CANONSBURG AND THE COLLEGE.

An Argument Before the Board of Trustees of Washington and Jefferson College, by Rev. Francis J. Collier. MR. PRESIDENT AND GENTLEMEN:-The Legislature having passed a supplement to the charter authorizing a consolidation of all the departments of the College at one place, the citizens of Canons. burg desire the privilege of presenting through me, a few facts for the consideration of the Board. We will endeavor to make our statements in a calm and dispassionate manner; and we trust, that in view of the great importance of the matter under discussion, your minds will be entirely divested of prejudice, and that you will hear us patiently, and if our reasons are good, allow yourselves to be convinced. We believe that you are devotedly attached to the Institution entrusted to your care, and we trust that whatever may be your personal wishes in determining the question of its future location, you will regard as paramount the interests of the College, and refrain from doing anything that might alienate its friends, impair its use-fulness, diminish its resources, or imperil its existence. We have heard that the citizens of other places are prepared to make generous offers of money in order to secure the location of the College. Pecuniary inducements will be offered by us, but at the same time, gentlemen, we do you the justice to suppose that a question of so much importance will be decided on its merits, and not according to the amount of money which may at present be tendered you. If your decision meets with public approbation, it cannot fail to call forth liberal contributions, but if it is such as will cause disappointment and dissatisfaction, the people will certainly refuse to give. If our claims are as good as we believe them to be, and if you should remove the College without giving them proper consideration, we feel sure that what at first would mortify us would in the end mortify you. As we proceed to set forth the facts, we have confidence that you, with a lively sense of your res ponsibility, will give strict attention and weigh the matter well.

THE PROPERTY. First of all we would have you look at the College property at Canonsburg:

1. The old College building contains
Prayer Hall, the Christian Association room, the Observatory, two recitation rooms, and rooms and work shop for the Professor of Natural Science.

2. The new College building contains Providence Hall, capable of holding one thousand people when crowded, Senior Hall and Library, the Lyceum, the College Library the mathematical transfer of the containing the cont lege Library, the mathematical room, re-citation room for the Professors of Natural Science, room for philosophical and chemical apparatus, a Laboratory, and has a basement with five apartments once used

3. The President's house, a two-story brick, containing nine rooms, has a fine yard, garden and lot, in all about three

4. The Riddle house, two-story brick and stone, with ten rooms, garden, orchard and pastures, in all about three acres, 5. The Brown mansion, two-story brick, nine rooms, yard and garden, in

6. Fort Job, a four story brick with twenty-four rooms, equally divided, making two dwellings for Professors, more than two acres of ground. 7. The Junitors house, a two story

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frame, four rooms; lot quarter of an acre. petent judges at \$125,000. It may be said that some of these buildings are out of style, and need to be altered and repaired; this is true; but we think that by the expenditure of a few thousand dollars, under the supervision of a skillful architect the buildings could be so modernized and improved as to present a tasteful appearance and answer completely the ends for which they were erected. Here we have dated six Professors and three hundred students. Can the Board find as good accommodations elsewhere? Can provide better in a new place, for less than \$125,000? Can you afford to abandon property so valuable? Can you, with any show of justice, put into the market and sell that which was purchased, or built with money contributed largely by the inhabitants of this place for the benefit of their own College? And what assurance will be given to the citizens nd maintenance of a College at Canonsburg. There was a clear understanding with the the exception of the Freshman class, had not been guaranteed to remain at Canonsburg, in perpetuam, you would have no claim to-day upon the College property, because the union would never have taken place. The principle involved is the same we think, as in the case of a conveyance of property by trustees to couragements is a pleasant and indisputaschool directors under "an Act for the ble fact of history. And who is so strongof education by Common Schools,"

passed April 7, 1849, wherein it is proto the place where the College was locato the place where the College was locavided: "and thence forward the directors and their successors shall hold the said surrounded? What if the town is small surrounded? What if the town is small surrounded? property for the same term, and for the and unstractive in appearance? Is same uses for which it was originally Princeton much larger, where the Col-

THE ENDOWMENT.

By a reference to the Treasurer's book, (page 5,) you will see that at the time the union was formed, the assets of Jefferson College amounted to \$67,070, made up as follows, viz:

The ENDOWMENT.

By a reference to the Treasurer's always been liberal towards the College? Let the grounds and buildings testify. In the light of history is it not apparent that it requires something besides money and mortar to make a college?

son, you have \$56,778 21 left-every dollar of which is good and productive, and the sum itself is considerably more than one-third of your present endow ment. Now mark, gentlemen, this money, which you hold in trust was originally given for the express purpose of sustaining a College (not an Academy) at Canonsburg (not at any other place.) With this fact staring you in the face, can you with good conscience divert the fund? Will a bill, drawn up by yourselves, and

at your own request, passed by the Legis-lature, justify the deed? Such a transaction may be legally right, but in our judgment it is morally wrong. And we are safe in saying that the Board of Jefferson would never have consented to the union and transferred their assets to you, if they had ever dreamed that you would seriously entertain for a single moment, a proposiion to remove the College from Canonsing a special application. It is well known to you that this endowment was made up of the legacies and donations specially intended for the use and support of a College at Unnonsburg. Under "an Act providing for a Generally System of Education," passed April 2d, 1831, it is provided that "there shall be and that there hereby is established a common school fund," and the Commissioners hereof, or a majority of them "shail receive and manage such moneys and other things as shall pertain to said fund in the most advantageous manner, and shall receive and hold for the use of said fund, all such gifts, grants, and donations as may be made to the same by private in-dividuals or otherwise, and shall apply the same to the purposes for which sucl gifts, grants, and donations may be made. (See laws of Pennsylvania, Dunlop, p. 452.) "Courts are bound to carry into effect the intent of the donor. Trust in

cases," (see Purdon's Digest, p. 1119.) See also an Act to confer on certain as sociations of the citizens of this Commonwealth the powers and immunities o corporation or bodies politic in law.'
April 6, 1791. Dunlop, p. 1779. THE SCHOLARSHIP. The Board of Jefferson issued more than fifteen hundred scholarships, and of these less than one third have been redeemed. These certificates are of the nature of a special contract, and the main thing stipulated is that a certain amount of

favor of a charity not to fail in certain

if there be not an express agreement or necessary implication that it is to be performed elsewhere." 6 Wh. 117, Binn's Justice 234. But it may be said that the olders of these certificates are indifferent about the place, provided the proper amount of tuition is received. This may be true of some, but we assure

you that a large majority are not indifferent as to the place. At the time the scholarships of Jefferson were sold, the scholarships arships of the Institutions were in the mararships of the institutions were in the market and the purchaser was at liberty to make a choice. If the buyer accepted the one, and refused the other, he probably had a reason for so doing. Those who wished to have their sons educated at Canonsburg bought the scholarships of Leftwoon. And continues are you not Jefferson. And, gentlemen, are you not in duty bound to tulfil the contract? Will the legislation which you have obtained exonorate you from the moral obligation? If a part of the contract is repudiated, what assurance is there that the whole of it will not be? If you have the right to change the place where the tuition is to be given, may you not with equal propriety, or in time refuse to give any on Scholarships? We have good reason to doubt the constitutionality of any legislation which would in the slightest degree impair a contract. See Constitution of Pennsylvania, Art. 9, Sec. 17. "That no ex pos facto law nor any law impairing contracts shall be made." (See also Const. U. S., Sec. X. I.) And we would like to ask whether you are ready to refund the money given for scholarships, adding interest to the principal from the date of the certificate in case you remove the Collegs from Canonsburg? Justice would seem

THE APPLIANCES. We would next call your attention to the libraries and apparatus at Canonsburg. By the last catalogue you will see that the number of volumes in the Philo Library is 3800; Franklin, 3700; Chrisassurance will be given to the citizens tian Association, 1040, with 40 periodical feature and in future after the same about 10,000. In all over 18,000 volumes. treated in future after the same about 10,000. In all over 18,000 volumes.

fashion? Might it not happen that the promise of more spacious and citizens and students at a cost of \$2,000 in elegant buildings, and the offer of cheap times. The philosophical and a munificent sum of money would prove a chemical apparatus is extensive and valtemptation too strong to be resisted? We uable, and much of it is the private propwill candidly say that we are not pre- erty of the Professor of Natural Science pared to admit that you have a right to abandon valuable property entrusted to you by the Roard of Jefferson for the uses large collection of minerals, fossils, shells, and other curiosities, interesting and useful to students. It may be questionable the removal of all these things; and if there is no such right, would it be wise to throw away appliances so good and cost-ly? Is the College so rich that it can afford the sacrifice?

to require this at your hands.

THE PROSPERITY OF JEFFERSON. The prosperity of Jefferson College in spite of the greatest difficulties and disble fact of history. And who is so strongly prejudiced that he will not admit that granted to said trustees or other," (see lege of New Jersey has so long flourished? What if the people are not possessed of a

make the as follows, viz:

James Plants (Pittsburgh 500 or 19 and 19 and

you not more concerned about morals than money ?

THE COLLEGE AND THE CHURCH. For many years the citizens and the students have been accustomed to worship together in the College Chapel. This arrangement, being mutually satisfactory, has been attended with the happiest results. The people, unable to erect a building of their own, or to raise means sufficient to support a minister, have been provided with a place of worship, and have enjoyed the preaching of the gospel. In consideration of these advantages they have contributed annually the sum of four hundred and fifty dollars with which the salary of the Ministerial Professor has been supplemented and the contingent expenses of the College reduced. Knowing what precious interests they have at stake, they await your decision with the greatest anxiety. The stu-dents feel at home in the College Church, burg. Who will deny this statement?
The endowment of Jefferson was not a and they all attend the public services and they all attend the public services. with regularity and cheerfulness. Gen tlemen, it is for you to determine whether this hallowed relation shall be disturbed;

> Church shall live or die. CANONSBURG AND WASHINGTON. If a comparison is to be made between Canonsburgh and Washington we suggest certain inquiries, and we do it in no unkind or improper spirit. We ask only for truth and justice, and we will be satisfied with nothing less. Let the Board

> inquire:
> 1. Whether Washington College at Washington was more prosperous than Jefferson College at Canonsburg.
>
> 2. Whether the College buildings at Washington are larger, better and more numerous than those at Canonsburg, and the property, as a whole more valuable.
>
> 3. Whether the citizens of Washing. ton, in general, have heretofore mani-

fested a deeper interest in the College, and donated more more money than the citizens of Canonsburg. 4. Whether the temptations to which young men are exposed are less at Washington than at Canonsburg.

5. Whether students can live more economically at Washington than at Canonsburg.

G. Whether Washington is more ac 7. Whether the educational appliances, such as libraries, apparatus, &c., are better at Washington than at Canonsburg.

8. Whether people abroad will contrib ute more freely to the College at Washing where the certificates were signed and sealed. "The presumption of the law is that a contract is intended to be performed in the place or country in which it is made if there he not are express agreement."

The place of country in which it is made if there he not are expressed agreement. College, and whether on this account the claim of Canonsburg to the location of the united Institution is not stronger than the

claim of Washington. 10. Whether the endowment fund of Washington College was, in fact, as large as it was supposed to be at the time of the union. (See Treasurer's Book, page 3.)

 Five-twenty Bonds, U. S.
 125,150 00

 Premium on same, 5 per cent
 1,257 50

 Intere tfor fuer mouths
 1,005 23

 Seven-tairty Bonds, U. S.
 3 600 00

-5,450 00 1,250 (0 037,496 15 6,124 50

The above sum includes premium on incested funds, which premium (\$1257 50) is not now and never was available or productice. This sum includes, also, sundry notes having a nominal value of \$6,384.12, (page 49) but a real value of only \$3,800. According to the estimate of Mr. Wilson, late Treasurer, (page 40,) the interest on many not having been paid for years. See copy of Mr. Wilson's receipt on transferring the assets of the College to Mr. Baird, (page 48.) Was not Mr. Black, Treasurer of Jefferson, deserving of praise for leaving out of his estimate of assets, sundry notes nominally worth \$2,000, but really worth nothing? It the Synod of Ohio has a just claim to \$7,000 of your funds, must not this sum be subtracted from the endowment fund

of Washington College? 11. Inquire whether Canonaburg and Washington are equally and fairly represented in the Board. What proportion of your number are from the one town and what from the other? Does not an examination of your roll show that nearly one fourth of your number are local Trustees of Washington, who constitute almost a majority at some of your meetings? And was the representation of Canonsburg before the death of Mr. McDaniel more than one sixth of the whole number of Trustees, and is it more

than one eighth now? 12. Whether your appropriations for salaries, repairs, &c., at Washington, for the past year at least, have not been greater than one half your income, while at Canonsburg they have been less than one half, contrary to Sec. 13 of your charter. And whether the amount spent in repairing buildings at Canonsburg is equal to the aggregate yearly allowance for house rent at Washington.

13. Whether an Academy which must depend for support upon local patronage, could not be better sustained at Washing ton than at Canonsburg; and whether the students of the preparatory department have not been, for the most part, residehts of Washington. And finally in-

14. Whether a supplement or amendment to the charter can be constitutional, the intent of which is essentially different from the intent of the charter itself, and by which the most important provisions of the charter may be made of no effect. The charter as you know provides that the College proper with the exception of the Freshman class shall be at Canonsburg. CONCLUSION.

And now, gentlemen, we have stated our case; it is for you to decide. If we have made any misrepresentations, we assure you that it has not been done intentionally. The main facts as we have given them cannot be denied. If the question is decided on its merits, we will hopefully swat the issue. Hundreds of our alumn, strong in their affection for their Alma Mater, watch, with an intense

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