

MORRILL LAND-GRANT ACT

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104-41

59TH GENERAL ASSEMBLY, }  
REGULAR SESSION.

H. B. No. 29.

Mr. CANNON.

*Cannon bill  
creating the Ohio  
Ag. & Mech. College  
1870*

## A BILL

To Establish and Maintain an Agricultural and Mechanical College in Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That*  
2 a college for the benefit of agriculture and mechanic arts is hereby established  
3 in the state of Ohio, in accordance with the provisions of an act of congress of  
4 the United States, passed July 2d, 1862, entitled an act donating public lands  
5 to the several states and territories which may provide colleges for the benefit  
6 of agriculture and mechanic arts, said college to be located as hereinafter pro-  
7 vided.

SEC. 2. The government of said college shall be vested in a board of trustees  
2 to consist of nine persons, one from each of the present judicial districts of the  
3 state, who shall be appointed by the governor, by and with the advice and  
4 consent of the senate. The president of the state board of agriculture and  
5 the president of said college shall be ex officio members of said board. The  
6 president of said college shall be its chairman. Three of those first appointed  
7 shall hold their office for two years, and three for four years, and three for six  
8 years, to be determined by lot, and thereafter each member shall be appointed  
9 for the term of six years, except in cases of appointments to fill vacancies  
10 occasioned by death, resignation or removal from office, in which latter case  
11 the appointment shall be for the unexpired term. The trustees shall receive  
12 no compensation for their services, but shall be entitled to reasonable and  
13 necessary expenses whilst in discharge of official duties.

SEC. 3. The trustees and their successors in office shall constitute a body

2 corporate, with the name and style of the board of trustees of the agricultural  
 3 and mechanical college of Ohio, with the right, as such, of suing and being  
 4 sued, and of contracting and being contracted with, of making and using a  
 5 common seal, and altering the same at pleasure. Said trustees shall be resi-  
 6 dents of this state.

SEC. 4. The board of trustees shall have power to adopt rules and regula-  
 2 tions for the government of said college; to appoint a president; to determine  
 3 the number of professors and teachers, and appoint the same; to increase or  
 4 diminish the same, from time to time, and fix their salaries. They shall also  
 5 have the power to remove the president or any professor or teacher whenever  
 6 the interests of the college, in their judgments, shall so require, and the clerk  
 7 of the board shall give notice to the governor of such vacancy.

SEC. 5. The college shall consist of four departments. 1st. The depart-  
 2 ment of agriculture. 2d. Mechanic arts. 3d. Military science. 4th. Litera-  
 3 ture and science. Such branches of learning as relate to the department of  
 4 agriculture and mechanic arts, as provided for in the act of congress aforesaid,  
 5 shall always be taught in said college.

SEC. 6. The board of trustees shall have power to prescribe the nature,  
 2 extent and character of experiments to be made; to fix and regulate the course  
 3 of instruction, and to do all things incident to the successful management of  
 4 the college.

SEC. 7. The college shall be open to all persons over fourteen years of age,  
 2 subject to such rules and regulations and limitations, as to numbers from the  
 3 several counties of the state, as may be prescribed by the board of trustees.

SEC. 8. The board of trustees shall have the general supervision of the col-  
 2 lege, college grounds, and all lands for experimental farms, and also the control  
 3 of all college or other buildings necessary for the same and expenditures there-

4 for; Provided always that said board shall not contract any debt not previously  
5 authorized by the general assembly of the state of Ohio.

SEC. 9. The board of trustees shall have power to appoint a secretary,  
2 treasurer and librarian, and such other officers as the interests of the college  
3 may require, who may or may not be members of the board, and shall hold  
4 their offices for such term as said board shall fix, subject to removal by said  
5 board, and shall receive such compensation as the board shall prescribe. The  
6 treasurer shall before entering upon the duties of his office give bond to the  
7 state of Ohio in such sum as the board may determine, conditioned for the  
8 faithful discharge of his duties and the payment of all moneys coming into his  
9 hands, said bond to be approved by the attorney general of the state.

SEC. 10. The board of trustees shall have power to secure a collection of  
2 specimens in mineralogy, geology, zoology, botany and other specimens per-  
3 taining to natural history and the sciences, and it shall be the duty of the chief  
4 geologist of the state (now making a survey) to deposit in said college a full  
5 and complete set of specimens as collected by him or his assistants in making  
6 said survey. The board shall make provision for a library apparatus and arms  
7 and accoutrements; and for increasing and preserving the same.

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

SEC. 12. The first meeting of the members of the board shall be called by  
2 the governor as soon after the appointment of said board as he may deem ad-  
3 visable, to be held at Columbus, Ohio; all succeeding meetings shall be called  
4 in such manner as said board may prescribe; said board shall meet at least

5 once annually at the college building. A majority of the board of trustees  
6 shall constitute a quorum to do business, and until the appointment of a presi-  
7 dent of the college, and in his absence, said board shall elect a temporary chair-  
8 man.

SEC. 13. The title for all lands for sites for college buildings and experi-  
2 mental farms shall be made in fee simple to the state of Ohio, with covenants  
3 of seizure and warranty, and no title shall be taken to the state for purposes  
4 aforesaid until the attorney general shall be satisfied that the same is free from  
5 all defects and incumbrances.

SEC. 14. The board of trustees shall cause a report to be made annually to  
2 the governor, of the condition of said college, the amount of receipts and dis-  
3 bursements, and for what the disbursements were made, the number of profes-  
4 sors, teachers and other officers, and the position and compensation of each,  
5 the number of students in the several departments and classes, the books of  
6 instruction used. Also, an estimate of the expenses of the ensuing year, a full  
7 transcript of the journal of the proceedings of the board for the past year, the  
8 progress of said college, recording any improvements and experiments made,  
9 with their cost, and the results, and such other matters as may be supposed  
10 useful; one copy, when printed and bound, shall be transmitted by mail, free,  
11 to all other colleges which may be endowed under the provisions of said act of  
12 congress, and also, one copy to the secretary of the interior.

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

SEC. 16. All funds, together with the interest now accumulated thereon,  
2 derived from the sale of land script issued to the state of Ohio by the United  
3 States in pursuance of the act of congress aforesaid, shall be invested in regis-

4 tered bonds of the state of Ohio, or of the United States, by the authority now  
5 having control of the same, which bonds shall be and remain in the custody of  
6 the state treasurer intact, unless one-tenth shall be appropriated by the general  
7 assembly for the purchase of land, as provided in the act of congress, who shall  
8 pay over the income thereof as it may accrue to the treasurer of said college  
9 upon the order of the auditor of state, made upon the requisition of the board  
10 of trustees; to be by the board of trustees appropriated to the endowment, sup-  
11 port and maintenance of the college as provided in the act of congress, as afore-  
12 said.

Sec. 17. It shall be the duty of the board of trustees to permanently locate  
2 said agricultural and mechanical college upon lands which in their judgment is  
3 best suited to the wants and purposes of said institution, the same being reason-  
4 ably central in the state and accessible by railroad from different parts thereof,  
5 having regard to healthiness of location, and also regarding the best interests of  
6 the college in the receipt of moneys, lands or other property donated to said  
7 college by any county, town or individual, in consideration of the location of said  
8 college at a given place.

Sec. 18. This act shall take effect and be in force from and after its passage.

# HISTORY

OF THE

# OHIO STATE UNIVERSITY,

(FORMERLY OHIO AGRICULTURAL AND MECHANICAL COLLEGE).

CONTAINING

ACT OF INCORPORATION AND UNREPEALED ACTS  
OF THE GENERAL ASSEMBLY OF OHIO.

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DECEMBER, 1878.

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COLUMBUS:  
NEVINS & MYERS, BOOK AND JOB PRINTERS.  
1878.

The following is the act referred to as constituting the initial date of the College:

AN ACT

To establish and maintain an agricultural and mechanical college in Ohio.

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

SEC. 2. The government of said college shall be vested in a board of trustees, to consist of one from each congressional district of this state, who shall be appointed by the governor, by and with the advice and consent of the senate. The president of the state board of agriculture shall be ex-officio member of said board. [*Repealed April 16, 1874.*]

SEC. 3. The members of the board of trustees, and their successors, shall hold their office for the term of six years each; provided, that at the first regular meeting of said board, the said members shall determine by lot, so that as nearly as may be one-third shall hold their office for two years, one-third for four years, and one-third for six years from the date of the first meeting of the board, or until their successors are appointed and qualified. In case a vacancy occurs by death, resignation or otherwise, the appointment shall be for the unexpired term. The trustees shall receive no compensation for their services, but shall be entitled to reasonable and necessary expenses while in the discharge of their official duties. [*Repealed April 16, 1874.*]

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

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

SEC. 6. The board of trustees shall annually appoint an executive committee of not less than three of their own members, who, when said board is not in session, shall have the management and control of the affairs of said college, under the direction of the board, and shall furnish a full report of their proceedings at every regular meeting of the board, and at such other times as the board may direct. [*Repealed April 16, 1874.*]

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

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

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

SEC. 10. The board of trustees shall have power to secure a collection of specimens in mineralogy, geology, zoölogy, botany, and other specimens pertaining to natural history and the sciences; and it shall be the duty of the chief geologist of the state to collect and deposit in such place as the trustees may direct, a full and complete set of specimens as collected by him or his assistants, for the benefit of said college. The board shall make provision for a library, apparatus, and arms and accoutrements, and for increasing and preserving the same. [*Repealed April 20, 1877.*]

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

SEC. 12. The first meeting of the members of the board shall be called by the governor as soon after the appointment of said board as he may deem advisable, to be held at Columbus, Ohio; all succeeding meetings shall be called in such manner as said board may prescribe; said board shall meet at least once annually at the college building. A majority of the board of trustees shall constitute a quorum to do business; provided, it shall require a majority of all the board to elect or remove a president or professor. [*Repealed April 20, 1877.*]

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

SEC. 14. The board of trustees shall cause a report to be made annually to the governor, of the condition of said college; the amount of receipts and disbursements, and for what the disbursements were made; the number of professors, teachers, and other officers, and the position and compensation of each; the number of students in the sev-

eral departments and classes, and the course of instruction pursued in each; also, an estimate of the expenses of the ensuing year; a full transcript of the journal of the proceedings of the board for the past year, the progress of said college, recording any improvements and experiments made, with their cost, and the results, and such other matters as may be supposed useful; one copy, when printed and bound, shall be transmitted by mail, free, to all other colleges which may be endowed under the provisions of said act of congress, and also one copy to the secretary of the interior. [*Repealed April 20, 1877.*]

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

SEC. 16. All funds, together with the interest now accumulated thereon, derived from the sale of land scrip issued to the state of Ohio by the United States in pursuance of the act of congress aforesaid, shall be invested in registered bonds of the state of Ohio, or of the United States, by the authority now having control of the same; which bonds shall be and remain in the custody of the state treasurer intact, unless one-tenth shall be appropriated by the general assembly for the purchase of land, as provided in the act of congress, who shall pay over the income thereof as it may accrue to the treasurer of said college upon the order of the auditor of state, made upon the requisition of the board of trustees; to be by the board of trustees appropriated to the endowment, support, and maintenance of the college, as provided in the act of congress as aforesaid. [*Repealed April 20, 1877.*]

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

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

Passed March 22, 1870. [67 v. 20.]

At a meeting of the Trustees, held on June 20, 1877, the following action was had:

*Resolved*, That the curriculum be changed, by striking therefrom the Department of Political Economy and Civil Polity, and substituting therefor the Department of Mines, Mine Engineering, and Metallurgy.

*Resolved*, That Henry Newton, A.M., M.E., be appointed Professor of Mines, Mine Engineering, and Metallurgy, in the Ohio Agricultural and Mechanical College, at the same salary as the other Professors.

Mr. Newton having visited the College, accepted the position, expecting to commence his labors at the opening session in September, 1877.

In the meanwhile, under an appointment of the United States Government, he visited the Black Hills, to complete some geological investigations upon which he had been employed; but, unfortunately, he was almost immediately prostrated by mountain fever, and died after a brief illness.

The professorship was now offered to William E. Guy, E.M., of St. Louis, a graduate of the Mining School of Freiburg, Saxony. He also visited the College, and left with the expectation of accepting the place, but on his return to St. Louis found it impracticable on account of business connections, which could not be at once dissolved.

The position was then tendered to and accepted by John A. Church, E.M., an experienced Metallurgist and Mining Engineer, who immediately proceeded to equip and put in order the department, and entered on his work of instruction in January, 1878.

The College faculty, with the consent of the Trustees, offered to give a course of lectures on agriculture and cognate subjects—to extend throughout the winter term, commencing in January, 1878, provided thirty or more applicants should signify their intention to attend the lectures. Seven persons, however, were all that appeared at the appointed time; and by reason of this meagre response, the lectures were not given.

The Executive Committee abolished the entrance examination in Algebra, before required of all students for admission; but at the November meeting, at the unanimous request of the faculty, this action was reversed by the Board.

In May, 1878, a third reorganization of the Board of Trustees was effected by the legislation that follows. The name of the institution was also changed by this act:

#### AN ACT

To reorganize and change the name of the Ohio Agricultural and Mechanical College, and to repeal certain acts therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the educational institution heretofore designated as the Ohio agricultural and mechanical college shall be known and designated hereafter as "The Ohio State University."

THE STATE OF OHIO.

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GENERAL AND LOCAL LAWS,

AND

JOINT RESOLUTIONS,

PASSED BY THE

FIFTY-NINTH GENERAL ASSEMBLY.

AT THE REGULAR SESSION,

BEGUN AND HELD AT THE CITY OF COLUMBUS, JANUARY 9, A.D. 1870, AND IN THE 68TH  
YEAR OF SAID STATE.

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VOLUME LXVII.

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COLUMBUS:  
L. D. MYERS & BRO., STATE PRINTERS.  
1870.

AN ACT

To authorize county commissioners to pay bounties for killing wolves.

Commissioners may offer and pay bounty.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of any county in this state are hereby authorized, whenever in their opinion such shall be necessary, to offer and pay out of any funds of the county not otherwise appropriated, a bounty of not more than one hundred dollars (\$100) each for the killing of wild wolves within such county.

SEC. 2. This act to take effect from and after its passage.

A. J. CUNNINGHAM,  
*Speaker of the House of Representatives.*  
J. C. LEE,  
*President of the Senate.*

Passed March 18, 1870.

AN ACT

To establish and maintain an Agricultural and Mechanical College in Ohio.

Establishment and style of college.

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

Government thereof.

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

Terms of office, &c., of trustees.

SEC. 3. The members of the board of trustees, and their successors, shall hold their office for the term of six years each; provided, that at the first regular meeting of said board, the said members shall determine by lot, so that as nearly as may be one-third shall hold their office for two years, one-third for four years, and one-third for six years from the date of the first meeting of the board, or until their successors are appointed and qualified. In case a vacancy occurs by death,

OHIO STATE LIBRARY  
DOCUMENT DEPARTMENT

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resignation or otherwise, the appointment shall be for the unexpired term. The trustees shall receive no compensation for their services, but shall be entitled to reasonable and necessary expenses while in the discharge of their official duties.

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

Style and powers of trustees.

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

Further powers and duties.

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

Executive committee and its duties.

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

Who shall be admitted as pupils.

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

Prerogative of the trustees.

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

Officers of the board.

moneys coming into his hands, said bond to be approved by the attorney general of the state.

Collection of cabinet, &c.

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

Board may receive devises of land, &c.

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

Meeting of the board.

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

Title of lands to be vested in the state, &c.

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

Annual report.

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

Attorney general to be legal adviser of the board.

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

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

Investment  
of bonds, &c.

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

Location of  
the college.

Sundry  
provisos.

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

A. J. CUNNINGHAM,

*Speaker of the House of Representatives.*

J. C. LEE,

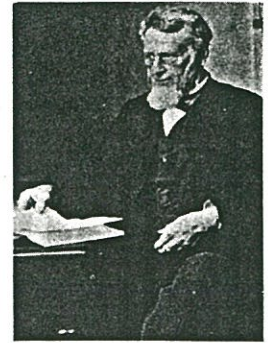
*President of the Senate.*

Passed March 22, 1870.

**Reuben P. Cannon**, is recognized as the true "father" of Ohio State University. As a member of the Ohio House of Representatives in 1870, he introduced the bill "to establish and maintain a Mechanical and Agricultural College."

Peter H. Clark, a resident of Cincinnati, became the first Negro member of Ohio State's Board of Trustees when he was named to the board in 1878. He served until 1887, when he resigned after nine years on the board.

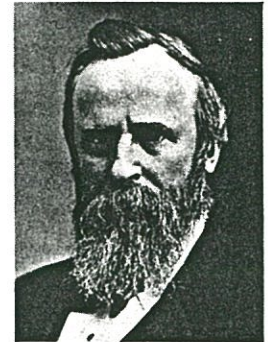
Norton S. Townshend was a member of the University's first faculty, teaching agriculture. A native of England, he was educated in the United States and became a physician and later a politician. He was also one of the University's first trustees.



Albert B. Graham, w'90, Hon.'53, was founder of the 4-H Clubs of America in 1902, then came to Ohio State to head up agricultural extension work until 1914. He later worked for many years with the U.S. Department of Agriculture.

Alma W. Paterson, '04, was the University's first female trustee (1925-33), a former president of the Alumnae Council and a co-founder of the Alumnae Scholarship House. A fund collected when she died in 1947 helped support the Scholarship House program.

Rutherford B. Hayes, 19th President of the United States, was Ohio governor during Ohio State's first years (1868-72 and 1876-77) — the Board of Trustees met for the first time in his office, and he served as a member of the Board of Trustees from 1887 to 1893.



Joseph V. Denney was head of the English department from 1904 to 1931 and dean of the College of Arts, Philosophy and Science from 1910 to 1921. He was particularly interested in Shakespearean drama, and was one of the top authorities in the country on the subject.

Joseph R. Taylor, '87, professor of English, began his career in 1889 in the engineering department, transferring to the English department in 1894, where he stayed for some 44 years. Artist, poet and author, he was a longtime friend of artist George Bellows.

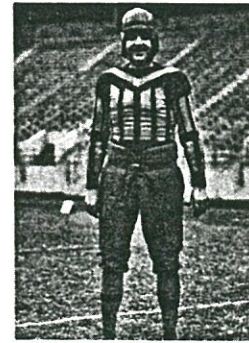
Gaius G. Atkins, '88, Hon.'33, was an author and clergyman who concluded the University's diamond jubilee year with his famous 1949 Sunset Supper address. A former Alumni Association president, he taught for many years at Auburn Theological Institute.



Ernest K. Coulter, w'93, was founder of the Big Brother Movement, a national group designed to provide help for troubled young boys. Also active in other youth work, he helped organize the New York Children's Court and was its clerk for 10 years.

Ralph W. Hoyer, '06, was alumni representative to the Athletic Board for 20 years (1913-33), having been captain of the 1905 football team. He was an assistant football coach for one year, and has been active in the insurance profession and alumni affairs.

John B. C. Eckstorm, '03, led Ohio State to a 22-4-3 record as football coach from 1899 to 1901, then coached at Ohio Medical College. He returned as team physician in 1909, and later aided the local boxing and wrestling commissions and the Ohio Penitentiary.



Clarence D. Laylin, '04, '06, Hon.'63, was a member of the College of Law faculty from 1915 to 1937, and is considered an expert on taxation. He has counselled many state, federal and local groups on the subject, and has served as Ohio Attorney General.

Jimmie Kelley, a well-known figure to the University's early students, was a combination campus policeman, janitor and groundskeeper. The old Irishman mowed the grass, cleaned the lake, shoveled the snow and leveled the roads of the University in the 1880's.

Edmond H. (Goggles) Deibel, '17, was cheerleader from 1915 to 1917, and that period included two championship teams (1916 and 1917). He amazed fans of Ohio State football's "Golden Era" with the "front flip," a tumbling exercise he invented while in school.



The  
Ohio State  
University  
Charter Day  
Convocation

# Charter Day Convocation

The Ohio State University  
March 22, 1970, 2:00 p. m.  
Mershon Auditorium

## Prelude

Crown Imperial, a Coronation March, 1937 – William Walton  
The University Concert Band  
Donald E. McGinnis, Professor of Music, Conductor

## Presiding

Everett D. Reese, Chairman, Convocation Committee

## Invocation

Eric A. Grulke, Co-chairman, Student Centennial Committee

The University Concert Band  
Proud Century, the Centennial March, 1970 – Edward Montgomery  
Buckeye Ballad – arranged by Richard Heine

## Recognition of Honored Guests

### Remarks

President Novice G. Fawcett

### Convocation Address

James Reston  
Vice President, The New York Times

### The Men's Glee Club

Once to Every Man and Nation – setting by George Mead  
Lyrics by James Russell Lowell,  
based on the Welsh Melody, "Ton-y Botel"

A New Heart Will I Give You – John Ness Beck  
Text adapted from Ezekiel

J. Norman Staiger, Professor of Music, Conductor  
Jean Mallett and Edward Stahl, Accompanists

### Special Presentations

General Assembly, State of Ohio

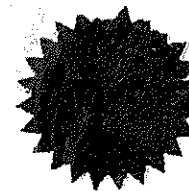
The Ohio Historical Society

The University Centennial Medallion

The Centennial Development Fund

### Alma Mater – Carmen Ohio

O Come let's sing Ohio's praise  
And songs to Alma Mater raise  
While our hearts rebounding thrill  
With joy which death alone can still;  
Summer's heat and winter's cold  
The seasons pass, the years will roll;  
Time and change will surely show  
How firm thy friendship – Ohio



# The Ohio State University Charter

The Ohio State University began in 1870 as the Ohio Agricultural and Mechanical College. It was established under the Land Grant Act signed by President Lincoln on July 2, 1862. This legislation revolutionized our nation's approach to higher education, bringing such education within the reach of all high school graduates.

This act provided grants of public land to the states. From the sale of this land, the states were to finance colleges whose "leading object" was to "promote the liberal and practical education of the industrial classes," primarily in the areas of agriculture and mechanics. Each state legislature was free to write its own charter for one or more colleges.

In all, sixty-nine Land-Grant institutions have been established in the United States. The Ohio State University (the new name was adopted in 1878) being the only one in Ohio.

After President Lincoln approved the Act of Congress providing for Land-Grant colleges, many Ohio communities made determined efforts to obtain the new educational institution. For eight years the legislature, its committees and commissions, had considered several sites, chief among them Oxford, Urbana, and London. But it was not until several months after the state legislature formally approved establishment of such an institution that a site was finally agreed upon.

On March 22, 1870, the Ohio State legislature chartered The Ohio State University with "An Act to Establish and Maintain an Agricultural and Mechanical College in Ohio." This day has since come to be known as the "Charter Day" of The Ohio State University.

From those early beginnings, The Ohio State University has become the principal university in the State and prominent in graduate and professional study.



### University Board of Trustees

John G. Ketterer, Chairman  
Frederick E. Jones, Vice Chairman  
James W. Shocknessy  
Don M. Hilliker  
William C. Safford  
Jack G. Gibbs  
M. Merle Harrod  
Frederick R. Eckley  
John Hyde Dunlap, Jr.

### University Administration

Novice G. Fawcett, President  
James A. Robinson, Vice President of Academic Affairs  
and Provost of the University  
Edward Q. Moulton, Vice President for Administrative Operations  
and Secretary of the Board of Trustees  
Gordon B. Carson, Vice President for Business and Finance  
John T. Mount, Vice President for Student Affairs  
Robert G. Smith, Vice President for University Development  
John T. Bonner, Jr., Vice President for Educational Services  
Ronald B. Thompson, Executive Dean for Student Statistical Services

### Charter Day Committee

Eugene C. D'Angelo, Buffalo  
Theodore N. Beckman, Columbus  
Paul G. Benedum, Pittsburgh  
John W. W. Bowen, Columbus  
Joanna L. Cavendish, Columbus  
M. Nancy Davis, Columbus  
Edwin D. Dodd, Toledo  
Charles E. Egger, Columbus  
Sherwood L. Fawcett, Columbus  
Ivan S. Gilbert, Columbus  
John L. Gushman, Lancaster, Ohio  
Irene D. Hirsch, Columbus  
Richard Hoyt, Columbus  
J. Ward Keener, Akron  
Ralph E. Kent, New York  
Foy D. Kohler, Coral Gables  
Everett B. Laybourne, Los Angeles  
William E. MacDonald, Jr., Cleveland  
Sam M. Melton, Columbus  
Robert W. Minor, New York  
Hazel E. Nesbitt, Columbus  
Henry M. O'Neill, Jr., Columbus  
Jesse Owens, Chicago  
George V. Patterson, New York  
John W. Paynter, Detroit  
Mike Peppe, Columbus  
John K. Pfahl, Columbus  
Cyril R. Porthouse, Kent, Ohio  
Frederick W. R. Pride, New York  
James Ralph Riley, Columbus  
Richard M. Ross, Columbus  
Herbert H. Schiff, Columbus  
Fred G. Secrest, Dearborn, Michigan  
Frank Stanton, New York  
Aurealius Thomas, Columbus  
Earl M. Tilton, Columbus  
Eileen H. Yankee, New Canaan, Connecticut  
Harold F. Zeig, Columbus  
Alan E. Zink, Columbus  
Everett D. Reese, Columbus, Chairman

### Alumni Centennial Committee

William E. Knepper, Chairman  
George J. Caronis, Vice Chairman  
Everett D. Reese, Charter Day  
Wendell W. Ellenwood, Sunset Supper  
Christine Y. Conaway, Alumni Awards  
William B. Hoyer, Special Events  
William W. Kight, Public Information  
Phillip W. Porter, Centennial Magazine  
G. E. Tenney, Centennial Liaison  
Anita H. Bethel, Centennial Ball  
Merve A. Durea, Centennial Ball  
Richard M. Mall, Centennial Medallions

### The Ohio State University Association

C. Gordon Jelliffe, president  
Robert G. Arend, first vice president  
Saundra Rhoades Locke, second vice president  
William W. Guthrie, treasurer  
Richard M. Mall, secretary  
William E. Knepper  
Virginia Starbuck Conn  
M. Reese Dill  
Charles W. Ebersold, Jr.  
Charles E. Fry  
James J. Hogan  
Jerome Lawrence  
John B. Fullen,  
Alumni Director Emeritus  
Russell B. McNeill, Chairman, Alumni Advisory Board  
David S. Miller, Chairman, Development Fund Board  
Barbara V. Montgomery, President, Alumnae Council  
Special Acknowledgment — Josephine Sitterle Failer



OBVERSE FACE OF THE CENTENNIAL MEDALLION,  
CREATED BY MILTON A. CANIFF, BA'30

Following this ceremony, the historical marker of The Ohio Historical Society and an exhibit of interesting documents prepared by University Archives will be on display in the lobby area of Mershon Auditorium.

*The First Hundred Years*, an affectionately compiled collection of one hundred historical and memorable photographs depicting campus life at The Ohio State University during the past century, will be published this spring by The Ohio State University Press at \$7.00. Orders should be directed to 2070 Neil Avenue, Columbus, Ohio 43210.

The Ohio State University College of the Arts presents a commemorative record album to celebrate the University's Centennial year. Highlights of the century and historical photographs accompany tunes soft and sweet, big and brassy. The two-record album features: The Ohio State University Marching Band, The Ohio State University Concert Band, The Symphonic Choir and Chorale, The Men's and Women's Glee Club. Orders, at \$12.50 per set, should be directed to *Time and Change*, The Ohio State University, College of the Arts, 128 North Oval Drive, Columbus, Ohio 43210.

"Centennial" - a splendid thirty-minute, 16mm color sound film - is available through the Department of Photography and Cinema, 104 Haskett Hall, 156 West Nineteenth Avenue, Columbus, Ohio 43210.

Inquiries concerning the Centennial should be directed to The Centennial Office, Frederick Stecker, Coordinator, 304 Mershon Auditorium, 30 West Fifteenth Avenue, Columbus, Ohio 43210.