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History of Indiana University: Perils from Sectarian Controversies and the Constitutional Convention (1835-1850)

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annual message to the General Assembly in 1837-1838, renewed the recommendation.

And how much better it would have been had the recommendations been heeded! What was needed at that time above all things was for the people of Indiana to know that the Indiana College was not an institution the administration of whose affairs it was the duty and privilege of the state through its legislature merely to overhaul annually and approve or condemn, but that it was a ward of the state—an institution of the state which had to be supported by the state. Had that lesson been learned in that period, how different the condition of the institution would be from what it is! And that lesson would have been learned, I have no doubt, had Indiana College been less efficient than it then was.

It has already been stated that after the faculty fight of 1832 the politicians ceased measurably their attacks upon the College and its management. But in their place came an army of ecclesiastics, backed up by a great church organization, and the war went on against the Indiana College. There is not time now to give any account of that controversy. I can only say that the battle was fought out with a ferocious courage that was common to the men of that day, and that the Indiana College came out of the contest with great loss. Students fell off and professors resigned, and something had to be done.

In December, 1837, Governor Noble, in his annual message, after paying a high tribute of praise to the thoroughness and effectiveness of the academic work which the College had already done, declared "this a propitious time for carrying into effect the provision of the constitution of Indiana with regard to the establishment of a State University," and concluded by recommending that the College have bestowed on it that distinction together with the necessary endowment.

This was at the commencement of the session in December. Bills were presented in both branches of the Assembly and on February 13, 1838, the Senate bill was concurred in by the House. By a vote of the General Assembly of the state, the Indiana College was thus transformed into the Indiana University.
Seminary became a college. The story is not a pleasant one to tell. The story-teller is likely to be misunderstood. There has been such a great and radical change in the thought and sentiment of the people of all sects, and of no sects, within the past fifty years, that we of the present [1894] are apt to misunderstand the story when told.

It was said (was it not?) at the last Foundation Day exercises that you were hearing the last of the sectarian controversies that were waged about our school. Further investigation, nevertheless, reveals the fact that the true condition of the institution for many years cannot be understood without a further reference to church interference with its affairs.

In the beginning, and for many years thereafter, the professors in the school either belonged to or sympathized with the Presbyterian faith. Today nobody seems to care to what church a professor belongs, or whether he belongs to any; what his religious belief is, or whether he has any. If he demeans himself aright and can teach successfully, people for the most part are satisfied. But in the early days of our College history, the fact that the professors were of one faith was to most people of other faiths conclusive evidence of the fact that sectarianism was taught in the College.

That sectarian tenets ever were taught in Seminary, College, or University, the evidence, in so far as I can discover, utterly fails to prove. On the contrary, all the evidence that I have thus far found proves there was no such teaching. But that doesn't matter now. Some people of the long ago said there was such teaching, and many people believed them and the College suffered.

Right here the College management, it seems to me, was at fault. Everything should have been done that rightly could have been done to take the sting out of the charge. The board ought to have mixed the religion of the faculty, if that was possible. The peculiar temper of the times made that a politic and a proper thing to do. The exigencies of the institution made it a proper thing to do. But the board did nothing, and so the charge was kept up.

In 1832 the Indiana Methodist Conference was established, and the first Conference meeting was held in New Albany. At that session a committee was appointed "to consider and report on the propriety of establishing a college, or conference seminary." The committee reported that it was "very desirable to have an institution under our own control, from which we can exclude all doctrines which we deem dangerous, though, at the same time, we do not wish to make it so sectarian as to exclude or in the smallest degree repel the sons of our fellow-citizens from the same."

But it was decided not to attempt the founding of a school yet awhile. "It was thought," says Dr. Holliday in his Life of Rev. Allen Wiley, "if we could receive something like an equitable share of privileges in the state university at Bloomington, that it would answer the wants of our people for several years."

This then was the beginning of the last and of the most formidable assault made upon the institution in the name of religion. Up till this time a fusillade had at intervals been kept up all along the line by all the sectarian warriors, on the grounds that the institution was to all intents and purposes a Presbyterian institution. Now the Methodist church steps in, reiterating the old charge and demanding "an equitable share of privileges in the institution"—whatever that meant.

In 1834 the Conference memorialized the General Assembly of the state on the subject. In this memorial the charge was made, that "one common hue, one common religious creed, characterizes every member" of the faculty, and that the youth of all churches save the Presbyterian find the religion of their fathers only "tolerated" not "domiciled" in the institution.

The direct relief asked for by the memorialists was that the election of the members of the board of trustees be taken out of the hands of the board itself, and be restored to the legislature—a proposition which, if considered apart from the motive of the memorialists, certainly seems a very proper one. For as the law then stood, giving the board the power of filling vacancies, it created what is commonly called a close corporation.

But right here I deem it proper to say that, so far as I have been able to discover, the board was never charged with having abused its privilege. The truth is the board of trustees seems to have always been careful to have all sects, parties, and interests fairly represented. No sect ever complained of want of representation on the board, but of want of representation in the school.

We need not stop to inquire particularly what was meant by the
equitable share in the privileges of the institution that would have satisfied the Methodist want of half a century ago. From the language of the memorial, it may seem that as Presbyterianism was domiciled in the school the "equitable share of privileges" would have followed the domiciling of Methodism also. Dr. Wylie, in his book, *Sectarianism Is Heresy,* tells us that Mr. Ballard, a Methodist member of the board of trustees, proposed to him that a chair in the College be established to be called the "Wesleyan chair"—which warrants the inference that Mr. Ballard, at least, had in view the inculcation of sectarian tenets; and if we concede what was claimed by the Methodists, that the Presbyterian professors were teaching Calvinism, it would certainly follow that Methodist professors might with equal right teach Arminianism.

Dr. Cyrus Nutt, who was for so long a time [1860–1875] president of this University, and who, as a Methodist minister and educator of long and honorable standing, may therefore be appealed to as an authority, says in an article contributed by him to Goodrich and Tuttle's *History of the State of Indiana* that the Methodist church tendered the support and patronage of the denomination to the Indiana College, provided the general assembly would so modify the organization thereof as to make the trustees elective by the legislature; or, if the trustees would place a Methodist in the faculty of the university. These requests were steadily denied until 1836, after the conference had selected Green Castle as the location for the university, for which the legislature had just granted a charter. Then the authorities of the State college elected Augustus W. Ruter, A.M., a Methodist, . . . to the chair of political economy and modern languages. But this liberality came too late, for the denomination had a college of its own . . .

Dr. Holliday, in his life of Rev. Allen Wiley, says that the professorship of Greek and Latin languages was offered to him (Wiley)—but when he does not say, and the College records of the period are destroyed.

The consequences resulting from this effort of the Conference to secure their "equitable privileges" in the State College were far-reaching. We are told in *Indiana Methodism* that, on the presentation of the memorial to the legislature, "a storm of indignation was raised among those who controlled the State University." They charged that it was an effort made on the part of the church to capture the institution and to reorganize it for church purposes.

Of course the Methodists indignantly denied this, and an angry debate followed. "It was tauntingly said, in the halls of the Legislature," it is recorded in the *Indiana Methodism*—"that there was not a Methodist in America with sufficient learning to fill a professor's chair if it were tendered him." The speaker of these obnoxious words was Samuel Bigger, a Presbyterian from Rushville. In 1840 Samuel Bigger was elected governor of the state on the Harrison ticket.

No power short of the direct interposition of God could, we may assume, have defeated him that year. Three years afterward he was a candidate for re-election, but there was no log cabin and hard cider to rally around this time. The governor's ill-advised speech of eight years before, ghostlike, confronted him. The time for revenge had come, and the bishops and elders passed the word down the line that the offender must be beaten, and he was beaten. Subsequently Bishop Ames said, in the hearing of Mr. W. W. Woolen, as stated in his *Biographical and Historical Sketches of Early Indiana,* that "it was the Amen corner of the Methodist church that defeated Governor Bigger, and I had a hand in the work."

But what of the College amidst this battle of the sects? Dr. Nutt says that, because of the illiberality of those in control of it, "the legislature withheld all financial support for thirty years, and the State university made no progress."

It is certainly true that comparatively little progress was made by the institution for thirty years, and for many more than thirty years; but it is too much to say that it was all due to the causes assigned. Many causes existed, each of which had something to do with retarding its growth; but the chief one was sectarianism in some form or other. Our poor weak institution was the football that was kicked back and forth whenever the mighty Methodist and puissant Presbyterian athletes saw fit to have a game. True, other sects, as heretofore has been shown, kicked on occasion. After Dr. Wylie's death, which occurred in 1853, a Presbyterian president, Dr. Ryors, was chosen to succeed him. But at the end of his first year the Methodists made a touchdown, and Dr. Daily went in; and thence on for more than
twenty years they held the banner. As a matter of fact, there never was
any real, any substantial, any notable growth of the University until
there was an absolute cutting loose from all sectarian or church
influences as such. Not that there ever was any sectarian teaching in
the school,1 for there was none—none any more than there is today.
But the "outs" always insisted that there was. The "outs" always in­
sisted that the institution was a tail to somebody's church kite, and
the effect was paralyzing.

The contest for sectarian control continued, first and last, for more
than fifty years, and it was a contest that had to be. The age was a
pugnacious one. The true relation of the College to the state was
generally misunderstood. To most men it was inconceivable how a
college that was not under some sort of church supervision could
exist and not be infidel. Out of this belief came a call of the faithful
to arms. How natural the question, "If some church, why not to my
church?" And so it became a conflict over, and not with, the insti­
tution.

From the battlefields of the past come the blessings of the present.
But for Runnymede there might have been no Magna Carta. Asbury,
now DePauw University, was born of the contest I have thus bril­
liantly attempted to set forth; and after many, many years our own Univer­
sity, relieved from the shackles of ecclesiastical contention, leaped at
a bound to her present position of usefulness and of high honor.

As has been stated on a former occasion, the Indiana College was
legislated into the Indiana University in 1838. The annual income
of the institution at that time from all sources was less than $5,000,
and this was thought by most persons of the state to be an adequate
income for the support of either a college or university.

The question naturally arises, "Why was the change in name from
College to University made? Why was a University charter granted
to supersede the College charter?" 2

In those days men not infrequently petitioned the legislature for
a change of name because of some odium attaching to it, and it may
have been that a like reason was thought to exist in this case. The
life of the Indiana College had certainly been a most stormy one.

1It was claimed for the University that its teachers were selected solely for "their fitness
as shown by their scholarship, their personal characters, and their ability to teach."—J.A.W.
2This address was given in 1894.
humane learning as of yore. The name “university” was simply descriptive of a college of arts and sciences upon which had been grafted one, two, three, or more schools relating directly to certain of the activities of life.

This, I think, was the old American idea of what was required to constitute a university. It marks the first step in the development of the American university out of the American college.

This is certainly the idea that the General Assembly had when they passed the University charter act; for they expressly declared that schools of medicine and law should be established. And it was certainly the understanding of those having in charge the conduct and management of the institution for more than forty years thereafter.

No effort was ever made, so far as is now known, to add a school of medicine until 1871-1872, when an arrangement was made with an Indianapolis medical school whereby it became a part of the University. But the arrangement soon fell through, and nothing of the kind has ever been repeated.\footnote{See Chapter XVI, page 280. The present School of Medicine was not organized until 1875, nine years after Judge Banta wrote these words.}

In a very short time after the granting of the University charter the board began to cast about for a law professor, but it was not till 1842 that one was found. In that year David McDonald, who was the judge of the tenth judicial circuit—which circuit was composed of seven counties, of which Monroe was one—moved from the town of Washington in Daviess county to Bloomington. On June 7 he was elected to the office of professor of law, and on December 5 following he delivered an introductory lecture on the study of law in the chapel, a lecture which was published by request.

The law year in the beginning was limited to three months. It was the purpose of the founders of the school that the law terms and law year should coincide with the collegiate terms and year, but it was a long time before that purpose was carried out. In 1848 a half-month was added, and some time in the sixties another half-month was added, and subsequently another half-month—making a four months’ term;\footnote{These three half-month additions would make a term of four and one-half months.} and early in the seventies the original purpose of the founders was carried out.

The change from College to University (in name) was not followed by that revival of its fortunes that the friends of the institution no doubt hoped for. The war that for so long a time had been waged against the institution, first by one foe and then by another, went on with scarcely a break in the ranks. New enemies were ever present to take up the fight where the old ones left off.

At the very next session of the legislature, three Bloomington citizens, two of whom were members of the board of trustees, knocked at the doors of legislation with a memorial containing sundry charges of evil-doing against the president.

The legislature declined to act, as it had so often done before, but referred the matter back to the board. On the second of April, 1839, this body was convened—David Wallace, the governor of the state, and by virtue of his office its vice-president, being present.

Dr. William C. Foster, a citizen of the town, appeared and filed a long string of charges—which, after the lapse of so many years, and after the deaths of accuser and accused and triers, look as if they owed more to the malevolence of the accuser than to the evil-doing of the accused. Duplicity of conduct, mistreatment of professors, refusal to read from the rostrum the by-laws of the institution, inadequate punishment of two wicked students, were some of the charges.

It was not the first time that the medical doctor appeared as the public prosecutor of the divinity doctor. During College days he had caused the president to plead at the trustees' bar to a charge of malfeasance in the purchase of books for the College library; but the decision was against him. For five days the board now sat as a court, and heard the evidence from more than twenty witnesses who were examined and cross-examined by the two doctors.

At the close the decision was rendered. The president was acquitted on all the charges—“triumphantly vindicated,” wrote the governor of the state in his next annual message to the legislature. This was not, as already stated, the first public trial before the board of trustees that President Wylie was subjected to, nor for that matter the last. Four times during his administration of twenty-two years he was required to plead to charges preferred against him, and as many times was he “triumphantly vindicated.” From first to last he was, in more senses than one, a much tried man.
A College cyclone followed at the close of the trial of which I have
just given some account. The reader of the contemporaneous record
cannot help drawing the inference, from sundry hints and innuendoes,
that it was not a state of perfect peace and harmony in the faculty at
that time. If there was a lion and a lamb in that faculty—or, for that
matter, a lion and two or three lambs—they were certainly not lying
down together. But be this as it may, three professors [Parks, Ruter,
Dodds] out of five were beheaded by one resolution, and the catalogue
of 1839 showed the teaching force to be a president, one professor (our
Dr. T. A. Wylie), and Matthew M. Campbell, of the Prepara­
tory Department.

The number of students that year dropped to 89—62 in the four
College classes and 27 in the preparatory. The next year [1840] the
total number dropped as low as 64—the lowest ever reached—41 of
whom were in the four College classes, and 23 under Professor
Campbell.

After this lowest point of depression, growth came—slow to be
sure, but steady growth. The faculty chairs were filled, the Law
School was added, and (by 1846) 199 names of students appeared in
the catalogue. Thence on till President Wylie's death, which occurred
in 1851, the number never fell below 163.

The want of time forbids that we follow the story of the misfor­
tunes that happened to the institution during the years that inter­
vened between 1840 and 1850; and I am glad that the want of time
does forbid it, for the story is not a pleasant one to dwell upon.

It will not startle you, I know, if I tell you that the public grew
weary of the contentions over the University at Bloomington. Long
enough had it been made by friend and foe a disturbing element in
state politics. Long enough had it been a bone of contention for
combative ecclesiastics to fight over. Long enough had it been the
victim around which the Bloomington factions gathered and fought
and brought scandal to the state. And so the question began to be
bruited in the legislature, Whether the cause of education in Indi­
a, and especially the best interests of the University, would not
be promoted by a removal of it to a more peaceful and appreciative
locality.

The state was in this temper when the constitutional conven­tion

The constitutional convention assembled on October 7, 1850, and adjourned on February
10, 1851. The constitution was ratified on August 4, 1851, and became effective on November
1 of that year.
destined to reach the vice-presidential chair. And it does look as if the Indiana University ought to have sailed through summer seas into the haven of that constitution.

But from the first it was apparent that the University was in hard lines. From the first there was shown a disposition, almost incomprehensible to us, to cut it up root and branch.

Two causes, I think, may be assigned for the existence of this spirit toward the institution. Some time ago there was presented from this platform a discussion on the want of educational facilities in our state during the middle ages of its history. I have no intention of repeating on this occasion what was said on that. My only purpose is to remind you of the very low standard of common school education in Indiana at the time of the meeting of that convention, and that this low standard had borne fruit. The illiteracy of the state was appalling. There were over 75,000 persons in Indiana over the age of twenty years, as shown by the census of 1850, who could neither read nor write. There were 1,000 illiterates out of a population of 11,283 here in Monroe county, and Monroe county was no worse off in this respect than were her neighbors.

The public men of the state were alive to this state of affairs, and had been for years. Law after law had been passed to stem the tide of ignorance, but in vain. The academies (and their name was legion) and the colleges were doing their work fairly well; but it was in the common schools that the failure was. It was the common school children of the state who were the victims of the great wrong.

So prominently did the inadequacy of the common school stand out, and so self-evident was it that the great tide of ignorance would continue to roll over the land until the common schools were recreated, that their wants, their needs, tended to obscure the usefulness to the state of that higher education which the University was ordained to give. And so, many of the constitution makers of 1850 could see no educational want on their horizon but that which centered immediately in the common schools.

John I. Morrison, chairman of the committee on education, early in the session introduced a series of resolutions in the interest of the University; but these were followed by counter resolutions, gravely proposing to sandbag the University and rob her of her patrimony.
Our present state constitution is characterized by many wise and statesmanlike provisions. One of the greatest of these is the one which provides that all trust funds shall forever remain inviolate, and be faithfully and exclusively applied to the purposes for which the trust was created.

CHAPTER VII

COLLEGE MEN AND COLLEGE LIFE ABOUT 1850

David D. Banta—some of his classmates—John W. Foster—members of 1853—program for 1852 commencement—class of 1850—commencement exercises—Obadiah Jennings Wise—Wise’s commencement address in blank verse—public speaking and “publics”—Evans—Read—a recounter—Theodore Read’s military service.

"The workman dies but the work goes on." The wood carver of Siena may never see the completion of his task, but with the love and skill of the artist and with the image of a great creation in mind he toils on faithfully and slowly in the assurance that his sons and his sons’ sons will give their hands to the labor of love which he himself must leave unfinished. It is thus the cathedral rises with its monuments and memorials of beauty to adorn the city and to bless posterity.

It is in some such spirit of devotion to a common cause that I am constrained to approach and attempt to continue an unfinished task that an original master workman has been compelled to lay down. In undertaking to follow Judge Banta in telling the story of the University’s past, I know full well that I cannot hope by any effort that I may put forth to imitate or to rival the work of his pen.

It will always be a matter of deep regret to the children of our Alma Mater that Judge Banta did not live to advance still farther—we could hardly hope that he might have completed—the history upon which he made such a splendid beginning. He had a deep personal interest in the life of the University and he had close personal knowledge of that life during a period of nearly fifty years. He had an innate love for local history. He had a historic scent which gave him facility in running down the sources, and he could reveal his discoveries with a keen and intelligent interpretative power. His mind for local history was like that of Lincoln and Marshall for the law—it had a

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