by the Calvinists as very liberal for a minister of any sect. Holley wrote of one of his contemporaries in Boston, one of the great pulpit orators of the day, stating that "He [Stilliman] is, in nearly all instances, liberal and fair; and even when he makes some remarks about cards, theatres, and races, which may be considered as somewhat too puritanical for the age, or for his own intelligence, he still preserves the benevolent cast of his mind"⁶⁵ Again, in writing of the Roman Catholic priests' position in regard to the theatre, he said:

We do not think it any recommendation to the Roman Catholic priests

⁶³ Ibid.

⁶⁴ Ibid.

See also "Sermon Outlines by Horace Holley, undated, op. cit., p. 9.

⁶⁵ Western Review, 3 (July, 1819), 194. For authorship, see "Horace Holley to Orville Holley, Dec. 19, 1820." Manuscript. Transylvania College, Lexington.

in Canada, that they "do not permit their people to attend theatres" [p. 359]. We thought that this narrowness and folly had not extended to this ancient church. It were better to have such nonsense confined to our rightful fanatics, as it does not appear well among men or churches of intelligence and a just knowledge of the wants and laws of human nature. ⁶⁶

Holley wrote to a friend from Nashville:

At Rochester Springs, there was a good deal of company. We stayed but one night. Gamesters were there, and we left them at their tables on Sunday morning. Cowan, one of the trustees of the orthodox college of Danville, was of the number. This last article is scarce worthy of being mentioned again. It would make a noise if it were a sin of Transylvania. ⁶⁷

In a letter to the same friend, Holley wrote from New Orleans:

The Orleans Theatre is a fine establishment, and is splendidly managed

I visited Mrs. Kraft yesterday, and found her as pretty as ever, though she is not in very good health. There are as fine complexions here as anywhere at the North. I have seen remarkable women in the streets. The mixed breeds are often extremely well formed, and are said to have fine talents. ⁶⁸

Social affairs, shown in part above, were an important aspect of Holley's life. His salary at Transylvania was sufficient to provide him a comfortable home, which became a center of social activity in Lexington. With his talented wife, he entertained many of the outstanding personalities of his time. President Monroe, General Jackson, and Henry Clay, his staunch supporter, was a frequent visitor. ⁶⁹ While

⁶⁶ Ibid., p. 230.

⁶⁷ "Horace Holley to John Roche, Nashville, Aug. 9, 1823." Manuscript. Transylvania College, Lexington.

⁶⁸ "Horace Holley to John Roche, New Orleans, May 26, 1827." Manuscript. Transylvania College, Lexington.

⁶⁹ Kentucky Reporter, 10 (May 23, 1825), 1.

J. Bennett Nolan, Lafayette in America Day by Day, p. 116. Baltimore: The Johns Hopkins Press, 1934.

entertaining the genteel families of Lexington and the professors of the university, he also opened his home to those students whose talents he wished to encourage. He was always a central figure in any social group, and was an excellent conversationalist.⁷⁰ Holley attempted to cultivate the social abilities of the students and to raise the tone of social life. He offered courses in manners to his students, and to others who wished to attend.⁷¹ Another innovation (his permission for the students to introduce their lady friends to his classes) was probably motivated by a desire to increase the social consciousness of the students.⁷² In so far as the circumstances permitted, Holley taught the students the "air and polish" of gentlemen.⁷³ However, his enemies could point to this activity as a ministerial and preceptorial sanction to "the fashionable vices."

Holley's acceptance by liberals.—In general, Holley's liberal religious ideas were accepted in Lexington and in Kentucky after he made his home there, largely because the liberal element in Kentucky was dominant in the intellectual affairs of the state. This fact was clearly indicated by the favorable response his views received, and by the alertness with which he was supported when attacked. The press was enthusiastic in its review of one of his first Kentucky sermons, that delivered

⁷⁰ Draper 17CC54-55. Statement of John Roche. Manuscript. Wisconsin State Historical Society, Madison.

Charles Caldwell, . . . Rev. Horace Holley, LL.D., pp. 218-20 of Appendix.

⁷¹ Charles Caldwell, . . . Rev. Horace Holley, LL.D., pp. 68-69.

⁷² Western Monitor, 4 (December 2, 1823), 4.

⁷³ Charles Caldwell, . . . Rev. Horace Holley, LL.D., p. 68.

on the first Sunday in 1819 in the House of Representatives in Frankfort.⁷⁴ A writer for the Commentator introduced his subject, stating: "A description of the pure and chaste eloquence or of the profound and powerful reasoning of this most extraordinary orator will not be attempted."⁷⁵ However, the writer expressed clearly the essence of Holley's natural religion.

He commenced with an explanation of the distinction between natural religion and the evidences derived from authority. In this exordium it was shown that however we may be confirmed by different writers, at different times, and under different circumstances, there was an evidence equally conclusive, of the truth, reality, and necessity of the Christian religion, "marked on the system of nature by the pencil of light,"—and this evidence is level to the capacity of all.⁷⁶

A writer for the Commentator in an issue a week later stated that Holley had the approval of the Christian community, and that he had none of the peculiarities of the Arians or the Socinians.⁷⁷ This writer pointed out that those Christians who have been thought the most generally correct, and who have had an opportunity of becoming acquainted with Rev. Holley, have "very generally bestowed their approbation." Holley preached the power, goodness, and mercy of God, as manifested in the flesh—he adopted no sectarian peculiarities—but extended the right hand of fellowship to all true Christians. He took a catholic viewpoint upon

⁷⁴ Commentator, 4 (January 8, 1819), 3.

Kentucky Reporter, 12 (January 13, 1819), 1, reprinted from the Argus of Western America.

⁷⁵ Commentator, 4 (January 8, 1819), 3.

⁷⁶ Ibid.

⁷⁷ Commentator, 4 (January 15, 1819), 3. This writer's observations are of a technical nature and are in error. Holley did hold views similar to those of Arianism and Socinianism.

all the great points of interest in religion, and was in the opinion of the writer "orthodox." ⁷⁸ Holley was, of course, not orthodox in the opinions of the Presbyterians.

Presbyterian Clergy's Opposition to Holley

The report of the Presbyterian synod's meeting of October, 1818, stated that Holley was a Socinian, and that there was no well-organized, well-endowed, and popular college for orthodox Presbyterians in the United States. The synod then made plans to establish a new college of their own at Danville. They petitioned for a charter from the legislature, and asked for control over the choice of the trustees, the funds, and the confirmation of professors. They requested also authority to teach the Bible, church history, and the evidences of Christianity, and later to establish a theological school in which only sectarian theology was to be taught. ⁷⁹ When the synod's report appeared, and the charter was submitted to the legislature for approval, it was attacked by the liberal press. An editorial in the Kentucky Gazette asked whether the legislature should sacrifice the university, serving liberal Presbyterians, Baptists, Methodists, and Episcopalians, to the ambition of a single sect. ⁸⁰ The legislature, having recently ousted the Presbyterian clergy from Transylvania University, proceeded to revise the suggested

⁷⁸ Ibid.

⁷⁹ Robert Davidson, History of the Presbyterian Church in Kentucky, p. 303. New York: Robert Carter Co., 1847.

⁸⁰ Kentucky Gazette, 33 (December 9, 1818), 3.

charter in such a way as to place the projected school under the control of the synod. The erection at Danville of Centre College as it was called was begun without state charter or funds by the Presbyterians, after the revised charter had been rejected by the Presbyterian synod.⁸¹

Attacks on Holley through the press.—The newspaper attack upon Holley began soon after his settlement in Lexington, but did not emanate from the Lexington press. Articles and letters published in the Weekly Recorder (Chillicothe, Ohio) were the first to point out differences between Rev. Holley and a typical Presbyterian minister. "Viator" asserted that Holley was not esteemed orthodox, and was not greeted with pleasure by the Kentucky clergy on his first visit to the state; that the trustees were enemies of the Bible and had dishonest motives in electing him.⁸² A committee of students answered this accusation, insisting that Holley was regarded as orthodox, and that he taught orthodox sentiments. In July of the same year, just prior to the beginning of the new academic year, a writer with the signature "A Spectator" accused Holley of Socinianism, and proceeded to give a good example of the type of abuse to which Holley was exposed several years later.

1. Sabbath evening parties are pretty frequent at Mr. Holley's, where instrumental music and all kinds of tunes and songs are used for the entertainment of the company. Some of our vain young people have been obliged to leave the parties as too bad for them.

2. Mr. Holley has in the presence of a class in college, asked a

⁸¹ Robert Davidson, op. cit., pp. 303-304.

⁸² Weekly Recorder, 4 (February, 1819), 3.

student, why he did not get his lessons on the Sabbath day, if he had not time to get them on Saturday.

3. It is well ascertained, there is no such thing as regular family worship in the house of Mr. H.

4. He associates with none but the most irreligious men in Lexington.

5. The vainest persons speak of him as too irreligious for them. ⁸³

The liberal defense against these accusations consisted largely of denials, and became a voluminous correspondence in the press. Certain counter attacks accused the Presbyterian clergy of establishing a policy which included domination over all education. ⁸⁴ Several writers named "A Spectator" as Rev. James McChord, who was forced from his pulpit in November, 1819. ⁸⁵ Writers defending Holley accused "A Spectator" of being a "liar" and "calumniator." The Western Monitor accepted a position of caution, advised against antagonizing a whole sect by a series of counter attacks, and tried to explain some of the charges rather than deny them. ⁸⁶ "Aristides" placed the blame upon the Presbyterian clergy,

⁸³ Weekly Recorder, 4 (July 30, 1819), 3.

⁸⁴ See editorial and "Watson," Kentucky Reporter, 12 (August 18, 1819), 3 and 2.

"A Sinner," Kentucky Reporter, 12 (September 1, 1819), 3. Kentucky Gazette, 34 (August 13, 1819), 3; 34 (August 20, 1819), 2; 34 (August 27, 1819), 3; and 34 (September 29, 1819), 3; "Philo Aristides," 34 (August 27, 1819), 3; and 34 (September 10, 1819), 3.

A reprint from the Boston Galaxy defends Holley against the Weekly Recorder; see Kentucky Gazette, 34 (October 1, 1819), 3.

⁸⁵ Robert Davidson, op. cit., p. 286.

James McChord, Sermons on Important Subjects, Selected from the Manuscripts of the Late Rev'd J. McChord, p. 5. Lexington: No publisher given, 1822. Sermon II is a refutation of Holley's position. Ibid., pp. 39-71.

⁸⁶ Western Monitor, 5 (August 24, 1819), 3; 5 (August 31, 1819), 3; and 5 (September 28, 1819), 3.

and stated that the laity took no part in the attacks. However, public criticism became so heavy that the trustees found it expedient to publish a denial that any "new or extraordinary" doctrines had been preached in the chapel.⁸⁷

"A Spectator" wrote that the Presbyterian clergy were not finding it difficult to distinguish the doctrinal positions of Holley from their own.⁸⁸ The same person compared some of Holley's viewpoints and demonstrated that they did not exactly follow conventional conceptions of orthodoxy. He dealt especially with Holley's ideas on nature and revelation, and criticized these as infidelity. His criticism was not entirely accurate, but contained some truthful explanations. Other orthodox critics accused Holley of preaching enmity to Christianity, of denying the doctrines of the Trinity, the divinity of Christ, and the atonement, and of teaching universalism.⁸⁹ Holley was called upon to make a public statement of his faith.⁹⁰ After McChord removed from Lexington, opposition to Holley in the press was rare, but it was probably continued in other forms. Rev. James Blythe initiated the publication, Christian Register, in 1822 and established an editorial policy counter to the views of Holley. However, this periodical confined itself to a high plane of reporting;

⁸⁷ Kentucky Reporter, 12 (September 22, 1819), 3.

⁸⁸ Weekly Recorder, 4 (October 6, 1819), 3; 4 (O c

⁸⁹ Kentucky Reporter, 12 (January 13, 1819), 3, "Another of the People."

⁹⁰ Commentator, 4 (January 15, 1819), 3, unsigned.

while refuting Holley's religion, it made indirect attacks against him by subtle excerpts from Horsley, Stewart, Miller, and others, which in effect opposed his position. Blythe's publication contains material indicating that the Presbyterians were unifying and consolidating their position through the development of Bible and tract societies and of Sabbath Schools, as well as through its support of education for candidates for the ministry. The Presbyterians awaited until the fall of 1823 to begin their major offensive against Holley.

The Professional Schools, 1818-1823

The medical school was finally established upon a rather permanent basis in 1819. However, from the beginning personal controversy and a lack of anatomical specimens began to retard the progress of this school. The law school was not placed upon any very regular basis until the academic year, 1820-1821, and it grew rapidly during this period.

Ambitious medical school.—After repeated unsuccessful efforts had been made to establish a medical school, Holley was successful in guiding the establishment of one. There appears to have been no student body during the academic year, 1818-1819,⁹¹ but upon Holley's arrival, there

⁹¹ "Minutes of the Transylvania University, Medical Department, Lexington, November 8, 1819," p. 1. The regular minutes of the medical department begin on November 8, 1819.

Annual Announcement of the Medical Department of Transylvania University, 1840, p. 23. Lexington: Published by the University, 1840. The number of students is listed by years in this announcement; the first regular class is that of 1819-1820. From this date, there were continuous classes until February 3, 1859. See "Record of Matriculations in the Medical Department of Transylvania University, Lexington, February 8, 1859," p. 83.

Western Monitor, 6 (April 9, 1824), 3.

was a determined effort to establish this department permanently.⁹² Holley and Dr. Charles Caldwell, a physician of Philadelphia who had ambitions to become a renowned medical educator, had met when Holley visited Kentucky the first time, and Holley called Caldwell to Lexington in 1819.⁹³ Holley and Caldwell, together with other interested parties, made this department an effective part of the university. Dr. Caldwell made a spectacular trip to England and France in 1821,⁹⁴ to purchase books to the amount of about \$11,000. The university received \$5,000 from the legislature, and \$6,000 from the town of Lexington for this purpose.⁹⁵ In addition, the school received \$3,000 from citizens of Lexington, and a few hundred dollars from others, to guarantee the salaries of two professors for three years.⁹⁶ Holley's energetic administrative ability was responsible for most of these appropriations and gifts, and the university's growth was stimulated by his action.⁹⁷ However, several years afterward Holley's enemies never would give him any substantial credit for his contributions to the medical department.

(a) LIBRARY, FACILITIES, ANATOMICAL PROBLEMS.—In addition to Dr.

⁹² Charles Caldwell, . . . Rev. Horace Holley, LL.D., op. cit., p. 200 of Appendix.

Western Monitor, 6 (April 9, 1824), 3.

⁹³ Charles Caldwell, Autobiography of Charles Caldwell, with a Preface, Notes, and Appendix, by Harriot W. Warner, pp. 332-33. Philadelphia: Lippincott, Grambo, and Co., 1855.

⁹⁴ "Minutes of the Transylvania University, Medical Department, Lexington, February 24, 1821," p. 4.

⁹⁵ Journal of the Senate, 34th Assembly (November 7, 1825 - December 21, 1825), p. 142.

⁹⁶ Ibid., p. 142.

⁹⁷ Catalogue of the Students of the Medical Department of Transylvania

Caldwell's purchases of medical books in Europe in 1820 for the first real increment of what was to become one of the most complete medical libraries assembled in America in the ante bellum period,⁹⁸ the faculty of the medical department took other progressive strides. After an act authorizing a lottery for the purpose of erecting a medical building had been approved in 1822,⁹⁹ plans for a new building were drawn up.¹⁰⁰

The problem of securing sufficient anatomical specimens, which was to arise several times in the history of the medical department, was discussed by the medical faculty in October, 1822, when the following resolution was passed:

Whereas the difficulty and expense to which he [Dr. Dudley] had been subjected in former years, in the procurement of bodies for anatomical purposes: and it appearing from his representations, that most, if not all those difficulties, resulted from the matriculated students being allowed to engage in the resurrection of bodies for anatomical purposes: therefore to allay public excitement on this delicate subject, and to enable the professor to procure sufficient subjects for all necessary purposes of instruction in anatomy and surgery It was resolved, that each and every student who may become members of his class, shall pay the sum of five Dollars, in addition to the twenty, the regular price of his tickets, as a fund to defray the expenses of resurrection . . . [and] no matriculated student shall be permitted to engage in raising subjects for the purposes of dissection.¹⁰¹

University, 1856, p. 7. Lexington: The University, 1856. The enrollment of the medical department was: 1819-20, 37; 1820-21, 93; 1821-22, 138; 1822-23, 171; 1823-24, 200; 1824-25, 234; 1825-26, 281; 1826-27, 190; 1827-28, 152; 1828-29, 206.

⁹⁸ Charles A. Vance, "The Transylvania Medical Library," Transactions of the Southern Surgical Association, 123 (April, 1946), 487-88.

⁹⁹ Acts of Kentucky, Second Session of the Thirtieth, and First Session of the Thirty-First General Assembly, pp. 149-51 (Approved December 7, 1822). Frankfort: Jacob H. Holeman, 1823. This was a plan to raise a sum not exceeding \$25,000.

¹⁰⁰ "Minutes of the Medical Department of Transylvania University, Lexington, January 23, 1823," p. 9.

¹⁰¹ Ibid., October 25, 1822, p. 6.

Vigorous legal education.—In addition to stimulating the academic and medical departments to substantial progress, Holley added a great deal to the effectiveness of the law department. He delivered two series of lectures on Blackstone, with the idea of laying the foundations for the department, and donated the money he received for them to the university.¹⁰² Holley was instrumental in establishing the school on a more regular basis, and was responsible for bringing Jesse Bledsoe and William T. Barry to the law department as professors. Holley substituted for Barry, when the latter went to Frankfort for two years to serve as lieutenant governor, and accepted pay for but one of these years. In 1825-1826 Holley again took over Judge Bledsoe's duties.¹⁰³ Enrollments in the law department were as follows: 1821, 9; 1822, 49; 1823, 44; 1824, 43; 1825, 30; 1826, no student body.¹⁰⁴ The state appropriated \$1,977.49, the tax on sales by auction in Lexington, for the law library.¹⁰⁵

Barry and Bledsoe of the law school and Dudley and Caldwell of the medical school, in a long, four-column article defending Holley against sectarian criticism in 1824, wrote of the latter's contributions to the legal and medical departments.

¹⁰² W. T. Barry, Jesse Bledsoe, B. W. Dudley and Charles Caldwell, "Transylvania University," Kentucky Reporter, 17 (April 5, 1824), 2. Charles Caldwell, . . . Rev. Horace Holley, LL.D., op. cit., p. 71; pp. 200-201 of Appendix.

¹⁰³ "To the Senate and House of Representatives for the State of Kentucky, undated." Manuscript. Transylvania College, Lexington.

¹⁰⁴ Catalogue of the Officers, Students, and Graduates, of the Transylvania University, January, 1827, pp. 14-15. Lexington: The University, 1827.

¹⁰⁵ Journal of the Senate, 34th Assembly (November 7, 1825 - December 21, 1825), p. 144.

When invited to the superintendence of its [the university's] interests and destinies, the President found the institution destitute of arrangements for instruction in Medicine and Law. To these points his vigilant attention was early directed. Nor was it bestowed upon them feebly or without effect. The wisdom of his measures, and the vigour, and perseverance of his exertions in the erection of these two additional departments are well known and remembered by the citizens of Lexington. The issue is now witnessed in the existence and flourishing condition of a school of Medicine, and a school of Law, which are already, in no ordinary degree useful and honourable to the States of the West; and which, under an energetic administration, cannot fail to improve with the progress of time. Although the President did not alone effect the organization of these departments he was the awakening spirit and the most efficient agent in calling them into being. Without such an effort as he made on the occasion, years would have continued to pass away, as they had already done, and these abundant fountains of professional knowledge would have remained unopened. 106

(a) GRADUATION EXERCISES.—At the end of the 1822-23 term the first public graduation services were held, on February 28, 1823. The exercises performed on this date are a basis by which the progress made with respect to scholastic requirements for law graduates can be judged. A public examination of the graduating class was made in the presence of the president and trustees. Judge Bledsoe delivered a valedictory address on behalf of the faculty, and Mason Brown delivered an address on behalf of the graduates. An account of the exercises was reported in the Lexington Observer and is quoted in detail:

The session of the Law Department in Transylvania University closed on Friday the 28th of February. On the day preceding, a public examination of the candidates for degrees was held before the President and Trustees, to which the citizens were invited. Prof. Barry conducted the examination upon the Federal Constitution, the Civil Law, and the Law of

106 W. T. Barry, Jesse Bledsoe, B. W. Dudley and Charles Caldwell, "Transylvania University," Kentucky Reporter, 17 (April 5, 1824), 2.

For a law lecture of this period see Jesse Bledsoe, An Introductory Lecture on the Study of the Law, Delivered in the Chapel of Transylvania University on Monday, November 4, 1822. Lexington: Published by the Law Class, 1822. Pp. 24.

of Nations. Prof. Bledsoe followed upon Municipal Law. The appearance of the class was highly honourable to themselves and their instructors. Their answers were prompt and clear, and a familiar acquaintance with the subject was rendered perfectly evident. There was but one voice among the spectators, and that was a voice of entire satisfaction, expressed with lively pleasure. On the day of the Commencement, which was held in the Chapel of the University, the services were opened with prayer by the President. Professor Barry then presented the candidates to the governors of the institution calling their names in alphabetical order. The President pronounced a Latin address to the Trustees and to the candidates and while handing to each a diploma conferred the degree of Bachelor of Law upon the seventeen gentlemen who examined and recommended. Professor Bledsoe took a public leave of them in an affectionate and interesting manner, and was followed by Mr. Mason Brown, one of the class appointed for the purpose, who closed the exercises in a beautiful and feeling Valedictory Oration. This address was one of the most judicious, tasteful, elegant and appropriate that we recollect ever to have heard. The sentiments were generous and manly, the style neat and flowing, the figures happy, the elocution chaste and forcible, and the affections and sympathies of a high and sacred order.

This department of our University may receive our congratulations upon its successful establishment, and the brilliancy of its first public services and honors. Extensive good will be done to the community by the graduates of this Law School. The character of the bar will be elevated, and the halls of Legislation will soon feel the salutary influence of a regular course of instruction in the improved principles of political economy. ¹⁰⁷

Summary

Horace Holley's liberalism soon supplanted Presbyterian sectarianism at Transylvania University. It has been shown that Holley's liberal views were readily accepted by the liberals, and that those who favored the establishment of a liberal central state university were successful at last. Some evidence of the community's dissatisfaction with Holley became apparent in his early years. His Socinian (especially his opposition to the Trinity) traits were identified; his liberal attitude toward the

¹⁰⁷ Kentucky Reporter, 16 (March 3, 1823), 3.

Sabbath and other evidences of a liberal religion were noted; and his affinity for the well-to-do members of the community, his presence at dances, card parties and the racetrack were noticed; but time was required for the common and announced disapproval of the community to take place. Holley did not belong in this Western community, yet strangely enough, he fitted himself gracefully into it for a few years.

The controversy between Presbyterianism and liberalism or secularism was allayed somewhat by the Presbyterians' acceptance of their ousted fate in a philosophical manner. They began to establish their own denominational institution at Danville. This school, Centre College, was finally placed into operation in 1824 after six years of planning (1818 to 1824). After shepherding an acceptable charter through the legislature against strong opposition, the Presbyterians evidently felt themselves secure enough to initiate an attack against Transylvania University, which would serve as a sounding board for their grievances resulting from their ouster, and at the same time work toward destroying their strongest competition in the education field. A discussion of the Presbyterians' attack upon Transylvania follows in the next chapter.

The medical school with Holley's direction and guidance was enlarged in scope and enrollment. The medical school faculty prepared for its most successful period, which lay just ahead. William Taylor Barry, the nation's chief political strategist, brought much praise to the law school during his professorship. Holley, himself, who had initially chosen law as a career and who had studied law seriously in New York City, was an excellent law professor. Unquestionably, Holley's leadership was an important factor in the forward march of professional education at Transylvania.

CHAPTER V

CHALLENGE OF LIBERALISM AND PROFESSIONAL GROWTH, 1823-1825

This, the second of three chapters devoted to the Holley administration, presents the challenge of liberal Transylvania and depicts her development in the field of professional education from 1823 to 1825.

A National Institution

Upon the death of their chairman, the trustees of the university arranged for a funeral procession and a funeral oration suitable for the occasion.¹ Through his generosity, James Morrison, the chairman, had given a legacy that increased the value of the university by more than one-third.² The student body had been increased to 386 students, the university had achieved a national reputation, and students had been attracted from many states.³ Holley was feted in Cincinnati, when the Cincinnati College recognized his contributions to education in the Ohio Valley and conferred upon him the honorary degree of Doctor of Laws in 1823.⁴ The Presbyterians, deposed in 1818, had carefully reviewed the

¹ "Minutes of the Board of Trustees of Transylvania University, Lexington, May 5, 1823," Vol. III, published in Horace Holley, A Discourse Occasioned by the Death of Col. James Morrison, p. 3. Lexington: John Bradford, 1823.

² "Transylvania University," Niles Weekly Register, 24 (July 26, 1823), 336. This article describes Morrison's endowment.

³ A Catalogue of the Officers and Students of Transylvania University, January, 1824, pp. 15-16. Lexington: The University, 1824. There were 145 students from fourteen states other than Kentucky at Transylvania University, in the session 1823-24.

⁴ Romie D. Judd, The Educational Contributions of Horace Holley, p. 92. Nashville: George Peabody College for Teachers, 1936.

current educational scene, and commented upon the inability of the state university to provide the proper character of education for their sons.⁵ Two vulnerable points were exposed by which a Presbyterian attack was made very simple. The theses of the seniors of the class of 1823 had been published,⁶ and Holley's oration commemorating Morrison, heard by a large audience at the time of its delivery, had been published by the trustees.⁷ Each of these published materials contained controversial statements about religion, which the Presbyterian clergy stood ready to use in a press and pamphlet attack on both Holley and the trustees.

"Spectator," in supporting "Ultor," who had defended the theses and the university, stated: "You [Presbyterians] must content yourselves to jog on in life like other folks, suffering all sects to be equal, allowing each to enjoy like power, and leaving the government of the university in the impartial hands that now hold the reins."⁸ "Ultor

⁵ Western Luminary, 2 (February 16, 1825), 64. An official address of the synod of Kentucky in this publication states: "Our youth who have been placed within the walls of these institutions for the purpose of acquiring an education preparatory to the study of theology, have generally been corrupted in their principles and morals, and have declined her service." This accusation, however, applied to other colleges as well as to Transylvania University.

⁶ These theses were critized largely from the religious angle. See "Christianity Defended," Western Monitor, 11 (January 2, 6, 16, and 20, 1824), 1, 1, 2, and 3. The theses were defended by "Ultor." See "Transylvania Theses, No. I, II, III, and IV," Kentucky Reporter, 16 (December 1, 1823), 2; 16 (December 8, 1823), 3; 16 (December 15, 1823), 2; and 16 (December 22, 1823), 2.

⁷ Horace Holley, A Discourse Occasioned by the Death of Col. James Morrison, Delivered in the Episcopal Church, Lexington, Kentucky, May 19, 1823. Lexington: John Bradford, 1823. Pp. 27 /210.

⁸ Kentucky Reporter, 16 (December 8, 1823), 3.

Inultus" continued "Ultor"'s argument by stating that "we have been taught the principles of a liberal and exalted religion, which hurled not its anathemas against all who were unfortunate enough not to follow its tenets, but opened a paradise to the good man of every religion."⁹ "A True Kentuckian" asked: "Why is this attack made on Transylvania University by a few Presbyterian Clergymen only, who reside in and about Lexington?" He continued: "Instead of jealousies and bickerings and discontent we should feel grateful that we have an institution of which not our own State only is proud." Although the theses stimulated the press to extensive action, the enemies of Holley seized upon his "Discourse" on Morrison for their prime target.

Holley's reverberating oration.—In his oration commemorating his patron and friend, Morrison, Holley again set forth his liberal position. He spoke of Morrison's belief in freedom of religious opinion, his opposition to "the artificial doctrines of scholastic theology," and his preference to inquire rather than to argue with those who sought truth honestly.¹⁰ He referred to Morrison as a "defender of liberality,"¹¹ and emphasized that Morrison was a Christian in his sentiments and practice, but that he did not consider the peculiarities of any of the sectarian creeds in religion, whether papal or Protestant, ancient or modern, as necessary, useful, or ornamental to his character.¹² After pointing

⁹ "To Ultor, No. IV," Kentucky Reporter, 17 (February 2, 1824), 2-3.

¹⁰ Horace Holley, op. cit., p. 27.

¹¹ Ibid., p. 19.

¹² Ibid., pp. 19-20.

out Morrison's (and his own) belief that the chief value of truth, liberty, humanity, religion, and immortality depended upon a well directed education, on a rational and moral formation of character, and on the illumination and improvement of the mind,¹³ Holley stated that it was well known and acknowledged that the interests of education were among the most important interests of man and were absolutely the most important when education was taken in its extensive sense to include the whole training of the mind and the entire formation of the character.¹⁴ But while Holley declared that the study of books did not constitute the chief, or even the most valuable, part of education, he stated that, in order for books and experiments to be valuable, they should be tributary to still higher ends; that they should call forth all the powers of the students, intellectual and moral. They (books and experiments) should aid in "the development of every faculty of the immortal soul," should give them a knowledge of themselves and of others, and of the most valuable relations to society, and should "unfold to their minds the laws of the visible universe with the perfections and designs of its invisible and adorable creator, and . . . [should] teach them how to be useful, honourable and happy for time and eternity."¹⁵ Holley introduced a statement on his own behalf, and assured a critic that he did not inculcate the sentiment which required an education for admission into

¹³ Ibid., pp. 12-13.

¹⁴ Ibid., pp. 23-24.

¹⁵ Ibid., p. 25.

heaven.¹⁶

While all outward appearances indicated that the university was in a prosperous state, criticisms and attacks by the Presbyterian clergy, and the failure of the state properly to support the university, were soon to constitute stumbling blocks to the university's progress.

Preparation for War by the Presbyterians

By the fall of 1823, certain Presbyterian clergymen, realizing that Holley was making an eminent success of the university, set about to depose him. The leaders in this plan were Rev. John McFarland, Rev. Robert Stuart, Rev. Nathan Hall, and Rev. John Breckinridge. Various pseudonyms were signed to their articles, but many of them have now been positively identified. "Solon" led the attack with a bitter criticism of Holley's discourse on Morrison.¹⁷ A month later, Robert Stuart published "A Citizen," in the Western Citizen of Paris, Kentucky.¹⁸ By the end of October, Rev. John McFarland, with the support of Stuart and Hall, had conceived the idea of publishing a pamphlet, The Literary Pamphleteer, to give greater circulation and to make more effective the

¹⁶ Ibid., pp. 26-27.

¹⁷ Western Monitor, 10 (September 12, 1823), 3; 8 (September 16, 1823), 3, reprinted from the Western Citizen. He was answered by "Swift," Western Monitor, 10 (September 23, 1823), 2, reprinted from the Kentucky Reporter.

¹⁸ Literary Pamphleteer, Vol. V, p. 5. Robert Davidson identifies "A Citizen" in his History of the Presbyterian Church in Kentucky, pp. 116, 310. New York: Robert Carter Co., 1847.

articles of "Solon" and "A Citizen," and to bring to bear a sustained offensive upon the university administration in general.¹⁹ Since the Lexington press was virtually closed to the Presbyterians, the pamphlet publication was a last recourse.²⁰ The article of "Solon" had appeared in the Western Monitor, but it appears that "A Citizen" was refused publication in Lexington. The Literary Pamphleteer was published in six numbers, between December, 1823, and March, 1824, and was addressed to "The Citizens and Legislature of Kentucky."²¹

Charges of "liberal sectarianism."—The Presbyterian clergy's attack on the Holley administration emphasized their adaptation of the Republican philosophy to the demands of religious sects.²² Again, this same group believed that the university was not being administered as the institution of the people of Kentucky, but that it was in the hands of a minority sect (the Socinian). Since no religious sect constituted a majority, they argued, a group of sects, such as the Baptists, Methodists, Episcopalians, and Presbyterians, which did constitute a numerical majority and which could unite on a common set of principles, could, within the

¹⁹ Literary Pamphleteer, Vol. I, p. 3.

See Western Luminary, 2 (April 20, 1825), 189, for Breckinridge's early participation.

²⁰ From 1819-1823 the presses of Lexington were virtually closed to attacks on the university.

²¹ Robert Davidson, op. cit., p. 310. Davidson wrote: "The presses of Lexington being closed, on the principles of Demetrius the Ephesian, to everything but panegyric, the Rev. John McFarland, pastor of the Presbyterian Church in Paris, twelve miles distant, resolved to issue a periodical under the title of "The Literary Pamphleteer," for the purpose of exposing the mal-administration of affairs in the State University." Ibid., p. 310.

²² Literary Pamphleteer, Vol. I, p. 6.

meaning of the state and Federal Constitutions, administer the university and the character of the course in moral philosophy or natural law.²³

They believed that all liberal education must embrace a course in moral philosophy or natural law, "which necessarily included the general principles of Theology and always will be formed according to some preconceived theory."²⁴ They accused one sect of administering Transylvania University, and stated that it "is outraging the principles of the social compact, and ought not to be borne by the people."²⁵

Accusations against Holley's Unitarianism.—Two preliminary attacks were then aimed at Holley, that of "Solon," which castigated Holley as the author of a discourse on Morrison, and the Narrative of Religion, which was an attack upon the morality and religion of Lexington, Frankfort, and Lancaster. "Solon" intimated that Holley was a theological coward who dared not publish his opinions except behind the immunities of a funeral sermon, and with the protection of the name of Henry Clay.²⁶

²³ Actually these combined sects did not comprise a majority; in fact, Bishop gave the following statistics at this time: Baptists, 21,680; Methodists, 20,850; Presbyterians, 2,700; Cumberland Presbyterians, 1,000; and others, 500, totalling 46,730, in a total population of 564,317; and in a population above ten years of age of 327,137. Robert Bishop, A History of the Church in Kentucky for Forty Years, p. 307. Lexington: Thomas T. Skillman, 1824.

²⁴ Literary Pamphleteer, Vol. I, p. 6.

For an explanation of how the Presbyterians exerted a strong influence in all affairs of importance in Kentucky, see Robert Davidson, op. cit.

²⁵ For a picture of the strong influence exerted by the Presbyterian Church in establishing colleges in Kentucky and in other states, see Donald B. Tewksbury, The Founding of American Colleges and Universities before the Civil War, op. cit.

²⁶ A letter from Henry Clay to Horace Holley, dated June, 1823, Ashland (Lexington, Kentucky), was published along with the discourse on Morrison, as an appendix. See Horace Holley, op. cit., pp. 33-34.

"Solon"'s most effective point was his interpretation of Holley's statement that Jefferson's "establishment, completion, and endowment of her [Virginia's] State University," illustrated "an effectual honourable preparation for eternity." He construed this statement in such a way that it became the grounds for the oft-repeated thought that Holley believed in ranks in heaven, which depend upon those on earth and discriminate against the poor and the ignorant.²⁷ The other early action taken against the university by the Presbyterians was an indirect step but important. They took steps to bring Centre College under the control of the synod proper, and to obtain a satisfactory charter from the legislature. John McFarland, Nathan H. Hall, and Robert Stuart were among the nine trustees chosen to take this action.²⁸ The Narrative of Religion, although receiving a large response in letters and editorials of remonstrance, was not effective for the purpose intended and aroused a general disgust in Lexington.²⁹

Fatal sting of The Literary Pamphleteer.—With the publication of the first number of The Literary Pamphleteer in December, 1823, there began a concerted attack on the university from the Presbyterian clergy. The plan of the series of pamphlets, obviously, was to publish charges,

²⁷ Western Monitor, 10 (September 16, 1823), 3, reprinted from the Western Citizen.

²⁸ Robert Davidson, op. cit., p. 309.

²⁹ Western Monitor, 10 (November 4, 1823), 3; and 10 (November 7, 1823), 3, under signature "Amicus"; see also Western Monitor, 10 (October 21, 1823), 2; 10 (October 28, 1823), 3; 10 (November 4, 1823), 3; and 10 (November 14, 1823), 3.

support them in subsequent numbers with evidence, and dispose of all the answers. Since all the basic charges against Holley were included in Rev. Robert Stuart's article signed "A Citizen," ³⁰ and since this was the strongest attack against Holley, an enumeration of these charges is listed with some explanation. "A Citizen" made his charges under two captions, the external and the internal concerns of the university. Under external concerns, he stated that the old trustees had been illegally deposed, and by this act the Presbyterians had been deprived of \$7,662.33, which he said had been contributed by the Kentucky Academy to Transylvania. ³¹ "A Citizen" further stated that Holley's election in 1817 had been to the great dissatisfaction of perhaps a large majority of the citizens of Kentucky; charged misappropriation of funds; pointed to a high rate of tuition, sixty dollars per year, that excluded poor boys; objected to "excessive salaries;" and called for a legislative investigation. He also asked that reports of enrollment be broken down by departments, stating that the catalogue expressed these figures in total numbers, including preparatory students and professional students. Excluding these figures, he said that the college enrollment was probably about eighty or ninety.

With regard to the internal concerns of the university, he charged that the trustees appointed in 1818 were selected by a kind of religious

³⁰ Literary Pamphleteer, Vol. I, pp. 9-16.

³¹ Ibid., p. 10.

test, under which men were chosen who professed religion in no form and who uniformly "stood aloof from all the religious institutions of our country, and whose general character was that of hostility against christianity." ³² In attacking Holley's religious and moral character, he questioned: "Will you pay the President of a university to laugh and brow-beat your sons out of the little religion which they may possess?" He said further: "Ask . . . the sober and religious students who have sat under his lectures, . . . They can tell you, that though a professed minister of the Gospel, his principles differ little from those of gross infidelity" From a practical point of view, he questioned Holley's character as an example to youth, stating that Holley frequented the theatre, the ball rooms, the card tables, "and all those places to which the vain and dissipated resort, and is their warm advocate." By both precept and example, Holley was said to be well qualified to lead youth "in the way of the destroyer." ³³ In his conclusion, "A Citizen" asserted that the plan of education at the university was defective, and that all interested citizens should weigh his charges and, if finding them correct, should petition for legislative relief.

Serious Charges against the University

The reception in Lexington of the first issue of The Literary Pam-

³² Ibid., p. 13.

³³ Ibid., p. 15.

Pamphleteer evoked numerous answers to the charges against the university. A few of the most important responses to "A Citizen" (from the Literary Pamphleteer) will be considered. "Observer" answered the charge that the old trustees were deposed illegally, stating that by law the colleges endowed wholly or in part by the state were under the control and management of the legislature.³⁴

Pressure arising from the original publication of "A Citizen" probably led to the legislature's establishment of a committee to investigate the affairs of the university, when it convened in the latter part of 1823.³⁵ A petition of the trustees requesting an additional tax on billiard tables, and to prohibit horse racing within ten miles of Lexington,³⁶ resulted in considerable debate, and substantiated the fact that charges made against the university contributed toward forcing the investigation.³⁷ While the outcomes of the investigation did not result in charges of mismanagement, the committee was not entirely satisfied from the standpoint of finances. The committee of investigation stated that the trustees had acted to promote the welfare and advancement of the university, and had performed their duties at great personal cost and without compensation.³⁸

³⁴ Kentucky Reporter, 17 (March 22, 1824), 3.

³⁵ Journal of the House of Representatives, 32nd Assembly (November 3, 1823 - January 8, 1824), November 29, 1823, p. 221.

³⁶ Ibid., November 8, 1823, p. 86.

³⁷ Western Monitor, 10 (December 5, 1823), 3. Mr. Oglesby stated that it was useless to try to restrain the students from gaming, when the president set them an example, and continued in that vein. Mr. Wickliffe, of the board, urged the passage of the bill, and it passed.

³⁸ "Report of the Committee of the Legislature on Transylvania University," Kentucky Reporter, 17 (January 18, 1824), 3.

Financial carelessness.—The charge that the trustees had not kept the accounts with sufficient care was denied. "A Citizen" stated that the old trustees had "paid on account of the new building \$18,650, and owed no debts;" this was contradicted by the committee's report that "the old board had contracted for the large and elegant new building, now occupied by the institution, which was nearly completed, and they had paid on account thereof \$18,681.89, so that there were debts upon the contracts of the old board for this \$13,000, and also to the Bank of Kentucky and to individuals upon other contracts made by the old board to amount of \$1,846.11." ³⁹ While the statement of "A Citizen" that the old board delivered to the new board in interest-bearing notes and in cash \$14,958 and in stock \$23,400 was true, the committee's report explained: "Thus the new board may literally be said to be in debt from their commencement, it was almost their first act, to borrow money from the Banks, to discharge these debts and to procure competent instructors, and organize the institution, so as to make it respectable and useful." ⁴⁰

Charges of mismanagement of funds against the trustees were repeated several times in the following years, but never proved. Dr. James Fishback testified that there was no mismanagement during his trusteeship

³⁹ Ibid.

⁴⁰ Ibid.

See Western Monitor, 10 (February 6, 1824), 3. The editor compares the charges of "A Citizen" and the Report of the legislature. See also Literary Pamphleteer, Vol. VI, pp. 2-7, for a hostile account of the report.

from December, 1821, to 1824.⁴¹ When General John M. McCalla was questioned by a legislative committee established at the request of Governor Desha to investigate charges of mismanagement, he could not justify his charges. The trustees defended themselves effectively by stating that the town of Lexington appropriated \$6,000, the late Col. James Morrison, \$50,000 (possibly as much as \$70,000), and other subscriptions of upwards of \$11,000.⁴² The committee reached a satisfactory conclusion.

Your committee find the report of the trustees of that institution [Transylvania University] a correct expose of its situation and means. They have investigated the conduct of the trustees in its management, and believe that they have acted with a view to promote its prosperity.⁴³

Unduly high salaries.—A charge in the Literary Pamphleteer stated that the Refectory was operated for the benefit of Holley to some extent, that Holley was given traveling and other expenses which gave him a total annual salary amounting to at least \$6,000 currency or \$3,000 specie, and that Holley was liberal and extravagant towards the theatre, ball room, lotteries, etc., but that he and his family never contributed a cent to any charitable institution.⁴⁴ The trustee's reports of 1823⁴⁵ and 1825⁴⁶

⁴¹ Western Monitor, 9 (February 2, 1825), 3.

⁴² "To the Senate and House of Representatives for the State of Kentucky, December 31, 1827." Manuscript. Transylvania College, Lexington. Also in Senate Journal, 1827-28.

⁴³ Journal of the House of Representatives, 36th Assembly (December 3, 1827 - February 13, 1828), January 23, 1828, p. 254.

⁴⁴ Literary Pamphleteer, Vol. I, p. 16.

⁴⁵ Western Monitor, 11 (January 16, 1824), 3.

⁴⁶ Journal of the Senate, 34th Assembly (November 7, 1825 - December 21, 1825), November 26, 1825, p. 149.

stated that Holley's salary was \$3,000 per annum in currency, with a perquisite of \$5 for signing diplomas of the undergraduates. A report dated April 17, 1823, stated that the refectory should be given to him to compensate for the disadvantages resulting in being paid in currency.⁴⁷ In regard to the refectory, three distinct, unsuccessful, and costly efforts had been made to operate it for the students.⁴⁸ Holley received pay for one out of three courses of lectures to the law department, and his opponents counted this, in some instances, as part of the alleged \$6,000 per annum. The trustees emphasized the fact, in 1825, that it was impossible to get a man of comparable ability to fill Holley's place for less than he was receiving, and that other men in similar positions were getting more. Furthermore, they pointed out that none of the Presbyterians elected before Holley was willing to accept the presidency at \$2,250.⁴⁹ Holley's enemies never gave the details of the perquisites which brought his salary to \$6,000 currency per annum, but contented themselves with saying that a "gentleman acquainted with the subject" had told them this.⁵⁰

Quality of education.—In charging that the quality of education given at Transylvania was poor, "A Citizen" pointed out that Dr. Charles Caldwell's remarks on phrenology were among "many foolish and ridiculous

⁴⁷ Ibid., November 26, 1825, p. 155.

⁴⁸ Ibid., November 22, 1825, p. 144.

⁴⁹ Ibid., November 26, 1825, pp. 145-47.

⁵⁰ Literary Pamphleteer, Vol. VI, p. 15.

things taught." Besides this, such charges against professors other than Holley were never pressed. There were comments upon the teaching of mathematics and languages, but Holley was the first to call for improvement in these subjects.⁵¹ Many defenders of the university, however, stressed the high level of academic achievement in Holley's classes, as indicated by the course he gave and the responses of his students in the public examination. "A Citizen's" charge that there were only eighty to ninety students in the academic department was false.

Defense of Holley by his students.—The allegations of "A Citizen" on the subject of Holley's religious instruction were a serious blow to both Holley and the university. Articles written by the Senior Class of 1824,⁵² and by a group composed of graduates of 1821, 1822, and 1823,⁵³

⁵¹ "Horace Holley's 'Introductory Law Lecture,' November 8, 1823," p. 4. Manuscript. Mrs. Benjamin Gratz Crosby, Woodford County, Kentucky. Typewritten copy in Transylvania College, Lexington.

⁵² Public Advertiser, 3 (January 7, 1824), 3. John Bradford, the editor, spoke of "A Citizen's" article when he published this article. He wrote: "The calumnies thus promulgated have, however, been repulsed, in a very satisfactory manner, by the Senior Class in the University, whose appeal to the public will be found in our paper today." The Senior Class committee consisted of Algernon S. Taul, W. P. Churchill, P. B. Hockaday, Isham R. Trotter, and James W. Booth. See also "A Senior," Kentucky Reporter, 17 (February 9, 1824), 3, and Robert Semple, Western Luminary, 1 (May 25, 1825), 673. The latter states that Holley has a good character and offers good instruction in morals, and so forth, but denies that he has "vital Christianity." "One of the Committee," Western Monitor, 11 (February 13, 1824), 3, effectively refutes "Philalethia's" charges of improper publication by the students, Western Monitor, 11 (January 30, 1824), 3.

⁵³ Western Monitor, 11 (January 30, 1824), 3. The graduates were: 1821, Charles S. Bibb, Edward B. Bibb, Chas. J. Cummins, R. A. Curd, Jephtha D. Garrard, George Owings, Thomas Paine Taul, J. W. Tibbatts; 1822, H. I. Bodley, Wm. S. Bodley, Elias F. Briggs, John Daniel, W. B. Ferguson, J. O. Harrison, James Jameson, P. W. January, Orville B. Martin, Dabney C. Overton, Jas. Taylor, Jr., Clifton R. Thomson; 1823, John

were published, denying these charges. It is to be observed that no similar articles were published that set forth the Presbyterian position. The seniors wrote that Holley had "never attempted to inculcate in us any moral or religious principles other than those, which (as we have been taught from infancy) accord with the will of God, as revealed to us in the sacred scriptures." They denied that the president sneered at any particular sect or denomination of Christians, but agreed with him that "bigotry, wherever it may be found, whether among Baptists, Methodists, Presbyterians or Episcopalians, should always be discontinued." They denied that Holley had degraded the Saviour, had "jested" on the sacred scriptures, or that he had related profane anecdotes. They said that, although he had "always encouraged, and particularly enjoined it upon himself," he was never found in the recitation room, "presenting himself in the attitude of a sovereign, or ruler, but as it were, one of ourselves, recommending freedom of thought, and at all times permitting any individual to offer such views on any subject, as might seem most reasonable to each." ⁵⁴

The graduates wrote that they did not wish to attack the Presbyterians as a group, since some of the students had been educated in that church and highly respected the members as a society, but that they desired to answer the authors of The Literary Pamphleteer. ⁵⁵ The graduates wrote that, despite allegations by the "Citizen" to the

F. Anderson, M. C. Johnson, Henry J. Peck, John D. Taylor, Wm. Craig, Wm. Hawkins.

⁵⁴ Public Advertiser, 3 (January 7, 1824), 3.

⁵⁵ Western Monitor, 11 (January 30, 1824), 3.

contrary, they had always felt "the warmest veneration for religion," and that they were taught by the president "to cultivate and cherish that feeling." The students asserted that they had not been taught the creed of sectarianism, "as those holy writers, in the enthusiasm of their piety seem so ardently to desire," nor the "dogmas of any particular church," but that they had been taught "the principles of a liberal and exalted religion, which hurled not its anathemas against all who were unfortunate enough not to follow its tenets, but opened a paradise to the good man of every country, and of every religion." ⁵⁶

The graduates answered "A Citizen's" demand as to what religious opinions Holley maintained by stating that, although the president expressed his sentiments on religion with freedom and boldness, and differed in his opinions from the citizen's confession of faith, it did not follow that he had no religion at all, or that he was an infidel and a corrupter of the doctrines of the Bible. "A Graduate of 1821" said that he did not believe the president was either an infidel or a sceptic and that during the three years of his schooling had not heard the president say anything that would be objectionable to any liberal and enlightened Christian. ⁵⁷ In considering "A Citizen's" derogatory statement concerning morality of Holley and the students, the graduates admitted that Holley attended the theater and the ballroom, but denied that he played cards. ⁵⁸ After stating that Holley's conduct at the theatre and the

⁵⁶ Public Advertiser, 3 (January 7, 1824), 3.

⁵⁷ Western Monitor, 11 (March 5, 1824), 3.

⁵⁸ Western Monitor, 11 (January 30, 1824), 3.

ball room had been uniformly that of dignity and decorum, they maintained that the students at Transylvania University were no more extravagant, profane, and dissipated than the same number of students in other colleges, and that a candid public would agree with them on this point.

Other Presbyterian attacks.—In addition to the charges by The Literary Pamphleteer, some attacks were in answer to friendly explanatory articles. A series of four articles signed "Ultor" attempted to defend the orthodoxy of the theses of 1823.⁵⁹ Articles signed by "Ultor-Inultus"⁶⁰ and "Christianity Defended"⁶¹ soon proved that "Ultor" had failed. The articles attacking "Ultor" showed that the theses were "infidel," in that the claim to equality between natural and revealed religion made impossible knowledge of the atonement, which was not to be derived from nature; and the theses implied that salvation was possible without the aid of Christ.⁶²

Every device was used by the Presbyterians to destroy the Holley administration. They preached against him;⁶³ they conversed against him;⁶⁴ they even infiltrated into his home to learn facts which could

⁵⁹ Kentucky Reporter, 16 (December 1, 8, 15, 22, 1823), 2, 3, 2, 2.

⁶⁰ Kentucky Reporter, 17 (January 2, 1824), 2-3.

⁶¹ Western Monitor, 11 (January 2, 6, 16, 20, 1824), 2, 2, 3, 4.

⁶² "Ultor" was consistently attributed to Holley by his enemies.

⁶³ Kentucky Whig, 4 (February 9, 1826), 3; Kentucky Gazette, 40 (June 3, 1824), 3.

⁶⁴ Western Luminary, 2 (April 20, 1825), 648.

be used against him.⁶⁵ In order to give the impression of widespread opposition, a single writer appeared under several pseudonyms. "Spectator," "Judas Hockadash," "Philo-Solon," and "Fair Play" were used by Nathan H. Hall, and he was accused of using others.⁶⁶ Even the pseudonyms were designed to indicate hostility. "A True Kentuckian" asserted that he could prove that a Presbyterian minister had asked a Methodist minister to stand by an article signed "A Methodist," although not being its author.

Some strong defenses of Holley's administration were written by his friends. Although less active than his assailants, they were more truthful and showed less fanaticism. Professors Barry, Bledsoe, Dudley, and Caldwell,⁶⁷ and "Melancthon,"⁶⁸ issued the most important defenses.

⁶⁵ Charles Caldwell, A Discourse of the Genius and Character of the Rev. Horace Holley, LL.D., pp. 218-20 of Appendix. Boston: Hilliard, Gray, Little, and Wilkins, 1828.

⁶⁶ Argus of Western America, 17 (March 3, 1824), 4.

⁶⁷ Charles Caldwell, A Discourse on the Genius and Character of the Rev. Horace Holley, LL.D., op. cit., pp. 175-76; Kentucky Reporter, 17 (April 5, 1824), 3; Western Monitor, 11 (April 9, 1824). This article was widely reprinted as an excellent defense. The Weekly Messenger, Russellville, April 24, 1824, reprinted from the Commentator with favorable editorial comment. This article also appeared as a pamphlet. President Holley and Infidelity, Intended as a Refutation of a Publication in the Kentucky Reporter, of April 5, 1824. With the Signatures of W. T. Barry, Late Professor of Civil Law; Jesse Bledsoe, Professor of Common and Statute Law; B. W. Dudley, M.D., Professor of Anatomy and Surgery; Ch. Caldwell, M.D., Professor of Medicine and Clinical Practice. By W. T. Daniel, Lieutenant Governor, and Late Professor of Natural Law; Jesse Shadrack, Circuit Judge, and Professor of Ecclesiastical Law and Church History; B. W. Midrash, Professor of Natural and Revealed Theology; Ch. Abednego, Professor of Sacred Languages and Oriental Literature. Lexington: Published by the Authors, 1824. Pp. 36. This pamphlet was largely concerned with questioning the authority and disinterestedness of the authors.

⁶⁸ Kentucky Reporter, 17 (June 28, July 5, 12, 19, August 2, 9, 15,

The professors stated that Holley did not oppose "sound Christianity," and that his moral example was worthy of imitation. They pointed out his remarkable success as an administrator and mentioned his eminent qualities as a teacher. "Melanchthon," in seven numbers, presented an excellent and rational presentation of liberal Christianity and of liberal education. Other articles were very clever in treating figuratively the Presbyterian attack upon Holley and the University. ⁶⁹

A written defense by Holley, regardless of its merit, would have been ineffective in stopping the Presbyterian attack. Actually, the Presbyterians were not attacking Holley as an individual, but were intent in their desire to destroy the competing philosophy of which he was the head. Holley had learned soon after settling in Lexington that his publications might serve his enemies better than his friends, since the

1824), 3, 3, 3, 3, 3, 2.

Some satirical pieces, professing to be written by friends of Holley, and ridiculing his thoughts as interpreted and distorted by the Presbyterians, were published. See the pamphlet, Extracts from a Unitarian Catechism Revised, Amended, and Considerably Enlarged from a late B——n Edition, and Especially Intended for the Instruction of Those Who Wish to Purify the Morals, and Exalt the Literary Rank of Colleges, Christianity, Etc. Elutheropolis. Printed and Sold at the Sign of Liberty Strangling Bigotry, 1824. Pp. 32. See also "An Observer," Argus of Western America, 17 (May 9, 1824), 3.

Many articles appeared which restated points made in The Literary Pamphleteer and which brought the conflict up to date. See Kentucky Gazette, 40 (April 8, 1824), 3; Argus of Western America, 17 (March 17, 24, 31; May 5, 9, 1824), 3, 2, 3, 3, 3. Two Letters Addressed to Horace Holley, LL.D., President of Transylvania University, by Omega. Lexington: William Tanner, Printer, 1824. Pp. 45.

⁶⁹ Kentucky Reporter, 17 (May 3, 1824), 3. This article is signed "Zesner" and is entitled "Natural History, the Upas, or Poison Tree of Java."

unscrupulous could distort any printed word to win their selfish ends.⁷⁰
 Holley had been advised to publish discreetly.⁷¹ While the identity of
 Holley's defenders cannot be definitely established, certainly Professor
 John Roche wrote in his defense.⁷² Typical of several diary entries
 of Roche about the Presbyterians is this:

The Presbyterian system puts me in mind of a Camera Obscura, for they see everything inverted and distorted, and exhibit themselves in the same way. When they smile on you, they mean to deceive; when they shake your hand, apprehend treachery; when they have most appearance of piety, then some deviltry is brewing. It was thus with Hall during 1823, when his bell rang daily to pray for conversions in Lexington; and he was preparing that attack on the University which ended in his disgrace.⁷³

While Holley had learned the harm that can come from a distorted "review" of a published oration, after presenting his discourse on James Morrison, he was more aware of the constant calls from his opponents to publish his views, which he interpreted as warnings not to publish. However, the quality of the commencement program in 1825 was of such high order that it constituted a self-defense. The Reporter editorialized:

We have no hesitation in saying, that we consider this Commencement among the very best in the institution, and not surpassed by any which we have witnessed in our oldest seminaries. . . . Liberality and moral dignity pervaded the pieces, and the spirit and tendency of the whole

⁷⁰ A published fragment of a speech, given upon the occasion of President Monroe's visit to the university, was distorted grossly in a "review." See Western Monitor, 6 (July 6, August 10 and 24, September 7, 1819), 3, 2, 3, 3, 3.

⁷¹ Charles Caldwell, . . . Horace Holley, LL.D., op. cit., p. 225 of Appendix; Kentucky Reporter, 17 (July 19, 1824), 3.

⁷² Draper 17CC54-55, 91-96. Manuscript. Wisconsin State Historical Society, Madison.

⁷³ Ibid., p. 93.

were worthy of our free and happy republick. No party politics, no sectarian divinity, no degrading prejudices, no narrow and slanderous views of human nature, no flings against the professions or the sex, no symptoms of habitual suspicion and jealousy, found a place among the exercises. . . . The testimony which was borne with the greatest simplicity and directness, by several of the alumni to the impartiality, energy and integrity of the present administration of the University, deserves the particular attention of the community, and received the most heartfelt and universal applause. . . . Such fruits do not grow on the stock of error and corruption. . . . We may observe . . . that the remarks made by Tomlinson, Jennings, and Farrar, are pregnant with significancy and importance in relation to the immediate interest and reputation of Transylvania. The sentiments of these young men were followed up by the President in his Valedictory with a perfect clear and fearless exposition of the course, instruction and government pursued in the university. ⁷⁴

Presbyterian Subterfuge; Trotter Case

John Pope Trotter, son of Col. George Trotter, who had been killed in the War of 1812, and nephew of Rev. Nathan H. Hall, joined the senior class in October, 1823. Trotter displayed several recalcitrant acts toward President Holley and, upon being reprimanded, submitted a letter of withdrawal in which he referred to remarks of Holley in class as "falsehood" and "slander." ⁷⁵ In consequence of Trotter's action, the faculty passed a sentence of "excision" upon him on December 17, but, due to his further acts of antagonism, the faculty on December 22 re-interpreted their action to mean expulsion from the grounds of the university for one year. ⁷⁶

⁷⁴ Kentucky Reporter, 17 (July 18, 1824), 3.

⁷⁵ John P. Trotter, A Plain Statement, pp. 3-6. Lexington: Published by the Author, 1824.

⁷⁶ Ibid., pp. 23-4.

Trotter and his guardian, Nathan H. Hall, attacked the university authorities publicly, the effect of which was to single out Holley as an autocratic administrator, who, in addition to his abuses of the people's religious views, treated those who opposed him with great severity.⁷⁷

Public sentiment was aroused when the opposing parties were cited as a son of a dead hero of Kentucky and an infidel of New England.

A significant resulting issue of the Trotter affair was its definitive outline of the relationship of Rev. Robert H. Bishop to the remainder of the faculty and to the president. After Trotter's expulsion, Bishop wrote a letter to him stating that Holley had assumed full responsibility for the action, but that he, Bishop, regretted the more extreme step, expulsion. It was stated that Bishop's letter aided Trotter in gaining admission to Centre College, where the letter had been displayed. The faculty, after deciding that the letter was improper, investigated Bishop's action and made the following statement concerning the letter.

[His letter] was calculated to prevent the just effect of our government and punishments; to injure the reputation of the Faculty as well as of the President; and to do harm to the institution in its character for wisdom, independence, and impartiality, in the administration of its laws. The tendency is to excite opposition from other students and from the community, and to prevent that repentance and return, which might otherwise in some cases, be expected.⁷⁸

When Bishop learned that the faculty had presented a report of their investigation to the trustees, he expressed his resentment and offered this as one of his reasons for leaving Transylvania a few months later,

⁷⁷ See Literary Pamphleteer, Vol. IV, pp. 10-14; also President Holley—Not the Transylvania University, in a Letter to William Gibbs Hunt, Esq. in Consequence of the Attacks Made by Him in His "Appeal." Lexington: Published in the Western Monitor of this Place, March 2d, 1824 by Forthcoming, 1824. Pp. 18.

⁷⁸ "Manuscript." Transylvania College, Lexington.

when elected president of Miami University (Ohio).⁷⁹

New Revolving Plan of Religious Instruction

In an effort to change the substance of the vast amount of publicity now being given to the university, a major part of which was adverse, a new plan of religious instruction was prepared by the faculty, despite opposition from Professor Bishop. The faculty decided that, although sectarian religion should not be introduced in a state university, "it appears to be the general desire and expectation, . . . that the great doctrines of our common religion, those in which the good and pious of all denominations agree, should be taught with the other branches of education, if a mode of doing this can be adopted, without opening the door for polemical and sectarian divinity to enter, and disturb and pervert the minds of the students, and thus give just occasion for offence to the parents and friends."⁸⁰ Two trustees, Rev. James Fishback and Rev. G. T. Chapman, drew up a plan involving four Protestant denominations, in which Baptist, Methodist, Episcopalian, and Presbyterian ministers would preach in rotation.⁸¹ A plan of the faculty called for a broader program, allowing all ministers of all sects to preach according to democratic principles, but would involve the above denominations plus the Roman Catholic. The faculty plan was adopted, being signed by members of seven religious denominations, including the Rev. R. H. Bishop and Rev. James Fishback.⁸²

⁷⁹ Western Luminary, 2 (January 12, 1825), 204.

⁸⁰ Charles Caldwell, . . . Horace Holley, LL.D., op. cit., p. 230 of Appendix; Western Monitor, 11 (April 9, 1824), 3.

⁸¹ Western Monitor, undated clippings. Transylvania College, Lexington.

⁸² Charles Caldwell, . . . Horace Holley, LL.D., op. cit., pp. 229-34 of Appendix.

All the denominations involved supported the plan except the Presbyterians, whose representative ministers, John Breckinridge and Nathan H. Hall, refused to participate, remarking that they would not place themselves on a ministerial level with Holley or others of his views. Breckinridge and Hall continued to oppose this program, stating as one objection that it would give the public the impression that what had been wrong with the university had now been corrected. Holley himself may have spoiled his program by his loss of temper at one of the public examinations when he told Dr. Fishback, a trustee, that his sermon delivered at the chapel "was designed to establish a system of falsehood."⁸³ Again, Holley practiced discussing the chapel sermons in class, where he could condemn the discourse if he desired, and, in addition, could discredit the speaker if he chose.⁸⁴ Fishback resigned his trusteeship and withdrew from preaching in the chapel. This plan of religious instruction probably did not continue long after this event.

Fishback, who had originally opposed Holley's appointment in Kentucky in 1815,⁸⁵ again opposed his appearance in the chapel as a preacher in 1822, when he was a trustee.⁸⁶ But Fishback's opposition to natural religion was strong. In 1822 he invited the medical class to hear

⁸³ Western Monitor, 12 (1825), undated clipping. Transylvania College, Lexington.

⁸⁴ Ibid.

⁸⁵ Ibid.

⁸⁶ Ibid.

critical sermons on this subject.⁸⁷ Dr. Charles Caldwell attempted to answer Fishback's objections in an introductory lecture.⁸⁸ Fishback delivered three sermons in response.⁸⁹ A lengthy correspondence arose between the two men. In commenting upon Fishback's constant agitation against natural religion, arising most fervently at public examinations, Caldwell wrote privately the following comment:

For some time past you have endeavoured with all your talents, attainments, and eloquence, to shake the confidence of the youth who repair to it [the university] for education, in the competency of their instructors with respect to one highly important branch of knowledge. I allude, as you must be aware, to the Theology of Nature. Your opinions on this subject you have taken pains to inculcate in the minds of the pupils; nor have you hesitated to pronounce in their presence all sentiments at war with your own, to be equally at war with the Christian religion.⁹⁰

Final Attack upon the Liberal University

Rev. James Fishback in his various discourses and writings, and Rev.

⁸⁷ James Fishback, The Substance of A Discourse, in Two Parts, Delivered in the Meeting House of the First Baptist Church in Lexington, February 3, 1822. To the Class of the Medical School of Transylvania University. Lexington: Published by the Author, 1822.

⁸⁸ This lecture had been prearranged with Dr. Fishback. See Charles Caldwell, Correspondence between Dr. Charles Caldwell of the Medical School of Transylvania University, and Dr. James Fishback, Pastor of the First Baptist Church of Lexington. Lexington: Published by the University, 1826.

Charles Caldwell, An Introductory Address, Intended as a Defense of the Medical Profession against the Charge of Irreligion and Infidelity, with Thoughts on the Truth and Importance of Natural Religion, Delivered November 2, 1824. Lexington: Transylvania University, 1826.

⁸⁹ Correspondence between . . . Caldwell . . . and . . . Fishback, op. cit., p. 8.

⁹⁰ Ibid., p. 19.

John Breckinridge in the Western Luminary, were instrumental in bringing the attack upon Holley and the university to a climax. Although Fishback's opposition to the religion taught in the university was largely upon a basis peculiar to his own philosophy,⁹¹ he was, nevertheless, a powerful opponent, since he was capable of calling the Baptists of Kentucky to the aid of the Presbyterians in an effort to destroy the liberal philosophy in Kentucky, centered around Transylvania University. The general attack upon Holley began as early as 1815, when he was first mentioned as a possible candidate for the presidency, and was sustained until his resignation in 1827. But the concerted violent and vituperative attack occurred during the period from October, 1823 to April, 1824. However, in 1825 Fishback, in answer to questions raised by William Boon, wrote a series of letters defending his course in regard to Holley and the university.⁹² Breckinridge⁹³ commented upon these letters in the Western Luminary. Here, Fishback proposed a reorganization by law of the board of trustees, which would give an equal representation to the Baptists, Methodists, and Presbyterians, and which permitted other denominations a representation proportionate to their numbers.

Breckinridge summarized the case for reform in Transylvania University.⁹⁴ He stated that Holley did not teach the "religion of the state;"

⁹¹ James Fishback, The Philosophy of the Human Mind, pp. 39-40. Lexington: Published by the Author, 1813.

⁹² Western Monitor, undated clippings. Transylvania College, Lexington.

⁹⁴ Western Luminary, 2 (March 2, 9, 16, 23, April 6, 13, 1825), 416, 421, 463, 487, 501, and 517.

that his morals were such as to set a bad example to the students; and that the student body in the academic department had declined from a high of 138 in 1822 to 107 in 1825, because of the general lack of confidence in Holley.⁹⁵ The lighter attack in the next eighteen months repeated charges previously brought, but no adequate answer appeared. With the close of the attacks in the Western Monitor in April, 1825, it is possible to ascertain the success of the Presbyterians in welding together the Protestant sects against Holley. When Dr. Fishback began to oppose Holley, the Baptists were virtually won to the Presbyterians' cause. One writer, "A Baptist," wrote of the need of this sect for the university, as it neither had nor wished to have an independent college, but he recalled, too, the Virginia days when the Presbyterians and the Baptists fought together against the established Episcopal church, which again seemed to be oppressing them in its alleged control of Transylvania.⁹⁶

The Methodists made no effort to fight the university beside the Presbyterians.⁹⁷ By April, 1825, the Presbyterians and the Baptists had definitely aligned themselves against the Episcopalians. Fishback did not give them a place in his plan for a reorganized board, and "A Baptist" assailed them violently. The Presbyterians, in the Western Luminary,

⁹⁴ Western Monitor, 12 (February 12, 1825), 3.

⁹⁵ Western Luminary, 2 (April 6, 13, 1825), 501 and 517.

⁹⁶ Ibid., 2 (April 13, 1825), 517.

⁹⁷ Kentucky Reporter, 18 (July 18, 1825), 2.

emphasized new definitions of terms such as "Catholicism" so as to exclude Jews, Unitarians, and others.⁹⁸ They also began to indicate renewed importance of creeds and confessions.⁹⁹ However, even with their attacks in the pulpit, in the papers, and in conversation, opponents of Holley and the university, including Hall, John Breckinridge, Fishback, and others, had not gained sufficient power to prevent Robert J. Breckinridge's election to the Kentucky house of representatives from Fayette county.¹⁰⁰ Breckinridge made a specific promise not to interfere with the university, either by a repeal of the charter or by a reorganization of the board of trustees.¹⁰¹ Holley's opponents had made the control of the university a political question; they had stigmatized it as infidel and aristocratic, especially in those more sparsely settled parts of the state.

Each of the two parties to the controversy found themselves encumbered by strange bedfellows as the controversy became more heated. The Presbyterians, to their astonishment, found the Roman Catholics (who opposed Unitarianism) fighting beside them, and Holley, to his surprise saw Atheists, Infidels, non-believers, gamblers, and other advocates of

⁹⁸ Western Luminary, 2 (March 9, 16, 1825), 421, 463.

⁹⁹ Ibid.

¹⁰⁰ Kentucky Reporter, 18 (July 18, 1825), 2. A letter of R. J. Breckinridge, written to quiet charges of hostility to the university. Since R. J. Breckinridge was a brother to John Breckinridge, his family relationship constituted a liability.

¹⁰¹ "Minutes of the Medical Department of Transylvania University, Lexington, March 19, 1823," p. 11.

free-thought aligned in the battle in his behalf.

The Professional Schools, 1823-1825

Holley's influence on the professional schools and their connection with a successful academic school was favorable to their expansion and development. The enrollments and reputations of these schools continued to grow during this period.

Rapidly growing medical school.—Enrollments increased to 200 for the session, 1823-24, and to 234 for the year, 1824-25, the latter being the largest medical enrollment prior to the year, 1833-34, when a mark of 262 was reached.¹⁰² There were forty-six and fifty-six graduates for these two sessions, respectively. The medical faculty proceeded to increase its library facilities by adding subscriptions to fourteen European and three American medical journals.¹⁰³ No change was made in the four months' course or in tuition rates during this period.¹⁰⁴

(a) PIONEER BOTANIC GARDEN.—A legislative act chartering a botanical garden was approved in January, 1824,¹⁰⁵ and plans for the garden were

¹⁰² Annual Announcement of the Medical Department of Transylvania University, 1840, p. 23. Lexington: The University, 1840.

¹⁰³ "Minutes of the Medical Department of Transylvania University, Lexington, March 15, 1825," pp. 15-16.

¹⁰⁴ "Medical Department, Transylvania University," Kentucky Reporter, 17 (August 16, 1824), 3; 17 (May 21, 1824), 1; 16 (October 20, 1823), 1.

¹⁰⁵ "An Act to Establish A Botanical Garden," Acts of Kentucky, 1823-24, pp. 15-16. Frankfort: Published by the State, 1824. Approved January 7, 1824.

issued in a publication, Prospectus, By-Laws and Charter, of the Transylvania Botanic Garden Company.¹⁰⁶

Constantine S. Rafinesque, Transylvania's renowned botanist, originated the idea of the garden and worked out the plans for it.¹⁰⁷ The prospectus announced the advantages to Lexington, to the Kentucky farmers, to the whole Western country, to Transylvania University, and to the shareholders.¹⁰⁸ The garden was to serve as an agricultural experiment station, where experiments were to be made to ascertain the best mode of cultivating and rendering beneficial staples; while instruction was to be given on this subject or any other, calculated to improve the agriculture of Kentucky and the Western States.¹⁰⁹

The garden was organized "to become a permanent branch of our University; meantime it is to co-operate with it for the instruction of our youth, and principally of medical Students and young farmers."¹¹⁰ The medical plants of North America and Europe were to be grown in the garden, while the sons of farmers were to be given an opportunity to witness experiments and successful cultivation, and were to receive instruction on the practical and scientific principles of husbandry and gardening,

¹⁰⁶ Prospectus, By-Laws and Charter, of the Transylvania Botanic Garden Company. Lexington: Published by Transylvania University, 1824. Pp. 16.

¹⁰⁷ Ibid., p. 15.

¹⁰⁸ Ibid., pp. 1-4.

¹⁰⁹ Ibid., p. 2.

¹¹⁰ Ibid., p. 3.

"imbibing thus a taste for an improved cultivation of our bountiful soil."¹¹¹ Lectures and practical demonstrations were given on botany, agriculture, horticulture, domestic economy, and other sciences connected with the cultivation of the soil and improvement of the farmers. Although the garden was planned to be of service to the state's agriculture, it was not developed very far along that line, but during the incumbency of Rafinesque was of considerable benefit and interest to the students in the medical department and those of the regular botany classes. The garden lapsed after the departure of its principal founder.¹¹²

Expanding law school.—The law school reached a high point of effectiveness during this period and, like the medical school, continued to offer a four months' session annually. Enrollments for these two sessions were forty-four and forty-three students.¹¹³ William Taylor Barry and Jesse Bledsoe continued as law professors, and President Holley lectured occasionally in this school.¹¹⁴ The fact that both Barry and Bledsoe were intense "New Court" party enthusiasts placed the law school in a very vulnerable position in 1826, when the "Old Court" party gained political control of the state.¹¹⁵ Both President Holley and Judge

¹¹¹ Ibid.

¹¹² See Ida W. Harrison, Transylvania Botanic Garden. Lexington: Published by the author, 1937. Pp. 121.

¹¹³ Catalogue of the Officers, Students and Graduates of Transylvania University, January, 1824, p. 17. Lexington: The University, 1824.

¹¹⁴ Kentucky Reporter, 18 (February 28, 1825), 3.

¹¹⁵ The "New Court" and "Old Court" parties are discussed in more detail in the next chapter.

Bledsoe addressed the graduating law class of thirteen students in February, 1825. Holley praised the class: "You and your fellow members must form a portion of the columns which are to support and adorn this edifice, by which its usefulness and permanence must be indicated." ¹¹⁶

Summary

It has been shown that liberal-minded citizens of Kentucky continued their efforts to build a liberal and central university out of Transylvania. Their efforts may have been too extreme for independent thinking peoples, because Horace Holley, champion of the liberals, was neither tactful nor tolerant of the Presbyterians and their allies, who were largely members of the other Calvinistic denominations. Just as the liberal party was making great progress in building a university, which was rapidly gaining a nation-wide reputation, they began to conduct themselves in such a way as to alienate completely one of the most influential denominational groups in the state, the Presbyterians. For, despite their small numbers, the Presbyterians stood ready to protect their vested interests with a scathing fight. ~~Their vested interest,~~ higher education in Kentucky, was a portentous prize not to be fought for without planning and forethought of a subtle and strategic nature. The

¹¹⁶ Kentucky Reporter, 18 (February 28, 1825), 3.

See also Horace Holley and Jesse Bledsoe letter to law class of 1825, published in part in Charles Kerr, "Transylvania University's Law Department," Americana, 31 (January, 1927), 33.

verbal onslaught that struck Holley and the liberals was cold and calculated; it was not the product of untrained minds. The Presbyterians' evaluation of liberal Transylvania was something approaching that of an anti-Christian institution. Each party seemed to be fighting for an audience from posterity. The party which could gain and hold control of the only effective college in the state had a great voice in determining the viewpoints of the next generation. The Presbyterians, not unmindful of the possibilities of defeat and what it might mean to their religion, set about to establish a school in which they could exert full control.

The professional schools expanded rapidly during this period and their quality of instruction was verified by their national reputation. Transylvania was still plagued by an insufficient number of trained entrants each year due to the lack of development of preparatory schools. A lack of public support was shown by the extreme party division among Kentucky's leadership; a lack of financial support was indicated by the state's withdrawal of support and the insufficient income from tuition fees and other sources, since the Morrison fund was earmarked for one professorship and a new building; operating expenses were difficult to meet; and a lack of effective leadership was evidenced in the board's laxity in trying to reach some agreement with the Presbyterians. During this period promotional work was being completed in the development of other sectarian schools, which would soon make an inroad on the relatively small number of preparatory school graduates, the latter being so insignificant that virtually every new college was forced to establish its own preparatory department.

CHAPTER VI

DECLINE OF LIBERALISM, 1825-1828

This, the third and last chapter devoted to the Holley period, tells of the decline of liberalism at Transylvania, 1825-1828, the intellectual center of the State of Kentucky. While the decline of liberalism brought about a decline in the university to some extent, other causes also had their influence. These were: changing economic, political, and social conditions; insufficient endowment; inadequate preparatory school system in the state; and Lexington's loss of her important position as a commercial center.

The State and Transylvania University

Historical background.--The reorganization of Transylvania University and the election of Holley were made possible by the Republican party in 1817-18. The decline of the university and its failure as a great central liberal state university were largely to the failure of the Republican Party to sustain a paternal attitude toward it. There were two reasons why this party did not legislate adequate appropriations for the school. First, the general economic situation in Kentucky after 1817 was extremely poor and, second, the Republican party became divided on the current issues that arose in the state in the years, 1817-28.

During and following the War of 1812, there had been a period of prosperity, based upon the great demand arising from the war emergency,

inflation, speculation, and credit buying.¹ The importation of a great deal of British manufactured goods in competition with domestic manufactures, a very inadequate and poorly managed state currency, and many other related factors² caused a cessation of prosperity and a period of depression. The poor economic situation soon caused a break between the debtor and the monied classes. A brief summary of this chain of events and of their effect upon Transylvania University follows.

Branches of the Bank of the United States were established in Lexington and Louisville in 1817. A sound money policy was followed, and, instead of increasing currency, the United States branch banks tended to displace the currency of other institutions, namely, the Bank of Kentucky, and to expend specie from the state, without substituting new currency.³ This condition brought about political action of the debtor classes of the state, who called for legislative relief from their debt burdens. Answering this call, the legislature of 1817-18 established a system of forty-six independent banks, with authority to issue money upon small reserves, which quickly increased inflation as they flooded the state with paper.⁴ This measure not only failed to achieve its objective, but increased the depression and increased debts.⁵ By 1820 the people

¹ Charles Kerr, Editor, History of Kentucky (by W. E. Connelly and E. M. Coulter), Vol. II, pp. 593-94. New York: American Historical Society, 1922.

² Ibid., Vol. II, pp. 599-601.

³ Ibid., Vol. II, p. 595.

⁴ Ibid., Vol. II, pp. 601-3.

⁵ Ibid., Vol. II, pp. 611-12.

of Kentucky were heavily in debt,⁶ and the charters of the independent banks were repealed on February 10, 1820.⁷

In another effort to legislate economic recovery, the relief legislature introduced replevin laws, which stayed the payment of debts for one year, if they were endorsed as payable in notes of the Bank of Kentucky, and for two years if not endorsed in this manner.⁸ In addition, the Bank of the Commonwealth at Frankfort, with twelve branches located throughout the state, was established.⁹ Originally a relief institution that issued notes considered unsound by orthodox banking practices, the Bank of the Commonwealth was started toward soundness by 1825.¹⁰ However, another replevin law, passed on December 25, 1820, favored the Bank of the Commonwealth over the Bank of Kentucky,¹¹ and on December 5, 1822, the legislature repealed the charter of the Bank of Kentucky, a sound bank, and ordered it to close its affairs within the next seven years. This legislation was for political reasons appealing to the debtor class, since the United States branch banks' sound and strict policies allegedly imposed a hardship on them.¹² While the Republican

⁶ In 1820 Kentuckians were indebted at home in the amount of \$10,000,000 and outside the state to the extent of \$4,000,000. Ibid., Vol. II, p. 603.

⁷ Ibid., Vol. II, p. 606.

⁸ Ibid., Vol. II, p. 608.

⁹ Ibid., Vol. II, pp. 609-11.

¹⁰ Ibid., Vol. II, p. 618.

¹¹ Ibid., Vol. II, pp. 612-13.

¹² Ibid., Vol. II, p. 613.

majority in the legislature passed all the relief laws, this legislation split the party into two branches, the Relief and Anti-Relief parties.¹³ The depression and the relief legislation that followed brought about a rather clearly defined lower class, which, with increased debt burdens, a rapidly fluctuating currency, and a great deal of poverty, became class conscious through the agitations of a successful political leadership for a radical relief policy.

Effect of economic conditions.—Relief policies, by stopping the income consisting of the bonus of the Farmers' and Mechanics' Bank of Lexington, one of the forty-six independent banks, and interest on 134 shares of the stock of the Bank of Kentucky, severely curtailed Transylvania's income. The bonus from the independent bank, amounting to \$3,299 in two years,¹⁴ was granted to the university in 1818, and was totally lost upon repeal of the charters of the independent banks. The annual income from the Bank of Kentucky, \$2,200 per annum, was reduced by a half when this bank suspended payment in specie. Upon the repeal of the charter of the Bank of Kentucky, this income was completely lost and the market value of the stock fell drastically.¹⁵ The remaining income consisted of tuition fees, and fines and forfeitures in the Fayette

¹³ For a description of the economic and social divisions behind these new parties, see Lewis Collins, Historical Sketches of Kentucky, p. 89. Maysville, Kentucky: Published by the author, 1847; see also Charles Kerr, Editor, History of Kentucky, op. cit., Vol. II, pp. 632-33.

¹⁴ "Trustees' Report, December 31, 1827." Manuscript. Transylvania College, Lexington.

¹⁵ Journal of the Senate, 34th Assembly (November 7, 1825 - December 21, 1825), November 21, 1825, p. 142.

county court, which had been appropriated to the university on February 14, 1820.¹⁶ The trustees, faced with this reduction of income, were compelled to raise tuition rates from \$40 to \$50¹⁷ and later to \$60.¹⁸ The income for the academic and preparatory departments of the university in 1823 from tuition, fines, and forfeitures was \$8,505. The standing expenditures included \$3,000 for the president's salary, \$1,200 for each of three professors, expense of a grammar master, and general expenses to cover other costs.¹⁹ In 1825 the Morrison endowment made possible the employment of a mathematics professor at \$1,200 in specie, but the trustees experienced difficulty in securing a professor on this small salary.²⁰ Finally, the trustees found it impossible to operate the university on this meager income.

The reduced income operated to increase the cost of education and to some extent to reduce the student body. While the increased tuition probably deterred no students from matriculating,²¹ it prevented operation and experimentation with the refectory. By living in commons and

¹⁶ The fines and forfeitures amounted to \$1,694.46 in 1827. "Trustees' Report, December 21, 1827." Manuscript. Transylvania College, Lexington.

¹⁷ Western Monitor, 5 (September 4, 1821), 3. This was a trustee's advertisement.

¹⁸ Ibid., 8 (January 16, 1824), 2. This figure is from published official documents.

¹⁹ Ibid.

²⁰ Journal of the Senate, 34th Assembly (November 7, 1825 - December 21, 1825), November 22, 1825, p. 145.

²¹ Out of 847 academic department students (until 1825), 400 came from Lexington and its neighborhood. Western Luminary, 2 (April 13, 1825), 635.

boarding in the refectory, students could compensate for the \$10 raise in tuition.²² In order to make the refectory available on a low cost basis, it was necessary to operate it at a loss, which required special funds for its deficits. Since no funds were available, the refectory was closed in 1823.²³ This action made it necessary for students to board in private places and thereby increased the whole cost of education, especially for those from distant areas.²⁴ The action of the popular relief legislature operated to exclude the poorer boys from towns other than Lexington from the university by denying appropriations to the school. Again, agitation on the subject of high educational costs at Transylvania had an adverse effect upon enrollment.

The reduced income to Transylvania was not the result of action directed toward the university itself but of general state policies. However, politicians soon discovered the value of the university as a political weapon and the charges of "aristocracy" were hurled against it. Another form of political opposition developed out of local jealousy. In Louisville and in other communities considerable resentment was caused by Lexington's politicians, who fervently opposed the establishment of a

²² Boarding in the refectory was \$2 $\frac{1}{2}$ per week exclusive of some small incidental expenses. Western Monitor, 5 (September 4, 1821), 3.

²³ Journal of the Senate, 34th Assembly (November 7, 1825 - December 21, 1825), November 22 and 23, 1825, pp. 144 and 155.

²⁴ Students could attend the university for about \$175 per annum in 1818. Niles Weekly Register, 15 (October 24, 1818), 132-33. Estimates of the cost of education for medical students, which was slightly higher than for academic students, ranged from \$300 to \$500 per annum. See Argus of Western America, 14 (March 2, 1821), 3, Kentucky Reporter, 14 (December 17, 1821), 3.

branch of the United States bank in Louisville, the promotion of commerce, and the development of the canal around the falls of the Ohio. ²⁵

The Louisville Public Advertiser noticed and opposed these jealousies as early as January, 1820, and in retaliation Transylvania's appropriations were influenced in the legislative session of 1820-21. Although Governor Adair gave favorable notice to the university in his message of October 17, 1820, and a committee reported upon its progress in complimentary terms, ²⁶ a resolution in the legislature proposing a loan of \$7,000 without interest, in view of the discontinuance of the Farmers' and Mechanics' Bank, was not passed. ²⁷ A proposal to endow Centre College was also denied. An act approved December 18, 1821, stated that it was the duty of the trustees to regulate the funds of the university without a view to further appropriations from the state; "it being the true intent of this act, to terminate all claim on the part of said University to support from the public treasury or other funds of the government." ²⁸

State politics and university finances.—By 1821 the financial affairs of the university had reached a critical stage. The trustees

²⁵ Louisville Public Advertiser, 6 (August 30, September 27, 1820), 4, 2.

²⁶ Kentucky Reporter, 14 (January 12, 1821), 2.

²⁷ Louisville Public Advertiser, 7 (January 13, 1821), 3; Journal of the House of Representatives, 29th Assembly (October 16, 1820 - December 27, 1820), November 22, 1820, pp. 240-41.

²⁸ "An Act to establish a Literary Fund and for other purposes," Acts of Kentucky, pp. 351, 353-54. Frankfort: Kendall and Russel, 1821.

requested assistance from the state in discharging accumulated debts of \$25,073.75.²⁹ Governor Adair spoke for a permanent annual appropriation to bring income up to the total for expenditures, and urged a system of education with a low cost for the student.³⁰ A committee answering the Governor's message resolved that the net profits of the Bank of the Commonwealth, in the third judicial district, should be given to the university.³¹ This resolution failed to pass the house, and additional votes upon resolutions with reduced amounts failed in the house. A bill finally passed providing \$20,000 from the Bank of the Commonwealth to discharge the present debts of the university, placed the university in the hands of a permanent board of trustees, and specified that they operate the school within its income.³² Legislative appropriations during Holley's administration ceased with this contribution of \$20,000. The committee reporting the original resolution agreed in regarding the debts of the university as a legitimate obligation of the General Assembly, arising from their control over the institution. They agreed also upon the trustees' anticipation of the donation of the Farmers' and Mechanics' Bank and the steps taken by the trustees in anticipation of this fund, which was "extinguished" by the legislature.³³ Transylvania

²⁹ These debts are described in Journal of the Senate, 34th Assembly (November 7, 1824 - December 21, 1825), November 26, 1825, p. 154.

³⁰ Argus of Western America, 2 (October 13, 1821), 2.

³¹ Western Monitor, 5 (November 13, 1821), 3.

³² Ibid., 5 (December 11, 1821), 2.

³³ Robert B. McAfee in the senate and Mr. Anderson in the house made

friends, urged by Holley, backed an appropriation to Centre College at this time. ³⁴

The question of the university was before the legislature again in 1823, and a committee investigated and submitted a report, ³⁵ which from all indications was impartial, although introducing a few Relief party policies. After stating that the library and buildings were in good condition, that the level of instruction was very satisfactory, and that the number of students was large, it touched upon the treasury. Noting that the refectory should have been given a more extensive trial, it sustained the reasons for its discontinuance. The committee pointed out that the great objection of the middle and more humble classes to the university was that it favored the rich, and cuts in both tuition and professors' salaries were suggested. It recommended sectarian neutrality, expressed approbation of the general regulations, and resolved that the trustees be instructed to prohibit lecturing by the professors to private classes for gain. An emphatic protest to the trustees against this resolution, signed by 162 medical students, ³⁶ was published, because this rule applied especially to the medical faculty, although reference had been made to one professor (unnamed) in the academic department.

speeches in agreement with the committee. See Kentucky Reporter, 15 (January 21, 1822), 3; 14 (December 17, 1821), 2.

³⁴ Western Monitor, 8 (April 9, 1824), 3.

³⁵ Kentucky Reporter, 17 (January 19, 1824), 3.

³⁶ Western Monitor, 11 (January 16, 1824), 3.

Up to 1825 the Relief party, following an early friendship with the university, had given the school little support. With the development of the New Court conflict it changed its policy toward the school and attacked the institution to promote itself politically. In 1823 the replevin laws were declared unconstitutional by the circuit court in Bourbon County³⁷ and by the court of appeals.³⁸ The Relief party countered by reorganizing the courts and replaced the opposition judges.³⁹ A strenuous political contest followed, which lasted for two years and finally resulted in victory for the Old Court party and the removal of the New Court judges.⁴⁰ Economic lines between classes in the Relief versus the Anti-Relief contest had been well defined, but they were even more widely separated now. It seemed logical for the New Court party to attack the university, which had many times been accused of being an aristocratic institution. As relief policies were gradually abandoned, the value of the currency increased, and this was one reason for the attack upon high salaries and extravagance in public offices, particularly in the university.⁴¹

³⁷ Charles Kerr, Editor, History of Kentucky, op. cit., Vol. II, pp. 623-24.

³⁸ Ibid., Vol. II, p. 626.

³⁹ Ibid., Vol. II, p. 629.

⁴⁰ Ibid., Vol. II, p. 630.

⁴¹ Several articles signed "A Radical Jr." appeared which were designed to arouse popular feeling against the university and its professors. See Argus of Western America, 18 (September 8 and October 12, 1825), 3, 2.

Further charges against the university.—Other charges were made against Holley and the university: (1) that \$20,000 had been consumed without proper account; (2) that the high cost of tuition and board excluded poor and middle-class students from the university; (3) that the high tuition rate permitted Holley to live in wealth and luxury; (4) that his salary was disproportionately high, compared with other officers of government; (5) that he was a Federalist and taught Federalism; (6) that he carried his aristocratic principles so far as to state that ranks based on earthly achievements were carried to heaven; and (7) that he set an example of gay living for the students, and tended to destroy the students' habits of research and study. An article signed "An Observist" questioned whether Holley had attempted to become a member of the Hartford convention without being delegated by any legislature or other group.⁴² Another article pointed out that Jesse Bledsoe had been "organized" out of the university for Republican politics, although it was well established that his frequent intoxication had caused his dismissal.⁴³ The Frankfort Commentator answered "A Radical Jr." in part,⁴⁴ but the Reporter in an editorial drew a striking picture of the university's opponents:

A few of the jacobin conspirators against the liberties of the people, lately assembled together in Caucus, at midnight, and resolved to attempt to humbug the people on the subject of Transylvania University. Their object is to produce excitement, raise a smoke, and thus

⁴² Georgetown Sentinel, 7 (November 25, 1825), 1.

⁴³ Commentator, 9 (October 22, 1825), 1. Bledsoe developed into one of Kentucky's most gifted orators.

⁴⁴ Commentator, 9 (October 1, 1825), 3.

divert public attention from themselves and their treasonable designs against the Constitution.—Orders accordingly were issued to their Janisaries to commence war upon the President, and ring the charges of Dandyism, Deism and Federalism. Decency is Federalism with these disorganizers; liberality in religion is deism; to respect the laws and the Constitution of the country, more especially to pay one's just debts, is rank federalism, according to the new theory of politics. To slander and villify all who will not bow to the New Court, the Governor, and the Governor's son, Isaac,⁴⁵ is excellent proof of democracy and high-toned republican zeal. The President, however, regardless of the malice of enemies or stratagems of party, pursues the even tenor of his ways. He gives instruction to two classes daily, superintends the government of the institution, in all its departments and ramifications, and receives his pay as usual in commonwealth rags. Notwithstanding all the efforts of political and religious fanatics to pull him down, to keep away students, and to injure the institution, it still flourishes, the number of students continues to increase: the president as yet stands erect amid the storm, enjoying as heretofore the confidence, esteem and love of his pupils and fellow citizens. As to his politics, we believe there is more genuine republicanism in his little finger than in the whole bench of new judges. His religion picks no man's pocket. He ought in mercy to be allowed to eat, sleep and dress as he lists.⁴⁶

It was not proved that Holley taught Federalist politics. On some occasions the students argued political questions, but in most cases they were not permitted this privilege.⁴⁷ Holley was known to favor a greater centralization of power, but not necessarily Federalist politics.⁴⁸

Governor's hostility toward Transylvania.—Governor Desha, as leader of the Relief party in Kentucky, was bound to attack the university. In

⁴⁵ Isaac Desha had been condemned as a murderer and pardoned by his father.

⁴⁶ Kentucky Reporter, 18 (October 24, 1825), 3.

⁴⁷ Charles Caldwell, . . . Rev. Horace Holley, LL.D., op. cit., pp. 237-38 of Appendix. Caldwell wrote that topics of political passion were "rigidly excluded" from the halls of the university. Ibid., p. 238 of Appendix.

⁴⁸ Ibid., p. 238 of Appendix.

an impersonal attack in his message of 1825,⁴⁹ he told again of the heavy endowment, extravagance, overpaid president and professors, excessive tuition, exclusion of the poor, and the general failure of the school to fulfill its ambitions. As the official representative for Kentucky, Desha expressed the state's official ingratitude to Holley for his efforts in training the class of 1824 in the above manner. This class produced some of the most talented men in Kentucky's history.⁵⁰ The General Assembly, in response to the Governor's message and other charges against the university, prepared fifteen questions which were forwarded to the trustees. John Bradford, chairman, submitted answers to these questions with documents to prove his points.⁵¹

Again in 1826, Desha in his message stated that Transylvania was accessible only to the wealthy, that it did not provide an adequate return for the state's "liberality," and that, though respectable, it ceased to unite the confidence and affections of the people.⁵² The senate repeated a proposal from the house that a new investigation of the university be

⁴⁹ Journal of the House of Representatives, 34th Assembly (November 7, 1825, pp. 1-5.

⁵⁰ See Allen Johnson and Dumas Malone, Editors, Dictionary of American Biography, Index Vol. I-XX, pp. 342-43. New York: Charles Scribner's Sons, 1937. This index lists eighty-six men who attended Transylvania University from 1780-1865, and a number of them were members of the class of 1824. Jefferson Davis was a student that year.

⁵¹ Journal of the House of Representatives, 34th Assembly (November 7, 1825 - December 21, 1825), December 17, 1825, p. 431.

⁵² Argus of Western America, 19 (December 6, 1826), 1, delivered December 4, 1826.

made. ⁵³

Presbyterian attempt to recover property.—The clergy and elders of the Synod of the Presbyterian Church of Kentucky submitted a memorial to the legislature of 1826-27 as follows:

The speaker laid before the house the memorial of the clergy and elders of the Synod of the Presbyterian Church of Kentucky, representing that a variety of property belonging to their society, as the funds of the late Kentucky Academy, and now in possession of the Trustees of the Transylvania University, was taken from their possession and control by the act of the Legislature, passed in the session 1817-1818, by which the Trustees were removed from office, contrary to their consent and the stipulations contained in the charter of union between the Kentucky Academy and the Transylvania Seminary, and praying that the said property, or its value, may be paid over to the Trustees of the Centre College of Kentucky, at Danville. ⁵⁴

After this proposal was referred to the committee of claims, ⁵⁵ and after the receipt of a letter from John Bradford, Chairman of the Board of Trustees, probably concerning this petition, ⁵⁶ a resolution from the committee of claims denied the petition, ⁵⁷ and the Old Court legislature of 1826-27 upheld action of the legislature of 1817-18. ⁵⁸

Holley's Withdrawal, A Defeat of Liberalism

Resignation and decline in enrollment.—Holley evidently felt that he

⁵³ Journal of the House of Representatives, 34th Assembly (November 7, 1825 - December 21, 1825), November 8, and 13, 1825, pp. 5, 76-8. This was the session that ousted the New Court.

⁵⁴ Ibid., 35th Assembly (December 4, 1826 - January 25, 1827), December 5, 1826, pp. 21-2.

⁵⁵ Ibid., p. 22.

⁵⁶ Ibid., January 18, 1827, p. 282.

⁵⁷ Ibid., January 19, 1827, p. 288.

⁵⁸ A memorial of this nature was prepared in October, 1824. See

had withstood a great deal of abuse, but with Governor Desha's first attack upon the university he could withstand no more. Although contemplating his departure from Lexington in March, 1826, his friends influenced him to retract his resignation.⁵⁹ Three significant factors led to his final resignation at the close of the academic year, 1826-27. These were: (1) His declaration of intention to resign earlier had caused a sharp decrease in the enrollment of students. The total number had fallen from 419 in January, 1826, to 286 in January, 1827. The academic department had recorded a decline of 42, the medical department a decrease of 92, and the law school was suspended.⁶⁰ (2) Holley's salary was reduced by \$1,000 per year in October, 1826.⁶¹ (3) Governor Desha launched a new attack, as mentioned previously. The decline in the student enrollment upon Holley's removal from the university was greater than in the previous year, falling in December, 1827, to 184 students, 157 medical and 27 academic.

President's report.—Holley summarized his accomplishments while head of the university in a final report dated March 24, 1827, the effective date of his resignation.⁶² He pointed especially to the excellent maintenance of university property, expansion of facilities, and a

Robert Davidson, History of the Presbyterian Church in Kentucky, pp. 314-15, n. New York: Robert Carter Co., 1847. It has not been learned whether this memorial was presented to the legislature.

⁵⁹ Charles Caldwell, . . . Rev. Horace Holley, LL.D., op. cit., p. 267 of Appendix.

⁶⁰ "Trustees Report, December 21, 1827." Manuscript. Transylvania College, Lexington.

⁶¹ Ibid.

⁶² Charles Caldwell, . . . Rev. Horace Holley, LL.D., op. cit., pp. 207-16 of Appendix. This report is dated March 24, 1827.

tremendous increase in graduates. The combined academic, preparatory, medical, and law libraries contained more than 8,500 volumes, over eighty per cent of which had been acquired during Holley's administration. In addition, there was an increase in the mathematics and natural philosophy apparatus by imports recently from France. Holley stated that the curriculum was "full, and is found on experiment to be well arranged and well adapted to the state of the institution." He wrote further that it had been increased gradually, "until it is equal, as it is believed, to that of our oldest and best seminaries." He added that the text books would undoubtedly continue useful for a long time,⁶³ and pointed out the need for instruction in modern languages and for the early revival of the law school. The most impressive point in his report was the fact that, while only twenty-two degrees had been granted in the preceding period, 1799-1818, under Holley's administration of nine years 644 degrees had been conferred upon 558 alumni, under conditions of a greatly extended curriculum and more severe and exact examinations.⁶⁴ Holley wrote:

I should be justly charged with insensibility if I did not state this fact with pride, and remember it with delight, while I reflect with gratitude upon your constant cooperation, and that of my able and faithful colleagues in the responsible task of instruction. This alone is, and will be considered by the candid public as a full and unanswerable refutation of the calumies which our enemies have invented and industriously circulated. We are satisfied with the contrast. Are they?⁶⁵

If Robert Davidson's history of the Presbyterians' accomplishments

⁶³ Ibid., p. 210 of Appendix.

⁶⁴ Ibid.

⁶⁵ Ibid., pp. 210-11 of Appendix.

in education in Kentucky was representative of the Presbyterians' views generally, they were elated over their defeat of liberal education in Kentucky.⁶⁶

Departure for Louisiana.—Lexington's farewell to Holley upon his departure proved that he had made a deep impression upon the citizens of this community during his stay of nine years. Students of the Union Philosophical Society, one of the two leading literary societies in the university, extended their appreciation of his services: "You are dear to us, because you have extended your fostering arms to assist us as a society, and have guarded with the watchful affection of a parent, the purity of our morals and the propriety of our conduct: and because you have been the cultivator of our minds."⁶⁷ Holley answered this communication with a similar appreciative note in which he recalled their contribution to the morality of Transylvania, and pointed out that more active friends of education in Kentucky were needed, as well as greater endowments. In his comment upon his enemies' activities, he wrote:

I wish never to forget the period, which I have spent in this place. I have experienced incomparably more blessings than evils, and have found vastly more friends than enemies. The ingenious, the liberal, the magnanimous, have cooperated with me; the character of those, who have assailed me, I will not now take time to delineate. They have nothing to do with my determination to go or stay. My best enjoyments they have

⁶⁶ See Chapter IX, Robert Davidson, History of the Presbyterian Church in Kentucky, pp. 288-320. New York: Robert Carter Co., 1847.

⁶⁷ "Letter from the Union Philosophical Society, signed, W. T. Cockerill, R. W. Scott, G. W. Weisinger, March 2, 1827." Manuscript. Transylvania College, Lexington.

never reached; they have brought upon themselves far more suffering than upon me. When they become good men, may God bless them. Incidentally they attract my attention: I think of you spontaneously, of them with an effort. ⁶⁸

Holley was given a farewell party by a large group of friends and admirers upon his departure from Lexington. Although he had been employed to aid in the establishment of a university in Louisiana, Holley's career was cut short when he contracted a fatal illness while on an ocean voyage shortly after his departure from Lexington.

Defeat of Liberal Kentuckians

Investigation by the House.—The trustees accepted Holley's report with high approbation, ⁶⁹ negotiated with Rev. Thomas McAuley and Rev. Alva Woods regarding the presidency, tackled the big financial problem ahead, raising \$11,000 through local subscriptions, and began a new medical building. Yet the trustees foresaw the need for assistance in the near future and on December 10, 1827, sent a memorial to the legislature asking for support. ⁷⁰ Governor Desha, however, in his message of 1827 stated there was talk that the trustees had not proceeded with sufficient care in handling the university's funds, and called for a legislative investigation to establish the facts. After a joint committee was suggested

⁶⁸ "Horace Holley, to the Union Philosophical Society, March 3, 1827." Manuscript. Transylvania College, Lexington.

⁶⁹ Charles Caldwell, . . . Rev. Horace Holley, LL.D., op. cit., pp. 215-16 of Appendix.

⁷⁰ "Memorial to the Legislature, December 10, 1827." Manuscript. Transylvania College, Lexington.

in the house, ⁷¹ on December 14, 1827, the house resolved to investigate independently. ⁷² After a resolution requiring the committee to visit the university was tabled, ⁷³ the trustees submitted a long letter answering questions forwarded by the committee. ⁷⁴ The trustees were intent upon justifying their administration and on January 23, 1828, the committee's chairman reported:

Your committee find the report of the trustees of that institution a correct expose of its situation and means. They have investigated the conduct of the trustees in its management, and believe that they have acted with a view to promote its prosperity: but they find that great dissatisfaction has prevailed in the public mind in relation to this institution and its concerns. For the purpose of giving satisfaction to the public, to give confidence, and to unite the great body of the people in support of this once celebrated institution of learning, your committee therefore recommend a new election of trustees. ⁷⁵

The trustees had asked for the election of a new board; the committee also recommended this action. ⁷⁶ A new board of trustees was appointed by the state legislature; ⁷⁷ however, it contained all the old members except three, who wished to resign. Since there had been an existing vacancy, ⁷⁸ four new trustees in all were appointed to the board.

⁷¹ Journal of the House of Representatives, 36th Assembly (December 3, 1827 - February 13, 1828), December 10, 1827, p. 69.

⁷² Journal of the House of Representatives, 36th Assembly (December 3, 1827 - February 13, 1828), December 14, 1827, p. 103.

⁷³ Ibid., December 22, 1827, p. 134.

⁷⁴ "To the Senate and House of Representatives for the State of Kentucky, December 31, 1827." Manuscript. Transylvania College, Lexington. Also in Journal of the Senate, 1827-28.

⁷⁵ Journal of the House of Representatives, 36th Assembly (December 3, 1827 - February 13, 1828), January 23, 1828, pp. 250-51.

⁷⁶ Kentucky Reporter, 21 (March 19, 1828), 3 (Copy of report).

⁷⁷ Journal of the House of Representatives, 36th Assembly, op. cit., January 31, 1828, p. 252.

Kentucky Reporter, 21 (March 19, 1828), 3.

⁷⁸ Ibid., p. 252. The vote was 27 to 63.

Senate investigation.—The senate conducted a separate investigation, which also proved that the trustees had not been careless with respect to the Morrison bequest. Rumors had circulated to the effect that Henry Clay had held the residuary legacy unlawfully, but the committee vindicated the trustees completely. A charge that the trustees had used their offices for political gain was quashed with equal finality. On the latter point the committee reported:

In relation to the other charge, . . . that the Trustees were influenced in their elections by political partialities, the Committee will state, that it appeared that most of the vacancies in the Board of Trustees had been filled by men entertaining the same political opinions with the majority of the Board who elected them. It also appeared there had been some elected of opposite political sentiments; that the election of Treasurer and Clerk to the Trustees had occurred twice since the formation of the present Board, and that in each of these instances a gentleman opposed in politics, to a majority of the Board had been chosen; and further, that these are salaried officers, when the trustees themselves receive nothing. It further appeared, that in the election of the Professor of Law in the University at several different times, three men had been chosen who differed, and two who agreed, with them in politics; and at other times two who were not citizens of this state, and of course who were not supposed to have taken sides on the political questions alluded to, were also chosen. It further appeared, that the capacity or qualifications of the Trustees so elected were not called in question, even by those who were opposed to them in political sentiments. The committee would, it is believed, exceed the bounds of their duty and their privileges to attribute to improper motives in the Trustees, that, which so far as the committee can know, was the result of a full deliberation, and of a consciousness of rectitude in the discharge of their official duty. ⁷⁹

Failure of liberal university plan.—The ambition to establish a great central liberal university, open to all religious denominations and administered in accordance with a liberal philosophy, while very nearly realized during the nine years of Holley's administration, was

⁷⁹ Kentucky Reporter, 21 (March 19, 1828), 3.

overwhelmingly defeated. So completely quashed was the ideal of a great liberal state university, that fifty years passed before State College, Lexington, Kentucky, was established in 1878. While State College was the extended Kentucky Agricultural and Mechanical College established in 1865, it was not free from Kentucky University, a sectarian (Disciples of Christ) institution until 1878. Even Henry Clay was of the same opinion⁸⁰ as the faculty, who requested a clergyman as Holley's successor shortly prior to the latter's resignation.⁸¹ By this action the faculty had hoped to conciliate the religious denominations. None but the boldest of men would expose his reputation and talents to such an onslaught as that suffered by Holley; and none but an irrational board of trustees would invite such opposition to their school.

But of a more serious nature were other fast-moving geographical and economic factors. By the end of the Holley period steam navigation had become practical up and down the Ohio-Mississippi water route. This transportation development, along with the exodus of Kentuckians toward the new rapidly-moving Western frontier, accounted for a reduction in Lexington's relative importance as a commercial and industrial city. With the development of the river cities, Louisville and Cincinnati, new cultural centers arose to challenge Lexington's supremacy; the chartering of colleges was high on the agenda of developmental policies

⁸⁰ Harry R. Lynn, "Henry Clay and Transylvania University," p. 48. Unpublished Master's thesis, University of Kentucky, 1930.

⁸¹ "Letter to trustees, January 12, 1827, signed John Roche, Thomas J. Mathews, George S. Chapman." Manuscript. Transylvania College, Lexington.

of these cities. Several medical schools were established in Cincinnati, and Dr. Daniel Drake, who had been attached to Transylvania's medical faculty, soon became a great medical educational leader, adept at opening new competing medical schools. Any weakening of Transylvania's medical school, which enrolled the bulk of the school's students, worked to the disadvantage of the entire university. Lexington was beginning to experience difficulty in obtaining sufficient anatomical specimens, sick subjects, and hospital facilities. The larger cities offered more opportunities for a medical school, but the vested interests of Lexington were strong and the medical school's faculty was determined and tenacious in its fight against the new competition.

The Professional Schools, 1825-1828

There was a serious decline in the medical school in 1826 and the law school became inactive for three years beginning in this year. While causes of decline of the university generally have been attributed to the effects of the controversy between liberalism and sectarianism, financial reasons such as the effective increase of thirty-three per cent in medical school tuitions should be taken into consideration, as well as the general unstable economic conditions during this period.

Expansion of medical school facilities.—With a steady increase in enrollments, the medical school had by January, 1826, surpassed all of the older medical schools in America except one, in terms of numbers of students.⁸² The drop in enrollment from 281 to 190 in 1826-27 was due

⁸² "Kentucky," Niles Weekly Register, 24 (January 21, 1826), 326.

to the general economic conditions in Kentucky and other factors previously related, but more specifically to an effective increase in tuition amounting to about thirty-three per cent. In October, 1825, the faculty of the medical school announced that the "Professors will receive, as they have done heretofore, the paper of the Commonwealth's Bank at par,"⁸³ but by July, 1826, the faculty advertised that "specie or its equivalent will be expected."⁸⁴ The paper currency of Kentucky had depreciated by about one-third.⁸⁵ The enrollment dropped again in 1827-28 to 152, but this was the lowest figure prior to 1848-49, when the school began to decline.⁸⁶ The medical school, which held separate commencements, graduated sixty-five, fifty-three, and fifty-three, respectively, for the three academic years considered.⁸⁷ Its influence in the South and West can be demonstrated to some extent by the graduates of 1827, who hailed from ten states: Kentucky (19), Tennessee (9), Virginia (8), South Carolina (5), Alabama (4), Mississippi (3), Missouri (2), New York (1), North Carolina (1), and Louisiana (1).⁸⁸

⁸³ Kentucky Reporter, 18 (October 3, 1825), 2.

⁸⁴ Kentucky Reporter, 19 (July 21, 1826), 3.

⁸⁵ Charles Caldwell, A Report Made to the Legislature of Kentucky on the Medical Department, Transylvania University, February 15, 1836, p. 9. Lexington: J. Clarke and Co., 1826.

⁸⁶ A Catalogue of the Officers and Students in the Medical Department of Transylvania University, January, 1840, p. 12. Lexington: The University, 1840.

⁸⁷ Ibid., January, 1840, p. 23.

⁸⁸ Transylvania University Medical Department Commencement Program, March 16th, 1827, pp. 1-2. Lexington: The University, 1827.

A new building was erected in 1827 by the professors themselves, "partly from their own resources, and part by a stock-fund on which they pay interest."⁸⁹ This building was used by the medical school until 1840, when the building of a new medical hall, which was begun in 1839, was completed.⁹⁰

(a) MEDICAL SCHOOL PUBLICATIONS.—In February, 1828, The Transylvania Journal of Medicine and the Associate Sciences was launched by the faculty of the medical school with John E. Cooke, M.D., Professor of Theory and Practice of Medicine, and Charles W. Short, M.D., Professor of Materia Medica and Medical Botany, as editors.⁹¹ A reviewer wrote that "on the whole, in point of purity and carefulness of style, and as far as we are qualified to judge, of utility, importance and treatment of the articles, this journal need not fear to institute a comparison with the proudest that our country has produced."⁹² A year later another reviewer, in praising this journal, wrote: "We do not see a handsomer or more correctly printed work of the kind in the United States."⁹³ This journal

⁸⁹ Charles Caldwell, A Report Made to the Legislature of Kentucky on the Medical Department, Transylvania University, February 15, 1826, p. 10. Lexington: J. Clarke and Co., 1836.

⁹⁰ "Minutes of the Medical Department of Transylvania University, Lexington, August 17, 1840," pp. 212-13.

⁹¹ The Transylvania Journal of Medicine and the Associate Sciences, 1-12 (February, 1828 - November, 1839).

⁹² Albert G. Meriwether, "Review of The Transylvania Journal of Medicine and Associate Sciences," The Western Monthly Review, 1 (April, 1828), 754.

⁹³ Timothy Flint, "Transylvania Journal of Medicine and Associate Sciences," The Western Monthly Review, 2 (February, 1829), 403.

was continued through twelve volumes, but was allowed to lapse in 1839. Another journal, entitled the Transylvania Medical Journal, was published by the medical school faculty from 1849 to 1853.

Crisis in law school.—The trustees reported that the law school was not active for a period of three years, 1826-27, 1827-28, and 1828-29;⁹⁴ however, there were thirty students enrolled in 1825-26.⁹⁵ Although newspaper announcements stated that the law lectures for the year, 1825-26, were to be given by Jesse Bledsoe and Charles Humphreys,⁹⁶ apparently Bledsoe's services were terminated in October, 1825, because of his frequent intoxication.⁹⁷ Again, prior to the scheduled opening of the 1826-27 law session, announcements of law lectures by Humphreys were made,⁹⁸ but the trustees announced later that the activities of the law school were suspended because competent professors could not be secured.⁹⁹

Niles Weekly Register carried an article stating that a "Mr. Livingston" of Louisiana had been solicited by the trustees of Transylvania University "to deliver lectures on law in that institution, for three months

⁹⁴ "Report of the Trustees of Transylvania University to the Senate and House of Representatives of the State of Kentucky, in Legislative Assembly convened," Kentucky Reporter, 21 (April 2, 1828), 1.

⁹⁵ A Catalogue of the Officers and Students of Transylvania University, July, 1826, p. 15. Lexington: The University, 1826.

⁹⁶ Kentucky Reporter, 18 (October 24, 1825), 2.

⁹⁷ Commentator, 9 (October 22, 1825), 3.

⁹⁸ Kentucky Reporter, 19 (September 4, 1826), 3.

⁹⁹ "Report of the Trustees of Transylvania University," Kentucky Reporter, 21 (April 2, 1828), 1.

in the year, with an annual salary of four thousand dollars,"¹⁰⁰ but no further evidence has been found concerning this transaction. The fact that the tuition was changed from \$50 for two professors in 1825-26¹⁰¹ to \$20 specie plus \$5 for fuel and janitor expenses for one professor in 1826-27,¹⁰² in addition to the termination of Bledsoe's services, may have accounted to some extent for the trustees' action in allowing the law school to lapse. Holley's original plan to resign in March, 1826, which caused a general reduction in the university enrollment, possibly affected the size of the law school's student body. Other social, economic, and political factors mentioned earlier in this chapter affected the law school, as well as the other departments of the university.

(a) PRESIDENT HOLLEY AS LAW PROFESSOR.—In the field of law Holley and his associates had to face and overcome the popular prejudice toward instruction by lecture, an opposition based upon the tradition of private training. Holley's defense of the lecture method in law instruction is recorded as follows:

The great object of a course of public lectures is to produce excitement in the teacher and the pupils, to furnish all the well known benefits of competition, to call up the most important subject of inquiry, to point out and to solve difficulties, to increase the appreciation of the mind for knowledge and its power of digestion, to lead the student

¹⁰⁰ "Kentucky," Niles Weekly Register, 29 (December 10, 1825), 230, copied from the New Orleans Advertiser.

¹⁰¹ Kentucky Reporter, 18 (October 24, 1825), 2.

¹⁰² Kentucky Reporter, 19 (September 4, 1826), 3.

¹⁰³ "Horace Holley's 'Introductory Law Lecture,' November 8, 1823," p. 2. Manuscript. Mrs. Benjamin Gratz Crosby, Woodford County, Kentucky. Typewritten copy in Transylvania College, Lexington.

to a proper method of investigation, and thus enable him to conduct his own studies with success. As soon as the uses of public lectures are clearly understood, opposition to them will cease. All Europe has tried their efficacy, and found them worthy of the greatest patronage. The example and success of our Medical Schools are perfectly applicable to a Law Establishment. The difference is not great between the number of physicians and of lawyers wanted in a community. The great reason why Law Classes have not been as numerous as Medical Classes must be that as many attractions have never been furnished. Prejudices against teaching law by lectures are as ill founded as those ^{were} which formerly existed against Medical instruction in this manner. ¹⁰³

Summary

It has been shown that the liberals' efforts to establish a liberal and central university, while aggressive and well-grounded, did not calculate the full religious composition of the state. After the Presbyterians had pointed out some liberal elements of Holley's religion, they began to attack him personally. Since he was not discreet in his personal habits, it was not difficult for his opponents to attack him successfully on those grounds. However, the Presbyterians were not fully responsible for Holley's defeat; economic conditions of a very unstable nature were making it difficult to operate virtually any kind of a school. In consequence of political opposition to the liberalists, such as that displayed by the governor in 1826, Holley was forced to resign. This resignation, although withdrawn, caused in itself anxiety among the university's supporters, and was one factor causing a decrease in the school's enrollment. Following the governor's criticism of the school in 1827, the senate and house both decided upon investigations. The trustees' reaction to all of this challenge and criticism was the call for the election of a new board. In compliance with this request the

state elected all of the old trustees except three who requested to resign, another one being made to fill an existing vacancy. Horace Holley and his supporters were not able to cope with all their challengers, religious, economic, and political, and their expulsion from Transylvania ushered in a new era of Transylvania's history.

While the law school was temporarily inactive due to an alleged shortage of teaching personnel, the medical school, showing some decline, was not seriously injured by Transylvania's religious and political controversy. One liberal period of Transylvania history ended with Holley's final resignation, in spite of the fact that the Presbyterians were fairly well established in their new college at Danville. Again, many of the causes preventing Transylvania's rapid development continued to harass her: lack of financial support, lack of public support, lack of effective leadership, lack of preparatory school graduates, the establishment of competing schools, and academic freedom.

CHAPTER VII

DENOMINATIONAL AND LIBERAL INFLUENCES: PROFESSIONAL EMINENCE, 1828-1842

This chapter relates the principal events taking place at Transylvania University between the progressive administrations of Presidents Horace Holley and Henry Bascom. The academic department suffered successive failures, but the professional schools made their greatest bid for national recognition during this period.

Baptist Influence, 1828-1831

Finally convinced that the Presbyterians had abandoned Transylvania University permanently in favor of their own Centre College at Danville, and that they dare not attempt to call another president of Holley's liberal stamp (lest he fall heir to the same fate as his predecessor), the trustees made a serious effort to rally the Baptists (another Calvinistic Protestant denomination) to the support of the university. Their strategy was not subtle. The Baptists of Rhode Island were in a sense different from the other Baptists in America in the late 1820's and early 1830's in that they pioneered for a trained ministry.¹ In carrying out this objective they had established one of the strong colleges of New England, Brown University. The Transylvania trustees invited President Alva Woods

¹ See Donald G. Tewksbury, The Founding of American Colleges and Universities Before the Civil War with Particular Reference to the Religious Influences Bearing upon the College Movement, p. 146. New York: Bureau of Publications, Teachers College, Columbia University, 1932.

of Brown University to accept their highest office.

The Woods administration.—Rev. Alva Woods was elected president after Rev. Thomas McAuley of New York declined this position, allegedly because of factionalism.² Woods displayed a vigorous spirit in his inaugural address, but nowhere in this address did he outline any clear-cut blueprint for restoring to the academic department the large student body, the prestige, and community influence which it had displayed during certain phases of the Holley administration.³ Woods expressed his attitude toward Transylvania in the following passage from his inaugural address:

Fellow citizens, I should not have come this far away from dearest kindred and friends, unless possessed of confidence in your virtues, and untiring co-operation to promote the interests of good letters. . . . Those who have been thus foremost to fell our forests and our foes, will not be the last in the race of literary enterprise, and in the march of intellectual improvement. What the citizens of this town and country are doing to sustain this institution is a most cheering indication of public sentiment. It will embalm your names in the memory of the virtuous; and transmit to ages yet unborn the manifold blessings of education. Let every man do his duty, and I say with confidence that, under God, Transylvania shall be the delight and glory of the West.⁴

Although he did not identify any educational theory in his inaugural address, other than his emphasis upon education as a means for developing

² "Minutes of the Board of Trustees of Transylvania University, Lexington, December 10, 1827," Vol. IV, p. 19.

Woods was installed at the Episcopal Church on October 13, 1828. Ibid., February 7, 1828, Vol. IV, p. 31.

³ Alva Woods, "An Address Delivered at the Inauguration of the President of Transylvania University, October 13, 1828," Kentucky Reporter, 21 (November 19, 1828), 1.

⁴ Ibid.

intelligence, which he regarded as the best safeguard for freedom, Woods' unrevealed theory of administrative success perhaps was one of industry. Woods' act in leaving Brown University and the comforts of Providence to face a new life in the West, where conditions were not actually hazardous but at least different from New England, indicates that he desired to accept a challenging position. It is certain that he knew the circumstances surrounding Holley's administration. Therefore, a love for work and a fearless attitude toward duty may have prompted him to come to Lexington. This may have been the secret of his success, as for many celebrated persons. Typical newspaper comment on Woods' address was reported in the Richmond Chronicle: "Judging from the address and the reputation of Mr. Woods, we can augur well of the future usefulness of the institution over which he is called to preside." ⁵

It is always difficult to fill the shoes of a leader who expresses himself openly on controversial issues, since such a man usually is extremely popular with some of the people and very unpopular with others. Holley was a leader of this stamp. President Woods openmindedly followed a course that brought forth little comment along religious and political lines. ⁶ Such comments as appeared usually pointed out his aloofness from sectarian or political questions, or both, as in the following

⁵ "Transylvania University," Richmond Chronicle as quoted in the Kentucky Reporter, 22 (January 14, 1829), 1.

⁶ Several years later while serving as President of the University of Alabama, Woods did not follow such a cautious course. His stand on slavery was so antagonistic toward the people of Alabama that he was forced

editorial: "We understand that Mr. Woods is of that order of Christians called Baptists; but enters into none of that unfortunate bickering, which for a time past has been the greatest reproach to those who call themselves followers of Christ, but many of whom fall far short in displaying any portion of His meekness, or of that charity which is indicated in all His precepts." ⁷

In answer to accusations that Transylvania was administered according to party principles, a citizen stated that it was a well known fact that the trustees were composed of distinguished men of both political parties, and that the professors and the president had not given any instruction in party politics. ⁸ A year later an editor assured his readers that those who presided over Transylvania would banish the politics of the day from its halls. ⁹

Woods' departure followed by decline.—Woods accepted a position as president of the newly organized University of Alabama early in 1831, departing from Lexington at the close of the 1830-1831 academic term. ¹⁰ Although the status of Transylvania seemed to be secure, some evidences

to vacate his position. See biographical sketch in Alva Woods, Literary and Theological Addresses. Providence: Published by the author, 1868; Robert S. Cotterill, "Alva Woods," Dictionary of American Biography, Vol. 20, pp. 500-501. New York: Charles Scribner's Sons, 1936.

⁷ "Transylvania University" (editorial), Kentucky Reporter, 22 (January 14, 1829), 1.

⁸ "Citizen of Lexington," "Transylvania University," Kentucky Reporter, 22 (November 4, 1829), 1.

⁹ "Transylvania University," Kentucky Reporter, 23 (July 28, 1830), 2.

¹⁰ See biographical sketch in Alva Woods, Literary and Theological Addresses, op. cit.

of discouragement and decline are noted. "A K _____ n" wrote: "Can a good citizen be indifferent to that [the low status of Transylvania University] which involves some of the most important interests of his own sons and daughters and of the community in which he lives?" ¹¹ Fayette County patrons, however, out of necessity came to the rescue of the school eight years later. ¹² "A K _____ n" wrote a second article, in which he raised another question concerning the trouble facing the school. "A good citizen, aroused to reflection by the present discouraging prospects of Transylvania University, may be anxious to know what can be done for its revival." ¹³ He inquired whether some mistaken popular notions about such an institution were not crushing it to the earth. No satisfactory answers to these questions could be found.

"Viator," in a description of the school's commencement in October, 1831, wrote that many discouraging circumstances attended it. ¹⁴ He mentioned the loss of the main building by fire, the small graduating class of the spring of 1831, and other disheartening events that had transpired. In order to overcome these low points of accomplishment, "Viator" made definite recommendations. After saying that "no friend of learning but must have been deeply convinced on Wednesday last that

¹¹ "A K _____ n," "Our University—No. 1," Kentucky Reporter, 24 (March 16, 1831), 2. This article describes Transylvania University as being in a declining status.

¹² See "An Act to Incorporate the Transylvania Institute, and for Other Purposes," Observer and Reporter, 7 (March 27, 1839), 1.

¹³ "A K _____ n," "Our University—No. 2," Kentucky Reporter, 24 (March 23, 1831), 2. This article further describes the declining status of Transylvania University.

¹⁴ "Viator," "Commencement of Transylvania University," Kentucky Reporter, 24 (October 5, 1831), 2.

we have amongst us the best of materials for a flourishing University," he said that nothing is wanting but three things: (1) an effective committee of the trustees to superintend its affairs, (2) a laborious and active president, and (3) a thorough system of instruction to raise the university from the "dust with renovated usefulness and vigor." "Viator" had made a good diagnosis of Transylvania's ills by his prescription for her cure.

Another factor influencing a decline at Transylvania was the Baptists' transfer of their patronage to their own distinctive institution, Georgetown College, at Georgetown, Kentucky, which was founded in 1829.¹⁵

Episcopalian Influence, 1831-1838

Although the trustees' attempt to rally the Baptists to the support of Transylvania proved to have been an abortive one, the three-year presidency of Alva Woods was not without some progressive steps. For one thing the law school, which had been inactive for the three years, 1826-1829, was reorganized in the fall of 1829. However, the march of church-related colleges was now well begun in Kentucky. The two strongest Calvinistic denominations in Kentucky had their own institutions, the Presbyterians at Danville, and the Baptists, at Georgetown. The trustees aimed to form a tie with the Episcopal Church. Rev. James Moore, an Episcopalian clergyman, had headed Transylvania at two different times in previous periods.

¹⁵ Alvin F. Lewis, History of Higher Education in Kentucky, p. 67. U. S. Bureau of Education, Circular of Information, No. 3. Washington: Government Printing Office, 1899.

Following a two-year period of decline under the temporary guidance of John Lutz,¹⁶ the trustees elected Rev. Benjamin O. Peers, an Episcopalian clergyman, to the acting presidency.¹⁷ Following another short term as temporary president, eight months, John Lutz¹⁸ was succeeded by Rev. Thomas W. Coit, another Episcopalian clergyman, who was elected to the presidency on October 25, 1834.¹⁹ In 1837 there was a severe financial crisis in America precipitated by a failure of crops between 1835 and 1837 and followed by a long depression,²⁰ which placed financial difficulties upon all institutions of higher learning, the medical faculty split and formed a new competing school in Louisville, and the financial condition of Transylvania's academic department became so serious that a reorganization under a joint-control organization including a private corporation, a municipality, and the state was undergone.²¹ It will be shown that the Episcopalian relationship was unsuccessful in advancing Transylvania's academic department in keeping with the development and expansion of the young nation.

¹⁶ A Catalogue of the Officers and Students in the Medical and Law Departments of Transylvania University, p. 16. Lexington: The University, January, 1833.

¹⁷ "Transylvania University, An Address to the Public," Lexington Observer and Kentucky Reporter, 2 (May 2, 1833), 3.

¹⁸ "Minutes of the Board of Trustees, Transylvania University, Lexington, February 14, 1834," Vol. IV, p. 321.

¹⁹ Ibid., October 25, 1834, Vol. IV, p. 337.

²⁰ Ray B. Westerfield, Money, Credit and Banking, p. 365. New York: The Ronald Press Co., 1948.

²¹ "An Act to Incorporate the Transylvania Institute, and for Other Purposes," Lexington Observer and Reporter, 7 (March 27, 1839), 1.

The Peers administration.—The trustees announced their intention to succeed in building up Transylvania's academic department in the following terms:

Transylvania was the first Academical Institution established west of the Alleghany mountains; and it had at one time grown up to great eminence of character and usefulness. But owing to many disastrous causes, falling heavily upon it, during the strife and contentions of party zeal, a depreciated currency of the state, and the conflagrations of fire, the Academical Department became so much obscured as to be almost despaired of by its friends and supporters. But the Trustees, borne up by a perseverance and unquenchable zeal in the cause of letters, lost none of their hopes, that once more they might see it rise in renewed vigor and splendor, and become one of the brightest luminaries in the great constellation of Colleges which surround it. ²²

Although Benjamin Peers was chosen acting president, it will be seen from the foregoing discussion that the trustees took a very active part in administering the university, and that Peers was not given authority commensurate with his responsibility. Moreover, by refraining to name Peers to the full presidency, the trustees indicated to the general public a lack of confidence in Peers' ability. Thus at the outset Peers' chances to succeed were narrowed. He faced a task thus encumbered, which several stronger men under more conducive circumstances met unsuccessfully.

(a) PROGRESSIVE PLAN FOR ADVANCEMENT.—The academic department had declined in numbers and in general reputation since Holley's departure, although many elements of the leadership in Lexington and in Kentucky generally were highly interested in maintaining that department on a high

²² Board of Trustees, Transylvania University, "Transylvania University, An Address to the Public," Lexington Observer and Kentucky Reporter, 2 (May 2, 1833), 3.

level. Their view was that professional departments could be added to this nucleus in keeping with the needs of the community, but that the reputation of the institution in a large measure would depend upon the ability of the academic faculty, their contributions in their respective fields, the thoroughness of their instruction, the curriculum offered, and, perhaps of first importance, the success of the graduates.

In discussing the academic department of Transylvania University (Morrison College), Peers observed that, while other universities had been known to "sustain" themselves by their inherent strength through periods of crisis, Morrison College must find a different solution for her problems.²³ He pointed out that Morrison College had to demonstrate that a college, after repeated failures under much more advantageous circumstances, must force itself into prosperity almost without resources and despite numerous and appalling difficulties.²⁴ Peers openly challenged the trustees to refrain from exercising the administrative prerogatives of the president's office, when he asked that the executive officers be left free to "act in accordance with the dictates of the genuine policy of the institution." Peers confidently accepted the challenge of the position with all of its hazards, but only on the condition that he be granted full administrative powers.²⁵

²³ Benjamin O. Peers, op. cit., pp. 25-26.

²⁴ Ibid.

²⁵ Ibid.

Peers' blueprint for a progressive administration contained four main points: ²⁶ (1) that public opinion would have to be conciliated; (2) that education at Transylvania must be adapted to the wants and demands of the surrounding country; (3) that due to the low grade of scholarship in the Western country, "preparatory" work would be of first importance; and (4) that all citizens would have to cooperate if the "fallow institution" were revived. In order to better public relations, he suggested that the impression that the school was for the benefit of the rich alone be quashed. He proposed that Transylvania become more closely allied with popular education by making of the university a state university in "reality." A state university should be the head of a series of schools organized to serve different stages of mental development and should maintain a friendly and wholesome relationship with schools of every grade throughout the state, he believed. Peers' most forward-looking statement in regard to educational conditions in Kentucky lay in his suggestion that a department for educating teachers be established at Transylvania. ²⁷

In order to adapt education at Transylvania to the needs of the western country, Peers recommended less emphasis upon the "dead languages," and more encouragement to "natural sciences." ²⁸ He stressed the importance of presenting arithmetic in its logical medium, in problems of

²⁶ Ibid., pp. 25-28.

²⁷ Peers' exact words were: "Let us establish in connection with Transylvania a department for educating teachers, and let us proffer its advantages to all who aspire after respectable qualifications for this most important office" Ibid., p. 27.

²⁸ Ibid., pp. 27-28.

"store boys" and in terms of "ordinary marketing of their father's families, without studying anew the very elements of arithmetic." The importance of spelling in an "ordinary note" or letter, or in a composition, was, along with the expression of ideas, a weakness of many graduates. In regard to the quality of education, he spoke of "the comparatively humble and laborious task of doing the preparatory work" because of the "necessity of the case imposed upon us by the prostrate condition of the institution." In conclusion, he earnestly called upon his fellow citizens to cooperate in the difficult task of reviving Transylvania's academic college. ²⁹

(b) PEERS' FAILURE.—Peers was inaugurated after President Woods had been unsuccessful in bringing Transylvania up to the level established by Holley. That he too had been unable to accomplish this task emphasizes the possible existence of causal factors other than those commonly indicated as reasons for failure. No entries in the board of trustees' records identify the causes for failure, but it is probable that dissensions (political and/or religious) and possibly personal factors within the board accounted for many of the obstacles faced by the school.

The minutes of the board of trustees reveal so little disagreement over this period that a certain skepticism is raised in the reader's mind as he scans these records. Had the board employed the services of a good administrator and given him reasonable support, the standards of the Holley period might well have been continued and even advanced. Had any one of

²⁹ Ibid., p. 28.

the six administrators (Woods, Lutz, Peers, Coit, Marshall, or Davidson) been given security and tenure over a period of ten years or more with support from the board, all evidence points to the possibility that real success would have been attained. The usurpation of the president's power and authority by the board usually destroyed the initiative of the incumbent, and when the president was offered only unsatisfactory redress,³⁰ after an incident in which he was overruled by the board, retirement was the only reasonable choice.

Peers struggled to initiate his ideas and to revitalize the academic department, but succeeded only moderately. His fate was that of his predecessor and of his successors; his results varied little from their attempts at revitalization. The answer in each administration was only fair or moderate success. Woods, perhaps more than the others, proved that he was not at fault by continuing as a fairly successful university administrator elsewhere. His services at the University of Alabama were highly regarded; as an educator he was well known and respected, and proved himself extremely capable. In Woods' case, the inability to adjust himself to the Southern way of thinking curtailed his term of office at Alabama to a period of six years. The ministry beckoned to some of the other presidents after their resignations.

³⁰ After vainly trying to get the trustees to make open charges against him, Peers brought suit against them, asserting that his dismissal in an equivocal manner had given rise to doubts regarding his character. He was obliged through a legal maneuver to abandon this effort at justification in 1837. See Grant C. Knight, "Benjamin Orr Peers," Dictionary of American Biography, Vol. XIV, p. 389. New York: Charles Scribner's Sons, 1936.

The Coit administration.—Rev. Thomas W. Coit came to Lexington from Cambridge to fill a professorship in the Episcopal Theological Seminary at Lexington.³¹ He was elected president of the university on October 25, 1834,³² but did not begin office until July 1, 1835.³³ Coit was not an outstanding administrator but acquired some recognition through his writings and as an Episcopal rector.³⁴

(a) COIT'S PLAN FOR ADVANCEMENT.—The evidence available seems to indicate that Coit was competent enough to make a success out of the job of president. However, contrary to the evidence available on the Holley administration, where it was difficult to distinguish the poor economic conditions from the political and religious controversies as forces opposing the university's progress, the failure of the Coit administration appears to rest squarely upon the economic crisis and depression, which faced Kentucky and the entire nation in 1837 and for several years following. There were other contributing factors, and though their importance is not as significant as the former, they together with the former show why the Protestant denominations abandoned Transylvania. The next administration of Transylvania was possibly its most secular up to this time. It

³¹ This seminary was not actually connected with Transylvania, but a rather close relationship was maintained during Coit's presidency. See Lewis Collins and Richard H. Collins, History of Kentucky, op. cit., Vol. I, p. 41.

³² "Minutes of the Board of Trustees, Transylvania University, Lexington, October 25, 1834, Vol. IV, p. 337.

³³ Ibid., July 1, 1835," Vol. IV, p. 349.

³⁴ See sketch of Coit's life in Lewis Collins and Richard H. Collins, History of Kentucky, op. cit., Vol. I, p. 41.

has been shown how the Toulmin and Holley administrations followed many secular objectives, the most revealing one from the standpoint of this study being that plan to administer the university in such a way that all denominations would be attracted to it—that the great Christian ideas which virtually all denominations accepted were emphasized. In addition, the first lay president was installed and no indications of any denominational ties are evident for the period, 1838-1840.

Coit's presidency extended over a period of only two years and he proved again that, without the support of the board of trustees and without sufficient financial support, he could not regain the prestige which the academic college had possessed during an earlier period. The financial structure had during Coit's administration reached its lowest ebb and a new financial arrangement or plan became necessary, if the academic college was to continue active. In fact the whole university was in danger of failing, since the medical faculty had been involved in a controversy over a plan to move the medical school to Louisville. The result of the need for refinancing the school led to a plan that became known as the Transylvania Institute. These two last points are subjects of later discussions.

In conclusion it may be noted that Coit, a recognized scholar, had plans for improving the general instructional area of the university, but that he did not possess sufficient vigor or administrative ability to coordinate the different groups, who strongly desired to support an institution of higher learning in Kentucky into an efficient working body of supporters. With little endowment and a very small budget, consisting

largely of tuition fees, the academic college (and the university to a large extent) was not strong enough in its present status to weather a serious depression.

(b) COMPETITION FOR FUNDS.—Two other forces stood in the way of Transylvania's progress: the competition for funds by the newly created state public system and the competition for students from the many newly established church-related colleges, military schools, and professional schools.

Although the public school system was not established in Kentucky until 1838, there was considerable agitation for and against such a system several years prior to this time. Some of this agitation appeared as articles in the various newspapers, the major part being signed by pseudonyms. In some of these articles the competition between the public school system and Transylvania University for state funds was apparent. An article signed "Common Schools" ³⁵ was written in answer to several articles entitled "Public Instruction," and signed by "A K _____n". "A K _____n" favored more state funds for Transylvania, whereas, "Common Schools" advocated a first-rate public school system. The latter favored state funds to Transylvania only if they were limited to a teacher training program which, in turn, would furnish teachers for the public school system, once the latter was initiated. Moreover, "Common Schools" took the view that the public school system would in turn furnish students for the university.

(c) COMPETITION FOR STUDENTS.—Competition for students took a number

³⁵ "Common Schools," "Public Instruction," Kentucky Gazette, 51 (February 20, 1836), 3.

of forms. In addition to medicine and law, another type of specialized professional education, civil engineering, was being taught in colleges and universities. A School for Civil Engineering connected with Georgetown College, Georgetown, Kentucky, was advertised extensively in 1836.³⁶ Bacon College, a Disciples of Christ church-related school, announced its opening at Georgetown, Kentucky;³⁷ and Green Hill Seminary, Fayette County, Kentucky, published announcements during this year.³⁸ While these schools did not prove to be very successful in their early organizations, they thinned the ranks of students enrolling in any one in this area.

This competition of school against school led to drastic action by the trustees. The largest fees were collected in the medical schools, and among such schools competition was keenest. Certain professors of Transylvania's medical faculty were active in establishing a rival medical school in Louisville. The bitterest resentment arose in Lexington and environs over this action. An item in the Kentucky Gazette commented: "We omitted in our last to announce the fact, that the Trustees of Transylvania University had dismissed Dr. Charles Caldwell as a professor, and then dissolved the Medical School, with a view to its reorganization, which, we learn, is to take place in a few days."³⁹ Although Dr. Caldwell is

³⁶ "School for Civil Engineers," Kentucky Gazette, 51 (September 6, 1836), 1.

³⁷ "Bacon College," Kentucky Gazette, 51 (November 17, 1836), 3.

³⁸ "Green Hill Seminary," Kentucky Gazette, 51 (December 12, 1836), 1.

³⁹ "Transylvania University," Kentucky Gazette, 52 (April 6, 1837), 2.

now referred to as the father of the Medical College of the University of Louisville, ⁴⁰ he was attacked vigorously by the citizens of Lexington through the press. A more detailed account of the medical department appears later in this chapter.

Colleges were being established not only in Kentucky, but were mushrooming in all the states. ⁴¹ This multiplicity of colleges of all types proved to be one of the greatest hazards opposing the development of the older institutions. Transylvania was especially affected, since she attracted students from all the Southern states, the border states to the North, to some extent from the Western country, and even a few students from the East. ⁴²

Rise of Liberalism, 1838-1842

Satisfied that the Episcopalian denomination was either unable or unwilling to support Transylvania formally or informally, the trustees elected Dr. Louis Marshall, physician, brother of the renowned Chief

⁴⁰ Kentucky Writers Project, A Centennial History of the University of Louisville, p. 38. Louisville: University of Louisville, 1937.

⁴¹ Donald R. Tewksbury, Founding of Colleges and Universities Before the Civil War, op. cit.

⁴² A Catalogue of the Officers and Students in the Medical and Law Department of Transylvania University, January, 1833, p. 13. Lexington: The University, 1833. A typical breakdown of the source of the 266 students enrolled in the Medical Department in 1833 is as follows: Kentucky 75, Tennessee 34, Alabama 22, Mississippi 21, Virginia 20, Georgia, 18, South Carolina 13, North Carolina 12, Missouri 3, Ohio 2, Louisiana 1, Florida 1, Pennsylvania 1, Illinois 1, New York 1, and France 1. The Law School's 39 enrollees in 1833 came from Kentucky 18, Ohio 6, New York 4, Mississippi 4, Tennessee 2, Illinois 2, Missouri 1, Indiana 1, and Pennsylvania 1.

Justice of the United States Supreme Court, and former president of Washington College (now Washington and Lee University), to the acting presidency. During this administration, 1838-1840, an extensive reorganization of the university took place. However, Marshall seems to have had only a small part in the reorganization which was taking place during this period. This period was the third in Transylvania's history, in which the administration was characterized by liberalism. The two other periods included the Toulmin administration, 1794-1796, and the Holley administration, 1818-1827. The administration of James Moore, 1796-1804, might also be cited as a liberal one since it did not follow Presbyterian sectarianism. During the Marshall administration the trustees seem to have made no further effort to secure a denominational tie for the university, but rather appeared to launch a liberal reorganization. Failures with both the Baptists and the Episcopalians as supporting denominations may have influenced their course. Marshall's term of office extended from July 2, 1838 to November 2, 1840. Following this liberal administration another tie with the Presbyterians was attempted. Upon the failure of the latter after about two years' duration, an unusual contract with the Methodist Episcopal Church was arranged. This period of Methodist influence is the subject of the following chapter.

Reorganization period, 1838-1840.—A far-reaching reorganization took place in 1838. This reorganization was Lexington and Kentucky citizens' reaction to the possibility of a complete failure of Transylvania's academic department during the serious depression that followed

the nation-wide financial crisis in 1837.

(a) PLAN OF REVIVAL.—A plan of a society to revive Morrison College was announced on September 22, 1838.⁴³ The purpose of this society was to obtain from the legislature an act to incorporate an organization to consist of one hundred citizens of Kentucky, and graduates of Transylvania University, with an annual subscription for five years, of one hundred dollars each. The fund arising from these subscriptions would be used for the endowment of professorships and buildings. On February 20, 1839, the legislature sanctioned this proposed plan by approving "An Act to Incorporate the Transylvania Institute, and for Other Purposes."⁴⁴

The urgent need for a revival plan can be seen when some facts concerning Morrison College are presented. An official report of 1838 showed that the number of students in the academic department was thirty, total debts, \$852, total income, \$2,570, and expenses, \$2,520.⁴⁵ Property of the university included the Morrison Fund, \$20,000, nineteen acres of ground in the City of Lexington, including the buildings of Morrison College, etc., \$70,000; library and philosophical apparatus, \$5,000; Frankfort Bridge stock, twenty shares, \$500; and a balance from Morrison's estate, but uncertain, carried at no value; total value of property, \$95,500. Despite the relatively low status of the academic

⁴³ "Plan of a Society," Lexington Observer and Reporter, 7 (September 22, 1838), 3.

⁴⁴ "An Act to Incorporate the Transylvania Institute, and for Other Purposes," Lexington Observer and Reporter, 7 (March 27, 1839), 1.

⁴⁵ Board of Trustees of Transylvania University, "Report of the Trustees of Transylvania University, to the Legislature of Kentucky," Lexington Observer and Reporter, 7 (January 2, 1839), 2.

college, the university as a whole was still considered by observers to be in good condition.⁴⁶

(b) REORGANIZATION ACCOMPLISHED.—The Transylvania Institute was devised not so much to place the academic department on an adequate basis as to save it from financial disaster. The institute also contributed substantially to the progress of the professional schools by underwriting new libraries and a new medical building. A total of eighty-one individuals subscribed \$500 each for a total of \$40,500,⁴⁷ but only fifty-three subscriptions were fully paid.⁴⁸

The Transylvania Institute Act was virtually a re-chartering of the university. Where in 1818 the State of Kentucky asserted its full control over the university, this control was now shared with the City of Lexington and the Transylvania Institute in the following ratio of control, according to the number of trustees each body could elect: the state, three; the City of Lexington, three; and the Transylvania Institute, two. Actually, control of the university was placed in the hands of the Transylvania Institute and the City of Lexington, since they desired full control and could outvote the state.

⁴⁶ The local press spoke favorably of the university as a whole and the press in other areas was not unenthusiastic. See for example (Lexington, Tennessee) Democratic Mirror, copied in the Lexington Observer and Reporter, 7 (September 22, 1838), 3. The latter mentions Transylvania's "pre-eminence" among its "distinguished contemporaries."

⁴⁷ "Minutes of the Board of Trustees, Transylvania University, Lexington, March 21, 1839," Vol. V, p. 1.

⁴⁸ Ibid., March 21, 1839, Vol. V, p. 7.

The new trustees ⁴⁹ set up salary schedules, ⁵⁰ and made arrangements for increasing the amount of instructional materials. Five thousand dollars was granted for a law library, in order that a complete set of English reports both common law and chancery, reports of the supreme court of the United States, and of the principal state courts could be procured. ⁵¹ Professors Peter and Bush, of the medical school, were appointed as agents to Europe to purchase medical apparatus up to \$15,000. ⁵² Building plans for dormitories were drawn up, ⁵³ and the plans for the new medical building site were approved in May, 1839. ⁵⁴

(c) CAUSES RETARDING PROGRESS.—Wickliffe enumerated the basic forces which had retarded Transylvania and his observation is backed up by other evidence. Governor Charles A. Wickliffe, in his 1839 message, asked for more assistance for the state university and for the establishment of an agricultural department on its campus. ⁵⁵ An editorial on the governor's message included the following comment: "It is

⁴⁹ Madison C. Johnson, Henry Clay, Jr., and Benjamin Gratz represented the state; Harry I. Bodley, J. B. Johnson, and Leslie Combs represented the City of Lexington; and Robert Wickliffe, Jr., and William M. Brand represented the Transylvania Institute. See "Transylvania University, March 21, 1839," Lexington Observer and Reporter, 7 (March 23, 1839), 3.

⁵⁰ "Minutes of the Board of Trustees, Transylvania University, Lexington, March 30, 1839," Vol. V, p. 15.

⁵¹ Ibid., March 30, 1839, Vol. V, p. 16.

⁵² "Minutes of the Medical Department of Transylvania University, Lexington, March 25 and April 1, 1839," pp. 190-91, 193.

"Transylvania Medical School," Observer and Reporter, 7 (April 6, 1839), 3. It was stated that the agents expected to return early in October, with the "fruits of their mission."

⁵³ "Minutes of the Board of Trustees, Transylvania University, Lexington, May 3, 1839, Vol. V, p. 26.

⁵⁴ Ibid., May 7, 1839, Vol. V, p. 31.

⁵⁵ "Governor's Message—Education—Agriculture," Observer and Reporter, 8 (December 7, 1839), 3.

now nearly beyond the memory of man, since her [Transylvania University's] claims have been urged upon the General Assembly by any of our Governors." ⁵⁶ The editor continued by saying that it had become a fashion with demagogues to oppose the university; but the recent effort of her friends and the favorable support of the governor seemed to indicate that Transylvania was going to progress. However, Governor Wickliffe's words fell upon fallow ground; the state continued its reluctance to legislate more financial support for the university.

The university's role as a political football seemed to continue during this period. Contemporary newspaper accounts reveal a typical press controversy between the democrats and whigs. The Observer and Reporter reprinted certain political accusations against Transylvania from the Kentucky Gazette of April 2, 1840: "It will not be disputed we expect, that the democratic party contribute as freely and as fully to the support of that institution [Transylvania], by direct or indirect pecuniary contributions, or by sending their sons to it for education, as do the whigs." ⁵⁷ Therefore, the writer concluded, the democrats had a right to expect that the means of education placed in the hands of their opponents should not be perverted, causing the university to be transformed into a seminary for the proselytism of party doctrines. A further observation noted that Transylvania was not without a rival (note especially, Georgetown and Centre Colleges, strongholds of the Baptists and Presbyterians, respectively), and that no

⁵⁶ (Editorial), Observer and Reporter, 8 (December 7, 1839), 3.

⁵⁷ Observer and Reporter, 9 (April 4, 1840), 3.

hesitancy would be shown in endeavoring to convert her mistakes into another's benefit.⁵⁸

An Observer editor wrote that, in order to retain their power, the democrats would hesitate at no means of destruction. Rather than give up their offices, they were willing to sacrifice the best institutions of the country.⁵⁹ Continuing, he stated: "Being now in power, they are determined to scatter universal ruin before they yield up the control of the government."

It can be seen that the causes mentioned by Robert Wickliffe, Jr., in his medical hall address are substantiated by other observers. The state's refusal to adopt a serious financial underwriting of the state university, and continued use of the university as a political weapon, were two open causes retarding the progress of Transylvania. A hint of denominational opposition to the liberal state university was indicated when the statement was made to the effect that Transylvania's rivals stood ready to convert her (Transylvania's) mistakes into their (rival colleges) benefits. While no substantial evidence supports this observation, it may be assumed that the established denominations took definite steps to support their own church-related colleges in preference to the liberal quasi state university.

The Davidson administration, 1840-1842.—While the trustees probably had an ulterior motive in mind when they called Rev. Robert Davidson, a

⁵⁸ Ibid.

⁵⁹ Ibid., Editorial, p. 3.

Presbyterian clergyman, to the presidency in July, 1840,⁶⁰ the merits of such a motive were soon dispelled. The Presbyterians had labored and struggled to build their own college at Danville (Centre College), and they were not willing to take any action that would weaken this college; aid of almost any description would probably have worked to the disadvantage of Centre, due to some extent to their proximity. Davidson entered his office with the hope, courage, and confidence of many of his predecessors, but he soon resigned himself to the fate of failure, again, like most of his predecessors. His desire to succeed is expressed in the following passage from his inaugural address: "To this new organization your eyes are directed, not without anxiety—perhaps, after so many unsuccessful experiments, not without fears—for resuscitating the long buried glory of Transylvania, and restoring her pristine honors."⁶¹

Since this administration was unable to obtain any denominational tie other than a clergyman president, it is treated as a liberal administration. As a quasi state institution and in competition with the church-related schools of the state, Transylvania during this period was of necessity a liberal school.

(a) DISINTEREST OF THE PRESBYTERIANS.—Davidson was unable to succeed in securing from the Presbyterians any whole-hearted support for the university during his administration. Consequently, he was unable to report

⁶⁰ "Minutes of the Board of Trustees, Transylvania University, Lexington, July 3, 1840, Vol. V, p. 65.

⁶¹ Robert Davidson, A Vindication of Colleges and College Endowments, An Inaugural Address Delivered in the Chapel of Morrison College, November 2, 1840, p. 1. Lexington: The University, 1840.

any brilliant success or to fill the university with students. Centre, the distinctively Presbyterian college, had by this time become firmly established in the affections of the church, and any plea for support coming from Transylvania University encountered a deaf ear. Davidson soon recognized this, and despaired of being able to stem the tide of general depression now setting in again; hindered in his work by numerous and vexatious embarrassments, he resigned after a "vigorous, but ineffectual struggle."⁶² Although immediately appointed Superintendent of Public Instruction of Kentucky by Governor Letcher, he declined the honor.⁶³

The board of trustees in resolving on a tender of the university (*i. e.*, the academic college and preparatory department) to the Methodist Episcopal Church in Kentucky in September, 1841,⁶⁴ probably vexed Davidson into resigning.

The board of trustees, after many disappointments in the selection of leaders, decided upon the importance of securing the support of one of the Protestant denominations which did not have a strong school of its own in Kentucky. Although the Methodist Episcopal Church had its own school in Augusta (Kentucky), the trustees were able to negotiate successfully with this denomination, and a new period of expansion was begun upon their acceptance of the management of the academic department.

⁶² Robert Davidson, History of the Presbyterian Church in Kentucky, p. 319. New York: Robert Carter Co., 1847.

⁶³ Ibid.

⁶⁴ "Minutes of the Board of Trustees, Transylvania University, Lexington, September 21, 1841, Vol. V, p. 93.

The next chapter deals with the Methodists' connection with Transylvania for eight years.

Professional Educational Eminence, 1828-1842

The professional schools blossomed during this period, reaching heights of achievement matched by no other college or university in the United States. The medical school of the University of Pennsylvania probably was stronger than that of Transylvania and the law school of Harvard University took the lead from Transylvania in 1838, but considering the schools as a professional team, Transylvania led the nation.

America's second most eminent medical school.—The medical school of Transylvania University ranked in enrollment, eminence of faculty, library facilities, and quality of instruction second only to the medical school of the University of Pennsylvania during this period. ⁶⁵

⁶⁵ Robert Wickliffe, An Address Delivered on the Occasion of Laying the Corner Stone of the New Medical Hall of Transylvania University, July, 1829, p. 28. Lexington: Noble and Dunlap, Printers, 1839.

See Robert Peter, Thoughts on Medical Education in America, p. 12. Lexington: The University, 1838. Comparative enrollments for leading medical schools for the academic year, 1834-35 were: University of Pennsylvania, 392; Transylvania University, 255; Jefferson Medical College (Philadelphia), 233; Harvard, 82; and Yale, 64.

Francis R. Packard, History of Medicine in the United States, Vol. I, p. 1078. New York: Paul Hoeber, Inc., Publishers, 1931.

See "Kentucky," Niles Weekly Register, 29 (January 29 (January 21, 1826), 326. "There are 282 students in the medical school of the Transylvania University—a number that is exceeded only in one instance in the United States"

See "Minutes of the Board of Trustees of Transylvania University, Lexington, January 1, 1829," Vol. IV, p. 112. The medical school "now the Second School of the kind in America will then be able to compete on equal terms with its only rival—that of Philadelphia."

See "A Friend to Truth," "Transylvania Medical School," Kentucky

(a) MULTIPLICATION OF MEDICAL SCHOOLS.—With the establishment of a medical school in Louisville by Centre College in 1833,⁶⁶ in addition to the gradual maturing of from one to three medical schools in Cincinnati (which earlier had greatly fluctuated),⁶⁷ the medical faculty braced itself for stronger competition. Dr. Caldwell was speaking for the entire Transylvania University Medical Faculty when he delivered his address, "Thoughts of the Impolity of Multiplying Schools of Medicine," in 1834.⁶⁸ Caldwell emphasized the fact that the medical school of Transylvania possessed the several "provisions and fitness" enumerated in his address,⁶⁹ but in several instances implied recognition of the growing threat of

Gazette, 52 (April 20, 1837), 1. "Kentucky has hitherto stood prominent among the States as possessing the second Medical School in the Nation."

See Charles Caldwell, A Report Made to the Legislature of Kentucky on the Medical Department of Transylvania University, February, 15th, 1836, pp. 8-9. Lexington: J. Clarke and Co., Printers, 1836. "The Medical Department of the University of Pennsylvania, an institution whose age is near a century, and which stands in the midst of a dense and wealthy population, has alone surpassed her."

See N. R. Smith to Robert Peter, Dean, Medical Faculty, Transylvania University, letter, dated Lexington, January 7, 1841 copied in "Minutes of the Medical Department of Transylvania University, Lexington, February 2, 1841," pp. 219-20. "[Transylvania University is] decidedly the best-endowed Medical School in America. Its patronage, and the enrollments of its classes are second to those of but one"

⁶⁶ James Conquest Cross, "Medical Colleges," Lexington Observer and Kentucky Reporter, 26 (December 19, 1833), 2.

⁶⁷ The Cincinnati medical schools experienced a fluctuating existence during this period. Some of these were Miami University Medical School, the Medical College of Ohio, and the Cincinnati Medical College.

⁶⁸ Charles Caldwell, Thoughts of the Impolity of Multiplying Schools of Medicine. Lexington: Lexington Medical Society, 1834. Pp. 35. Also published in the Transylvania Journal of Medicine and The Associate Sciences, 7 (August, 1834), 221-42.

⁶⁹ Ibid., p. 29.

Louisville as a center for medical training. Another problem, that of scarcity of anatomical specimens, which was consistently denied by the Transylvania Medical Faculty, may have placed Lexington at a disadvantage in competition with the much more rapidly growing river cities, Louisville and Cincinnati.⁷⁰ In order to withstand the new competition, potential and actual, the medical faculty requested Dr. Caldwell to approach the state legislature for funds for books and other aids to instruction from Europe.⁷¹ Caldwell pleaded for state aid for the medical school, and presented the history of state aid to higher education in several other states, but to no avail.⁷² The city council of Louisville made a handsome offer to Transylvania University which involved the moving of the medical school to Louisville.⁷³ Dr. Caldwell wrote that the whole faculty was disrupted and dissatisfied during the winter of 1836-37, when the controversy over the movement of the medical school was taking place.⁷⁴

⁷⁰ See Charles Caldwell, Autobiography of Charles Caldwell, pp. 389-90. Philadelphia: Lippincott, Grambo, and Company, 1855. Caldwell wrote that the tardy growth of Lexington as compared to Louisville and Cincinnati, and the scarcity of anatomical "subjects" for dissection, were frequent discussions between Dr. Dudley and himself.

⁷¹ "Minutes of the Medical Department of Transylvania University, Lexington, November 25, 1835," p. 134.

⁷² Charles Caldwell, A Report Made to The Legislature of Kentucky, on the Medical Department of Transylvania University, February 15th, 1836. Pp. 34.

⁷³ For a rather detailed picture of the Transylvania medical school controversy between the City of Louisville and Transylvania University, see Kentucky Writers' Project of the Work Projects Administration, A Centennial History of the University of Louisville, p. 27. Louisville: University of Louisville, 1939.

⁷⁴ Charles Caldwell, Autobiography, op. cit., p. 400.

(b) FACULTY SPLIT.—Caldwell proceeded with the support of Louisville authorities to establish a medical school in Louisville. He addressed a mass meeting at the Radical Methodist Episcopal Church in Louisville on March 30, 1837, in which he presented a detailed plan for a medical school in Louisville.⁷⁵ The cities of Lexington and Louisville by this time had become openly hostile. The newspapers of both cities were attacking the citizens of the other. The Lexington papers centered a large amount of their vilification upon Dr. Caldwell, while the Louisville press explained Lexington's lack of hospital facilities and anatomical specimens for dissecting purposes.⁷⁶ Lunsford P. Yandell, Sr., a party in the conflict, wrote of the affair some time later, stating that "Lexington, the most eligible site for a medical school when it was organized, was now admitted to be deficient in some of the elements essential to the establishment of a great and enduring institution."⁷⁷ Lexington had no hospital and furnished very precarious and inadequate means for anatomical study in 1837.⁷⁸

(c) REORGANIZATION.—The medical school of Transylvania was reorganized,⁷⁹ and continued to flourish despite the split in the faculty and

⁷⁵ Charles Caldwell, Autobiography, op. cit., pp. 403-4.

⁷⁶ "A Friend to Truth," "Transylvania Medical School," Kentucky Gazette, 52 (April 20, 1837), 1. This article of six columns and many others appeared in April, 1837, in the Lexington and Louisville presses.

See Lexington Intelligencer and (Louisville) Public Advertiser for the period February 6 to March 25, 1837.

⁷⁷ Lunsford P. Yandell, Sr., History of the Medical Department of the University of Louisville, p. 9. Louisville: Office of the Journal, 1852.

⁷⁸ Ibid., pp. 10-18.

⁷⁹ "Transylvania University Medical Department," Kentucky Gazette, 52 (August 3, 1837), 3.

other controversies in 1836-37. Citizens of Lexington, aroused from their apathy by the attempt to transfer their medical school to a rival city, supported it with renewed vigor. Of no little importance to the Transylvania Medical School was its devoted corps of alumni upon whom it could rely in times of distress, and a high ranking name among medical schools, which the success of nineteen sessions had been constantly strengthening and extending. The Transylvania Medical School continued to maintain a high place among medical schools for over a score of years after this controversy.

(d) EXPANSION OF MEDICAL SCHOOL FACILITIES.—The medical school facilities were greatly expanded during this period. With plans submitted for a new medical building,⁸⁰ and approved by the trustees,⁸¹ and with \$15,000 allotted for additions to the medical library and for instructional materials,⁸² the medical department assumed high ambitions in the field of medical education.⁸³ Dr. Robert Peter and Dr. James M. Bush were sent

⁸⁰ "Minutes of the Medical Department of Transylvania University, Lexington, March 28, 1839," p. 192.

⁸¹ "Minutes of the Board of Trustees, Transylvania University, Lexington, May 7, 1839," Vol. V, p. 31.

⁸² "Minutes of the Medical Department of Transylvania University, Lexington, March 25, 1839," pp. 190-91.

⁸³ Robert Wickliffe, Jr., An Address Delivered on the Occasion of Laying the Corner Stone of the New Medical Hall, Transylvania University, July, 1839, p. 28. Lexington: Noble and Dunlop, Printers, 1839.

to Europe by the medical school for the purpose of buying instructional materials.⁸⁴

America's leading law school.—Transylvania was America's leading law school from 1829 to 1838.

(a) COMPARISON WITH OTHER LAW SCHOOLS.—Although the number of students studying law at Transylvania, Harvard, Yale, and Virginia for the period, 1828 to 1838, did not differ very much, Transylvania is conceded by the Carnegie study, Training for the Public Profession of the Law, to have been the largest in point of enrollment.⁸⁵ See Table 1, page 221, for more complete figures on enrollments during this period.

While there are few other strictly objective bases upon which these law schools may be compared, from the standpoint of the number of professors Transylvania led the field. Transylvania in July, 1838, was the first law school in America to employ three professors.⁸⁶ After the reorganization in July, 1838, the course of study was enlarged to such an extent

⁸⁴ Dr. Robert Peter to Dean Thomas D. Mitchell, Medical Department, Transylvania University, letter, dated London, England, August 22, 1839; published in part in the Observer and Reporter, 8 (September 18, 1839), 3.

"Medical Department, Transylvania University," Observer and Reporter, 8 (October 30, 1839), 3.

Thos. D. Mitchell, Dean, "Transylvania University Medical Department," Observer and Reporter, 8 (September 18, 1839), 3.

⁸⁵ Alfred Z. Reed, Training for the Public Profession of the Law: Historical Development and Principal Contemporary Problems of Legal Education in the United States, pp. 118, 142, 143. Bulletin Number Fifteen. New York: The Carnegie Foundation for the Advancement of Teaching, 1921.

⁸⁶ Ibid., p. 182 (footnote).

TABLE 1
COMPARATIVE ENROLLMENT FIGURES OF FOUR LEADING LAW SCHOOLS,
1828-1840

Year	Transylvania ^a Law School	Harvard ^b Law School	Yale Law ^c School	University ^d of Virginia Law School
1828-29	(Inactive)	6	20	27
1829-30	24	24	21	23
1830-31	...	31	33	16
1831-32	37	40	44	29
1832-33	39	38	31	37
1833-34	...	51	39	48
1834-35	36	32	45	33
1835-36	...	52	31	67
1836-37	...	50	31	55
1837-38	...	63	33	67
1838-39	...	78	32	54
1839-40	71	86	45	71

^a Figures from Transylvania University catalogues.

^b, ^c, and ^d Figures from Alfred Z. Reed, Training for the Public Profession of the Law, p. 450. Bulletin Number Fifteen. New York: The Carnegie Foundation for the Advancement of Teaching, 1921.

that it became the most comprehensive of any law school in the United States, Harvard and Yale not excepted.⁸⁷ Kerr wrote that the \$5,000 appropriated for the law library in March, 1839, soon made Transylvania's "one of the largest, if not the largest and best selected, law libraries then assembled in the United States."⁸⁸

(b) GEORGE ROBERTSON, PROFESSOR OF LAW, 1834-1857.—The law school's most successful professor was George Robertson, who held this position for twenty-three years, from 1834 to 1857. When Robertson accepted the professorship of law, he advised the law class as follows:

Her fate [Transylvania] depends in no inconsiderable degree on the conduct of her sons. They may reflect honor, and raise her, or bring shame and sink her in the opinion of a scrutinizing public; and none of those who will be nourished at her breast will have more influence on her destinies than the pupils of her law department.⁸⁹

Judge Robertson emphasized to every class two admonitions. The first was: "Meditation is necessary to a full knowledge of the law." Second: "Talents however bright, knowledge however great, will be unavailing or pernicious without habitual industry, systematic prudence and perfect honor." In his reminiscences after retirement this distinguished jurist wrote of his connection with the law school:

. . . I helped to make more than twelve hundred lawyers, scattered over the United States, but principally over the Western, Southern and

⁸⁷ Charles Kerr, "Transylvania University's Law Department," Americana, 31 (January, 1937), 35-36.

⁸⁸ Ibid., pp. 36-37.

⁸⁹ George Robertson (1790-1874), Scrap Book on Law and Politics, Man and Times, p. 48. Lexington: Published by the author, 1855.

Northwestern States and Territories. They left me all right in fundamental politics, and many of them have become distinguished jurists and Statesmen, occupying high places at the bar, on the bench and in the legislative councils State and National. For the labor and privation encountered in their tutelage, I feel more than compensated by the assuring hope that the seed I sowed will, by its wholesome fructification, help to save our institutions and bless our posterity. ⁹⁰

Robertson's reputation as a jurist was high; he was an able orator, and a writer of some note. ⁹¹

(c) REORGANIZATION.—The Transylvania Law School was reorganized in July, 1838. ⁹² After Professor Mayes' resignation the trustees decided to create a new professorship. The following assignments were made: Aaron K. Woolley, professor of natural law, the elements of the common law, and mercantile law; Thomas A. Marshall, professor of the law of contracts, of evidence and pleading; and George Robertson, professor of constitutional law, the law of comity—and equity in its various branches. ⁹³

The press reaction to this reorganization was complimentary. An

⁹⁰ Ibid., p. 146.

⁹¹ For details of Robertson's life, including his service in the U. S. House of Representatives and as supreme judge of Kentucky, see E. Merton Coulter, "George Robertson," Dictionary of American Biography, op. cit., Vol. XVI, pp. 22-23.

George Robertson, An Outline of the Life of George Robertson, Written by Himself, with an Introduction and Appendix by his Son. Lexington: Transylvania Press, 1876. Pp. 270.

⁹² "Minutes of the Board of Trustees of Transylvania University, Lexington, July 2, 1838," pp. 412-13.

⁹³ Board of Trustees, Transylvania University, "Transylvania Law School," Observer and Reporter, 7 (August 29, 1838), 1.

editorial referred to the prospects of a class in the law school as "highly flattering," and pointed to the reorganization of the department, along with the distribution of the various branches of the science, as having "given the most entire satisfaction."⁹⁴ Two months later, at the beginning of the reorganized term, another editorial spoke of the "prospects of a large class in the Law Department of Transylvania" as "better than they have been for several years."⁹⁵ Only a few statistics are available for the law department for this period. The enrollment for the year, 1839-40, was seventy-one,⁹⁶ and the number of graduates for the year, 1841-42, was forty-four.⁹⁷ These figures indicate that the law school was in a highly flourishing condition during this period.

Summary

It has been shown that several attempts to secure support behind the university by aligning it with one or another denominations were not successful. The unofficial Baptist connection failed because that denomination chose to establish a school wholly under its control at Georgetown.

⁹⁴ "Transylvania Medical and Law Schools," Observer and Reporter, 7 (September 22, 1838), 3.

⁹⁵ "The Law School," Observer and Reporter, 7 (November 7, 1838), 2.

⁹⁶ Annual Announcement of the Medical Department of Transylvania University, 1840-41, p. 11. Lexington: The University, 1841.

⁹⁷ "Minutes of the Board of Trustees of Transylvania University, Lexington, February 25, 1842," Vol. V, p. 104.

The Episcopalian affiliation was not official and it too was not successful, probably because of its relatively small number of members and their general lack of interest. A bid to the Presbyterians, after they had virtually forgotten about the school of their first love, proved to be completely ineffective. Efforts of the trustees, who were still under the control of the state, proved powerless in advancing the reputation of the university. During this period the movement to establish sectarian schools was encouraged, bringing about more competition for the state university. Evidence that the liberalism-sectarian controversy was waning is seen in the lack of sectarian opposition to the reorganization of Transylvania in 1839, when control was placed in the hands of the Transylvania Institute (two votes), City of Lexington (three votes), and the State of Kentucky (three votes). This reorganization seems to have been a scheme by citizens of Lexington to wrest control from the state, which had been so reluctant to support the school. This reorganization spurred the professional schools on to greater achievement, but was not a very strong incentive in revitalizing the academic department.

During this period of fourteen years the law school had been conceded by many authorities to have led the field, relinquishing its top position to Harvard in 1838. The medical school was a regional if not a national school, drawing students from some ten to twenty states and holding an unofficial ranking of second place in America only to the famous University of Pennsylvania medical school at Philadelphia. Some evidence has been presented indicating that Transylvania Seminary, 1780-1799, and Transylvania University, 1799-1818, were, in effect, quasi

public schools. Since no change was made in the charter until 1839, this quasi public character of Transylvania remained unchanged until that time. In 1818 the state demonstrated its prerogative of control when replacing a board which it labeled sectarian with one which it termed liberal. The state had demonstrated some of its power during the seminary period. Then, Transylvania must be considered a quasi public school from 1780 to 1839. However, the state did surrender its control in 1839 when it passed a reorganization act placing control into a combination of private and municipal hands. Further, accomplishments of the university prior to 1839 are those of America's first quasi state university to achieve national prominence.

Causes preventing Transylvania from reaching the founders' goals included those mentioned in previous chapters. Of especial importance was the lack of support, both financial and from the standpoint of leadership. Truly the leadership furnished by the City of Lexington in raising large sums of money and in maintaining Transylvania through the financial panic of 1837 and the depression that followed was significant. But since the support soon declined, the school, as a consequence, declined also.

CHAPTER VIII

METHODIST EXPANSION; LIBERAL DECLINE, 1842-1856

The first section of this chapter deals with the period, 1842-1850, during which the academic department was through the medium of a written contract placed under the management of the Methodist Episcopal Church. In 1844 when the Northern and Southern branches of Methodism separated, the academic department's control virtually (but not formally) shifted to the Methodist Episcopal Church South. In 1850, after a period of splendid progress, the entire university had begun to show serious decline. This period of decline continued until 1856 when the state legislature gave new hope to the university by reorganizing it and appropriating money for a teacher training department.

Methodist Control of Morrison College

Tender of academic college control.—The trustees of the university made a tender of Transylvania University to the Methodist Episcopal Church through the medium of the Kentucky Conference in session in Maysville, Kentucky, in September, 1841.¹ The Kentucky Conference, in so far as it was competent for them to act under the circumstances, accepted the tender of the university in behalf of the Methodist Episcopal Church in the United States, and appointed commissioners in behalf of the Kentucky Conference, to confer with the Commissioners of the General Conference in an effort to

¹ "Minutes of the Board of Trustees of Transylvania University, Lexington, September 21, 1841," Vol. V, p. 93.

secure favorable action in relation to the proposition from the trustees of Transylvania University.²

Final contract.—The final agreement between the Church and the trustees was reached on June 3, 1842, when the stipulations set up by the Church were agreed to, and the agreement was signed by Rev. Bascom and Madison C. Johnson, chairman of the board of trustees.³ The Kentucky Conference at its September, 1842, session nominated the faculty for the academic department of the university and appointed a committee of five clergymen as a visiting committee to attend the examinations of the academic department and to report its condition and prospects to the next session. The Kentucky Conference also agreed to cooperate with the Church at large, in efforts to make Morrison College a success, and resolved to attempt to endow a professorship of English Literature in the college.⁴

Defect of agreement.—This agreement between the university trustees and the Methodists failed to receive the approval of the legislature, but was entered into in spite of this fact.⁵ A great deal of opposition to this agreement arose in both the Kentucky and Ohio Conferences. The agreement was seriously objected to by the citizens of Augusta and the

² Annual Announcement of Transylvania University, 1843, p. 9. Lexington: The University, 1843.

³ "Minutes of the Board of Trustees of Transylvania University, Lexington, June 3, 1842," Vol. V, pp. 117-19.

⁴ Annual Announcement of Transylvania University, 1843, pp. 14-15. Lexington: The University, 1843.

⁵ Robert Davidson, History of the Presbyterian Church in Kentucky, op. cit., p. 320.

trustees of Augusta College, who presented their objections to the state legislature, urging that it was a repudiation of "plighted faith" to that college, since its own charter called for the utmost and undivided efforts of the Ohio and Kentucky Conferences.⁶ The agreement was also opposed in the committee of the House of Representatives by the friends of Augusta College, who uniting with the friends of the president of Transylvania University (who also forwarded a remonstrance on the part of himself and the faculty to the legislature) killed the bill proposing its sanction, before it came before the floor for a vote.⁷

The grave error of the Methodists seemed to lie in the complicated structure of their agreement with the trustees. A more lasting agreement and one which would seem better to satisfy the aims of the Methodists would have included the control of the entire university. Administration of the academic department under the conditions as drawn up and agreed to were too detailed and contained too many administrative bodies to allow for clearly defined authority. In addition, a university under the control of the Church would probably have enlisted a number of conferences in its support--perhaps, all the South; but not so a mere "college," of which

⁶ "Memorial of the Trustees of Augusta College, dated, Augusta, Kentucky, February 3, 1843," pp. 2, 3, and 15. Manuscript. Typewritten copy in Transylvania College, Lexington.

⁷ See Memorial Appended to the Visiting Committee's Report, dated, Lexington, Kentucky, January 19, 1842," pp. 10-13. Manuscript. Typewritten copy in Transylvania College, Lexington.

"Memorial of the Trustees of Augusta College, dated, Augusta, Kentucky, February 3, 1843." op. cit.

"Reply of the Commissioners of the Kentucky Conference, dated, 1843." Manuscript. Typewritten copy in Transylvania College, Lexington.

there were already many under the control of the annual conferences, most of which had pledged previously to support one or more colleges. Had the entire university been placed under the control of the church, there would have been the object of giving sons of Methodists a literary and a professional education in the same university, and that a church institution.⁸ Any controversy along lines of liberalism versus sectarianism for the period, 1842-1850, is not apparent in the sources. But competition in Central Kentucky from the less liberal Presbyterians and Baptists at Danville and Georgetown was quite apparent. Efforts to build a great central university, although sectarian in character, were in their final analysis efforts to build a state university. The state legislature retained authority to recover control of Morrison College during this eight-year period by simply giving reasonable notice of a desire to resume control under conditions prevailing prior to the agreement with the Methodists. The professional schools continued to operate under prosperous circumstances until 1849, when a sharp decline began to show.

Bascom and Methodist Expansionism, 1842-1850

Organization for progress.—Rev. Henry Bidleman Bascom, Methodist minister and professor of moral science and belles-lettres at Augusta College, Augusta (Kentucky), was elected to the acting presidency on September 21, 1842.⁹ Bascom was censored for accepting this position,¹⁰

⁸ Moses M. Henkle, The Life of Henry Bidleman Bascom, p. 276. Louisville: Morton and Griswold, 1854.

⁹ Annual Announcement of Transylvania University, 1843, op. cit., p. 14.

¹⁰ Bascom stated that he had served Augusta for as little as \$700 a

since there was a college already under the care of the Kentucky Conference, and there were many who were not willing to abandon the old college for the new. However, the majority were ready to pledge support to the newly acquired school, and were anxious to withdraw the endowment funds of the Conference from Augusta, and appropriate them to Lexington. Prolonged law suits resulted, in which Bascom bore the chief burden of toil, expense, and general annoyance.¹¹ While the General Conference had prohibited the commissioners from appropriating any church funds to the support of the university, the Kentucky Conference pledged to procure students, to endow one professorship, and to bring over their Augusta funds, provided that they could be recovered. They succeeded in attracting many students and endowed a professorship in part, but were unable to obtain any funds from Augusta.¹²

Since the board of curators was given authority to nominate the members of the faculty, the Kentucky Conference at its session at Lexington in September, 1842, appointed the remaining members of the faculty. However, even the Methodists did not show a united front; they established a plan of sectarian controlled education, which gave promise as great as the support that could be mustered in its favor. Their

year and at no time received more than \$1,000, and never in any year received more than half of his salary in cash. For the last six sessions he had received only one dollar in five of his salary in money. He wrote: "My expenses in eleven years have exceeded my income by at least five thousand dollars . . . and yet I am charged with ingratitude." See Moses M. Henkle, The Life of Henry Bidleman Bascom, op. cit., p. 277.

¹¹ Ibid., pp. 277-78.

¹² Annual Announcement of Transylvania University, 1843, op. cit., p. 14.

support in at least one respect was gratifying, in that it produced a large student body.¹³ An agricultural curriculum was considered and discussed, but was not placed in operation at this time.¹⁴

Favorable reports on the new administration.—Many official reports were submitted covering various functions of Transylvania University during this period. The committee of visitation appointed by the Kentucky Conference in September, 1842, returned "a most gratifying report of the present condition and prosperity of the Institution," and recommended the university to the patronage and support of the Church at large, and, within limits, of the Kentucky Conference especially.¹⁵ The governor in his message of December 31, 1842, complimented the university, making the oft-repeated prediction that it promised to become "highly useful," and that it would now fulfil the expectations of its warmest friends.¹⁶

The joint committee of the Kentucky Legislature on Transylvania University reported the condition of the medical, law, and academic departments, calling attention to the excellent condition of the medical

¹³ The student body reached a total of 496, with 217 in the academic department in 1842-43; and a total of 552, with 278 in the academic department in 1843-44.

¹⁴ See Moses M. Henkle, The Moral Dignity and General Claims of Agricultural Science, An Address Delivered in the Chapel of Transylvania University at the Commencement of Morrison College, July 18th, 1843. Frankfort: The University, 1843. Pp. 15.

See also "Henry B. Bascom to Rev. M. M. Henkle, letter, dated Transylvania University, Lexington, Kentucky, July 24, 1843," published in Moses M. Henkle, The Moral Dignity . . ., op. cit., p. 2.

¹⁵ B. T. Crouch, Chairman, "The Committee of Visitation Appointed by the Late Kentucky Conference to Attend the Annual Commencement Exercises in Transylvania University, Lexington, Kentucky, July 20, 1843," Annual Announcement of Transylvania University, 1843, op. cit., p. 15.

¹⁶ R. P. Letcher, "Governor's Message, Frankfort, Kentucky, December

department. Considering the severe financial depression of the entire nation, the committee said that the decrease in students was slight and that the distinguished professors guaranteed continued usefulness of this "permanently and well established school." The law school was "realizing the fondest anticipations of its most devoted friends," and the academic department was bidding "fair to resuscitate this venerable Institution," the committee emphasized. They pointed out that no sectarian principles were inculcated, but that order, as well as "a proper observance of all the requirements of refined and religious society, together with strict economy, is required of each and every student." While not asking for state funds immediately, due to current depressing financial conditions, the committee hoped that in more prosperous times the legislature would make some appropriations for buildings and other permanent improvements.

The board of overseers also commented upon the status of the university in 1843. They reported that the university's funds amounted to about \$70,000 bearing interest, that it was out of debt, and that the income from this source and from tuition fees was amply sufficient to place it upon a safe and independent footing. They found that the late examinations and commencement were highly gratifying, that the performance of the students was creditable to themselves and to the institution, and that the faculty seemed to possess the entire confidence of the students and of the citizens. The board believed that the university under its

31, 1842," Annual Announcement of Transylvania University, 1843, op. cit., p. 16. Published in part.

compact with the Methodists (if permitted to proceed undisturbed) would regain and maintain its former standing among the literary institutions of the country.¹⁷

The governor and the trustees also evaluated the university. The former wrote President Bascom of his gratification with the commencement exercises, as well as with the present condition, management and future prospects of the university.¹⁸ The trustees resolved: "That the connection between the University and the Methodist Episcopal Church continues to receive their unqualified approval; and the Board take pleasure in bearing testimony of the ability and industry of the Faculty, of the vigor infused into the Institution under their charge, and of the merited success which has already attended their administration."¹⁹

Methodist General Conference, 1844.—A division between the Northern and Southern Methodists took place at the Methodist General Conference in 1844. Since Transylvania's Morrison College was under contract to the Methodist Episcopal Church, this division caused some changes in the management of this college. President Bascom was a delegate to the conference which met in New York City, and as chairman of the board of

¹⁷ "John H. McHenry, In Behalf of the Board of Overseers, Transylvania University, Lexington, Kentucky, August 16, 1843, to Rev. H. B. Bascom," Annual Announcement of Transylvania University, 1843, op. cit., p. 16.

¹⁸ "R. P. Letcher to Rev. H. B. Bascom, Letter, Dated, Frankfort, Kentucky, July 20, 1843," Annual Announcement of Transylvania University, 1843, op. cit., p. 17.

¹⁹ "Minutes of the Board of Trustees of Transylvania University, Lexington, July 17, 1843," Vol. V, p. 144.

commissioners it was his duty to report to the conference the action taken with respect to the college, in order that the conference could appoint officers for the school as stipulated in the resolution of 1840. However, upon the rise of the conflict between the North and the South,²⁰ and fearing the appointment, under the existing excitement, of unacceptable officers, and of unpleasant conflicts, Bascom doubted the wisdom of presenting the subject of Morrison College to the conference. Since the Southern delegates took a similar view of this subject, and signed a written pledge to sustain him in his proposed course, no report was made of what the commissioners had done.²¹ Delegates from the slave-holding states pledged their support and influence to the university.²²

Before this time Bascom had looked forward to the General Conference as the time when a president of the university would be elected on a permanent basis and when he would be released from that "onerous burden;"²³ but upon his return home, the trustees, highly approving of his course, promptly elected him full president.²⁴

Bascom was placed at the head of the committee on education at this General Conference, but since the problems concerning slavery appeared to

²⁰ See *ibid.*, July 5, 1844, Vol. V, pp. 154-57 for copy of "Manifesto," suggesting the parting of the Northern and Southern Methodists.

²¹ Moses M. Henkle, *The Life of Henry Bidleman Bascom*, *op. cit.*, p. 280.

²² "Minutes of the Board of Trustees of Transylvania University, Lexington, July 5, 1844," Vol. V, p. 154.

²³ Moses M. Henkle, *The Life of Henry Bidleman Bascom*, *op. cit.*, p. 280.

²⁴ *Ibid.*, p. 281.

be working against the Methodists' agreement with Transylvania, it was decided that no general report on the colleges of the church would be made; each division would be free to manage its own schools. ²⁵

Bascom's support of Henry Clay.—In 1844 Bascom became involved in the Palk-Clay campaign for the presidency of the United States. Bascom had accepted Henry Clay's patronage in obtaining a position as Chaplain to the United States House of Representatives in 1823. ²⁶ When Bascom was approached by Clay supporters who desired a letter that would possibly counter some of the violent attacks being made on Clay's moral character, he consented, allegedly innocently believing that the letter was not for public purposes. ²⁷ Bascom's letter, containing rather serious exaggeration and outright falsehoods, soon found its way to the newspapers, where it was used in Clay's behalf. This letter boomeranged against Bascom, who was venomously attacked in the press. ²⁸ Bascom had stated that, while Clay offered no claim to Christian piety, that he was not a duelist and a gambler. ²⁹ In addition he had stated that "in view of the ordinary accredited principles of good moral character, no charge can be brought against him, without violating the obligations of truth and sound

²⁵ Ibid.

²⁶ See Moses M. Henkle, The Life of Henry Bidleman Bascom, op. cit., p. 277.

²⁷ Ibid., p. 281. It would seem rather improbable that a man who had spent two years in the House of Representatives, even as a Chaplain, would have been this naive politically.

²⁸ Ibid.

²⁹ Clay's role as a duelist and gambler was quite generally known in all sections of the nation.

justice." ³⁰

Political editors set out to destroy Bascom's credibility as a witness by searching for facts about his younger life, which might be subject to insinuation. One youthful letter written by Bascom to a friend in the East, who had invited Bascom for a visit, had inquired if the girls were "comeatable." This statement was twisted into a "foul and damning imputation [which] was attempted to be cast on his character by dark and insidious insinuation." ³¹ Defamatory statements in the press attacking Bascom had an adverse effect upon him personally and reduced his effectiveness to some degree. The university, which had lived through few peaceful days, was hurt by this inimical publicity.

Southern Convention of the Methodists.—In 1845 the Southern Convention of the Methodist Episcopal Church met in Louisville (Kentucky) and formed a separate ecclesiastical organization. Of this body Bascom was an effective member. ³² The convention did not have authority to consummate the agreement between the college and the Southern church. However, by way of indicating their favor toward the measure, they recommended that the annual conferences instruct their delegates in the General Conference of 1846 to take action that would consummate the proposed agreement between the trustees of Transylvania University and the General Conference, with a view of adopting it as "the university of the Methodist Episcopal Church

³⁰ Henry B. Bascom "Rev. H. B. Bascom—Locofoco Slanders—Mr. Clay," Lexington Observer and Reporter, 13 (September 18, 1844), 3.

³¹ See several articles in Lexington Observer and Reporter, 13 (September 18, 1844), 1, 3.

³² M. M. Henkle, The Life of Henry Bidleman Bascom, op. cit., p. 286.

South." ³³

Here, again, the name "university" was misleading, for many of the delegates supposed that the institution was to become the one great "university" of Southern Methodism, around which the whole denomination could rally. Rev. Moses Henkle, who attended the conference, wrote: "I do not suppose, that the trustees intended to deceive the conference, but the latter, not looking thoroughly into the nature and hearing of the proposed connection were, to a great extent, misled by the name" ["university," when Morrison College was intended.] ³⁴

The proposition previously made to the Methodist Episcopal Church was tendered to the Methodist Episcopal Church South on April 11, 1846, ³⁵ but did not become effective until July, 1847. ³⁶

Bascom's personal difficulties.—On January 20 and 22, 1846, Bascom recorded in his diary complaints brought privately against some of the faculty members for neglect of duty and want of harmony, but wrote of hopes to overcome the difficulty. ³⁷ In February he said: "Complaints against my worthy compeers of the faculty increase in a certain quarter. Rather than incommode them, or have difficulty with them, I shall resign." ³⁸

³³ Ibid., pp. 286-87.

³⁴ Ibid., p. 287.

³⁵ "Minutes of the Board of Trustees of Transylvania University, Lexington, April 11, 1846," Vol. V, p. 184.

³⁶ Ibid., July 5, 1847, Vol. V, p. 204.

³⁷ "Henry B. Bascom, Diary, January 20 and 22, 1846." Manuscript. Transylvania College, Lexington.

³⁸ Ibid., January 28, 1846.

Several other entries indicate that Bascom was not in good health. ³⁹ In April at "an important meeting of the trustees," he "saw the signs and indices of changes deemed necessary by the Board to the welfare of the university. Tendered my resignation, which the board declined receiving, and requested I would not name the matter to any one." ⁴⁰ Bascom's entire presidency seems to have been one of reluctant service, since he accepted the acting presidency in 1842, only to prevent the failure of the plan. In 1844 he expressed his desire to be relieved, and in 1846 he tendered his resignation, which was declined.

Bascom's conflict with the trustees.—Additional difficulties developed in Bascom's path. When the trustees indicated confidentially the personnel changes they desired, Bascom was obligated to carry out their orders, even though it might bring great unpopularity to him. In order to avoid this unpleasant administrative device, Bascom had tendered his resignation. The trustees refused to accept this, because of Bascom's general popularity and ability to attract students to the college. ⁴¹ Again, Bascom refrained in the face of the board's objection, believing that such action at this time would be very detrimental to the college and refusing to accept responsibility for such action. Therefore, he was required to carry out the instructions of the board in respect to

³⁹ See entries of February 4, 1846; February 18, 1846; *ibid.*

See also Moses M. Henkle, The Life of Henry Bidleman Bascom, *op. cit.*, p. 289.

⁴⁰ "Henry B. Bascom, Diary, April 17, 1846," *op. cit.*

⁴¹ Moses M. Henkle, The Life of Henry Bidleman Bascom, *op. cit.*, p. 290.

staffing the college with professors representing different sections of the country. ⁴²

Faculty tenure problems.—When the Transylvania reorganization plan came up before the 1846 General Conference of the Methodist Episcopal Church South at Petersburg, Virginia, at which time the offer of the trustees was finally accepted, all the professorships in Morrison College were considered vacant. These were to be filled with applicants from several different localities in an effort to attract students from these areas. Bascom was re-elected president; G. F. Pierce of Georgia and Mr. Barker of Pennsylvania were elected vice-president and professor of languages, respectively, leaving the other professorships to be filled by the curators. ⁴³ Those discarded professors, thinking their work and sacrifices deserved a better reward, attributed their misfortune to Bascom's action and became openly hostile to both Bascom and the university. ⁴⁴ Bascom was also threatened with impeachment before his conference, yet he had secretly agreed not to disclose the source of the plan calling for the faculty reorganization. ⁴⁵ Henkle made the following practical observation:

All the persecution and mental perplexity cast on Dr. Bascom by this change, had not even the redeeming advantage of working any good for the college, for under the new arrangement it soon became less prosperous than under the old. What though they had elected professors from Georgia, and Pennsylvania, and Louisiana—Georgia, Pennsylvania, and Louisiana had

⁴² Ibid.

⁴³ Ibid., p. 293.

⁴⁴ Ibid., p. 294.

⁴⁵ Ibid.

Methodist colleges of their own to support, and all the eloquence of all the agents appointed to travel through the southern church, could not make the people see how they were to be benefited by neglecting their home colleges, to patronize a mere college in Kentucky, even though a man from their own state might be the incumbent of one of its chairs. ⁴⁶

Bascom's resignation.—In 1848 Bascom attended the Northern General Conference, as commissioner of the Southern Church. ⁴⁷ By 1849, being satisfied that the church could never be brought to unite on Morrison College as a general church institution, and suspecting that the trustees were hardly satisfied with his attempts to strengthen the college—"strenuous and perservering" as they had been and worn out with the "drudgery and endless perplexity" of his office—he resigned the presidency after seven "toilsome" years. ⁴⁸

Methodist General Conference, 1850.—The General Conference of the Methodist Episcopal Church South, meeting at St. Louis in 1850, listened to a report from its committee on education, which advised that Morrison College's best interests would be served more advantageously if placed under the control of the Kentucky and Louisville annual conferences, since the conferences outside Kentucky would not support the college. ⁴⁹ The conference recommended such an agreement in preference to the existing one, if the approval of those conferences and the trustees were favorable. ⁵⁰

⁴⁶ Ibid.

⁴⁷ Ibid., p. 297.

⁴⁸ "Minutes of the Board of Trustees of Transylvania University, Lexington, March 3, 1849," Vol. V, p. 212.

⁴⁹ Moses M. Henkle, The Life of Henry Bidleman Bascom, op. cit., p. 303.

⁵⁰ Ibid., pp. 303-304.

The agreement between the trustees and the Methodist Episcopal Church South ended at this conference, an agreement that never should have been formed under the terms and under the restrictions which embarrassed the conference and rendered impossible the accomplishment of the original plan for a great central Methodist college or university. The trustees wrote that the contract with the Southern Methodists was dissolved, because the latter could not raise sufficient funds to support both their own colleges and Morrison College, and that their own colleges came first. ⁵¹

Bascom's service.—Bascom, whose teaching field was mental and moral science, and political economy, was subject of a student's appraisal: "His instructions were unique, full of interest, and exceedingly attractive. He would not be satisfied with a superficial acquaintance with any subject presented, on the part of a student." Bascom sought to cultivate wide, searching, and comprehensive viewpoints. ⁵² Bascom's biographer describes his administrative efforts: "There never has been a more resolute and earnest effort made to sustain an institution where interest was on its side, but indeed in opposition to it, as was the case everywhere out of Kentucky; but when Dr. Bascom was severed from it the last link was broken, and the annual conferences felt bound to concentrate all their efforts on their local colleges." ⁵⁵

⁵¹ "Minutes of the Board of Trustees of Transylvania University, Lexington, June 5, 1850," Vol. V, pp. 217-21.

⁵² Unidentified student's letter quoted in Moses M. Henkle, The Life of Henry Bidleman Bascom, op. cit., p. 399.

⁵³ Moses M. Henkle, The Life of Henry Bidleman Bascom, op. cit., p. 304. Bascom was finally made a Bishop in the church. When he died on

The state and Transylvania University.—Shortly after Bascom became full president, the university seems to have been in good condition. A committee of the legislature of 1844-45 reported the following enrollments: college department, 110; preparatory department, 129 (239 in Morrison College); medical department, 156; law department, 60; a total of 455 (only 326 of these students were of full college status). The income of Morrison College was \$6,749.12, and from 1840 to 1844 the donations had amounted to \$14,155.⁵⁴ The trustees, in answer to a request from the legislative committee, reported that the condition of Morrison College had been greatly improved, as was shown by the continued increase of students and the continued industry of the faculty. The trustees further reported that no control by the Methodist Conference other than that over Morrison College was ever contemplated, and that the substance of their control consisted in the nominations of the president and professors to the board, leaving the latter free to select or not, and remove on sufficient cause. The trustees pointed out that the divisions in the last General Conference, on the subject of slavery, made it inexpedient to consummate the contract, the terms of which had been agreed upon. The board thought best, in the event of a division of the

September 8, 1840, he left his children "a rich inheritance of fame," but "not a dollar" for their support and education. Ibid., p. 325.

For an evaluation of Bascom's works, see Thomas N. Ralston, Editor, Posthumous Works of the Rev. Henry Bidleman Bascom, D.D., LL.D. Nashville, Tennessee: E. Stevenson and F. A. Owen, 1855. Two volumes. For one of his addresses of this period see, "Use and Abuse of Lettered Attainment: Address at Commencement, Transylvania University, August, 1845," Vol. II, pp. 291-306.

⁵⁴ Reports to the Legislature, 1844-45, pp. 581-83. Frankfort: State Printer, 1845.

Conference, to wait and reach an agreement with the faction whose opinions would coincide with Kentucky's state institutions on that subject. ⁵⁵

The state had been so reluctant to support Transylvania since early in the Holley administration that there had arisen some question as to the nature and extent of the interest of the commonwealth in the university. The trustees answered this doubt by a reference to the reorganization act of 1839. Before that act was passed the state had full control over the university, including all of its officers and property, except that specially dedicated by the donors. But after the February 20, 1839 (the date on which the act to incorporate the Transylvania Institute, and for other purposes, became effective), a joint arrangement of control was agreed upon. The City of Lexington and the Transylvania Institute from that date were entitled to elect five out of Transylvania's eight trustees, and, in addition, the state surrendered its power to change the charter, except by the consent of the trustees. ⁵⁶

Although the legislatures of 1846 and 1847 appointed no examining committees to visit the university, a committee appointed by the 1848 legislature reported that, since the state had no ownership in the university, it did not have the authority to report the condition of the buildings and grounds. The committee was concerned that the state had offered no financial assistance, limiting its support to useless patronage and visitation, and regretted the apparent necessity of immediate repairs

⁵⁵ Ibid., p. 583.

⁵⁶ Ibid., p. 584.

to the buildings and grounds.⁵⁷ Thus, even with the urging of a strong and large denomination like the Methodists, the state was not yet convinced that it should shoulder even part of the responsibility of higher education in Kentucky.

Failure of Bascom and the Methodists.—Because of the irritation and the divided responsibility still remaining in the denomination, especially in Kentucky, neither the church nor the South generally increased their support, either in the recruitment of students or in funds. Bascom, discouraged by this situation and despairing of the further enlargement of the university, resigned in 1849 and soon thereafter steps were taken by the Methodists to abandon the enterprise as a denominational one (1850).

Comparison with Holley administration.—Table 2, page 246, shows the close similarity in the enrollments of Transylvania during its two most prosperous periods. The Holley period, due to its pioneering aspect, was relatively more important in the history of American higher education. Reason for the decline in enrollment, beginning in the year, 1847-48, and reaching serious proportions the following year, is the subject of much of the latter part of this chapter.

Some comparisons with other universities.—Some conception of the standing of Transylvania University, in comparison with other institutions in the country, may be seen from the following statistics for the academic year, 1842-43, when Harvard had 30 instructors and 245 academic students

⁵⁷ Ibid., p. 585.

TABLE 2

246

ENROLLMENTS FOR SIX YEARS OF THE HOLLEY ADMINISTRATION
COMPARED WITH SIX YEARS OF THE BASCOM ADMINISTRATION

Holley Administration, 1820-21 - 1825-26					
Year	Academic Department		Medical School	Law School	Total
	Prepara- tory	College			
1820-21	108	72	93	9	282
1821-22	138	62	138	49	387
1822-23	121	51	171	44	387
1823-24	124	27	200	43	394
1824-25	107	27	234	30	398
1825-26	92	45	281	...	418
Totals	690	284	1117	175	2266
Bascom Administration, 1842-43 - 1847-48					
Year	Academic Department		Medical School	Law School	Total
	Prepara- tory	College			
1842-43	132	85	204	75	496
1843-44	167	111	214	60	552
1844-45	129	110	156	60	455
1845-46	131*	99*	171	61*	462
1846-47	133	88	205	62	488
1847-48	134	89	167	62	452
Totals	826	582	1117	380	2905

All figures are from official catalogues and official reports, except for the year, 1845-46. Figures for this year, except for the medical school, were arrived at by interpolation using the preceding and succeeding years; see figures marked with asterisks.

and Yale had 30 instructors and 410 academic students. Transylvania had 18 instructors and 217 academic students (85 of collegiate and 132 of preparatory grade). The following year Transylvania's academic enrollment increased to 278 (111 of collegiate and 167 of preparatory grade). In this same year Transylvania had 75 law students, while Harvard, the only school that exceeded Transylvania, had 115. The total number of volumes in the libraries of Harvard and Yale in this year were, respectively, 53,000 and 32,200, while there were 12,242 volumes in the library of the academic department of Transylvania. One estimate placed the total volumes of all the Transylvania libraries at 45,000 in 1847.⁵⁸ Tuition in Transylvania's academic department was \$40, while the total charges (tuition, library, and matriculation fees) were \$52, and board, fuel, etc., were estimated at \$125 (board, \$100). The same figures for Yale are \$33, \$54, and \$110 (board, \$70). The charges for fuel, etc., are not given at Harvard, but tuition was \$75; total college charges (tuition, library, and matriculation fees), \$93, and board was estimated at from \$70 to \$90 per year.⁵⁹ Published statements of the yearly expenses of attendance at Transylvania during this period show them to have been but little less than those of Eastern colleges; in fact, somewhat higher than those of Yale.

⁵⁸ Lewis Collins, Historical Sketches of Kentucky, p. 266. Maysville, Kentucky: Published by the author, 1847.

⁵⁹ See American Almanac and Repository of Useful Knowledge for 1843, pp. 171-78. New York: World Publishing Co., 1843.

Decline under Liberal (Joint Public and Private) Control, 1850-1856

Upon the dissolution of the agreement between the trustees of Transylvania and representatives of the Methodist Episcopal Church South, the control of Morrison College reverted back to the tripartite arrangement of 1839, in which the State of Kentucky and the City of Lexington had the power to elect three trustees each, and the Transylvania Institute had the power to elect two trustees. This arrangement seems to have been made to give some politically powerful citizens of Lexington full control over the university, *i. e.*, five of eight trustees. The following discussion shows that without either some definite or tacit denominational support or some support from state, municipality, or private sources, the university was doomed to decline and failure.

Dodd's administration.—James B. Dodd, Morrison Professor of Mathematics, became Bascom's successor, upon the latter's resignation at the close of the 1848-49 regular session; his title was that of president pro tempore.⁶⁰ When the contract with the Methodist Episcopal Church South came to an abrupt end on June 5, 1850,⁶¹ an unsuccessful effort was made by the trustees to secure a contract with the Grand Lodge of the Independent Order of Odd Fellows of the United States.⁶² No real effort

⁶⁰ M. C. Johnson, Chairman, Board of Trustees, "Transylvania University," Lexington Observer and Reporter, 17 (March 17, 1849), 3.

⁶¹ "Minutes of the Board of Trustees of Transylvania University, Lexington, June 5, 1850," Vol. V, p. 217.

⁶² Ibid., August 12, 1850, Vol. V, pp. 223-26.

seems to have been made to secure the services of a permanent president from 1849 to 1856.⁶³

(a) RELIGIOUS INSTRUCTION.—According to the writer's definition the university apparently was liberal in its objectives. The trustees stated in the catalogue that the morality of the Scriptures, including the great principles of religion upon which there was no controversy among Christians, was inculcated in all the students, but no preference was manifested for any denominational peculiarities in faith or modes of worship.⁶⁴ Students were required to attend the reading of the Scriptures and prayer in the college chapel every morning and Divine Service on Sundays at the church of their preference.⁶⁵ A voluntary class in Biblical studies met on Sunday afternoons under the supervision of a member of the faculty.⁶⁶

(b) DECLINE OF THE UNIVERSITY.—The academic department, which had shown an average of about 235 students (about three-fifths preparatory and two-fifths college students)⁶⁷ under Bascom and the Methodists,⁶⁸ declined to 125 students in 1850.⁶⁹ Medical and law enrollments that

⁶³ The minutes of the trustees are missing subsequent to those of November 2, 1850. See ibid., November 2, 1840, Vol. V, p. 226. The catalogue of 1855 lists M. C. Johnson, the former chairman of the board of trustees, as a trustee and ex officio president of the university.

⁶⁴ Transylvania University, Under an Organization Adopted in the Year, 1855, p. 15. Lexington: The University, 1855.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Annual Announcement of Transylvania University, 1843, p. 8. Lexington: The University, 1843.

⁶⁸ See Table 2, p. 246.

⁶⁹ Annual Announcement of Transylvania University, 1850, p. 7. Lexington: The University, August 1, 1850.

had averaged 215 and 65, respectively, fell to 92 and 35 in 1850.⁷⁰ The average total number of students (478) in the university under Bascom declined to 252 in 1850. With the withdrawal of the support of the Methodist Episcopal Church South, which consisted largely in recruiting students for the academic department, a serious decline followed. Beginning gradually from a high total enrollment of 552 students in 1843-44, to 488 in 1846-47, and to 452 in 1847-48, the enrollment fell abruptly to 252 in 1850-51, and averaged approximately only 150 to 200 for the years, 1851-52 to 1855-56.⁷¹

(c) CAUSES OF DECLINE.—The causes of the decline of the medical and law schools, which are discussed separately in this chapter, are basically the same as for the academic department. The decline of the Transylvania Medical School, America's second most renowned and second largest for a quarter of a century, began after the 1846-47 session. This reduction in numbers of students was caused by the establishment of new medical schools, and by the maturation of young medical schools already established throughout the area from which the students had been recruited. Of the 205 students in the medical school in 1846-47, sixty per cent were from outside the state,⁷² but of the 120 students in the medical class of 1848-49 only

⁷⁰ Ibid., pp. 7-8.

⁷¹ There are accurate figures for the medical school through the year, 1858-59, but in the absence of trustee's minutes and minutes of the law school faculty for this period the total figures are estimated from contemporary newspaper comments and from other sources.

⁷² Catalogue of the Medical Department of Transylvania University, 1847, p. 11. Lexington: The University, 1847.

forty-eight per cent were attracted from outside Kentucky.⁷³ This trend continued as Transylvania University retrenched from its position as a regional university (drawing about half of its students from outside the state) to that of a more local university serving for the most part Central Kentucky.

The academic department was never as attractive to students outside the state as were the professional schools, but in 1842-43 eighteen per cent of the students were from outside the state.⁷⁴ While the catalogue of 1855 did not list any enrollment figures, it can be assumed that, with the withdrawal of the support of the Methodist Episcopal Church South, this percentage was greatly reduced. But the academic department faced much more local competition than did the professional schools. This competition took the form of military schools, as well as those with civilian characteristics. Two nearby military schools, Kentucky Collegiate and Military Institute in Franklin County near Frankfort, and Western Military Institute at Georgetown, announced large faculties and appealed to the people's emotions during the troubled times.⁷⁵ Shelby College at

⁷³ Catalogue of the Medical Department of Transylvania University, 1849, p. 9. Lexington: The University, 1849.

⁷⁴ Annual Announcement of Transylvania University, 1843, pp. 3-8. Lexington: The University, 1843.

⁷⁵ "State Collegiate and Military Institute," Lexington Observer and Reporter, 17 (March 17, 1849), 3.

"Kentucky Collegiate and Military Institute," Lexington Observer and Reporter, 18 (August 25, 1849), 3. These announcements were for the same school but with a changed name. Announced forty-two weeks' session, tuition \$160.

"Western Military Institute," Lexington Observer and Reporter, 18 (November 10, 1849), 3. Announced ten months' session, tuition \$160; twelve professors and 300 cadets. Accessibility was described as follows: "Southern or Western Students may land at Louisville and take Stage, Steamboat or Railroad to Frankfort, and Lexington; thence in four horse

Shelbyville and Georgetown College at Georgetown seriously contested with Transylvania for the academic students in the Central Kentucky area.⁷⁶ Without support from the state or from any religious denomination, the academic college of Transylvania University assumed quite local characteristics.

The Professional Schools, 1842-1856

Decline of the medical school.—The medical school maintained its high place among America's medical schools until after the 1846-47 session, when a sharp decline began. Several attempts were made to remedy this sudden reduction of enrollment figures, but they were unsuccessful. The school continued active through the 1858-59 session, but its widespread effectiveness virtually ended with this period.

(a) FREQUENT PERSONNEL CHANGES.—Frequent changes in personnel during this period gave rise to allegations of instability and ephemerality from both the general public and the medical profession. Thus, in the stringent competition among medical schools where schemes, frauds, ~~hypocrisies~~, subterfuges, lies, falsehoods, and deceptions (that were limited only by man's imagination) were employed in an effort to recruit the largest possible share of each year's beginning medical students, a rapid faculty personnel

coaches to the Blue Licks. Or, they may ascent the Ohio to Maysville, which is just three hours stage from the Springs."

⁷⁶ "Shelby College," Lexington Observer and Reporter, 18 (August 29, 1849), 2. Announced ten months' session of college and preparatory school, with tuition rates at \$165 and \$155.

"Georgetown College," Lexington Observer and Reporter, 18 (August 29, 1849), 3.

turnover was used to good advantage against the Transylvania Medical School.⁷⁷ Although this was a distorted and exaggerated fact, many other similar allegations were pure fabrications.

(b) DECLINE IN ENROLLMENTS.—The enrollment of medical students was fairly steady prior to the announcement of Bascom's resignation and the severance of the compact with the Methodists. However, once begun, the decline set in sharply and the average number of students after 1850 was approximately fifty, with about half that number graduating each year.⁷⁸ The medical school, from the beginning of its reorganization in 1819, became in fact the nucleus of the university, although it was not actually such in organization. It accounted for the largest portion of the income, and the largest part by far of the enrollments; it accounted in large part for the reputation of the university. With its publications, the national reputation of many of its faculty members, and the wide area from which it attracted students and to which it sent forth its graduates, it was far better known than the academic department or the law school. The decline of the medical school was significant, in that it affected the whole university, and was one cause, if not the most important cause, of the decline of the university. Table 3, page 254, presents a detailed picture of the

⁷⁷ See Medical Faculty, Transylvania University, "Medical Department of Transylvania University," Lexington Observer and Reporter, 16 (March 8, 1848), 3. This article answered the false announcement of the death of Dr. Dudley, the resignation or death of other members of the faculty, and the dissolution of the faculty.

⁷⁸ See "Record of Matriculations in the Medical Department of Transylvania University, Lexington, March 8, 1844 - February 8, 1859," pp. 1-83. Manuscript. Transylvania College, Lexington.

TABLE 3

ANNUAL NUMBER OF STUDENTS AND GRADUATES OF THE MEDICAL SCHOOL,
TRANSYLVANIA UNIVERSITY, 1842-1859

Year	Students	Graduates
1842-43 (Regular Session)	204	60
1843-44 (Regular Session)	214	59
1844-45 (Regular Session)	156	38
1845-46 (Regular Session)	171	64
1846-47 (Regular Session)	205	68
1847-48 (Regular Session)	167	50
1848-49 (Regular Session)	120	49
1849-50 (Regular Session)	92	35
1850-51 (Spring Session)	50	21
1851-52 (Spring Session)	50	23
1852-53 (Spring Session)	51	19
1853-54 (Spring Session)	53	31
1854-55 (Regular Session)	44	12
(Spring Session)	50	17
1855-56 (Regular Session)	38	11
1856-57 (Regular Session)	32	9
1857-58 (Regular Session)	37	12
1858-59 (Regular Session)	23	6

Figures for the year, 1842-43, are from Annual Announcement of the Medical Department of Transylvania University, 1843, p. 8. Lexington: The University, 1843. Figures for the years, 1844-59, are from "Record of Matriculations in the Medical Department of Transylvania University," pp. 1-83. Numbers of graduates contain one or two honorary graduates in a few instances. See ibid.

decline of the medical school in annual enrollments.

Causes for decline in the medical student body.—The greatest cause in decline was the reduction of the medical school from an institution serving the South and West to a local school attracting students from virtually the state only.⁷⁹ This retrenchment was due to the establishment of medical schools in many other populated areas from which Transylvania formerly had attracted students. Even in Kentucky the competition was keen; Western Kentuckians were nearer Nashville, Northern Kentuckians were nearer Cincinnati, and those in the Louisville area favored their own school. Once the national reputation of Transylvania began to wane, even Kentuckians chose the schools of Louisville, Cincinnati, and Nashville, if the latter proved to be more accessible.

Controversies accounted for publicity unfavorable to the university, especially to the medical school. Although Bascom's attempt to assist Clay's campaign was a complete fiasco, it probably did not affect the medical school, except in a very general way.⁸⁰ However, the medical faculty's trouble with the recalcitrant Dr. James Conquest Cross certainly stimulated a large amount of adverse publicity in the press.⁸¹ So

⁷⁹ As late as the 1846-47 session, the 205 students were attracted from thirteen states, with only forty per cent coming from Kentucky. The enrollments by states were: Kentucky, 83; Tennessee, 39; Missouri, 26; Mississippi, 17; South Carolina, 15; Alabama, 8; North Carolina, 3; Virginia, 3; Indiana, 3; Ohio, 1; Illinois, 4; Georgia, 1; and Texas, 2. Catalogue of the Medical Department of Transylvania University, 1847, p. 11. Lexington: The University, 1847.

⁸⁰ See "Rev. H. B. Bascom - Locofoco Slanders - Mr. Clay," Lexington Observer and Reporter, 13 (September 18, 1844), 3.

⁸¹ See "A Friend to Truth," Lexington Observer and Reporter, 13 (October 9, 1844), 1.

serious did the accusations in the press by Dr. Cross and by some of his friends become that the medical school faculty was forced to take strong action in its own defense. They resolved to explain some of the trouble between Cross and the faculty in a catalogue in September, 1842.⁸² By May, 1844, Cross was asked to resign.⁸³ In consequence of the "repeated invidious attacks made by a reputed 'Friend of Lexington,'⁸⁴ through the columns of the Lexington newspapers," upon the qualifications of different members of the Transylvania medical faculty, "calculated to disparage the permanent interests" of the medical school in its "future usefulness and respectability," the faculty resolved that the "faults alleged" were "destitute of foundation," and the trustees were requested to make an official announcement to that effect, which could be employed as part of the annual catalogue.⁸⁵ The trustees acted after having been requested by the medical faculty to investigate the condition of the medical school, with the "object of ascertaining whether any defects exist in its organization or management as charged in several publications during the present year, and

⁸² "Minutes of the Medical Department of Transylvania University, Lexington, September 12, 1842," p. 251.

⁸³ *Ibid.*, May 25, 1844, pp. 285-86.

⁸⁴ "Friend of Lexington" was Dr. James Conquest Cross. See Benjamin W. Dudley, Thomas D. Mitchell, and Robert Peter, Statements of Facts in Relation to the Expulsion of James C. Cross from Transylvania University, pp. 6, 10, 11, 12. Lexington: The University, 1846. Cross was also author of An Appeal to the Medical Profession of the United States, which was a venomous attack upon the Transylvania Medical School and its faculty. See *ibid.*, p. 9.

⁸⁵ "Minutes of the Medical Department of Transylvania University, Lexington, January 4, 1845," p. 292.

if so to apply the remedy." The trustees subsequently announced that, upon investigation, they were "well satisfied" that the school was "well organized and managed, and the various chairs filled by able, learned and industrious professors." ⁸⁶

(a) ATTEMPTS TO PREVENT DECLINE.—The medical faculty made numerous attempts to halt the decline that had become serious by the fall of 1848. In the 1849 announcement the faculty advised the potential medical student that, while the term had not been lengthened from four to five months, an extra month of instruction during October was offered without any additional charge. In addition, the perennial bugbear of "scanty supply of anatomical material" was denied, a "super-abundant supply of [anatomical] subjects" was announced, and a prize for the best medical thesis was advertised. ⁸⁷

Facing a further reduction in enrollment, the faculty announced in 1850 that the session would be changed, and instead of beginning in November would open in March. This change, it was stated, would be advantageous to many "who may desire to commence the study of Medicine at this time; and more especially to those who, having attended two winter courses in other schools, desire still further to improve their knowledge, before presenting themselves as candidates for the Doctorate; as well as to that class of student whose term of study expires in the Spring." ⁸⁸ Fees were reduced

⁸⁶ Annual Announcement of the Medical Department of Transylvania University, 1845, p. 2. Lexington: The University, 1845.

⁸⁷ Catalogue of the Medical Department of Transylvania University, 1849, pp. 9, 11, 12. Lexington: The University, 1849.

⁸⁸ Annual Catalogue of Graduates in the Medical Department of the Transylvania University, 1850, p. 6. Lexington: The University, 1850.

from \$105 to \$70 for the session of four months, and "one of the most extensive and valuable collections of medical books . . . amounting to about 8,000 volumes" was announced.⁸⁹

With the change in the session from winter to spring, the Transylvania medical faculty was again placed upon the defensive. In order to refute "widely published statements 'that the Transylvania Medical School had been dissolved,'" the faculty announced in 1851 that they had "every reason to be gratified with the results of their exertions,"⁹⁰ and that they would "spare no pains to make the summer Session as profitable to the Student as any winter course."⁹¹

By 1854 the medical faculty, after four spring and summer sessions with an average of only fifty students, was ready to attempt the winter session again.⁹² They announced a college clinic in which "many Surgical Operations and cases of disease are exhibited to the class."⁹³ But the advantages of the spring and summer session to "Southern students," and to those whose term of study expires in the summer, "induce the Faculty still to carry on this course."⁹⁴ However, the spring and summer session

⁸⁹ Ibid., pp. 6, 7.

⁹⁰ Annual Catalogue of Students and Graduates of the Medical Department of Transylvania University, 1851, p. 3.

⁹¹ Ibid., p. 4.

⁹² Annual Catalogue of Students and Graduates of the Medical Department of Transylvania University, 1854, p. 3. Lexington: The University, 1854.

⁹³ Robert Peter, Dean, "Medical Department of Transylvania University," The Kentucky Statesman, 5 (August 29, 1854), 2.

⁹⁴ Annual Catalogue of Students and Graduates of the Medical Department of Transylvania University, 1854, op. cit., p. 3.

was discontinued after the 1855 term.

(b) CAUSES OF DECLINE.—The failure of the medical school was undoubtedly caused by many indirect influences, such as the loss of Lexington's prominent position as a business and trading center, the concentration of the people in Kentucky upon the great impending social conflict between the North and the South (which sent many young men into newly opened military schools in preference to the older institutions), and the generally divided opinions of the people of Kentucky, who were split in their opinions and desires about education, as well as on the issues of the secessional crisis. The direct causes of the failure of the medical school are more concrete.

First, the decline of the academic college affected the success of both of the professional schools. The importance of the success of the academic college to that of the medical school was evidenced in December, 1837, when the former's status dropped so low that the medical faculty passed a resolution in which they advised the trustees of the "importance of a complete reorganization of the Academical Department of the University as important to the permanency and success of all the departments of the institution."⁹⁵ The colleges were interdependent, the acceleration or decline of either affected the others.

The establishment of medical schools followed soon after the development of the cities in the South and West,⁹⁶ and as soon as these new

⁹⁵ "Minutes of the Medical Department of Transylvania University, Lexington, December 13, 1837," p. 156.

⁹⁶ See "University of Louisville, Medical Department," Lexington

medical schools could convince the public that the lectures at Transylvania were not wholly superior to those of local schools, the impetus of early establishment gradually gave way to the influence of new population patterns, in which communities turned toward the support of their local medical schools.

Citizens of Lexington and Central Kentucky by consistently and regularly supporting the medical school could have retarded the decline, but in the face of the rapidly growing population centers of Louisville and Cincinnati, which quickly and definitely replaced Lexington as an important population center, it is difficult to see how Lexington could have survived as a medical education center without a very outstanding faculty, large hospitals and clinics for demonstrations, and ample anatomical supplies. It was a simple matter for authorities at Louisville and Cincinnati

Observer and Reporter, 17 (July 12, 1848), 3. Announced an eighteen weeks' term, with tuition, \$105, and eight professors.

See Joshua B. Flint, Dean of Faculty, "Kentucky School of Medicine (Louisville)," The Kentucky Statesman, 4 (August 12, 1853), 1. Advertised fourth session with five Transylvania Medical School professors of a total of eight. (Transylvania Medical School had changed its session to spring and summer at this time.) This was a four months' course with tuition of \$105.

See A. H. Baker, M.D., President, "Cincinnati College of Medicine and Surgery," The Kentucky Statesman, 4 (September 23, 1853), 3. Advertised ten professors, four months' course, and tuition of \$90.

See "Medical College of Ohio," Lexington Observer and Reporter, 16 (August 21, 1847), 3. Announced four months' course, tuition of \$90, and six professors. This school was located in Cincinnati.

See "Eclectic Medical Institute, Cincinnati, Ohio," Lexington Observer and Reporter, 16 (July 24, 1847), 3. Announced four months' course, tuition of \$100, seven professors, and "chartered in 1845."

See R. S. Newton, M.D., Dean of Faculty, "Memphis Institute, Medical Department," The Kentucky Statesman, 2 (August 16, 1851), 4. Advertised seven professors, four months' session, and tuition of \$105.

to prove to potential students that advantages in demonstrations in their larger hospitals were superior to those of Lexington; it was easy for faculties of the river city schools to allege that Lexington could not furnish an adequate supply of anatomical specimens, although this fact was false, with the exception of one or two sessions. Since the Transylvania professors in the later years made no outstanding medical discoveries and published no new treatises that surpassed those of their neighbors in Louisville and Cincinnati, the Transylvania medical school became only in part a victim of the redistribution of population.

Decline of the law school.—The Transylvania Law School's fortunes during this period, as well as at other times, followed closely the fate of the academic college and the medical school. From 1842 to 1849 the number of students averaged annually from sixty to sixty-five, and the graduates from twenty-five to thirty, while from 1849 to 1856 the number of students and graduates was reduced by about half.⁹⁷ However, the addition of a summer session in 1855 nearly doubled the annual enrollment for that year.⁹⁸

⁹⁷ Enrollment records for the law school for this period are not complete. Available records are as follows: 1842-43, 75 students; 1843-44, 60 students and 30 graduates; 1844-45, 60 students; 1846-47, 62 students and 25 graduates; 1847-48, 62 students; and 1850-51, 35 students. Figures are from "Minutes of the Board of Trustees of Transylvania University, Lexington, March 7, 1843," Vol. V, p. 136; March 10, 1844, Vol. V, p. 146; April 9, 1847, Vol. V, p. 203; March 3, 1848, Vol. V, p. 209; Annual Catalogue of Students and Graduates of the Medical School of Transylvania University, 1852, p. 6. Lexington: The University, 1852; and official reports.

⁹⁸ "Transylvania Law School, Lexington, Kentucky," Kentucky Statesman, 6 (January 19, 1855), 2.

With the dissolution of the contract between the trustees and the Methodist Episcopal Church South, and the sharp retrenchment in the academic college and the medical school, which took place in 1850, a significant decline in the enrollment of the law school took place. Upon Woolley's resignation in 1849, the law school was reduced from a three to a two professorship basis, but the former status was restored in 1854. The extension of the course from four to five months was initiated in an effort to improve the curriculum by extending it. However, the higher tuition costs may have interfered with the effectiveness of this effort. The addition of a second session in 1855 undoubtedly was intended to recapture the waning prestige of the law school, which like the medical school was reduced from a regional school, attracting students from an area including a dozen states,⁹⁹ to a local school with strong competitors in nearby Louisville, Bloomington (Indiana), Cincinnati, Lebanon (Tennessee), and Memphis.¹⁰⁰

⁹⁹ In 1833 the 39 law students represented nine states, including Kentucky, 18; Ohio, 6; New York, 4; Mississippi, 4; Tennessee, 2; Illinois, 2; Missouri, 1; Indiana, 1; and Pennsylvania, 1. See A Catalogue of the Officers and Students, in the Medical and Law Departments, Transylvania University, January, 1833, p. 14. Lexington: The University, 1833. The percentages were: forty-six per cent from Kentucky and fifty-four per cent from outside of the state.

¹⁰⁰ See Alfred Z. Reed, op. cit., p. 451 of Appendix, for a table showing law school enrollments of the seven top schools in 1839-40, the fifteen top schools in 1849-50, and the twenty-one top schools in 1859-60.

Transylvania's strongest competitor after its establishment was the University of Louisville, which announced its third law session with three professors in July, 1848, and with tuition charges the same as at Transylvania. See James Guthrie, President of University of Louisville, "University of Louisville, Law Department, Third Session," Lexington Observer and Reporter, 17 (July 15, 1848), 3.

The causes for the decline in the law school were the same as for the academic college, the medical school, and the university generally. With the close of the 1857-58 session, the sixty year old law school closed its doors. It had produced between one thousand and twelve hundred alumni, and more than two thousand lawyers were trained at Transylvania.¹⁰¹

Comparison of Administrations of Holley and Bascom

It has been shown that a sectarian administration of the university could also be prosperous. Horace Holley's liberal administration had been the school's most successful period of progress and development prior to this time. However, under a contract with the Methodist Episcopal Church, in which the latter accepted control of the academic department, Transylvania showed even greater enrollments than during the Holley era. Although aims of the Methodists were not the same as those of the liberalists, it has been proved that with good leadership, satisfactory support in terms of finances and the recruitment of students, a college could become effective in training leadership for the community. There was one important

See also "Memphis Institute, Law Department," Kentucky Statesman, 2 (August 16, 1851), 4.

¹⁰¹ See Transylvania University, under an Organization Adopted in the Year, 1855, p. 18. Lexington: The University, 1855. This document stated: "There are about one thousand Alumni of [the law school]."

George Robertson writes: "The professorship I retained until 1858, where I helped to make more than twelve hundred lawyers, scattered over the United States, but principally over the Western, Southern and Northwestern States and Territories." See George Robertson, An Outline of the Life of George Robertson, Written by Himself, with an Introduction and Appendix by his Son, p. 161. Lexington: Published by George Robertson's Estate, 1876.

difference between the Holley and Bascom administrations. The principle objective of the former was that the school would train independent-minded young men free to choose their religion and politics after graduation. While it is not known that the Methodists injected politics into the curriculum, certainly they seem to have proselytized students to Methodism. The Methodists made a definite contribution in their administration, but it cannot be said that the Presbyterians were highly successful, either in their administration of Transylvania Seminary or during the Blythe administration, 1804-1816. The conditions under which the two denominations operated the university were, of course, at variance, but the other denominations also showed little success in their administrations.

Summary

With the close of the Methodists' contract to control the academic department, the school's management reverted back to the 1839 charter of triple control, including a state, a municipality, and a private corporation. The liberal administration, 1850-1856, was a period of decline. Controversy between the Northern and Southern Methodists seemed to have brought to a close the excellent relationship between the school and this denomination. Transylvania, 1842-1850, rightfully may have been referred to as the "University of the West." The serious decline of all the departments, academic, medicine, and law, in 1849 virtually brought an end to the usefulness of the university as such. Although she made a comeback

in 1856 with the aid of state funds, Transylvania never again very closely approached a university organization in fact.

Failure to achieve static goals set forth in its original charters was due to many of the factors previously discussed. Some of these causes were the following: the withdrawal of support by the Methodists, especially in the recruiting of student personnel; the lack of effective leadership (as in Holley's administration, one man could not carry the burden of the entire school's operation), and Bascom's colleagues were weak in their support of the president; and the perennial religious controversy, this time between two branches of the same denomination. It must be pointed out that the successful operation of the medical school, which accounted largely for Transylvania's national reputation (lawyers were still being trained by the apprentice method and by private schools to a large extent), was the key to the university's success. As the larger cities, Louisville, Cincinnati, Nashville, and Memphis, began to build up their medical schools, students became reluctant to travel to Lexington for their training, and too, the larger cities could furnish extensive hospitals lacking in Lexington. Law schools of Harvard, Yale, and the University of Virginia grew in stature, causing Transylvania's long period of leadership in this field to become overshadowed. The academic college never drew as many out-of-state students as did the professional schools.

CHAPTER IX

SURVIVAL THROUGH WAR AND POSTWAR REORGANIZATION, 1856-1865

The Civil War years, postwar reorganization, and some miscellaneous problems are discussed in this chapter. However, prior to the War Transylvania supporters attempted a new approach to the old problem of reviving the university; they planned to establish a teacher training school as a principal part of the university.

Emphasis on Public Teacher Training, 1856-1858

Progressive leaders strove for a public school system in Kentucky as early as 1798, when the academy act was passed. Many commissions were named to study the problem, but it was not until 1838 that a beginning was made, and this included only the establishment of a definite plan. Although the constitution of 1849 recognized public education and further improved the state educational structure, state-supported schools as a system of public education were not a realization except in the narrowest sense prior to the close of the Civil War. In an effort to further public education in 1856, a state normal school was established in connection with Transylvania University. The legislature's withdrawal of funds for this school in 1857 probably set public education in Kentucky back a quarter of a century.

Kentucky's public school system.—Kentucky's public school movement did not begin long enough before the Civil War to be thoroughly impressed

on the public mind. Kentuckians became hopelessly divided over the issue involved in the war, and communities which ordinarily would have been interested in promoting public schools became either too poor or too indifferent to make the much needed effort. Little or no social development took place in Kentucky from 1861 to 1865.¹ From 1838 forward the state board of education was composed of the Superintendent of Public Instruction, the Secretary of State, and the Attorney General as ex officio members. The latter two could give little attention to the needs of the department of education, and in addition the partisan nature of these offices made meddling with education a ticklish job. Therefore, the superintendent's duties were for many years nothing more than clerical. He supplied blanks, forms, and textbooks, and collected reports from the counties.²

Public education was given recognition for the first time in Kentucky's constitution of 1849.³ An educational fund of \$1,227,168.42 was established to be held inviolate for support of schools. Special funds arising from taxation were likewise to be applied to educational purposes, and without equivocation. Each county was guaranteed an equitable amount of the accumulated fund, and a superintendent of public

¹ Thomas D. Clark, A History of Kentucky, p. 504. New York: Prentice-Hall, 1937. Pp. xv / 702.

² Ibid., pp. 506-507.

³ See Bennett H. Young, History and Texts of the Three Constitutions of Kentucky, Part Two, pp. 21-35. Louisville: Courier-Journal Job Printing Co., 1890.

instruction was to be elected by popular vote for a term of four years. Thus was born Kentucky's state-supported public school system.⁴ But this public system was very ineffective.⁵ Even in 1869 the bill proposing additional revenue, which would have permitted liberalization of the school system and in the end have laid the foundation for a school system equal to those of the Northwestern States, failed to pass the Kentucky Legislature.⁶

Early efforts to establish a state normal school.—Several early efforts were made to establish a state normal school in Kentucky. Among those making this effort were the Transylvania board of trustees, Rev. Benjamin O. Peers, a Pestalozzian, Rev. J. J. Bullock, the first superintendent of public instruction, and Governor Wickliffe.

One of the earliest efforts to provide public teacher training for Kentucky schools was that announced by Transylvania's board of trustees in the late 1820's. They stressed the need for teacher training and promulgated steps in their policy to incorporate such a department.⁷ They called attention to the academic course as one excellent for fitting young men for the necessary office of teachers and schoolmasters. They

⁴ Thomas D. Clark, A History of Kentucky, op. cit., pp. 433-34.

⁵ Ibid., pp. 507-511.

⁶ Ibid., p. 506.

⁷ Board of Trustees, Transylvania University, "Transylvania University," Kentucky Reporter, 21 (July 23, 1828), 3.

emphasized that, although usually neglected, this curriculum contained information upon elementary school-books, systems of education, modes of teaching, and other subjects which have an "immediate bearing on the general diffusion of intelligence throughout the community, but which have commanded little attention even at the oldest seats of learning." At the end of the specialized course in teacher training, a certificate of scholarship was presented in lieu of a degree.⁸

Peers, acting president of Transylvania University, according to his inaugural address delivered in 1833, showed that he looked forward to making of the university something resembling a state normal school.⁹ The act of the General Assembly of 1838 made no provision for the training of teachers, but Bullock, in his first report to the General Assembly in 1839, utilized considerable space for a discussion of normal schools for the training of teachers. He wrote:

The founding of one or more normal schools for the purpose of training the sons of the soil is a favorite measure with many friends of education. The establishment of a school or schools for teachers is certainly a great desideratum. It is the voice of reason and experience that they must exist before education can be performed in the best possible manner and with the greatest attainable success. In those countries where education has been carried to the greatest perfection, schools for teachers have formed an important feature in their systems and with the best results.¹⁰

⁸ Ibid.

⁹ Benjamin O. Peers, Inaugural Address, Delivered at the Opening of Morrison College, Lexington, Kentucky, November 4, 1833. Lexington: J. Clarke and Co., 1833. Pp. 30.

For a more detailed report of Peers' activity in establishing a normal school see Grant C. Knight, "Benjamin Orrs Peers," Dictionary of American Biography, Vol. XIV, p. 389. New York: Charles Scribners' Sons, 1934.

¹⁰ Journal of the House of Representatives, 1839-40, (December 2,

Governor Wickliffe presented the subject of teacher training to the Assembly in his message of December 3, 1839:

There is one desideratum in the system, which, while it continues, must render it difficult of a general diffusion. There is no provision for the education and instruction of teachers for Common Schools. A capacity for teaching, though not wholly created by education, is certainly increased and made useful by instruction in the art of successfully communicating knowledge to children. Would it not be well to appropriate a portion of the annual income of the School Fund to the establishment of a Professorship in the State University for the purpose of educating Common School teachers? This would enable the State, through her University, to educate, annually, a sufficient number of young men to supply the demand for teachers, as the system shall progress in its organization and adoption by the people. ¹¹

But despite these efforts, nearly two decades passed before the legislature established a state normal school.

State reorganization of 1856.—In 1856 the General Assembly became interested in the university again and by enactment provided for its reorganization. ¹² This act provided for the establishment within the university of a normal school department for the training of teachers. The preamble set forth the fact that the university was intended as a state institution and that it afforded "peculiar and great advantages in its grounds, buildings, endowments, libraries, and various properties" for the establishment of a normal school department. A new board of trustees was constituted of seven state officers as members ex officio, and

1839 - February 21, 1840), Regular Session, p. 23. Frankfort: State Printer, 1840.

¹¹ Ibid.

¹² Acts of Kentucky, 1855-56 (Regular Session), Vol. I, Chapter 762, p. 117. Frankfort: State Printer, 1856.

seven citizens of the state. The act further provided for the method of appointing students from the several political units who should enjoy the advantages of the school, for the plan of admission, and for the method of making the course of study. An appropriation of \$12,000 from the common school fund was made to carry the plan into operation.

Five distinct departments called schools were set up under this reorganization. They were: (1) The School of Moral Science, (2) The School of Physical Science, (3) The School of Mathematics, (4) The School of Ancient Languages, and (5) The School for Teachers. The instruction in the normal department, together with the organizational details, was assigned to two professors, while the general government and administration of discipline rested ultimately with the faculty of the university and the board of trustees.

Expansion under Rev. Lewis Green.—Rev. Lewis W. Green, President of Hampden-Sidney College, was chosen president of the reorganized institution.¹³ At the time he took office the valuation of the buildings, grounds, and equipment was estimated at \$200,000,¹⁴ and eighty students were enrolled at the opening of the institution in the fall of 1856 in the normal department.¹⁵ A newspaper editor emphasized that nearly two

¹³ See LeRoy J. Halsey, Memoir of the Life and Character of Rev. Lewis Warner Green, D.D. with a Selection from His Sermons. New York: Charles Scribner and Co., 1871. Pp. xi / 491.

¹⁴ Alvin F. Lewis, History of Higher Education in Kentucky, p. 77. Washington: Government Printing Office, 1899.

¹⁵ Ibid.

The minutes of the board of trustees for this period are missing.

thirds of the income then employed to effect the purposes of the legislature were derived from the university and that advantages thereby were extended to the state scholars which could not be procured at a cost less than the interest on \$200,000.¹⁶ President Green stated that the two schools, the normal department and the academic department, could be operated with a "harmony and smooth exactness," and after several months of experience he said that the scheme was satisfactory.¹⁷

Green told of two salient points in the policies of the new administration.¹⁸ First he stressed the effect of the large element of mature students (grown men who were taking advantage of the teacher training) upon other students, and the importance of instructing students thoroughly in the rudiments of education at an early age, as a means of raising the general level of education in the state. Of the \$12,000 fund \$7,000 was appropriated for the partial support of meritorious young men for educational service and only five thousand for the direct cost of their instruction.

President Green wrote shortly after his inaugural address in November, 1846, that the number of all the students was between 125 and 130. See LeRoy J. Halsey, op. cit., p. 54.

¹⁶ See "The Normal School; Its Particular Organization, The Inaugural Address of President Lewis Green, Editorial Comment on," Kentucky Statesman, 8 (December 19, 1856), 2.

¹⁷ Lewis W. Green, Addresses Delivered at the Inauguration of Reverend Lewis W. Green, D.D., as President of Transylvania University and State Normal School, November 18, 1856. Lexington, Kentucky: Published by the Board [of Trustees], 1856. Pp. 34.

"The Normal School - Inaugural Address of Dr. Lewis Green," The Kentucky Statesman, 8 (December 19, 1856), 2.

¹⁸ "The Normal School - Inaugural Address of Dr. Lewis Green," Kentucky Statesman, 8 (December 19, 1856), 2.

Green commented favorably upon the legislature's action creating the normal school: "To effect this great object [supply of competent and well qualified teachers in sufficient number to meet the public demand] the Legislature, in its wisdom, has established this school, where our own young men can be educated in the art of teaching."¹⁹ He also stated that human ambition in its loftiest aspirations could ask no prouder epitaph than the simple inscription which shall record the name of him—"The Founder of the System of General Instruction, for the People of Kentucky."²⁰

President Green's plan of education.—Green's inaugural address was characterized as "truly great" and "worthy of the noble cause in behalf of which it was pronounced."²¹ Bright prospects were predicted, and it was said that the glories of Old Transylvania were about at length to return and that this noble institution was destined at once to take rank among the brightest luminaries of science and learning in the nation.²² Green spoke of the plan of education at Transylvania: "No matter how munificent may be the donations of the State to the purposes of education, nor how complete the organization of her schools, all hopes of substantial

¹⁹ Lewis W. Green, Addresses Delivered at the Inauguration of Reverend Lewis W. Green, D.D., op. cit., p. 3.

²⁰ Ibid., p. 35.

²¹ "State Normal School,-- Inauguration of Rev. Lewis W. Green, D.D.," The Kentucky Statesman, 8 (November 21, 1856), 2.

²² Ibid.

advantages to result from them will be vain and illusive unless there can be secured to their control a corps of teachers not only well educated and skilled in the art of imparting their knowledge, but deeply imbued with the spirit of our peculiar institutions, convinced of the wisdom of our laws, identified with our prosperity, and possessed of natural sympathy with our feelings" ²³

The Statesman wrote of the able support of influential journals and able leaders of both political parties and expressed a desire that party malignity and political struggles would not crush the college. ²⁴ In addition, the Statesman declared its intention to support the university and to expose immediately any partisanship that might be harmful to the institution. ²⁵ The plan of education was one of challenge and usefulness. Its big defect lay in its failure to receive continued support from the state.

Student opportunities.—With scholarships for those of limited means, education at Transylvania became more democratic than ever before. The poor man and the rich, the children of the mountain, the forest, and the plain, were placed side by side, in the same halls of science, with a "fairfield and an open track," in competition for the highest honors that

²³ Lewis W. Green, Addresses Delivered at the Inauguration of Reverend Lewis W. Green, D.D., op. cit., p. 11.

²⁴ "The Normal School - Inaugural Address of Dr. Lewis Green," Kentucky Statesman, 8 (December 19, 1856), 2.

²⁵ Ibid.

society could offer.²⁶

It was the purpose of the trustees and the faculty that the funds of the state should be used specifically in the training of teachers for the state. Each state pupil was, therefore, by the fact of his accepting the appointment, a member of the teacher training department. The student pledged to master the studies in this department, to review the elementary subjects, and to learn as much as possible of the higher collegiate studies. If a student demonstrated to the faculty that he possessed a detailed knowledge of the normal school curriculum or an aptitude and desire to study academic subjects, he could, with the faculty's permission, devote a part of his time to academic subject fields. The important purpose of the teacher training curriculum was to insure accuracy in the elementary subjects, but also to extend every opportunity and stimulus for progress in the collegiate studies.²⁷

Green, in speaking of the opportunities of students, stated: "This opportunity for higher culture, so eagerly seized, and so well improved already by a portion of our pupils, makes not only an abler man, but a superior teacher; and in all the more gifted minds, will assuredly stimulate to larger acquirements in after life; thus multiplying the number of thoroughly educated men, and accomplishing collaterally another of the

²⁶ "The Normal School; Its Particular Organization, The Inaugural Address of President Lewis Green," Kentucky Statesman, 8 (December 19, 1856), 2.

²⁷ Henry Barnard, Editor, "Transylvania University and the State Normal School at Lexington, Kentucky," The American Journal of Education, 4 (March, 1857), 218.

great purposes of the Legislature, to raise up men for the State as well as instructors for our schools." ²⁸ Collegiate opportunities for poor boys of the type here described certainly were revolutionary in Kentucky during this period.

If the students desired to return and complete their studies at Transylvania, all the advantages of the university were gratuitously offered. These advantages to the normal school, as derived from its connection with the university, were accompanied by corresponding advantages in other departments of the university, which were worthy of serious consideration, and rendered the university an excellent place for the training of teachers ²⁹ as well as a school for liberal education.

Normal course of instruction.—A special course of instruction was prepared by each of the professors to fit the special needs of the normal students, and special classes were organized for them. Four of six professors were regularly assigned to their instruction, and two professors devoted their full time to these students, and the other departments were open to them without extra cost. ³⁰

Failure of the normal school.—The failure of the normal school came in the third week of January, 1858, when the senate repealed legislation establishing the school; the repealing act was to take effect immediately. ³¹

²⁸ Lewis W. Green, Addresses Delivered at the Inauguration of Rever-
Lewis W. Green, D.D., op. cit., p. 18.

²⁹ "The Normal School; Its Particular Organization," The Kentucky Statesman, 8 (December 19, 1856), 2.

³⁰ Ibid.

³¹ Acts of Kentucky, 1857-58 (Regular Session), Vol. I, Chapter 492,

The house of representatives had previously repealed the same act, but provided that the repeal should take effect June 30, 1858. It was declared that the difference was immaterial, as the funds for the support of the school up to the end of the session, June, 1858, had already been drawn, and that the school would continue to that period.³²

The immediate cause for the state's withdrawal of assistance to the school seems to have been the financial panic of 1857,³³ although it seems possible that denominational interests were not reluctant to see the downfall of a state-supported school of higher education.

Green's resignation.—There had been much dissatisfaction and discouragement previous to Green's arrival at Transylvania, but he at once infused new life into the venerable university, and inspired its friends with the highest hopes.³⁴ Everyone seemed to be pleased with his administration.³⁵ In a letter of this period adverting to the fact that some

p. 54. Frankfort: State Printer, 1858.

"The Normal School," The Kentucky Statesman, 9 (January 26, 1858), 3.

³² "The Normal School," The Kentucky Statesman, 9 (January 26, 1858), 3.

³³ "The financial panic," wrote an editor, "was so prominent a topic, was exercising so disastrous an influence upon the welfare of society, that it was impossible to pass such a subject over in silence Very properly he [Governor Morehead] attributes the panic to the banks and to a paper currency. This truth is so obvious, that any politician who was to deny it, would subject himself to public derision" See "Governor Morehead's Fallacies," The Kentucky Statesman, 9 (December 22, 1857), 3 (Editorial).

³⁴ LeRoy J. Halsey, Memoir of the Life and Character of Rev. Lewis Warner Green, D.D. with a Selection from His Sermons, p. 53. New York: Charles Scribner and Co., 1871.

³⁵ Ibid., p. 54.

people had already begun to predict that he should do a great work, he writes: "But I do not wish to be high-minded, but fear, and gratefully accept what God may mercifully send. Our number is about 125 or 130, as many as I desire to start with." ³⁶ A month later, he says: "I think I am giving universal satisfaction, and the college moves on beyond all expectations. But I have had first, great anxiety and since, rather too much applause." ³⁷

This inspired opening of the university was followed by disappointment for Green, for with the failure of the normal school, the great object for which he had come to Kentucky, and for which he had labored in hope for nearly two years, was nipped in the bud. Now there could be little prospect of raising Transylvania University into a first-class institution, after all the changes and disappointments of its past history. Under these circumstances, Dr. Green felt himself at liberty to resign in the winter of 1857, just after the passage of the bill destroying the normal school. ³⁸

Green retired feeling that no responsibility for the failure of Transylvania to continue its expansionist trend rested upon him or his colleagues. He had accepted the position in good faith, and had worked

³⁶ Lewis W. Green, letter dated "1856", quoted in LeRoy J. Halsey, op. cit., p. 54.

³⁷ Lewis W. Green, second letter dated "1856", quoted in LeRoy J. Halsey, op. cit., p. 54.

³⁸ LeRoy Halsey, op. cit., p. 54.

diligently to accomplish all possible benefits under the new act. In his brief term of office, the university moved forward enough to demonstrate what accomplishments could have been made if the opportunity of a longer administration had presented itself. No part of his life had been more marked by activity. Young men had been drawn from all parts of the state. The annual commencement had never been attended with better success.³⁹ And his whole instruction in the university, as well as his preaching, had seemed to have elicited the admiration of all classes at Lexington. He was invited to preach in the churches of several denominations in the city, where large audiences gathered to hear him from Sunday to Sunday, and on each Sabbath afternoon he preached in the chapel of the university. Almost in no sense could failure be attributed to him. But through causes over which President Green had no control, Kentuckians had failed to support the reorganized university.⁴⁰ Green took office as president of Centre College on January 1, 1858, continuing in that office until his death in 1863.⁴¹

Transylvania "High School," 1858-1865

With the failure of the normal school in 1858, the law school the same year, and the medical school the following year, the academic

³⁹ Ibid., p. 55.

⁴⁰ See ibid., pp. 68-69 for copies of adulatory memorials to Green's memory by the Centre College faculty and the Centre College student body, as well as the Second Presbyterian Church of Danville.

⁴¹ See ibid., for Green's work as president of Centre College especially pp. 55-67.

department was the lone active element of the university. Even its functions were much retrenched and limited, being better described by the new name of the preparatory department, Transylvania High School. Transylvania High School was the only element of Transylvania University that remained active during the period 1859 to 1865. However, this "high school" was in one respect similar to present-day junior colleges, in that its graduates usually could qualify for advanced standing as juniors or seniors when continuing their education at other colleges.

English and classical curricula.—An announcement of Fayette High School in the fall of 1858 stated that the course of instruction was thorough and sufficiently extensive to qualify pupils to enter the junior or senior class in any college.⁴² This high school was headed by Abraham S. Drake, A.M., who had been a professor in the normal school of Transylvania University,⁴³ and who later, during the academic year, 1860-61, headed Transylvania High School. Although no statement similar to that announced by Fayette High School has been found for Transylvania High School, it seems from the evidence available that the two schools were similar in scope. Other evidence appears throughout the discussion of this period that proves conclusively that Transylvania University trustees offered a course of study beyond that of the secondary field during

⁴² "Fayette High School," The Kentucky Statesman, 9 (August 3, 1858), 3.

⁴³ Madison C. Johnson, on behalf of Trustees, "Transylvania University," The Kentucky Statesman, 8 (October 3, 1856), 3.

this entire period (1858-1865).

The trustees of Transylvania University announced the opening of a school, in which would be taught the "Higher Branches of good English and Classical Education" in the university in August, 1858.⁴⁴ This school was opened on September 20, 1858, under the supervision of Richard Ford (late principal of the Academy at Columbia, S. C.) as principal and W. K. Stuart, A.M. (Graduate of Trinity College, Dublin), vice principal.⁴⁵ Requirements for entrance included an age minimum of twelve years,⁴⁶ and a familiarity with the primary branches taught in the public schools of the city. The curriculum included the ancient languages, French, mathematics, and such other branches as were usually taught in a high school.

Military school competition.—One factor causing the retrenchment of Transylvania University's collegiate section of the academic department was the impetus toward military training brought about by the prediction of a domestic war. College life in the North went on much as usual and with scarcely diminished attendance during the Civil War,⁴⁷ where those

⁴⁴ Madison C. Johnson, Chairman, "Transylvania High School," The Kentucky Statesman, 9 (August 17, 1858), 3.

⁴⁵ See W. A. Dudley, Secretary, "Transylvania High School," The Kentucky Statesman, 9 (September 14, 1858), 1.

⁴⁶ Where college students are expected to graduate at about age twenty-two at the present time, the age of college graduates during the period under consideration was more nearly sixteen to eighteen.

⁴⁷ See especially, Chapter VIII, "War and Peace, 1861-1869," in Samuel E. Morison, Three Centuries of Harvard, 1636-1936, pp. 302-319. Cambridge: Harvard University Press, 1936. Pp. viii / 512.

draftees who hired substitutes were not despised. But Kentuckians in anticipating the possibility of war, and with some uncertainty as to who their adversary might be, were forced to take both a more realistic view to the coming conflict and to show a patriotic attitude toward their state, that precluded the policy of the hiring of substitutes for military duty. Among the many military schools that were enrolling many of the students who ordinarily would have been attending Transylvania, or one of the denominational colleges, was Kentucky Military Institute, under the superintendence of Colonel E. W. Morgan, "a distinguished graduate of West Point and a practical engineer," who was aided by an able faculty.⁴⁸

Civil War years under the direction of James K. Patterson.—On December 20, 1860, South Carolina passed the Ordinance of Secession and by the first of February seven Southern states had declared themselves individually to be separated from the Union. A peace convention, suggested by Virginia and attended by representatives from all but the seven seceded states, assembled in Washington on the fourth of February, 1861. On the same day delegates from the seceded states met at Montgomery, Alabama, and proceeded to form a new government under the name of the Confederate States of America, of which Jefferson Davis, student at Transylvania in the years 1823 and 1824, was elected president. Hostilities began at Fort Sumpter, South Carolina publicly on April 13, 1861.⁴⁹

⁴⁸ Kentucky Military Institute announced its twenty-seventh session in 1860. See P. Dudley, President of Board, "Kentucky Military Institute," The Kentucky Statesman, 11, (August 10, 1860), 1.

⁴⁹ See Chapter 32, "The Great Decision, 1860-1861," Homer C. Hockett, Political and Social Growth of the American People, 1492-1865. New York: The Macmillan Co., 1940.

(a) THE PATTERSON BROTHERS.—James K. Patterson, newly elected principal, and his two brothers arrived in Lexington in the fall of 1861, and they found Lexington all that their "enthusiastic dreams had pictured, 'larger than Madison [Indiana] and the most beautiful place . . . [they] ever saw.'" ⁵⁰ Transylvania had at this time a cash endowment of approximately seventy thousand dollars; the members of the board of trustees were prominent citizens of the community; and the buildings, Morrison College, the Blythe House, and a dormitory erected in 1839, were at that time buildings of "a large, convenient, and rather imposing scale." ⁵¹

James K. Patterson writes: "We opened the school in September [1861] with about sixty pupils representing the best families in the Bluegrass section of Kentucky. They were, in the main, enrolled in secondary classes, although there were a few more advanced students." ⁵² He tells of the enlistments in the armies: ". . . practically every able-bodied man in Kentucky, and especially the young men whom we would have eventually

⁵⁰ Mabel H. Pollitt, A Biography of James Kennedy Patterson, President of the University of Kentucky from 1869 to 1910, pp. 73-74. Lexington: Security Trust Co., 1925.

Patterson's biographer, Pollitt, was long associated with him as Assistant Professor of Latin and Greek, and had access to some manuscript "Notes" which he had written in later life as an autobiographical sketch. She also had access to some minutes of the board of trustees of this period. A thorough search through the Patterson papers has failed to reveal these "Notes," and the minutes for this period are now missing.

⁵¹ Ibid.

⁵² James K. Patterson, "Notes," published in Mabel H. Pollitt, op. cit., p. 74.

attracted to our school, had enlisted for service, most of them in the Southern army." ⁵³

(b) WAR IN KENTUCKY.—In Kentucky a great deal of the fighting centered around Lexington and in the Blue Grass section of the state. In May, 1862, when the Federal authorities occupied Lexington and took possession of the Morrison College Building, Transylvania High School was transferred to the Medical Building on the corner of Broadway and Second Street. ⁵⁴ Bragg and Buell hotly contested the mastery of the state throughout the summer of 1862. Early in September, 1862, after the Federal rout at Richmond, Kentucky, the Confederate Army of General Kirby Smith entered Lexington, and Colonel Morgan, the celebrated raider, was welcomed home by practically the entire city. ⁵⁵

William and Andrew Patterson went to Indiana for the summer and were unable to come back through the lines, but there was no occasion for them to attempt to return to Lexington, as the Trustees of Transylvania University had decided that it would be futile to re-open the school until the atmosphere cleared. ⁵⁶ By the first of October Bragg had abandoned

⁵³ Ibid.

⁵⁴ "Deposition of Madison C. Johnson, City of Lexington vs. Kentucky University; Fayette Circuit Court, Lexington, Kentucky, file 1717, May 12, 1874."

⁵⁵ See J. Winston Coleman, Jr., Lexington During the Civil War, pp. 69. Lexington: Published by the Author, 1938.

⁵⁶ Mabel H. Pollitt, A Biography of James Kennedy Patterson, op. cit., p. 75.

his position in consequence of his disastrous reverse at Perryville, and Kentucky was virtually lost to the Confederate cause.⁵⁷

The brothers, William and Andrew Patterson, were able to return to Lexington in November, 1862, and resumed their second year of instruction at Transylvania, but after a few days William Patterson was stricken with typhoid fever, from which he died on December 9, 1862.⁵⁸

(c) ACADEMIC YEAR, 1862-63.—The announcement for the year, 1862-63, stated: "The fall session of this Institution will open on the 15th of September, with a full corps of Instructors. Its success during the past year has exceeded expectations, and inspired confidence in its future enlargement and success."⁵⁹ However, Patterson wrote that the "Federal troops were still in possession of the Morrison College Building and in the spring of '63 further required that we turn over to them the Medical Building, in which our classes were being taught."⁶⁰ A deposition taken May 12, 1874, was probably more accurate. In December, 1862, the old Medical Hall, at Second and Broadway, where Transylvania University was

⁵⁷ Probably what was the greatest tragedy of the war was the spectacle witnessed in Kentucky, where a mother often saw one son wear a blue uniform, another a gray; and possibly worse, a father fighting against his son.

⁵⁸ Mabel H. Pollitt, op. cit., p. 75.

⁵⁹ W. A. Dudley, Secretary, Board of Trustees, Transylvania University, and James K. Patterson, Principal, "Transylvania High School," Lexington Observer and Reporter, 39 (October 25, 1862), 1; (October 29, 1862), 1; (November 12, 1862), 1; (November 15, 1862), (November 29, 1862), 1.

⁶⁰ James K. Patterson, "Notes," published in Mabel H. Pollitt, A Biography of James Kennedy Patterson, op. cit., p. 77.

temporarily conducting her "classical and literary department" was forcibly seized by the Federal authorities for a general hospital, and "all the teachers and pupils were ejected therefrom upon very short notice by a military order from the Commandant." ⁶¹ George W. Ranck's statement supports the deposition of Shaw and is in opposition to Patterson's further statement that "The noble building [Medical Hall] was unfortunately consumed by fire a few weeks later." ⁶²

Ranck stated that when the year closed the hospitals of the city were filled with sick and wounded soldiers all under the charge of Dr. Robert Peter, former Dean of Transylvania Medical School and Professor of Morrison College, as well as teacher or professor in Transylvania High School, and melancholy squads with hearse and muffled drums passed hourly through the streets of the city. ⁶³ At the improvised hospital at Morrison Chapel, "the groans of the wounded and dying filled the classic halls, which had so often echoed to the logic of Holley, the fire of Bascom, or the eloquence of Clay." ⁶⁴

Only a few hours after the last guests had departed from the "grand hop" on the morning of May 22, 1863, the "large and handsome two story Medical Hall of Transylvania University" ⁶⁵ was found to be on

⁶¹ "Deposition of Hiram Shaw, City of Lexington v. Kentucky University, Fayette Circuit Court, Lexington, Kentucky, file 1717, May 12, 1874."

⁶² James K. Patterson, "Notes," published in Mabel H. Pollitt, op. cit., pp. 77-78.

⁶³ George W. Ranck, "Recollections," The Daily Lexington Transcript, 17 (November 14, 1882), 1.

⁶⁴ Barksdale Hamlet, History of Education in Kentucky, p. 293. Frankfort: State Journal Printing Co., 1914. Pp. iv / 330.

⁶⁵ John McMurtry of Lexington was the architect and contractor for

fire; ⁶⁶ and by noon it was totally destroyed. ⁶⁷ With the building was lost "a large medical library, valuable and costly chemical apparatus and many anatomical drawings," ⁶⁸ together with the laboratory of the First Geological Survey of Kentucky. At the time of the fire the building was occupied by sick and wounded Federal soldiers under the supervision of Dr. Robert Peter, who had been in charge since 1862. ⁶⁹

By arrangement with the Trustees of Transylvania University, James and Andrew Patterson transferred the school to the basement of the Second

the building at a total cost of \$23,915, which was completed "according to the plans and specifications aforesaid before the 1st of October, 1840." See "John McMurtry v. Trustees of Transylvania University; Fayette Circuit Court, Lexington, Kentucky, file 996, June 2, 1841."

⁶⁶ J. Winston Coleman, Jr., Lexington During the Civil War, p. 41. Lexington: Published by the Author, 1938.

⁶⁷ The fire took place about ten o'clock in the morning. The building was occupied as a military hospital by the United States Army and was full of sick and wounded soldiers. "Deposition of Hiram Shaw [Shaw was present at the burning of the hall.], City of Lexington v. Kentucky University, Fayette Circuit Court, Lexington, Kentucky, file 1717, May 12, 1874."

⁶⁸ Ibid.

⁶⁹ The Treasurer's Report, 1871, of Kentucky University [Transylvania University and Kentucky University merged in 1865.] stated that \$25,000 was recovered from the United States Government "for rents and damages to the medical college and other Transylvania property during the war." One-half of this \$25,000 was claimed and recovered from the Kentucky University by the City of Lexington, on the plea that the Medical Hall built by funds furnished by the city if it ever ceased to be used as such. "City of Lexington v. Kentucky University, Fayette Circuit Court, Lexington, Kentucky, file 1717, May 12, 1874."

Presbyterian Church, later to the building next to the Episcopal Church, and finally to the oblong building, formerly used as a janitor's house, in Gratz Park. ⁷⁰ Andrew M. Patterson died of typhoid fever, as had his brother William, only nine months later on August 11, 1863. ⁷¹

(d) ACADEMIC YEAR, 1863-64.—Principal Patterson wrote that "men's minds were intent on nothing much except the war and it was difficult to make much headway in building up a school." ⁷² However, some important steps to the merger of Transylvania and Kentucky Universities were taken in 1863-64, as well as some steps toward the establishment of an Agricultural and Mechanical College under provisions of the Morrill Act of 1862. In 1863 the legislature of Kentucky had appointed a committee to investigate the conditions of the acceptance of the Morrill Act of 1862—which provided for the establishment of an Agricultural and Mechanical College in every State—to advertise these conditions, and to receive bids for the location of the college from cities or from existing colleges in the state.

Transylvania was the only institution alert to the possibilities of such a college. Twice the conditions were advertised and twice the one offer came from Madison C. Johnson, president of the board of trustees of

⁷⁰ James K. Patterson, "Notes," published in Mabel H. Pollitt, *op. cit.*, p. 78.

⁷¹ *Ibid.*

⁷² *Ibid.*

Transylvania University; ⁷³ yet the legislature failed to adopt the recommendation of the committee, that the Land Grant trust "be vested in the former state university." ⁷⁴ Defeated and discouraged in these attempts and tired from the hardships brought about by the war, the trustees made no further overture to the legislature.

The announcement for the second session of the academic year, 1863-64, of Transylvania High School contained a statement telling of the success of the institution. It said: "Those who wish to secure tuition during the forthcoming session, must apply early, as our classes are already so numerous and so well filled that classification cannot be made on entering at an advanced period of the term." ⁷⁵

(e) ACADEMIC YEAR, 1864-65. The announcement for the year, 1864-65, stated that the "commodious and pleasantly situated" building (Morrison Hall) on the college campus would be used for recitations during the coming year. ⁷⁶ As in the announcement for the year, 1863-64, ⁷⁷ this announcement urged promptness in matriculation as an answer to a smoother functioning administration and the prevention of waste by the elimination

⁷³ Mabel H. Pollitt, op. cit., p. 79.

⁷⁴ Ibid.

⁷⁵ W. A. Dudley, Secretary, Board of Trustees and James K. Patterson, Principal, "Transylvania High School," Lexington Observer and Reporter, 40 (January 27, 1864), 1.

⁷⁶ "Transylvania High School," Lexington Observer and Reporter, 41 (August 24, 1864), 3.

⁷⁷ Ibid., 40 (January 27, 1864), 1.

of excess classes. It stated further that applications for tuition should be made early in order to facilitate the consolidation and prevent the undue duplication of classes.⁷⁸

In a resume of his four difficult and trying years of work at Transylvania, Patterson describes a curriculum far surpassing that of the average secondary school, differing not much from the collegiate courses that superseded it.⁷⁹ The trustees of Transylvania at their last meeting passed resolutions indicating their high regard for the principal and requesting that the board of curators of Kentucky University—on which a number of them had been chosen—appoint him to a professorship in the new institution. This latter body complied with a double assignment: a professorship of Latin in the College of Arts and a professorship of history in the Agricultural and Mechanical College.⁸⁰

Consolidation of Sectarianism and Liberalism

The Kentucky Agricultural and Mechanical College was established as a college of Kentucky University (Disciples of Christ denominational affiliation) in 1865, and Kentucky and Transylvania Universities were consolidated a few days later. The launching of the Agricultural and

⁷⁸ Ibid., 41 (August 24, 1864), 3.

⁷⁹ Mabel H. Pollitt, op. cit., p. 80. This information was taken from a document now missing.

⁸⁰ Ibid., this information was also taken from a document now missing.

Mechanical College culminated many attempts of Kentuckians to establish a permanent state (public) college. Upon the basis of this college, the University of Kentucky was built. After the state college separated from Kentucky University in 1878, the latter gradually evolved into what is now Transylvania College.

Establishment of a secular state college.—The Morrill Act,⁸¹ passed by Congress in 1862, provided a land grant to each state for the purpose of establishing agricultural and mechanical colleges. Morrill's measure carried with it an allotment of public lands, 30,000 acres for each representative in Congress, to the several states of the Union, the proceeds of which should be applied to found and endow colleges in each state. In these colleges there should be taught those branches of learning related to agriculture and the mechanic arts, without excluding the classics and other scientific studies, including military tactics.⁸² In addition, promotion of liberal and practical education among the industrial classes was to be provided for.

The conditions of the Morrill Act were accepted by the state on January 27, 1863. The general assembly of 1863-64 authorized the State Agricultural Board to look out for a site for the new institution, but in the latter's report it was stated that only one proposal, that of Transylvania

⁸¹ United States Statutes at Large, 1862, Vol. XII, p. 503. Washington: Government Printing Office, 1862.

⁸² Ibid.

University, was received. This proposal was recommended by the State Agricultural Board.⁸³ The state did not act upon Transylvania's proposal, probably for two reasons: (1) Transylvania University's long troublesome history was such that the people did not have confidence that a successful administration could be carried out under her control. (2) Kentuckians were highly involved in war and were thinking in these terms instead of in terms of education.

Thus, while the General Assembly had not acted upon Transylvania University's proposal prior to 1865, the Transylvania trustees had offered their buildings and grounds to the Kentucky University curators on the condition that the latter would be moved to Lexington. Agreement was reached on this score. The reorganization of Kentucky University, based upon the consolidation of two universities, and the establishment of an Agricultural and Mechanical College were before the legislature at the same time.⁸⁴

Bowman, who was working always for a larger and more influential university, urged that the agricultural college be made a part of Kentucky University. This was considered, but on February 22, 1865, due to the fact that both Transylvania and Kentucky Universities desired a connection with the state college, the legislature passed a bill establishing

⁸³ For a complete report of the State Agricultural Board, see Acts of Kentucky, 1863-64 (Regular Session), Chapter 1004, p. 370.

⁸⁴ See The Charter and Other Acts of the Legislature Relating to Kentucky University, op. cit., pp. 43-44.

the Agricultural and Mechanical College as a college of the "larger Kentucky University," a consolidation of Transylvania and Kentucky Universities. The provisions of the act were not to take effect until Transylvania and Kentucky Universities had been consolidated into one corporation under the name, Kentucky University.⁸⁵ The bill consolidating the two universities was passed six days later on February 28, 1865.⁸⁶ In the "larger Kentucky University" the dream of Transylvania's founders seemed to be realized, but it was soon recognized that the Church and State could not live together.⁸⁷

⁸⁵ See Acts of Kentucky, 1865 (Regular Session), Vol. I, Chapter 968, pp. 45-48.

⁸⁶ Acts of Kentucky, 1865 (Regular Session), Vol. I, Chapter 973, p. 67.

⁸⁷ See Alvin F. Lewis, Higher Education in Kentucky, op. cit., p. 88. With the founding of the Agricultural and Mechanical College, the forerunner of the University of Kentucky (a public institution) upon the campus of Kentucky University (a sectarian institution), another experiment in the form of a tie between Church and State was tried. In the meantime, the federal funds authorized under the Morrill Act were used to develop agriculture and mechanic arts in Kentucky University. In 1878, when the people of Kentucky decided to establish a state institution of higher learning, the Agricultural and Mechanical College was separated from Kentucky University and reestablished on land given by the City of Lexington and the County of Fayette. Thirty years later the legislature changed the name of the institution to the State University of Kentucky, and gave it additional financial support. In 1916 the name was again changed, this time to University of Kentucky, and additional maintenance was arranged by the legislature. See Bulletin of the University of Kentucky, 39 (May, 1947), 14.

In 1878 John B. Bowman, the first regent of the consolidated universities, resigned and Kentucky University under later presidents restricted its program to the liberal arts. In 1878 the College of the Bible, under the charter of Kentucky University, withdrew, and has since operated as a separate institution. In 1908 the College of Medicine, located then in Louisville, was discontinued, with the College of Law following in 1912, and the preparatory department in 1914. The name of Transylvania University was resumed in 1908, and with the concentration of its purpose and with simplification of its academic organization the title "College" was

Miscellaneous Problems

The plight of Transylvania University.—Although Rev. Green was perhaps one of the best qualified candidates elected to the presidency of Transylvania University, the fact that he was a Presbyterian was undoubtedly of some importance, since the trustees seem to have been anxious to gain the support of this denomination once again. However, the state characteristically withdrew its aid and President Green accepted the presidency of Centre College, the academic department's strongest competitor. The trustees' willingness to accept the resignation of Green, a college president of experience and proven ability, is indicative of their attitude throughout the history of the university. The work of the board, composed of conflicting religious, social, political and economic elements, seemed to be able to operate intelligently for the university's welfare only at scattered intervals, and even then, inconsistently.

Jacksonian democracy of the 1825's, which had such a great bearing on the social nature of the people of the East, North, and Northwest, developed more slowly in the border states where a rather strong caste system was extant. Some results of this political and social philosophy involved an emphasis upon a public school system, and later upon public higher education. Although a beginning of a public school system in

adopted in place of "University" in 1915. See Transylvania College Catalogue, 1945-46, p. 9. Lexington: The College, 1946.

Kentucky was made in 1838, and improved in 1849, there was no public supported school system in Kentucky of any consequence prior to the Civil War. Leaders in control of Kentucky obviously disapproved of public supported education for the masses, and doled out legislation in that direction only to an extent that pacified those agitating for such educational reform, and never to an extent that might prove very effective. Legislation establishing the State Normal School in conjunction with Transylvania University seems to have been of this order. Here, a \$12,000 annual grant was set aside for futhering the training of teachers for the "public school system," which included scholarships for students unable to afford the education otherwise. The sudden revocation of this legislation upon the first sign of financial depression seems to verify the assumption that the original legislation was a political gesture, and not the result of a deep-rooted social and political conviction that public education for all the people was a healthy thing for society.

(a) KENTUCKIANS' DIVIDED SOCIAL INTERESTS.—The question of slavery, which had divided the Methodist Episcopal Church in the early 1840's, was more and more dividing the state politically. Again, the question of slavery was more highly contested politically in the border states. This strong emphasis upon the factors causing the Civil War by the leaders in Kentucky may account in some measure for their inactivity by way of educational reform. Inattention to both the public school system and Transylvania, sometimes a complete state university and sometimes partially so, retarded the development of higher education in the state, the first by failing to prepare more students for higher education, and the second by

failing to prepare more teachers for the public school system.

The half-hearted attempt of Kentuckians to support Transylvania University is readily seen by a comparison of its history with that of the economic history of the ante-bellum period in America, especially in Kentucky. During nearly every period of depression or financial panic, the university either declined sharply or approached failure. Its fate during the panic of 1857 and during the depression that followed was somewhat similar to its existence during other depressions. The severe depression of 1861 marked the death blow to Transylvania University under its current charter, if it had not already been in a process of dying as a result of the panic of 1857. Had the low points in the school's life followed the low points in the business cycles at greater intervals, some evidence of reserve power would have been shown. However, the almost simultaneous financial cycles of the university and of business activity in general indicate in strong terms the lack of an adequate financial plan for the support of the university.

(b) NEW LIBERAL HOPE OF THE STATE NORMAL SCHOOL.—Although the founders' dream of a great central and liberal state university was virtually forgotten with the decline of the medical and law schools, some educators warmed to the Act of 1856, creating the State Normal School, with renewed hope. The state for a time seemed to be of a liberal political cast not unlike that of 1818, but the true character of the legislature soon became apparent, when this act was revoked.

It was only with the assistance of federal funds made available through the Morrill Act that Kentucky Agricultural and Mechanical College

was established as a part of the combined Transylvania-Kentucky University. This college was the first permanent non-denominational college founded in Kentucky, but even it was planted on denominational soil (Kentucky University, a Disciples of Christ or Christian institution). However, it was not bound to the denominational university very rigidly, and after thirteen years action was taken to divest this state adolescent institution of its denominational mother. Upon removal to its own campus in 1880, the Kentucky Agricultural and Mechanical College was placed in an environment more conducive to growth and expansion. Step by step this college grew into the University of Kentucky. The goal of the Transylvania University founders of 1799 and 1818, to found a great central and liberal state university, which would serve as a capstone for a system of public schools in the state, was not realized for a century. In contrast stand the great state universities of Michigan, Minnesota, Wisconsin, and California, which reached phenomenal growth in a quarter of a century.

(c) PROBLEM OF A STATE SECULAR UNIVERSITY IN KENTUCKY.—The difference in the development of a state university in Kentucky and one in Michigan may be accounted for by a consideration of the following factors. Kentucky, an older state, came of age with the original states. Throughout the period prior to the Civil War, higher education in America was in an adolescent stage. The philosophy of free public elementary and secondary schools had been settled in Michigan and in some of the other Northwestern states in the late 1830's and early 1840's. A comparable public system was not developed in Kentucky until some fifty years later, in the 1880's and 1890's, and even then a large segment of the population was not

affected in the practical application of the system. This delay in the development of a public school system in Kentucky was due in part to its caste system resulting from the recent slave system, which in the Northwest and West was, at least, eliminated by law. Jacksonian democracy, as practiced in the early Northwest and West, may not have been acceptable to Kentuckians at this time.

Jeffersonian and Jacksonian democracy of the 1825's spread to religion. In opposition to the older Protestant religions, which called for eternal life of the "few," some more democratic ministers, advocating eternal life for all mankind and other explanations of the Scriptures differing from older interpretations, led their followers away from the established denominations. The Unitarians broke away from the Congregationalists; the New Lights, Cumberland Presbyterians, and Disciples of Christ pulled away from the Presbyterians; and splits came in the Baptist Church. Since with a few exceptions all higher education in America prior to the Civil War was a result of efforts of the different denominations, these splits or divisions tended to multiply colleges far beyond the numbers of some four or five denominations which took the early lead in higher education. This multiplication of colleges worked against the older established schools through competition in the recruitment of students. Controversies within boards of trustees of the older schools, brought about to some degree by these religious divisions, proved to be a point of dissension that worked against their progress. Public institutions of higher education in the Northwest and West did not encounter these problems confronting Transylvania University at every turn in their rapid expansion and development.

(d) INADEQUATE FINANCIAL SUPPORT.—The inadequate financial pattern set for Transylvania University by its founders was not altered to any great extent during its whole period of existence. In a few instances the miserably low financial budget of the academic department was augmented by endowment, both of a private and public nature, but as a financial plan the inadequateness of support is a constant characteristic of the school's history.

Academic freedom.—Academic freedom of the professors seems to have gone hand in hand with the secular administrations of Transylvania. Although one professor, Rev. James Welsh, was forced to resign because of his alleged Federalism and religious sectarianism, and Rev. Horace Holley lost his position as a result of free speaking, it can also be pointed out that when the state, city, and private interests refused to support the school in 1842, forming a contract with the Methodist Church, some of the academic faculty were discharged for religious reasons. Here was an example of professors losing their positions because they were not Methodists. Later in the Methodist administration, other professors were dismissed in an effort to attract students from widely scattered areas by replacing some of the faculty with men from other states. Dr. Cross, a medical professor, was dismissed from the medical faculty for reasons that would probably be upheld as a valid basis for dismissal today. Dr. Caldwell's dismissal for directing the establishment of a rival school did not seem to be in conflict with the usual conception of academic freedom.

While the evidence seems to indicate that there was not complete

academic freedom as it is known in the present time at Transylvania, yet in some (or a few) cases professors were allowed rather wide latitude in their right to say what they believed.

Summary

It has been shown that another substantial effort to establish a liberal state university was made in 1856, when the state again came to the support of the venerable but declining Transylvania. When the state called for the establishment of a state teachers college as an additional college of the university, the law and medical schools were almost ready to close their doors, and the academic department was at a low ebb. Very little controversy of a liberalism versus sectarianism nature seemed to be involved on the surface, but, within the framework of the state government, opposition to a public school of any type may have been strong. At any rate, the funds for the support of the public teachers college were withdrawn after the appropriation for the second year had been made. While the evidence is not clear, the timing of the withdrawal of funds seems to have been a result of the severe financial panic of 1857, rather than from sectarian forces which opposed a public school.

A final effort to establish a liberal public college in Kentucky was successful at the close of the Civil War, but, as a part of this organization, Transylvania lost her identity. Because of her long history of battle scars, Transylvania was overlooked as a base upon which the new federal-supported agricultural and mechanical college could be established. But in a search for an appropriate school, the new Disciples

of Christ affiliated Kentucky University was prominently named. However, citizens of Lexington, who had been the first to support higher education in Kentucky, made every effort to bring the new college to that city. Since Kentucky University had lost its main building through fire, a compromise was worked out wherein the former would be moved to the campus of Transylvania. After a bill establishing the new agricultural and mechanical school as a college of Kentucky University was passed, legislation combining Transylvania and Kentucky Universities under the latter's name was enacted. Technically, Transylvania University never became a part of the new University of Kentucky, since the latter was formed out of the independent state-controlled agricultural and mechanical college, which was moved away from Kentucky University in 1778 and established upon a new campus across the city. First, acquiring the name State College, its name later became University of Kentucky. Kentucky University, the sectarian school, became in time Transylvania College. While technically Transylvania is not the mother of the University of Kentucky, she was the first "University of Kentucky." Transylvania was a quasi state institution under the State of Virginia for twelve years, 1780-1792, a quasi state institution under the State of Kentucky for forty-seven years, 1792-1839. From 1839 to 1865, except for a period of two years, 1856-1857, when Transylvania was the recipient of state aid and the normal school at Transylvania was completely under state control, Transylvania was under a tripartite control. Since the state retained three-eighths' control in the board of trustees (the City of Lexington had three-eighths' and the Transylvania Institute, two-eighths' control), Transylvania during the

period 1839 to 1865 was subject to a large amount of state control.

CHAPTER X

SUMMARY AND CONCLUSIONS

Definition of the Problem

The definition of the problem includes discussions of the purpose, themes, and need of the study; its delimitation and organization; technical terms; and related studies and sources of data.

Purpose, themes, and need of the study.—The purpose of this study is to describe the efforts of Kentuckians over a period of eighty-five years to establish a permanent state university. In evaluating and interpreting this striving for a cultural achievement in terms of an advanced school, three significant phases of activity emerge. The first theme is that of the perennial effort of Kentuckians to build a liberal university in the face of continued failure and disappointment. The second theme includes controversies largely of religious and political partisanship, but some of which were of a personal nature. Another theme is that of the professional educational contributions of the medical and law schools, which included the bulk of the student body. Minor themes deal with the general contributions to education made by Transylvania in terms of pioneering, denominational affiliations, and causes for failure of Transylvania to reach the ambitious goals of its founders, because of a lack of sufficient financial support, general public support, effective leadership, and adequate public or private elementary schools. A constant dynamic redistribution of population and the continual building of new competing colleges

were two forces that had great influence upon Transylvania's growth. In reviewing the contributions of Transylvania to education alongside a review of the inadequate attempts to depict this history, the need for the study is highly apparent.

Delimitation and organization of the study.—This study is delimited to the development of the central and secondary themes. No effort has been made to include many of the subjects commonly found in histories of higher educational institutions, such as student life, curricula, or contributions of the many professors. Eight chronological periods are discussed as chapters which include both chronological and topical developments.

Definition of terms.—Arminianism and Socinianism are two liberal positions that are defined in this study. Calvinism is defined as a sectarian, "orthodox," and conservative position of the Presbyterians and a few of their denominational allies. Liberalism is defined as a movement in contemporary Protestantism, emphasizing intellectual liberty and the spiritual and ethical content of Christianity. Its primary substance is the spiritual freedom of mankind. Any attempt on the part of constituted authorities to exert artificial pressure or regulation on the individual, in his mental or spiritual spheres, is an unjustifiable interference, an enslavement of his personality and initiative and is opposed by liberalism.

Related studies and sources of data.—While the related studies are numerous, their objectivity is questioned in almost every instance. Primary sources include manuscripts, legal documents, Acts of Virginia and

Kentucky, university catalogues and announcements, magazines, newspapers, professional journals, court decisions, addresses of the presidents, and miscellaneous publications, such as reports, lectures, orations, and letters. Secondary sources include Kentucky histories, educational histories of medicine and law, related studies, books and periodical articles, and biographies.

Theme I: Efforts to Establish a Liberal State University

Limitation of early success.—Efforts to establish a liberal university were opposed in every instance by denominational groups, led in most instances by the Presbyterians. The conflict first took form in 1787, when the arguments favoring liberalism and denominationalism were reduced to writing in the Kentucky Gazette. Transylvania Seminary was established as a church-related college, but in a community highly influenced by the liberalism of the frontier and by the French infidelity being brought to America by intellectuals who were no longer welcome in their native England and France. Thus Transylvania Seminary was conceived in conflict.

When the liberal trustees gained the balance of power in the board, they called a liberal clergyman, Rev. Harry Toulmin, to the presidency, and by 1794 Transylvania Seminary was organized on a liberal basis. This organization resulted in a split of the trustees along party lines, with the Presbyterians' withdrawal to organize a sectarian college in keeping with their own ideals. In a broad sense a liberal college was operated for five years prior to 1799, when denominationalism and liberalism were merged. The Presbyterians proved a tenacious foe to liberalism.

Transylvania University, the result of a merger of the liberal Transylvania Seminary and the denominational Kentucky Academy, was launched upon a liberal basis. Controlled by a board consisting of parties, Transylvania University soon felt the power of the Presbyterians again, and by 1804 the university was described as sectarian in policy. Transylvania was outwardly and professedly liberal from 1794 to 1796, but from 1796 to 1804 liberalism was much less conspicuous. Early efforts of the liberal-minded citizens of Kentucky to establish a college free from sectarian influence were only partially successful. Significant as the primary deterring influence to liberal higher education in Kentucky during this period were the Presbyterians, who were led by a strong, determined, and highly trained clergy. A desire to protect their vested interests, consisting of an honored role as administrator of the state's college, accounted, perhaps, as much for the Presbyterians' opposition to liberalism in Kentucky's higher education as did the principle itself.

Horace Holley's liberal leadership.—The first truly liberal administration did not come until after a period of Presbyterian domination of twelve years. Strong efforts by Kentucky liberals to elect a president from outside the Presbyterian zone of influence were made by 1816. Two years passed before Rev. Horace Holley, a Congregationalist turned Unitarian, was installed in the president's office. For nine years the university prospered and developed under a liberal administration. So outstanding did Transylvania become that national recognition was given it at every turn. National periodicals noted its prominence and recorded its operation, international travelers referred to it as the "Athens of the

West," and American ~~heroes~~ such as Lafayette addressed its students. Holley moved in an elite circle composed largely of liberal Kentucky leaders, business men, professional men, and land holders. Holley's liberalism was open, blatant, and unrestrained. His personal conduct, especially his habits of associating with men who frequented the race track, the card room and the ballroom and theatre, proved to be a target for those who wished to destroy liberalism and secularism in higher education in Kentucky. Having no better objective, Holley's foe, the Presbyterian clergy, launched an attack upon the former's religion and his personal life and habits. Transylvania's earlier history reveals the Presbyterians' resourcefulness in attacking liberals. Their attack upon Holley, which was sustained, sharp, and deadly, brought an early end to Transylvania's most renowned period.

While the Presbyterians prevented the continuation of the Holley liberal administration, as they had done in the case of Harry Toulmin in 1796, they cannot be blamed for the plight of Transylvania. Characteristically, the Presbyterians made an early drive to establish schools of higher education in pre-Revolutionary America. In any effort to determine what party blocked Transylvania's road to progress, the historical perspective extending back to the establishment of the school must be considered. Although it is certain the Presbyterians would not have supported or administered a liberal and secular college, still there is no conclusive evidence to show that the Presbyterians would have conducted a college so narrow as to stifle progress in the West. But, certainly the Presbyterians' administration from 1804 to 1816 did not indicate that

Presbyterians were ready to expand Transylvania to any great extent, whereas the experience of the liberals, both in the instance of Harry Toulmin and Horace Holley, demonstrate that they were progressive, liberal, and successful. By 1828 the second liberal period of Transylvania's history had ended.

Quasi-liberalism.—After Holley's departure Transylvania remained under the control of a liberal board, but with Holley's castigation fresh in mind the board did not choose to subject another liberal leader to a similar treatment, nor did potential liberal candidates for the presidential post desire to accept a position which might bring about their professional ruin. After considerable delay in which the university depreciated severely, the trustees called a Baptist clergyman to the presidency. Rev. Alva Woods' administration was not sectarian. Two Episcopalian clergymen who followed Woods in the presidency held rather liberal views. However, the board called upon representatives of these churches in an effort to solicit support for the rapidly declining academic department. Although intricate plans for progress are replete in inauguration addresses, the university declined to a point where a financial reorganization of the academic department was imperative, if continued operation was to follow.

Even a Presbyterian clergyman, Rev. Robert Davidson, followed a liberal policy for two years while president of Transylvania from 1840 to 1842. But this bid for Presbyterian support was belated and, although Davidson strongly urged a larger endowment for the university, he was undermined by the trustees' secret agreement with the Methodists shortly after his acceptance of the presidency. Davidson's administration was

doomed to failure as soon as the commitment with the Methodist Episcopal General Conference was made.

Third period of liberal control.—After eight years of denominational control of the academic department by the Methodists, the latter withdrew, and a liberal period, characterized largely by decline, began. However, following six years of general decline in the academic department, another brilliant but short-lived period of liberal and secular control was launched. New hope was held for Transylvania when the university was reorganized by the state in 1856. Under this reorganization public teacher-training was to be emphasized. This, the shortest liberal period, was ended when the legislature discontinued the yearly state appropriations granted under the act of 1856. Rev. Lewis Green, a Presbyterian clergyman and a distinguished and experienced educator, revealed his prowess as an administrator for one year, but upon the state's withdrawal of support he also withdrew to accept a similar post at the Presbyterians' school at Danville, Centre College.

General decline followed after state support ceased. The Civil War brought continued decline and the university struggled through the war period under a greatly decreased program. The only hope for Transylvania University seemed to lie in a rebirth.

A permanent liberal college.—During the Civil War, the federal government through the Merrill Act made possible federal aid for higher education under certain conditions. In order to qualify for this federal aid the state began to study its higher education facilities. Kentucky University, a denominational Disciples of Christ (Christian) school, which had

developed out of Bacon College, had been very successful since 1858, but with the loss of its main building at Harrodsburg in 1864 it faced a difficult problem of securing plant facilities. Transylvania University had undergone sufficient controversies as to cause the state legislature to discredit it as a parent for a new agricultural and mechanical college that was to be created. A final plan to merge Kentucky University with Transylvania University at Lexington, and to establish the new state college (with its eligibility for federal funds and lands) upon the base of the combined institution, was carried out in February, 1865. The result was the first permanent establishment of a secular college in Kentucky. Although the state college was opened as a college of Kentucky University, it nevertheless was free in its administration, even to the extent of a separate president. After thirteen years under the shadow of this denominational university, the state college was moved to a new location in Lexington where, later, with greater state aid it was developed into the University of Kentucky.

Theme II: Sectarianism versus Liberalism

Plight of Transylvania.—It has been shown that the plight of Transylvania was a result of the controversy between those holding a view of Christian Protestantism of an orthodox nature (in its narrow sense including Calvinists and in the broader sense including all Protestant Trinitarians), and those who advocated liberal higher education in Kentucky (higher education of a liberal and public nature, wherein the great principles of Christianity were emphasized). Conclusive evidence has

been presented to prove that either party, without the stifling opposition of the other, could have operated a university of significant proportions. Each party was successful for short periods of time even in the face of extreme opposition from the party not in control.

Administrative ability of the Presbyterians.—The Presbyterians demonstrated their ability to organize and sustain institutions of higher education in America by their relation with Princeton; the early Virginia colleges, Washington (later Washington and Lee), and Hampden-Sidney; and others. Again, when the Presbyterians withdrew from Transylvania in 1794 and in 1818, first, voluntarily, and second, involuntarily, they demonstrated their ability to organize and establish Kentucky Academy and Centre College, respectively. The identity of the Academy was lost in its merger with Transylvania Seminary to form Transylvania University in 1798. Centre College proved to be a permanent church-related college.

Success of the liberals.—Similarly, the liberals demonstrated their ability to operate a university on a progressive scale. Rev. Harry Toulmin, a liberal-minded teacher, from 1794 to 1796 gave Transylvania Seminary a liberal administration. Rev. Horace Holley and his philosophically liberal supporters were at the helm during Transylvania's "golden" years. Certainly, this administration of nine years, Transylvania's most brilliant, was successful but for sectarian opposition. Again in 1856 the state reorganized Transylvania as a liberal college, but opposition from denominational interests, both open and hidden, resulted in its short-lived duration. The evidence shows that the Presbyterians, and later the other denominations, were successful in establishing

permanent colleges in Kentucky prior to the Civil War.

However, such was not true in the case of liberal schools of higher education. Although seemingly competent administrators guided Transylvania through three liberal administrations, the liberals were unable to sustain themselves. They were able to establish a permanent liberal and secular college only with the aid of the state and federal governments. Not until 1865 and 1866, some eighty years after the Presbyterians opened the doors to Transylvania Seminary, one of America's early church-dominated "public" colleges, were the liberals and secularists able to establish a permanent college.

Growth limited by controversy.—Given a relatively free rein, certainly each party would have developed Transylvania under widely separated philosophies, but the end result for Kentuckians may have been rather similar in either case. The histories of Princeton and Centre Colleges do not reveal that they were administered on such a narrow basis as to send forth graduates who advocated a non-progressive society, and similarly the state universities of Virginia, South Carolina, Georgia, and North Carolina were certainly not liberal and secular before the Civil War, except over short periods of time. Thus, it may be concluded upon the basis of evidence presented that either party, not unduly hampered by the other, could have administered Transylvania on a rather efficient and effective basis. But locked in conflict and disagreement, and holding basically different philosophical views, the party controversy was the big hurdle blocking Transylvania's growth and restricting it as a university to limited expansion and opportunity during most of its existence.

Theme III: Professional Educational Contributions

Both the medical and law schools of Transylvania University made significant contributions to professional education in young America. The medical school's greatest contribution lay in her training of some six thousand medical practitioners serving the new South and West largely, as well as the outstanding contributions of her professors in terms of operations, scientific articles, and textbooks. The law school made its greatest contribution to professional legal training by breaking down the prejudice on formal classroom training for law in an era when lawyers had been trained traditionally through an apprenticeship. Certainly the two thousand lawyers trained at Transylvania took leading places in politics, at the bar, and on the bench in the new South and West.

The Transylvania Medical School.—The Transylvania Medical School, which had its origin in 1799, did not become fully effective until after its reorganization in 1819. While its most effective period was one of thirty years, 1819-1849, it continued active until 1859.

(a) PIONEER MEDICAL INSTRUCTION.—Earliest medical instruction at Transylvania beginning in 1799, while not administered on an extended basis, was a contribution to medical educational pioneering. But the establishment of a more formal medical school in 1817 was marked by controversy. Doctors Benjamin Dudley and Daniel Drake, the two outstanding medical educators in the Mississippi Valley during their lifetimes, became involved in a heated controversy, which was reduced to writing in pamphlet form. The results of this controversy set a dangerous precedent in the medical school that was followed again in 1837. Drake withdrew in 1818

and established a competing medical school in Cincinnati. By 1819 the Transylvania medical school was established on a permanent basis.

(b) RISE OF THE MEDICAL SCHOOL.—Under the guiding hand of President Holley, the medical unit developed into the leading medical school of the West and next to the medical school of the University of Pennsylvania was the second medical school of America. Problems of securing sufficient anatomical specimens for dissection, location, and availability of sufficient hospital cases and hospital facilities arose at an early date. Although minor controversies were settled and re-kindled, as was evidenced by Dr. Drake's return and subsequent departure, the friction from which controversy was kindled was increased as Louisville became Kentucky's metropolis and Transylvania medical professors looked at their rival city with covetous eyes. The new city might soon support large hospital facilities, furnish ample anatomical specimens, and present a greater variety of medical cases for treatment and study, they pondered. Enrollments reached two hundred for the 1823-24 session and jumped to 281 in 1826-27. After some decline the student body again rose to 262 in 1833-34. The wide influence and regional character of the medical school were demonstrated by the proportionate number of out-of-state students and graduates. In 1827 graduates from nine states other than Kentucky constituted sixty-four percent of the total enrollment, with thirty-four from outside the state and nineteen from Kentucky.

(c) MEDICAL SCHOOL SPLIT OVER CONTROVERSY.—With the rapid multiplication of medical schools in Louisville and Cincinnati, beginning as early as 1833, the Transylvania medical faculty surveyed the medical education

problem in the Mississippi Valley, deciding against the establishment of too many medical schools. At the same time the problem of either establishing a medical school in Louisville or moving the Transylvania Medical School to Louisville arose in the Kentucky press. Offers of buildings and facilities in Louisville spurred some of Transylvania's faculty to take a favorable view toward moving the school to Louisville, especially since Lexington was rapidly losing its artificial commercial position due to the opening of the Mississippi and the possibility of steam traffic upstream. When Dr. Charles Caldwell decided that he would accept a position with the Louisville medical school, three other professors followed him soon afterwards. The result of this revolt was an impetus toward re-financing and otherwise strengthening Transylvania by Lexington citizens. The reorganization that followed held great promise, but it was soon revealed to have been too little and too late. However, the immediate effect was to stimulate the medical school toward immediate expansion, as a new medical building was in the offing. Transylvania held its high place in Mississippi Valley and American medical education for another decade, but began to show decline by 1850. The last session was that of 1858-59. Had the medical school been continued in operation for three more years, there is reason to believe that it would have rendered valuable service in training more medical doctors to care for the wounded of the Civil War. Again, had it remained in operation during this period, the impetus of federal aid through the Morrill Act of 1862 might have been sufficient to hold the university together on an active basis.

The Transylvania Law School.—The Transylvania Law School was active

for a fifty-nine year period, 1799-1858, except for a three-year period, 1826-1829, when no competent professors were available. Transylvania is generally conceded by legal educational historians to have been America's outstanding law school from 1799 to 1838, when Harvard's law school stepped into the leading role.

(a) **EARLY LEGAL EDUCATION.**—Transylvania Law School, the first collegiate law school intended for other than undergraduates with any permanency, was established in 1799 when George Nicholas was elected to the professorship of law. Nicholas, friend and follower of Thomas Jefferson, accepted the latter's philosophy both in regard to teaching law by formal instruction, and in slanting the teaching of law to include political proselytizing. The Federalist stamp was perhaps as much a part of legal training at Harvard as was Republicanism at Transylvania. Although the celebrated Henry Clay was a member of the law school faculty from 1805 to 1807 and served as a board member many years afterwards, he never accepted the responsibility of "fathering" the university, as did Jefferson in the case of the University of Virginia. For a generation Transylvania was the only organized center of legal education west of the Alleghanies, and it led all law schools from 1799 until 1821 except one private school, Litchfield, and for a year or two Harvard, which enrolled a few more students. By 1821 Transylvania had surpassed Litchfield, and held the lead again until 1838, when Harvard, Virginia, Yale, and William and Mary took the lead, which they held until 1860.

(b) **HOLLEY'S IMPACT UPON THE LAW SCHOOL.**—Horace Holley's early training in law came to good use when he began to work for the expansion of the

legal program at Transylvania. In addition to delivering two series of lectures on Blackstone, he spurred his colleagues, William T. Barry, political strategist and Postmaster General under Jackson, and Jesse Bledsoe, Kentucky's famed legal scholar and orator, to new heights in their lecturing and guidance of young lawyers. While the law school boasted of no student enrollments comparable to those of the medical school, it is to be noted that formal legal education was a younger field and that Transylvania was America's leading pioneer in this branch of education. The average number of law students for the period, 1822 to 1825, was approximately forty-two. The law school became inactive for three years, 1826 to 1829, after which time it was reopened. The trustees stated that the law school was suspended because competent professors were not available. In the field of law Holley and his associates had to face and overcome the popular prejudice that existed against instruction by lecture, an opposition based upon the tradition of private training. Holley in defending the lecture method against the apprentice method, pointed out that the lecture method provided excitement in the teacher and pupils and that it furnished all the well known benefits of competition.

(c) REORGANIZATION OF THE LAW SCHOOL.—The Transylvania Law School was reorganized in July, 1838, with three professors, and numbering seventy-one students in 1839-40. Forty-four bachelor of laws degrees were granted to the class of 1842. Funds made available through the reorganization of the university were used to expand the library to give Transylvania one of the best selected law libraries in America. United States Supreme Justice

John Harlan, a graduate of the class of 1852, when visiting Transylvania in 1908 described the three law professors of this period, George Robertson, Thomas A. Marshall, and Aaron K. Woolley, as the best in America, and as the greatest lawyers to hold positions as legal professors in this country.

From 1842 to 1849 the number of students averaged annually from sixty to sixty-five, and the graduates from twenty-five to thirty, and from 1849 to 1859 the number of students was reduced by about one half.

(d) DECLINE OF THE LAW SCHOOL.—Many efforts were made to hold the enrollment of the 1840's, but increased competition in nearby Louisville, Bloomington (Indiana), Cincinnati, Lebanon (Tennessee), and Memphis caused a drop in Transylvania's student-body. A regional school in the sense that it drew a large percentage of its students from outside the state, Transylvania suffered desperately from the new competition arising in city and state legal educational centers. Reduced from a regional school that drew fifty-four per cent of its students from outside of the state in 1833, to one limited largely to the state, a great deal of retrenchment was necessary. Even within the state, Transylvania was receiving a great deal of competition from the University of Louisville Law School. The Transylvania Law School closed its doors at the end of the 1857-58 session after sixty years of creditable service. It had graduated between one thousand and twelve hundred young lawyers, and more than two thousand lawyers had received the major part of their legal training at Transylvania.

Minor Themes

In addition to the three major themes, which extend virtually through the entire study, certain minor themes upon which the story of Transylvania is hinged emerge intermittently. These minor themes are divided into those concerning Transylvania's general contributions to education and those related to the causes for Transylvania's failure to reach the ambitious goals of her founders.

Contributions to education.—In addition to the major themes, other contributions to education made by Transylvania center around her pioneering, her numerous denominational affiliations, and the academic freedom of her professors.

(a) PIONEERING.—Transylvania was truly the pioneer educational institution of the West. Some of the ways in which she pioneered are enumerated as follows:

(1) As a seminary operating under a charter from the State of Virginia, the trustees of Transylvania Seminary had opened a frontier grammar school in the Kentucky district in 1785, four years before Washington was seated as the first president of the United States, under severely hazardous conditions in which battles between the settlers and Indians were taking place with disastrous results.

(2) Pioneer Transylvania University was chartered and began operating an academic college and two professional schools, medicine and law, in 1799 on the Kentucky frontier, seven years after Kentucky became an independent state and only five years after Mad Anthony Wayne's victories

over the Indian tribes in the North. Skirmishes between the settlers and the Indians were not infrequent occurrences even at this time in Kentucky.

(3) Transylvania, a pioneer liberal university, had by 1818 elected a liberal board of trustees, completely divorced itself from its former Presbyterian connection, and excluded training for the ministry from its prime objectives. Transylvania was an active and useful university while plans were being completed for the University of Virginia, one of the leading ante bellum state universities.

(4) Transylvania was a pioneer "municipal" university. In 1839 a reorganization placed the control of Transylvania in the hands of three bodies with the following ratio of control: State of Kentucky, three votes, City of Lexington, three votes, and Transylvania Institute, two votes. Since the Transylvania Institute was largely composed of Lexington's citizens, control was virtually placed in the hands of citizens of Lexington. With three votes to the private body's two, Transylvania became at least a quasi municipal (public) university.

(5) In contracting the control of the academic department to the Methodists from 1842 to 1850, the trustees of Transylvania pioneered in university management.

(6) Transylvania organized in 1856 a state teachers college, which was Kentucky's first.

(7) The teaching of professional law by the lecture method was a pioneering achievement of Transylvania.

(8) Pioneering medical professors of Transylvania founded the first

permanent medical schools in Cincinnati and Louisville.

(9) Dr. Samuel Brown in founding Kappa Lambda, a secret medical fraternity designed to raise standards in medical education, established between 1799 and 1802 the first professional honorary university fraternity in America.

(b) NUMEROUS DENOMINATIONAL AFFILIATIONS.—Transylvania's connection with a large number of denominational bodies during her long history is undoubtedly a unique type of control among her contemporaries. While the State of Virginia held full control over Transylvania Seminary from 1780 to 1792, and the State of Kentucky held full control over the Seminary and the University from 1792 to 1839, these states did not see fit to exercise their control during much of the time, allowing one or another denominational group to exercise control. From 1839 to 1865 the State of Kentucky legally controlled three of the eight trustees' votes governing Transylvania, the others being granted to the City of Lexington (three) and Transylvania Institute (two), but since citizens of Lexington largely comprised the Transylvania Institute, control was virtually vested in the City of Lexington or its citizens. Religious affiliations of a formal or informal type came into existence from time to time. Basically, they came into control or semi-control in the following order.

(1) The Presbyterians arranged for the charters of 1780 and 1783 and remained in almost complete control of Transylvania until 1794, when a liberal Baptist, Rev. Harry Toulmin, who held Socinian views, was elected president.

(2) From 1794 to 1796 liberals were in control of the school. Since

Toulmin was a Baptist, the liberal Baptists may have been more influential in control than any other denomination.

(3) Rev. James Moore, an Episcopalian Rector, came to the presidency in 1796, giving the Episcopalians the upper-hand in the school's affairs.

(4) When Rev. James Blythe, a Presbyterian minister, was elected acting president in 1804, the university returned to Presbyterian control, which was rigidly followed, perturbing the liberals to action after the lapse of a twelve-year period.

(5) When Rev. Robert Bishop, an Associate Reformed clergyman, was elected to the acting presidency in 1816, the liberals had forced the Presbyterians to alter their sectarian hold upon the university; the Associate Reformed Church was in the dominant position in terms of control.

(6) Rev. Horace Holley, a Unitarian clergyman with many Socinian views, came to Lexington upon the invitation of liberal members of the community in 1818. As the texture of society in Kentucky became more conservative with the establishment of more churches, with the settlement of the state, and with the working out of post war (War of 1812) problems, the liberals found themselves a minority, and Holley found himself unpopular with a large number of the Protestant denominations.

(7) Holley's resignation in 1827 soon brought action from the trustees, who, inviting (Calvinistic) Baptist support, elected Rev. Alva Woods, President of (Baptist) Brown University to the presidency.

(8) A period of Episcopalian affiliation, 1832-1838, was an informal one brought about by the election of Rev. Benjamin O. Peers and Rev.

Thomas W. Coit, two Episcopalian clergymen, to the acting presidency and presidency respectively.

(9) From 1838 to 1840, Dr. Louis Marshall, a layman, headed the university and control passed from the State of Kentucky to a tripartite control of a state, a city, and a private corporation.

(10) Another invitation for Presbyterian support may have been behind the election of Rev. Robert Davidson, Presbyterian clergyman, in 1840, but the Presbyterians took little interest in the school during this period.

(11) In 1842 the agreement between the trustees and the Methodist Episcopal Church became active, a connection which lasted two years.

(12) With the establishment of the Southern Methodist Church in 1844, the control of Transylvania's academic department passed to that body.

(13) From 1850 to 1865 Transylvania was non-denominational and liberal in control.

(14) Upon Transylvania University's merger with Kentucky University in 1865 a period of Disciples of Christ control was begun.

Failure to achieve founders' goals.—There were a number of causes preventing Transylvania from reaching the high goals envisioned by its founders. These causes took the shape of insufficient financial support, insufficient public support, ineffective leadership, population redistribution, inadequate "feeder" schools, public or private, and the establishment of strong competing schools.

(a) INSUFFICIENT FINANCIAL SUPPORT.—With the exception of the Morrison endowments, which amounted finally to something around \$80,000, financial support from any other source was of an almost trivial nature.

She was definitely a "tuition" school, in which the operating expenses were paid largely from tuition fees. The landed endowment of 12,000 acres never amounted to a substantial endowment as was planned by the founders. Nor with the exception of Morrison, did any wealthy men of Kentucky make the university a beneficiary to their estates. While under the control or partial control of the State of Kentucky, the university received very little state aid. Tuitions in the medical school were large enough for a period of thirty years, 1819 to 1849, to support one of the highest salaried medical faculties in the United States. The City of Lexington was able to raise a ~~sizable~~ sum of money in 1839, when the school was reorganized, but the depression following the panic of 1837 was a trying time for Transylvania. The reorganization of 1856 aimed at placing the university upon a new sound footing and was worthy of the state, but was ephemeral, the state willing to make but two appropriations of \$12,000 each. A sound financial plan for the university was found in 1865 with a plan for merger plus the addition of a federal-financed agricultural and mechanical college. But in this consolidation Transylvania lost her identity, and, with the change of charter, the history of Transylvania University is said to have ended.

(b) INSUFFICIENT PUBLIC SUPPORT.—Insufficient public support refers to support other than that of a financial nature. The lack of public support is seen through the absence of endowment drives, the absence of a strong alumni organization, and the absence of strong efforts to recruit students for the university. The Transylvania Institute, formed in 1839, came too late to be fully effective. Public support during the first two

years of the Methodists' control of the academic department demonstrated what public support might have done for Transylvania. During this period the student body was greatly increased, because the public became interested and began to send their sons to this university. Intolerance of the several religious denominations and the use of Transylvania as a political weapon caused some of this reluctance on the part of the public to support this school.

(c) INEFFECTIVE LEADERSHIP.—From the inception of the first grammar school under the Transylvania Seminary charter in 1785, Transylvania had nineteen authorized leaders or presidents prior to 1865. There were a number of other "heads" who served as president for short periods of time between the terms of two regularly elected officials. Thus in a period of eighty years the average length of service of each principal administrator was something over four years. While this figure is an indication that the leadership was not effective, it does not tell why. Some of the other discussions answer this question. The university made its greatest progress under the leadership of Rev. Horace Holley and Rev. Henry Bascom, the first serving a nine-year period, 1818-1827, and the latter an eight-year period, 1842-1850. Although Bascom's health seems to have been failing (he died in 1850), Holley reduced his effectiveness by remaining liberal in a once-liberal community that was rapidly changing in texture toward conservatism and denominationalism. Since he was virtually forced from his post, Holley's usefulness after leaving Transylvania is difficult to determine as he, too, died shortly after his resignation in 1827. Some of Transylvania's presidents moved into important positions after leaving

this school. Rev. James Mitchell made an impressive record in the Presbyterian ministry; Rev. James Moore became an outstanding Episcopalian clergyman in Lexington; Rev. Harry Toulmin became a federal judge in Alabama; Rev. James Blythe became president of Hanover College (Indiana); Rev. Robert Bishop became president of Miami University (Ohio); Rev. Horace Holley was enroute to Louisiana where he had been engaged to found a college before his sudden death; Rev. Alva Woods became president of the University of Alabama; Rev. Benjamin Peers achieved distinction as a religious educator; Rev. Charles Coit became an outstanding clergyman in New York state; Dr. Louis Marshall founded a distinctive boys school in Central Kentucky; Rev. Henry Bascom became a Bishop in the Southern Methodist Church; Rev. Lewis Green became president of Centre College; and James K. Patterson became president of the University of Kentucky. Since most of Transylvania's presidents moved into rather important positions, it seems that her leaders must have been competent, but that certain conditions at the university rendered their competence ineffective. Surely if they had been more effective, at least one of them would have been retired because of age, but not one of them remained with the school long enough to retire. Thus the bulk of evidence indicates that ineffective leadership was due to something inherent in the job and not due to the various presidents, with a few possible exceptions.

(d) POPULATION REDISTRIBUTION.—Since Kentucky, lying adjacent to and separated from Virginia by the Cumberland Gap, was to some extent only a stopping place for many settlers who planned to go further South, West, or North, its population was a very dynamic one. The heavy drain

on Kentucky's leadership can be seen from the large number of Kentucky born and educated men who became leaders in Indiana, Illinois, Missouri, Texas, and in other parts of the South and Southwest, as well as the far West. Lexington, an artificial trade and industrial center developed on the inland road between North and East, and the South and West (due to the restricted use of the Mississippi River as a trade channel because of hostile control), was doomed to relative unimportance with the opening of the Ohio-Mississippi River channel. With the advent of the steamboat, which could travel upstream effectively, Lexington's strategic geographical position was ended. These changes placed Louisville and Cincinnati in a position where they expanded very rapidly. As these cities established medical schools, they began to make inroads on the student body at Lexington. A continued loss of medical students, the bulk of Transylvania's student body, meant a loss of prestige at Transylvania, where enrollments were greatly reduced. Such a loss of prestige worked unfavorably toward the academic department and the law school, which also began to show decline when the medical school began to retrench. Lexington's loss of prestige as an industrial and business center restricted her continued expansion culturally.

(c) INADEQUATE "FEEDER" SCHOOLS, PUBLIC OR PRIVATE.—The founders of both the seminary and the university may have started out in the wrong direction by placing emphasis upon a college or university, before there were sufficient grammar schools and preparatory schools in the state, which could furnish a college or university with boys, sufficiently mature and trained to do college work. Since the charter of 1798 specifically

mentioned a plural number of grammar schools, it is possible that the founders had been aware of this problem of "feeder" schools from the outset. However, no administrative attempt was made to establish other than one preparatory school for the university. In the absence of any satisfactory system of public schools under the Transylvania charter, no regular system of public schools was attempted seriously prior to the Civil War, nor were private schools either of a high quality or extensively developed throughout the state. This inadequacy of "feeder" schools made the expansion of Transylvania University very difficult, if not impossible, without the expansion of the preparatory school system, either public or private. Both the founders and the early administrators must be cited for this failure to take a far-sighted view for a university with adequate "feeder" schools, in preference to an immediate college, doomed to restricted proportions from the start. Thus the failure of the academic department to expand into a significant liberal arts college is due almost directly to this cause. It must be remembered that the professional students were, for the most part, from outside the state.

(f) ESTABLISHMENT OF STRONG COMPETING SCHOOLS.—Transylvania enjoyed the impetus of an early start, but beginning as early as 1794, when the Presbyterians withdrew their patronage and established a separate school, Kentucky Academy, she was plagued by the multiplication of denominational schools. The Presbyterians, again dissatisfied in 1818 with the election of an unorthodox clergyman as president, withdrew their support to begin the establishment of a permanent school, Centre College. The Baptists established a college in Georgetown in 1829 and the Disciples of Christ

opened Bacon College in Georgetown in 1837. Sometime later the Methodists opened a school at Augusta. The Roman Catholics had early established a college at Bardstown, and military schools abounded in the state, which had furnished many military leaders in the War of 1812 and in the Mexican War, as well as in the Civil War. As good schools were being established in the other states surrounding Kentucky, Transylvania's regional character was being retrenched. The expansion of colleges in Kentucky was more rapid than the expansion of preparatory schools, which made the condition of almost all the colleges one of serious proportions. Again each denomination was organized on a state-wide basis and strong efforts were made by each denomination to keep its own college active and prosperous. When Transylvania permanently lost the support of the Presbyterians, except for the short period of Methodist control, it had no large denomination working exclusively in the state to support it. This lack of support in such a highly competitive market for students proved insurmountable. As a result Transylvania declined a number of times, the decline of 1849 being permanent except for the reorganization of 1856, which was followed by nearly two years of prosperous operation.

(g) LACK OF ACADEMIC FREEDOM.—Numerous instances of persecution for the holding of certain viewpoints appeared throughout this history. Rev. James Welsh, professor of ancient languages, was subjected to a public trial because some students accused him of speaking against certain denominational groups, and although cleared of these charges, he was asked to resign. Rev. James Moore spoke of a "whispering" campaign against him because of his expressed viewpoints upon religion. Rev. Harry Toulmin

was censored because of his religious beliefs, and Rev. James Blythe, the Presbyterian sectarian, was attacked in the press for his religious beliefs. Rev. Horace Holley may have refused to reduce any of his addresses to print after the onslaught against his address honoring Trustee James Morrison was published in 1823. After the Holley period there seems to have been little evidence that Transylvania professors did not enjoy a measure of academic freedom.

Problems for Further Study

Two problems for further study are implied in the delimitation of this study. Since the present investigation has been limited to the years 1780 to 1865, a study of the University of Kentucky from 1865 to the present would complete the narrative for the state university in Kentucky educational history. A study of Transylvania College from 1865 to the present would complete the trilogy of narratives.

Intensive historical studies showing each denomination's influence upon the development of higher education in America would be useful. Now that the church-related college's very existence is being challenged by a movement to restrict federal assistance to public colleges, the historical background of this subject might well place some of the present day problems in their proper perspective. An historical study of the denominational opposition to the state university movement in the United States might clarify this controversy between sectarians and secularists on a nation-wide basis.

Very little historical research has been done in the field of prof

professional higher education. Numerous studies in the field of professional medical and legal education are needed to analyze the data on these subjects in keeping with what is known about teachers colleges and liberal arts colleges.

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APPENDIX A

**Principal Administrative Heads of Transylvania Seminary
and University, 1780-1865****Transylvania Seminary, 1780-1799**

James Mitchell, Teacher, 1785-1786
Isaac Wilson, Teacher, 1789-1791
James Moore, Teacher, 1791-1794
Harry Toulmin, Principal, 1794-1796
James Moore, Principal, 1796-1799

Transylvania University, 1799-1865

James Moore, President, 1799-1804
James Blythe, Acting President, 1804-1816
Robert Bishop, Acting President, 1816-1818
Herace Helley, President, 1818-1827
Alva Woods, President, 1829-1832
Benjamin O. Peers, Acting President, 1833-1833
Thomas W. Coit, President, 1835-1837
Louis Marshall, Acting President, 1838-1840
Robert Davidson, President, 1840-1842
Henry B. Bascom, Acting President, 1842-1844
Henry B. Bascom, President, 1844-1849
James B. Dodd, Acting President, 1849-1856
Lewis W. Green, President, 1856-1857

Richard Ford, Principal, Preparatory Department, 1858-1860

Abraham Drake, Principal, Transylvania High School, 1860-1861
James K. Patterson, Principal, Transylvania High School, 1861-1865

APPENDIX B

Endowments of Transylvania University, 1780-1865

Date of Donation or Grant	Donors	Character of Donation or Grant	Conditions under Which They Were Given
1780	State of Virginia	8,000 acres escheated lands in Kentucky, value unknown	For the purpose of a "Publick School" or seminary of learning in Kentucky
1783	State of Virginia	12,000 acres escheated lands in Kentucky, value unknown	For the purpose of a "Publick School" or seminary of learning in Kentucky
1783	Individuals	Books and other equipment, value not known	For the purposes of a "Publick School" or seminary of learning in Kentucky
1784	John Todd	Small library and apparatus	"As an encouragement to science"
1787	State of Virginia	One sixth surveyors' fees in Kentucky	For the public school
1791	State of Virginia	A lottery grant to raise money	To establish a public school
1792-3	Transylvania Land Company	Lot in Lexington (5 acres)	For the permanent site of the seminary
1795-8	State of Kentucky	12,000 acres land, 6,000 to Kentucky Academy and 6,000 acres to the seminary	Uniform endowment to a seminary in each county
1794-5	Various individuals	\$14,000 in money, books, and apparatus	Promotion of science, learning, and virtue

53

Endowments of Transylvania University, 1780-1865 (Continued)

288

Date of Donation or Grant	Donors	Character of Donation or Grant	Conditions under Which They Were Given
1804	State of Kentucky	A lottery grant	To build a Medical School
1819	State of Kentucky	Bonus on Farmers and Mechanics Bank, \$3,000	To aid the university
1820	State of Kentucky	\$5,000 in paper	To medical school for library
1820	City of Lexington	\$6,000 in paper	To medical school for library
1820	State of Kentucky	Half profits of Commercial Bank, \$20,000 in paper, 2 per cent on auction sales to law library	To aid the university
1822	Citizens of Lexington	\$4,832	To aid the medical school
1823	James Morrison	\$20,000 in money	To found a "Morrison" professorship or library
1823	James Morrison	\$50,000 residuary estate	To erect a "Morrison College"
1823	State of Kentucky	A lottery grant	To build a medical school at Lexington
1827 to 1829	Citizens and City of Lexington	\$3,000 per annum, the city giving \$500	To pay salaries of president and professors of the university
1827 to 1829	Citizens and City of Lexington	Insurance policy for \$10,000 on the burned university building	

Endowments of Transylvania University, 1780-1865 (Continued)

339

Date of Donation or Grant	Donors	Character of Donation or Grant	Conditions under Which They Were Given
1830	W. C. Claiborne	\$50	To help build the medical school
1839	City of Lexington	\$70,000 to build new medical school, enlarge library, etc.	On condition to elect trustees and send free scholarships
1839	Transylvania Institute	About \$35,000	To endow Morrison College, etc.
1839	Citizens of Lexington	\$3,000	To purchase a lot for the site of the medical school
1839 to 1850	Medical professors	Residuary debt on new medical school in lieu of rent	
1855-66	State of Kentucky	\$12,000 per annum for two years	Support of normal school in Transylvania University

Many other persons, such as Edward Everett, a Mr. Swan of France, and His Britannic Majesty, have made valuable contributions to the library.

339

APPENDIX C

An Act to Vest Certain Escheated Lands in the County of Kentucky
in Trustees for a Public School*

(Passed May Session, 1780)

WHEREAS, It is represented to the present General Assembly that there are certain lands within the county of Kentucky, formerly belonging to British subjects, not yet sold under the law of escheats and forfeitures, which might at a future day be a valuable fund for the maintenance and education of youth, and it being the interest of this commonwealth always to promote and encourage every design which may tend to the improvement of the mind and the diffusion of useful knowledge, even among the most remote citizens, whose situation a barbarous neighbourhood and a savage intercourse might otherwise render unfriendly to science:

Be it enacted that eight thousand acres of land within the said county of Kentucky, late the property of Robert McKenzie, Henry Collins, and Alexander McKee, be and the same is hereby vested in William Fleming, William Christian, John Todd, Stephen Trigg, Benjamin Logan, John Floyd, John May, Levi Todd, John Cowan, George Meriwether, John Cobbs, George Thompson, and Edmund Taylor, Trustees, as a free donation from the Commonwealth for the purpose of a public school or Seminary of Learning, to be erected in said county as soon as the circumstances of the county and the state of the funds will admit, and for no other purpose whatever; saving and reserving to said Robert McKenzie, Henry Collins, and Alexander McKee, and every one of them, and every person claiming under them, all right and interest in the above mentioned lands to which they may by Law entitled, and of which they shall in due time avail themselves, any thing herein contained to the contrary notwithstanding.

* William W. Hening, Editor, Statutes at Large, Vol. X (1779-1781), pp. 287-88. Richmond: George Cochran, 1822.

An Act to Amend an Act, Entitled An Act to Vest Certain Escheated Lands in the County of Kentucky in Trustees for a Public School *

(Passed May Session, 1783)

I. WHEREAS by an act of assembly, entitled, "An act to vest certain escheated lands in the county of Kentucky in trustees for the purpose of a public school," eight thousand acres of escheated lands were vested in certain trustees therein named, as a free donation from this commonwealth for the purpose of a public school or seminary of learning, to be erected within the said county, now called the district of Kentucky, as soon as the circumstances of the country and the state of its funds will admit. And whereas it hath been represented to this general assembly, that voluntary contributions might be obtained from individuals in aid to the public donations, were the number of the aforesaid trustees now alive and willing to act, increased, and such powers and privileges granted them by an act of incorporation as are requisite for carrying into effect the intentions of the legislature in the said act more fully recited:

II. Be it therefore enacted, That William Fleming, William Christian, Benjamin Logan, John May, Levi Todd, John Cowan, Edmund Tayler, Thomas Marshall, Samuel M'Dowell, John Bowman, George Rogers Clark, John Campbell, Isaac Shelby, David Rice, John Edwards, Caleb Wallace, Walker Daniel, Isaac Cox, Robert Johnson, John Craig, John Mosby, James Speed, Christopher Greenup, John Crittenden, and Willis Green, are hereby constituted a body corporate and politic, to be known by the name of the trustees of the Transylvania seminary; and by that name shall have perpetual succession, and a common seal, with power to break, change, and renew their said seal at pleasure, and to exercise all the other powers and privileges that are enjoyed by the visitors and governors of any college or university within this state not herein limited or otherwise directed.

. . .

XII. Provided always, and be it further enacted, That the said trustees shall, at all times, be accountable for their transactions touching any matter or things relating to the said seminary, in such manner as the legislature shall direct.

* William W. Hening, Editor, Statutes at Large, Vol. XI (1782-1784), pp. 282-87. Richmond: George Cochran, 1823.

APPENDIX E

An ACT for the Union of the Transylvania Seminary
and Kentucky Academy *

(Approved December 22, 1798)

WHEREAS a majority of the trustees of the Transylvania Seminary and of the Kentucky Academy, have, by their joint petition, represented to this general assembly, that the boards of trustees of the said seminary and academy, have mutually agreed, that those institutions and their respective funds, shall be united, on the terms therein set forth; and requested that the said union may be confirmed by the legislature: therefore, in conformity to the said terms, and in compliance with the said request,

Section 1. Be it enacted by the general assembly, That from and after the first day of January next, the Transylvania Seminary and the Kentucky Academy, shall be united, and become one general institution for the promotion of learning, to be stiled and known by the name of the Transylvania University; and that James Garrard, Samuel M'Dowell, Cornelius Beatty, Frederick Ridgeley, Robert Marshall, George Nicholas, James Crawford, Joseph Crockett, Bartlett Collins, Andrew M'Calla, William Morton, Robert Steel, John M'Dowell, Alexander Parker, Caleb Wallace, James Trotter, Levi Todd, James Blythe, Thomas Lewis, John Bradford and Buckner Thruston, shall be the trustees of the said University, and shall hold their first session at the seat of the said Transylvania Seminary, in the town of Lexington, on the second Tuesday in January next.

Section 2. And be it further enacted, That the said twenty-one trustees, and their successors, by the name of trustees of the Transylvania University, shall be a body politic and incorporate, and as such, possess, hold, or dispose of, for the use and benefit of the said university, all the lands, monies and property of every other kind which shall be in the occupation of, or in any wise accruing to the trustees of the said Transylvania seminary and the Kentucky academy, or either of them, under the several laws by which those trustees shall respectively be entitled thereto, on the said first day of January next; and that all contracts made by either of the said last mentioned boards of trustees, or their respective agents prior thereto, shall be fulfilled by, or accrue to the trustees of the said university.

Section 3. And be it further enacted, That the said seat of the

* William Littell, Editor, The Statute Law of Kentucky, Vol. II, pp. 234-36. Frankfort: William Hunter, 1810.

the Transylvania seminary, shall be the seat of the said university, until removed by a board of the trustees thereof, two-thirds of the whole number of the trustees at the time being, concurring in the expediency of the measure; and on the concurrence of the same number, they may, from time to time, establish at the seat of the said university, or elsewhere, one or more schools, as nurseries for the said university.

Section 4. And be it further enacted, That the trustees of the said university may, from time to time, expend so much of the funds thereof, as they shall think proper, to assist poor and promising youths in acquiring education therein, or in the schools belonging thereto; eleven of the trustees concurring in the election of each youth thus to be assisted, and in fixing the several sums of money to be advanced for the purpose.

Section 5. And be it further enacted, That the several acts of the general assembly of the state of Virginia and Kentucky, now in force, prescribing the powers and directing the proceedings of the trustees of the said Transylvania seminary, shall be the laws of the trustees of the said university, until amended or repealed by the legislature, on petitions of the trustees of the said university, signed by at least eleven of them: except that no trustee of the said university shall continue in office after absenting himself from one stated session of the trustees thereof, and the first day of their stated session next following, and also from the intermediate session or sessions, if any, which shall be legally appointed or called, unless on the next day thereafter on which a board shall meet, and before it enters on any other business, it shall receive satisfactory information, that the causes of such absence were sufficient, and also that they are removed; otherwise, the seat of the trustee thus absenting himself, shall be considered as vacated, and a record be made thereof. Except, also, that in all those cases wherein by the last mentioned acts, the concurrence of thirteen trustees is made requisite, only eleven of the trustees of the said university shall be requisite to constitute a quorum to do such business, and the concurrence of eleven shall be sufficient. Except, also, that any board of the trustees of the said university may appoint and empower committees to determine any business during the recesses of the trustees, which might have been done by a board, consisting only of seven of the said trustees: and except, also, that the trustees of the said university shall have power, as often as they shall think proper, to make temporary appointments of a president, treasurer and clerk, and professors and masters.

APPENDIX F

An ACT Further to Regulate the Transylvania University *

(Approved February 3, 1818)

1. BE it enacted by the General Assembly of the Commonwealth of Kentucky, That the power and authority of the present trustees of the Transylvania University, over and concerning the said institution, the funds, estate, property, rights and demands thereof, shall forever cease and determine.

2. Be it further enacted, That thirteen shall be the number of the trustees that shall hereafter manage the said institution and the concerns thereof; and that Henry Clay, Edmund Bullock, Robert Trimble, John T. Mason, junior, Robert Wickliffe, James Prentiss, Hubbard Taylor, John Pope, Lewis Sanders, Samuel H. Woodson, John Brown, Charles Humphreys and Thomas Bodley, shall be, and they are hereby appointed trustees of the said Transylvania University, and to continue in office for and during the term of two years; during which period, they, or a majority of the trustees for the time being, shall have power to fill any vacancy or vacancies which may happen in said office of trustees, by death, resignation or otherwise.

3. Be it further enacted, That the legislature of this commonwealth shall, by a joint vote of both houses, elect, every two years, thirteen trustees to preside over said University and its concerns; and should it at any time hereafter happen that no election of trustees is made as contemplated by this section, the trustees then in office shall so continue in office, and possess the same powers to fill vacancies as is given by the second section of this act, until such election shall be made by the legislature.

4. Be it further enacted, That all the funds, estate, property, rights, demands, privileges and immunities, of what kind or nature soever, belonging or in anywise appertaining to said University, shall be, and the same are hereby invested in the trustees of said institution appointed by this act, and their successors in office, for the uses and purposes only of the said institution; and the said trustees and their successors in office shall have, hold, possess and exercise all the power and authority over the said institution, and the estate and concerns thereof, as the

* Acts of Kentucky, 1817-18, pp. 554-56. Frankfort: Kendall and Russells, 1818.

present trustees by law are entitled to.

5. Be it further enacted, That the trustees appointed by this act shall be regulated by the existing laws and regulations of the said University, until altered, changed or amended; and that it shall be the duty of the said trustees to meet at the said University on the first Thursday in March next, if they cannot make it convenient to do so at an earlier day, or so soon thereafter as they can, and to take into consideration the affairs of said University, and to adopt such measures relative to said institution as may be necessary; and the said trustees shall hold at least one stated annual meeting, at which stated annual meeting all professors and teachers shall be elected; and such professors or teachers to hold such office one year or more; which stated meeting shall be held on the first Monday in May in each year, until changed or altered by said trustees.

6. Be it further enacted, That this act shall commence and be in force from and after the last day of February 1818; and the trustees hereafter to be elected by the legislature, under the provisions of this act, shall go into office on the last day of February next succeeding such election, until which day the trustees in office for the time being shall continue in office.

APPENDIX G

An Act to Incorporate the Transylvania Institute,
and for Other Purposes *

(Approved February 20, 1839)

Section 1st. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there is hereby incorporated, and made a body politic, a society to be known and styled the Transylvania Institute, whose business it shall be to promote learning among the good people of this Commonwealth, by the delivery of lectures, publication of essays, treatises and books, but whose more especial object shall be, to contribute by subscription and otherwise, to the success and prosperity of Transylvania University.

Section 2d. Any person or persons who have, or may hereafter subscribe five hundred dollars to be paid in five equal annual instalments, and shall also pay the first instalment, (whenever the sum shall be ordered,) to the Trustees of Transylvania University, to the use and for the benefit of Morrison College, shall, from the time of such subscription and payment, become and be considered a member of said Institute.

Section 3d. When fifty subscribers, to the said society shall have been procured, its corporate existence shall commence under the above title. The officers of said society shall consist of a President and an Executive Committee of three to be elected by the said subscribers, at such times and places, and for such periods as the subscribers may designate, and by the name and title of the President and Executive Committee of the Transylvania Institute; may sue and be sued, plead and be impleaded in any court of justice in this commonwealth, may adopt a common seal, and alter and renew the same at pleasure, and may hold property, real, personal or mixed, to any amount not exceeding fifty thousand dollars.

Section 4th. The said President and Executive Committee of the Transylvania Institute, may make such bylaws and regulations for their government and proceedings, as they may deem proper and expedient; Provided, however, that said by-laws and regulations be not inconsistent with this act, the constitution of this State, or the constitution of the United States.

Section 5th. The trustees of Transylvania University shall consist of eight citizens of Kentucky, five of whom, at least, shall be residents of Fayette County, to be elected as follows, to-wit: The

* Observer and Reporter, 7 (March 27, 1839), 1.

Transylvania Institute, when organized as above required, may elect two Trustees, the Mayor and Board of Councilmen of the City of Lexington, upon subscribing sixty thousand dollars to any or all of the departments of Transylvania University, of which not less than twenty thousand shall be appropriated for the use and benefit of Morrison College, to be paid in such manner as shall be agreed upon between the Mayor and the Board of Councilmen, and the present Board of Trustees of Transylvania University, may elect three other Trustees, at the first regular meeting of the said Mayor and Council, after the subscription is made, as is herein contemplated, they shall elect three Trustees of the University, one to serve one year, one to serve two years, and the other to serve for three years, from the date of their appointment, and until their successors may be elected, and after the expiration of each term of service, a trustee shall be elected, to remain in office for the term of three years, and the Governor of the Commonwealth, by and with the advice and consent of the Senate, may nominate and appoint three other Trustees, and in the case of any vacancy in the Board of Trustees, from death, resignation or other cause, the same may be filled by the authority which appointed the Trustee whose place may be vacated.

Section 6th. Until the subscriptions of the said Institute, and the said Mayor and Board of Councilmen shall be made, and their organization, as aforesaid, completed, the present Board of Trustees shall continue in office, and after the said subscription shall be made, and their organization, as aforesaid, completed, and five Trustees shall have been elected, by the said Institute, and the said Mayor and Board of Councilmen, two of the present Board shall go out of office, to be determined by placing the names of the present Trustees in a box, and the three Trustees whose names shall be first drawn therefrom, continue in office, and when so selected, may choose a Chairman, and shall constitute the Board of Trustees of Transylvania University, and shall possess and enjoy all the rights, privileges, powers, and immunities heretofore vested by law in said Trustees; the said Trustees, except those appointed by the City, who, after those first elected, as provided in the fifth section, shall be elected for the term of three years, shall continue in office for the period of two years, from the time of their election, and until their successors are appointed.

Section 7th. There is hereby constituted and appointed a "Board of Overseers" of Transylvania University, which shall consist of the Governor and Lieutenant Governor of this Commonwealth, the Speaker of the House of Representatives and the Superintendent of Public Instruction, ex-officio, and of one person to be chosen from each Congressional district in Kentucky, except the Congressional district in which Lexington is situated, where three shall be appointed. The Board of Overseers shall meet at least once in a year, to examine into the condition of Transylvania University, its management by the Board of Trustees, and, if

necessary, report to the Legislature its wants, condition and prospects. They shall continue in office during good behavior, and be removable only by a joint vote of both branches of the Legislature, and shall have the power to fill any vacancy which may occur in their body, from death, resignation, or otherwise.

Section 8th. The Governor of the Commonwealth shall nominate, and, by and with the advice and consent of the Senate, shall appoint the Overseers of Transylvania University.

Section 9th. The Mayor and Board of Councilmen of the City of Lexington, and the members of the Transylvania Institute, may send one scholar to Morrison College for each and every five hundred dollars which they have, or may hereafter subscribe, and shall fully pay. Their right to vote for the Trustees of Transylvania University, shall commence when they shall have respectively paid the first instalment upon their subscriptions, and shall be discontinued by a failure, or refusal, for three months, to pay the annual instalment as they are ordered: Provided, that notice of such instalment being ordered, shall be published for thirty days consecutively, in one or more of the authorized newspapers of Lexington.

Section 10th. After erecting the necessary dormitories and refectories, the residue of the money subscribed and paid, as aforesaid, shall be invested by the Trustees of Transylvania University in safe and profitable stocks, and the proceeds, or interest thereof only shall be applied to the payment of the salaries of Professors, and to such other purposes as in their opinion will most advance the interests of said University.

Section 11th. The General Assembly of the Commonwealth of Kentucky, by and with the consent of the then existing Board of Trustees, may make such alterations in the organization of Transylvania University, as they may deem expedient and proper, and all laws relating to Transylvania University, not inconsistent with this act, or any of the provisions hereof, shall continue in full force and effect.