

AN EPISODE

In the Documentary History of

The University of Oregon

**HENRY
VILLARD
AND THE
UNIVERSITY
OF OREGON**

GEORGE N. BELKNAP

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PREFACE

Some years ago I undertook the assembly and chronological arrangement of copies of contemporary documents basic to the early history of the University of Oregon, as an archival contribution to the approaching observance of the University's centennial year, 1976. As a by-product, I found myself arranging several groups of related documents, with commentary, as an experiment with a documentary approach to episodes in narrative history. This pamphlet presents one and an extraordinarily long episode. The reader may judge whether, in this case, the experiment is successful.

Manuscript documents are transcribed as literally as type will allow. The conventional [*sic*] is avoided; should the reader wonder whether some oddities may be my typographical errors, I offer assurance that proofs of all such documents have been checked with special care. In the case of printed documents, typographical errors in the original printing have been silently corrected. The writing habits of the author of a manuscript may be significant, but hardly the errors of a careless nineteenth-century Oregon compositor.

Side notes to manuscript documents indicate the location of the manuscripts by standard library symbols (MH, Harvard University Library; OrHi, Oregon Historical Society Library; OrU, University of Oregon Library). The side-note abbreviation, M.C., refers to *The Diary of Judge Matthew P. Deady 1871-1892. Pharisee among Philistines*, edited by Malcolm Clark, Jr. (Oregon Historical Society, 1975).

A complete list of the books that Villard purchased to found the University Library has been published in my article, "Henry Villard and the University of Oregon Library," *Imprint: Oregon*, University of Oregon Library, Spring 1976, pp. 6-14.

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No 1.
Deady Diary,
Apr. 23,
May 27, 1876
(M.C., I, 213-14)

April 23 : Sawyer took his seat in the C C on Wednesday the 19, and left on the next evening for San Fran. Dined at Dolphs (Joes) on Thursday evening. Dinner given to Sawyer. He and Halsey had to leave before it was over to go on the Steamer to San Fran. Villard and Koehler were at the table. I suspect the spread was intended to affect the question of the atty-ship of the Railway and steamship companies under the new management—the German bondholders. At any rate it was a very good one—as good a one as could be purchased for the money.¹

May 27 : Yesterday went up Dutchtown² in the Presidents car with Villard, and back in the regular train. I rather like him.

These diary entries are the first mention of Henry Villard in the Deady papers though Matthew P. Deady, Oregon Federal District Court judge and president of the Board of Directors of the still non-existent University of Oregon, had met him on his first brief visit to Portland in 1874. This was in the course of Villard's opening moves, as agent for German bondholders, toward removing Ben Holladay from control of Oregon transportation companies. The 1874 meeting was probably perfunctory ; as Villard complained many years later, Holladay had made every effort to isolate him from Oregon citizens.³ By 1876, however, Holladay was out of the way and there was the beginning of a lifelong Villard-Deady friendship that was to be of major importance in the history of the University of Oregon. After leaving Deady at Dutchtown, Villard and his party of Germans continued south by special train over the Oregon and California Railroad on a tour of inspection.

¹ Lorenzo Sawyer was Federal judge, Ninth Circuit Court, San Francisco. Joseph N. Dolph was Villard's Portland attorney. William L. Halsey was manager of Ben Holladay's business interests in Oregon. Richard Koehler, one of Villard's German associates, remained a major figure in Oregon transportation after Villard's departure.

² Aurora, a German communal settlement, patronized by the Portland elite for its excellent German food.

³ Henry Villard, *The Early History of Transportation in Oregon*, ed. Oswald Garrison Villard (Eugene, 1944), p. 44. This memoir was written in 1900.

No. 2.
Eugene Oregon
State Journal,
June 3, 1876

H. Villard, president of the O. & C. R. R., P. Schultz [Paul Schultze], secretary of the E. & O. Land Company and Mr. von Oberendef [Captain K. van Oterendorp], the newly appointed agent of the Oregon Steam Ship Company at San Francisco, passed over the O. & C. R. R. with a special train last week, on a tour of inspection; stopping at the Astor House, Saturday and Sunday nights.

Villard later recalled that on this trip he had "made more or less lengthy stops at the several towns along the lines, in order to learn their condition and to become acquainted with the prominent citizens . . ." ⁴ The University building, the pride of Eugene, was nearing completion, and prominent citizens had great hopes for the impact of the institution on the condition of the town. One may be confident that the visitors were given a tour of inspection—as they were when Villard again brought a party of visitors to the Willamette Valley in October 1881. ⁵

Villard probably learned in 1876 conversations that Deady was president of the Board of the embryo University; he habitually made a point of learning all he could about the leading men he cultivated. And Deady may have made a point, even at this early date, of talking to Villard about the institution that was about to be born and its potential problems. They were both shrewd, practical men, aware that well-chosen friendships might yield practical rewards, and both had a genuine and enlightened interest in higher education.

Deady added Villard to the list of prominent men to whom he regularly sent inscribed copies of his publications—public addresses, annual reports as president of the University Board and of the Library Association of Portland, and judicial opinions. In 1876 he had nothing to offer concerning the University of Oregon; but his June commencement address at Willamette University would at least remind Villard that higher education in Oregon was a Deady commitment.

No. 3.
Villard to Deady,
Sept. 2, 1876
(OrHi)

Dear Sir, I beg to acknowledge the receipt of the copy of your commencement oration with which you had the kindness to favor me. I read it with great interest & cannot help wondering that you find time amidst your official duties for such fine efforts in the public interest.

Very respectfully yours H. Villard

⁴ *Ibid.*, p. 57.

⁵ See nos. 24, 29, below. On July 21, 1874, Villard may have seen the stark walls of the University building, with gaping holes for still unglazed windows, when Ben Holladay's special train passed the grounds coming into Eugene from Roseburg; having arrived at the station, the party "took time to see Eugene City . . ." *Op. cit.*, note 3, p. 43. But construction of the building in the summer of 1874 was at a depressing standstill, and the citizens may not have been eager to show the visitors what must have then seemed a monument of failure. See "Lane County's Skeleton," *Oregon State Journal*, Nov. 14, 1874.

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Before the end of the year, Deady needed Villard's influence and wrote him with confidence. Villard did his best.

No. 4.
Villard to Deady,
from New York,
Feb. 6, 1877
(OrHi)

Dear Sir, Your favor of December 15th was duly received & had my immediate attention. I communicated with Mr. E. S. Godkin, the Editor of the Nation, who lives at Cambridge, Mass., but did not hear from him until his next visit to this City, that is within the last week. He expressed his regret that owing to the crowding of the Nation with matter bearing upon the question, viz. "Who is the President elect?" in which the public felt more interested than in the other, "how the next President shall be elected," he felt unable to print your communication. I have since taken it to the Editor of the Tribune, who promised to print it as soon as he could make room for it.

I will always take pleasure in rendering you any service in my power, & beg you to command me freely.

Truly Yours H. Villard

But by February the question, "Who is the President elect?" (Hayes or Tilden), was crowding the columns of the New York *Tribune* as well as *The Nation*, and Deady's communication seems never to have appeared.

During the next few years Villard's involvement in Pacific Northwest transportation became increasingly important and complex; but these developments occurred principally in New York and Germany. He did, however, visit Oregon in 1879 and 1880.⁶ In 1879 he saw Deady on a convivial occasion—convivial, at any rate, for Deady.

No. 5.
Deady Diary,
May 10, 1879
(M.C., I, 280)

... Wednesday evening dined at Schulzes with Villard, Bretherton &c.⁷ A good dinner. V. left early. The rest of us remained until one. The Moselle was good, but I was seduced into drinking sherry by B in the latter part of the evening and did not feel so well next day.

In April 1880 Villard traveled through Eugene, apparently without stopping (*Oregon State Journal*, May 1). Deady had dinner with the Villard party in Portland "except Villard who was not well" (diary, May 1).

Late in 1880 Villard provided Deady with an "inside" opportunity for a quick profit through the purchase and sale of stock of the Oregon Improvement Company, of which Villard was president. The details seem to have been handled through Paul Schultze. The stock, bought on December 1, 1880 and sold on January 21, 1881, netted a profit of \$6,413.33, certainly a welcome windfall, since Deady's income was

⁶ *Op. cit.*, note 3, pp. 81 ff., 88 ff.

⁷ Concerning Paul Schultze, see no. 2. C. E. Bretherton was an English financier and vice-president of the Oregon and California Railroad Co.

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seldom sufficient to cover the cost of life among Portland's elite, which he loved. Deady recorded the transaction in his diary and added that he had written Villard, thanking him for his kindness "and particularly for the delicate and considerate way in which he did it in writing to our medium (S) that he did not wish me to consider myself under any obligation to him on account of the matter" (diary, February 20). Villard's reply also concealed Schultze's identity.

No. 6.
Villard to Deady,
Mar. 17, 1881
(OrHi)

Dear Judge Deady, Your letter of 21 ult. has duly reached me.

In reply I beg to reaffirm to you that it was a great satisfaction to me to have an opportunity to serve you and that it will be a still greater satisfaction to me, if you will treat the service as requested by our mutual friend.

Very truly yours H. Villard

In the meantime, moving slowly through the courts were several suits to recover money still owed by the Union University Association for the erection of the University building when it was accepted by the state on July 28, 1876. The final settlement was the beginning of Villard's role as a benefactor of the University. The maneuvers involved have been clouded by legend. An objective assessment, with the basic documents, is needed for an understanding of Villard's role, though it will require his name to disappear for some pages.

As early as November 9, 1876 the Lane County Circuit Court had ordered the sheriff to collect \$1,056 owed to the Excelsior Lime Company; the sheriff found that the association, having conveyed the building to the state, had no property that could be attached. Court orders on April 24, 1879 also failed to recover \$2,475 for F. B. Dunn and the administrators of the estate of Charles Bowker, deceased, and \$782.67 for Dunn himself. Apart from obscure Circuit Court docket items in the *Oregon State Journal*, the pending troubles seem to have first appeared in the press in a letter from Roseburg to the *Portland Oregonian* dated February 22, 1879, which was reprinted in the *Guard*.

No. 7.
Eugene Guard,
Mar. 1, 1879

Among the items of current news is the rumored litigation with the State University—or against the original promoters of the edifice—for lime, which a company of Douglas County citizens furnished for the erection of that building, amounting over \$1,000. It is claimed that while this indebtedness was pending against the University the entire property was assigned to the State of Oregon in the name of the board of directors of the University of the state. This was done in fraud of the rights of these creditors. In defense of the University it is claimed that assurances were freely offered that Lane County would guarantee the payment of the claim, and its present estimable county judge—who was also the first friend of the University and now one of its principal officers—in

the campaign preceding his election, publicly pledged himself, in the event of his election, that every dollar of this debt should be paid so far as his agency could accomplish it, and he has ever since been ready ; but the two commissioners wavered in their action, and thus, these Douglas County creditors, some of whom are poor, hard-working men, are virtually defrauded and denied the wages of their toil. It looks discreditable to the original University incorporators, if they were liable, to have permitted an assignment pending these debts ; and dishonorable to Lane County to have it said that the commissioners refuse to liquidate so honorable an indebtedness. Surely, our University should remain free from any such a blighting procedure, as its association with such an origin stands not to its fame.

The county judge mentioned by the Roseburg correspondent was Joshua J. Walton, Jr., president of the defunct Union University Association and now secretary of the Board of Regents (the 1876 University Charter had replaced the Board of Directors, created by an 1872 act, by a Board of Regents). Recovery from the association being impossible, F. B. Dunn et al. brought suit in equity in the Circuit Court on April 24, 1880 to set aside the conveyance of the association's property to the state and subject it to payment of the judgments. The decree being granted, an appeal was brought to the Supreme Court. The appellant's attorneys were lawyer regents Walton, J. M. Thompson, and R. S. Strahan. Arguments were heard late in January 1881 and the court affirmed the decree on March 2.⁸

No. 8.
Oregon Reports,
IX, 357-62

. . . That the state university itself was incorporated under the provisions of the act of October 19, 1872, entitled "An act to create, organize and locate the University of the State of Oregon," is not claimed ; but that the "board of directors" created by that act was an incorporated body, can hardly be denied. Section 2 declares : "the general government and superintendence of the university shall vest in a board of directors, to be denominated the board of directors of the University of Oregon," to consist of nine members, all of whom shall be citizens and permanent residents of the state of Oregon . . .

Sections 11 and 12 provide, that on or before January 1, 1874, "The Union University Association of Eugene City, Oregon, shall secure a site for said university at or in the vicinity of Eugene City, and erect thereon and furnish a building for the use of the state university, on a plan to be approved, and after the erection of the same, to be accepted by the board of commissioners for the sale and management of the school and university lands, and for the investment of the funds arising therefrom ; said building and furniture to be of not less value than fifty thousand dollars ; and to convey the said site and building, in fee simple, free from all encumbrances, to said board of directors . . ."

While it cannot be denied that some of these powers might be exercised by a board of directors in their collective capacity, without being

⁸ *Oregonian*, Mar. 3, 1881. OrU has a copy of the printed appellant's brief. No copy of the respondents' brief has been found.

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incorporated, it is equally undeniable that some of them could not. The capacity and power to take conveyances of lands and hold and dispose of them for the use and benefit of the university, according to the various and diverse trusts imposed upon them by their donors, and to transmit title to lands to their successors in office in perpetual succession, without intermediate conveyances, could not belong to this board of directors unless incorporated.

It is true that the legislature has not declared it to be a corporation in express terms, but this was not essential . . .

But it is contended by appellants that whether incorporated or not, the board of directors are mere agents or officers of the state, and hold the property in controversy in trust for the state, the real party in interest. Hence they infer that the board of directors are shielded by the immunity from suit which belongs to the state. But this is an error. The immunity of the principal in such a case does not extend to its agent.

It matters not if the state is the real party in interest, provided the legal title and possession are in the agent, so that it is not necessary to make the state a party on the record . . .

An agent of the state, whether incorporated or not, by virtue of his character simply, possesses no such immunity from being sued. He must show in his defense to an action or suit for interfering with private rights, that he proceeded within the authority conferred by a valid law, or his defense must fail.

We think these propositions are clearly established by authorities cited, and in our view of the questions presented by the transcript, they are decisive in the case before us.

It is not necessary to decide whether the board of directors, under the act of October 19, 1872, is a public or private corporation. The decision in either case must be the same.

The plaintiffs allege the facts showing that they were prior *bona fide* creditors, and have reduced their claims to judgments against the Union University Association, a private corporation, docketed them and issued executions, which have been returned wholly unsatisfied, and that the conveyance to the board of directors was not only voluntary, but made with intent to defraud them out of their just demands, and that the board of directors had full knowledge of such purpose. Upon the demurrer the facts stand confessed.

They had a plain right to the remedy they resorted to, and the decree was entirely proper. The decree of the court below is affirmed with costs . . .⁹

Although voluminous correspondence in the Deady papers in OrHi shows that Walton, as secretary of the Board of Regents, consulted the president of the Board on all sorts of routine business, there is no evidence that he sought Deady's surely expert advice in connection with these suits—or that the Board as a body was officially informed concerning the litigation until some months after the Supreme Court

⁹ Introductory statements, summaries of the appellant's and respondents' briefs and arguments, case citations, and some documentary quotations have been omitted.

decision. Walton and other Eugene regents (acting through the Executive Committee) seem to have leaned, too heavily, on the theory that the principal defendant was still the Union University Association, with which Deady had no connection. The appellant's brief maintained this fiction in its title, *F. B. Dunn et al. vs. The Union University Association et al.*; but the official title of the Supreme Court opinion became *Dunn et al. vs. The University of Oregon*. It is hard to believe that Deady, with his lifelong allegiance to private rights, would have been happy over the attempt of the appellant's attorneys to extinguish such rights—if this was their serious intention.

There is, however, reason to believe that the litigation was in fact friendly, in spite of the plaintiff's formal allegation of deliberate fraud—with both parties interested in getting a settled legal basis for an equitable solution of the problem with minimum damage to the University. It is notable that the Excelsior Lime Company, though it obtained judgment in the Circuit Court in November 1876, delayed further action until 1880; that F. B. Dunn, Eugene merchant and friend of the University, had purchased claims for foundation and brick work, probably in 1876 before the building passed to the state (see note 18); that W. J. J. Scott and George B. Dorris, also friends of the University who had been actively involved in the affairs of the Union University Association, were in the final settlement reimbursed for money advanced to pay other association debts before the property was conveyed, though they were not parties in the litigation (see no. 23); and that there is no hint that the creditors suffered any unpopularity for pressing their claims—rather, apart from the appellant's brief before the Supreme Court, there appears to have been a unanimous community sentiment that the claims were just and should be paid.

In the fall of 1876, after the Legislature had been assured that the association had fulfilled its obligation to deed a \$50,000 building to the state, unencumbered, Deady had pressed successfully for a state appropriation, spread over a two-year period, to complete the structure. Officers of the association—and Dunn, Scott, and Dorris—must have been aware that acceptance of the building and the completion appropriation would have been imperiled if the Legislature had learned that it was encumbered by unpaid debts. So, it may be, the creditors held their peace in 1876—and continued to hold their peace through the next two years to insure the completion of the building without the risk that their claims might become prior charges against the appropriation. And, since the University's financial situation remained precarious, they may have deliberately delayed final action as long as possible under the Statute of Limitations.

That the litigation was friendly is also suggested by the fact that, although the Supreme Court decision early in March 1881 subjected the building and grounds to the possibility of immediate sheriff's sale, the Board of Regents was able to wait until July to authorize negotiations with the creditors (see no. 10; this action is the first mention of the litigation in the Board of Regents minutes, except a June 15 accounting reference to payment of \$100 to Thompson and Walton for "Expenses to Supreme Court").

How much Deady knew about all of this is an interesting question. An August 1881 letter in his papers from the Rev. Edward R. Geary, a Eugene regent, suggests that the debts had been overlooked through bad bookkeeping (no. 20). Unquestionably, the association bookkeeping, managed by Walton, was bad—as Deady had been told in August 1876¹⁰ and had reason to know in August 1881 (see no. 17). At least some of the association debts were common knowledge in Eugene, in particular the money advanced by Scott in 1876 (see *Guard*, July 29, 1876). Yet the debts, though known to Eugene regents, may have been concealed from Deady and other out-of-county regents (see no. 18). The episode has the marks of quiet small-town consensus.¹¹ When Deady needed information on the extent of the debts in August 1881, the figure he got from Eugene was more than \$1,000 under the real total—and he was annoyed.

Though the action of the Supreme Court had been reported briefly in the March 3, 1881 *Oregonian* and in the March 5 *Guard*, the spring passed without further comment in the press. In June the faculty was stirred to action.

¹⁰ Deady diary, Aug. 12, 1876: "Tuesday [Aug. 8] went to Eugene and returned on Thursday . . . Attended session of the Board of Directors of the University on Tuesday afternoon, all day Wednesday and Thursday morning . . . The Comrs Grover, Chadwick and Brown have accepted the University Building at Eugene without any evidence that it cost \$50,000 except the round statement of the directors of the building association. I am informed that no accounts were kept or exhibited and that probably the building did not cost to exceed \$35,000. Certainly it looks like it might have been built for that or less. That comes of two of the Board [of Commissioners for the Sale of School Lands] being candidates for the Senate—we all ought to pray—lead us not into temptation." (In fact, only one of the commissioners, Governor La Fayette Grover, received votes for U.S. Senator—he was elected; *Oregon Senate Journal*, 1876, pp. 100-103, 118-125, 137-139.)

¹¹ Henry D. Sheldon, in an address on "The Pioneer Stage in the History of the University" delivered in Oct. 1926, commented: "There is a sort of mysterious history of these debts which I must confess I have been unable to unravel, although I think the record still exists. But at any rate, there was a sort of underground history, involving debts that were postponed from time to time." *Addresses Delivered at the . . . Semi-Centennial of the University of Oregon* (Eugene, 1926), p. 88. The mysterious record still eluded Sheldon when he came to write his *History of the University of Oregon* (Portland, 1940) and the record has not yet been found.

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No. 9.
Faculty Minutes,
June 11, 1881
(OrU)

The following resolution was proposed and unanimously adopted. Resolved that we recommend to the Board of Regents that an appeal be made to Lane County to raise a fund sufficient to pay the remaining claims against the University building, and that we as a faculty assure them of our desire to do our share in the work.

There is no record in the June 15 Board of Regents minutes of the receipt of this recommendation. The problem was perhaps still being considered by the local regents through the Executive Committee. But the Board took action at a special meeting in July.

No. 10.
Regents Minutes,
July 15, 1881
(OrU)

On motion a special committee consisting of Dr S. Hamilton, T G Hendricks and J. M. Thompson was appointed to confer with the judgment creditors of the Union University Association and make arrangements with them to stay proceedings against the University building and grounds, and present the matter to the citizens of Eugene City.

We do not know whether the committee conferred formally with the creditors. This part of its instructions is not mentioned in its report to the Board in September (see no. 23). But it acted promptly to present the problem to the citizens of Eugene.

No. 11.
Oregon State
Journal, July 23,
1881

Many of our citizens were surprised on the appearance Tuesday of handbills headed "Citizens to the rescue," underneath which was a call for a public meeting to-night at 7 o'clock for the purpose of devising ways and means to satisfy the liens upon the building and grounds of the State University, as an execution is now in the hands of the sheriff to enforce the same. It was generally supposed that the University was clear of indebtedness, at least in no immediate danger of being threatened with a sheriff's sale. The following hold claims against the property: Roseburg Lime Co., McAlexander & Bowker, F. B. Dunn and W. J. J. Scott. All are debts of long standing and should have been liquidated months ago. The whole sum aggregates between six and seven thousand dollars. The demand is imperious and must be satisfied at once, either by private subscription or a public sale. In the former event this grand institution of learning which the people of Lane County have labored so earnestly for will remain here, a financial and social advantage in coming years; but in the other event it is difficult to predict what the result would be. One thing is sure, it will be entirely too disastrous to ever be permitted to really happen. Let every man and woman who is interested in this matter attend and assist in deciding as to the proper course to be pursued.

In the same issue, the *Journal* published a plea from "A Citizen," at a frankly pocketbook level. The plea also appeared in the *July 23 Guard*.

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No. 12.
Oregon State
Journal and Guard,
July 23, 1881

... Are you a property-holder? It is greatly to your interest that this institution remain here. Take this University from Eugene City, and property will immediately depreciate one-third in value. You know that this will be the case. Are you a business man? Some of this annual expenditure of \$25,000 flows, in one way or another, into your pocket. As a matter of business, therefore, the money invested by you in helping the institution to its feet, entirely unencumbered, cannot otherwise than prove, in the end, a good investment. Are you a man of family? Here you have an institution right at your door which will give your children the best education obtainable in the state. If you send your child away to a school but one year, it will cost you fully \$300; yet here is an institution which offers you superior advantages for one-sixth that amount, permitting you to keep your child at home away from influences which might prove baneful, and the question with you, is, can you afford to see all this pass away, by refusing to contribute something to help pay off this indebtedness? ... Is there a man in Lane County, and especially in Eugene City, who is so blind to his interests that he can not see the force of the above facts? I think not.

There was still confusion, at this late date, concerning the exact amount of the debt. The July 23 *Journal* published three different figures: between \$6,000 and \$7,000 in the announcement of the citizens' meeting; \$7,630.91 in the communication from "A Citizen"; and \$6,000 in a report of the July 15 Board of Regents meeting. The July 23 *Guard*, in its report of the Board meeting, agreed with "A Citizen," except for knocking off the 91 cents. The citizens' meeting was reported in the *Guard* (here the debt mounted to \$7,800).

No. 13.
Guard, July 30,
1881

Pursuant to the call quite a number of citizens met at the Court House last Saturday evening to devise ways and means to extinguish the claims that are held against the University building. Dr. A. Sharples was elected chairman and Prof. John Straub secretary. Hon. J. M. Thompson made a statement showing how the present condition of affairs was brought about. The indebtedness was stated at \$7,800, which amount must be raised by the citizens of Lane County. A committee to collect and pay out all money subscribed was appointed, said committee consisting of Messrs. Chas. Lauer, Allen Bond, and Geo. Armitage. Committees to solicit subscriptions were appointed for the several sections of the county. It was resolved that no subscription be made binding until the entire amount be subscribed by responsible parties. The public are assured that with this amount raised, the University is absolutely free from debt. It is to be hoped that our citizens will promptly respond with substantial subscriptions, to the calls made upon them by the canvassers.

The *Oregon State Journal* of the same date was pessimistic, but added an item that, to an irreverent reader, might have suggested the possibility of divine intervention (many years later Professor Thomas

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Condon, with no irreverence, expressed his conviction that the problem was in fact solved by intervention of the Almighty—see note 50).

No. 14.
Oregon State
Journal, July 30,
1881

The committees appointed at the meeting last Saturday night for the purpose of soliciting subscriptions to liquidate the University debt have not met with fair success. About \$2,200 remain to be collected.

Our State University, or the demands of the hour respecting it, will be the subject of the pastor's discourse at the Baptist Church at 5 p.m. to-morrow. All interested in the prosperity of our city and in the educational interests of our state are invited to be presented.

The faculty honored its promise to do its share. Late in July President Johnson wrote to Condon, who was summering at the beach (here the "exact amount of the debt" took another shift).

No. 15.
Ellen Condon
McCornack, *Life of*
Condon, p. 192

Thinking you would like to hear concerning efforts to raise the funds with which to raise the debt against the University now in the form of judgments, I send you these lines by Mr. Bean. A writ of execution is now in the hands of the sheriff against the grounds and University building. We are liable to be sold out before September if the creditors are not satisfied that the money will be raised to pay off the liens.

We had a meeting of the citizens of Eugene last Saturday evening and raised three thousand four hundred. The exact amount of the debt is \$7,606. Mr. Hendricks gave \$600. Prof. Bailey \$400. Prof. Collier \$300. Prof. Straub \$300. Prof. Spiller \$300. I gave \$600. Other parties \$100 each to make up the amount of \$3,400. We would like very much if you will advise Dr. Geary by return mail what sum you are willing to contribute. We are anxious to raise all we can so as to publish to friends throughout Oregon and particularly our old students, and others who intend to come, that the debt is provided for or substantially so inside of two weeks. Our attendance next year will be largely affected, if we fail to show the people of Oregon a determination to pay and that soon.

I am confident the money will be raised and the debt, which has rested like a nightmare over the University, will be paid. Then our success will be established. In haste,

Yours truly, J. W. Johnson¹²

The writ of execution to which Johnson referred and the threat that the building might be sold before September do not necessarily mean that the Regents committee had been unable to reach an understanding with the creditors. Hendricks and Thompson were veterans of the drive to finance the building by popular subscription in the early 1870s, and were surely aware that any public hint that the creditors might be willing to wait longer for their money would be fatal to the

¹² *Thomas Condon. Pioneer Geologist of Oregon* (Eugene, 1928), p. 192. Also published in Lawrence T. Harris, "John W. Johnson, The Founder," *Commonwealth Review*, VIII-IX (1926-27), 171-172.

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success of the new drive to save the building—as persistent hope that Lane County would levy a tax to erect it had been frustrating in the subscription drive of the early 1870s. It was important, both to the creditors and to the fund raisers, that the citizens remain convinced that the crisis was immediate—that the University might not open in the fall if the money was not raised “and that soon.”

If, in fact, the debt had “rested like a nightmare over the University” before the drive needed a nightmare, the nightmare had been short-lived. In spite of the March 2 court decision, the faculty had not been roused to action until June 11, the Board of Regents not until July 15, and the drive was launched on July 23. A comment by Mrs. McCornack on Johnson’s letter to Condon shifts the chronology: “This letter was followed by a period of deep depression. Even the most optimistic almost lost hope for the future of the young University. For in spite of heroic efforts, the property was advertised for sale.”¹³ But a period of depression after July 23, if it existed outside the rhetoric of fund raising, was even more short-lived. In an exchange of telegrams with Deady, Henry Villard came to the rescue.

No. 16.
Villard-Deady
Telegrams, Aug.
1-2, 1881 (OrHi)

Rec'd at Portland, Aug 1 1881
Dated New York to Judge M. P. Deady
Understand from papers state university embarrassed by debt. Being willing to help please wire me amount required to free it. H Villard

August 1st 1881
To Mr Henry Villard, New York
Indebtedness upon University building about \$7000—execution put against the building for about \$4000 of this. Matthew P Deady

Rec'd at Portland, Aug 2 1881
Dated New York to Judge Matthew P Deady
Will be glad to donate seven thousand to liquidate university indebtedness and you may draw on me for amount. H Villard

No. 17.
Deady Diary,
Aug. 1, 6, 1881
(M.C., II, 341)

August 1: Got a telegram today from Villard wanting to know the amount of the indebtedness on the University expressing a desire to help discharge it. Answered him, about \$7000, \$4000 of which was about to be enforced against the building by execution. A subscription of \$2500 or even \$1000 from him would be a good investment.

August 6: Got a telegram [from Villard] on Tuesday (Aug 2) making a donation of \$7000 to pay indebtedness of University building. I have ascertained since I telegraphed him that the amount is \$8000 instead of \$7000, but it is too late to correct the mistake in such matter

¹³ The Eugene newspapers commonly carried legally required advertisements for sheriff’s sales; but no advertisement for the sale of the University property has been found.

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as this. Drew my draft on him for the amount payable to the First N B on yesterday and prepared a little paragraph including Villards letter for publication which appeared in this mornings Oregonian & Standard with kindly editorial comment.

Deady's "little paragraph" (in fact, four paragraphs), as it appeared over his name in the Portland *Democratic Standard*, was reprinted in the August 13 *Guard*. The first paragraph is of special interest, since it appears to verify the suggestion that Deady was not aware of the crisis until July.

No. 18.
Democratic
Standard, Aug. 6,
1881

Within the past few weeks it has transpired that there were debts of considerable magnitude outstanding against the late association that erected the State University building, and that over \$4000 of the amount has been decided by the Supreme Court to be a lien upon the same, and that it would be sold to satisfy the judgment therefor, unless means were taken for their speedy payment . . .

Deady, a master of public relations, timed the announcement of Villard's gift for maximum impact. His press release with editorial comment informed the citizens of Portland on August 6. On the same day, in Eugene, a meeting to hear reports on the progress of the subscription drive provided a dramatic occasion plotted with the help of Geary. An official account by Professor John Straub, secretary of the meeting, was published in the *Guard and Journal*.

No. 19.
Guard and Oregon
State Journal,
Aug. 13, 1881

The court house was crowded with ladies and gentlemen, on the evening of Aug. 6th, who had come together for the purpose of hearing the reports of the various committees appointed to secure subscriptions to pay off the University indebtedness. Remarks made by Dr. Geary, informing the audience of the generous donation of \$7,000 by Mr. Henry Villard, were received with great applause. Remarks were also made by Geo. B. Dorris, Esq., B. F. Dorris and others, and much enthusiasm displayed. A vote of thanks was tendered Mr. Henry Villard for his generosity, and the secretary was authorized to inform him of the fact by telegram ; to the various committees on subscription for their efficient work ; to the people of Lane County, and especially of Eugene City, for their generous subscriptions, and to the Hon. M. P. Deady and Dr. Geary for their efforts in securing the Villard donation. A general good feeling pervaded the meeting, some of the remarks provoking much laughter.

The future of the University seems unclouded, and there is no reason why the State University should not be the pride of every citizen of our state. J. S.

One would like to know what Geary told the assembly about the circumstances of Villard's gift that would explain the vote of thanks

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“to the Hon. M. P. Deady and Dr. Geary for their efforts.” On record, Deady had only, on request, provided inaccurate information concerning the amount of the debt and, in the privacy of his diary, had been very modest in his hopes (no. 17). And we know nothing of Geary’s efforts. Perhaps he had been told something of Deady’s conversations with Villard on his trips to Oregon and had himself talked to Villard in Eugene—and informed the citizens of this background. Geary had nothing to say about this in a private report to Deady that was otherwise more forthright than Straub’s official account—with intriguing references to several cans of worms that the official account left unmentioned.

No. 20.
Geary to Deady,
Aug. 9, 1881
(OrHi)

Dear Friend[:] Anent the debt of the Uv. and its payment I have to say that it appears now that the arrangements for its full and final liquidation are now completed.

The balance over Mr Villard’s gift is on subscription and a large part of it paid in.

There was a meeting of the citizens at the Court House on Saturday evening, at which occasion was taken to draw out the officers of the old Uv. Association present as to whether there were any other outstanding claims or just liabilities existing.

Mr Hendricks the Secy of the Society very positively asserted that none will remain unpaid when the adjustment is completed on the present basis. The same was strongly asserted by Messrs Dorris, Abrams & Walton who were the chief executive officers of said Association.

It seems apparent that the business of the Association was conducted rather loosely and that no Records or Accounts exist giving their proceedings and expenditures in detail.

If however claims still exist they are barred by the Statutes and cannot be legally demanded.

The whole embarrassment is therefore removed and we hope . . . that the school will now more fully put forth its energies to prove an honor and benefit to the State, and attain respectable rank among the higher educational institutions of our country.

Mr Ben Underwood, I had better say, created some excitement at the Sat evening meeting. He was ruled out of order in endeavoring to urge some resolutions reflecting severely on the management prior to the turning over of the Institution to the State, they being deemed by the chairman Dr Sharples out of place and irrelevant. Yesterday he was threatening the exposure of fraud—a telegram to Mr Villard—a publication in the papers—He may cause some delay, but no defeat. I am sorry to say that, his whole conduct, is without any basis of justification, and the outcome of a drunken craze.¹⁴

¹⁴ Underwood, a Eugene businessman involved in varied enterprises, died at the age of 44 on Aug. 3, 1882. The Aug. 5, 1882 *Oregon State Journal*, in an obituary full of praise for his intellectual brilliance and accomplishments in the social, economic, and political life of the community, included a simple honest sentence that distinguishes nineteenth-century Oregon journalism at its best: “His greatest

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The munificent gift of Mr Villard is gratefully appreciated by the whole community, and there are many very complimentary expressions of the friendly interest you have manifested in the affair.

I must add that I am satisfied that all reflections on the integrity of the Managers of the old Uv. Assn are unwarranted by any facts that have come to my knowledge.¹⁵ In haste—

Very truly yours Edward R. Geary

Prof Johnston goes to Portland today.

As instructed, the officers of the meeting transmitted the thanks of the people of Lane County to Villard and to Deady.¹⁶ Deady may have reflected that Villard's generosity reduced to a pittance the obligations of thankful citizens who had pledged contributions and that Villard would probably have wiped out all local obligations if the extent of the debt had been known on August 1.

Along with Straub's account of the August 6 meeting, both Eugene newspapers also published a remarkable description of Henry Villard—perhaps another press release from Deady's pen, but more probably by Geary. No other literate Oregonians had had their opportunities for sympathetic observation.

No. 21.
Guard and Oregon
State Journal,
Aug. 13, 1881

Mr. Villard is aged about 50 years, is five feet eleven inches in height, and weighs about 210 pounds. He is of fine, well-proportioned form, very mild in dress, and walks with the air of a man whom prosperity has not spoiled. He is indeed a genial gentleman, bright, quick in speech and action, and possessed of a wonderful amount of magnetism. His frank, hearty manner and clear, full voice are attractions in his favor

fault, which was perhaps the principal cause of his financial reverses and death, was the too free use of strong drink." The Underwoods played a leading role in what might be called secular Eugene society, as distinguished from the "church social" society with which most of the University faculty was associated. The "Underwood castle," which the *Journal* called "the finest residence in town," was the scene of gay dinner parties, costume balls, and meetings of community literary clubs, at which secularly minded University students were welcome guests. References to the "castle" and Underwood society recur in the Laurean and Eutaxian columns in the Eugene newspapers. The residence and its grounds stretched a full block facing Willamette Street between Fifth and Sixth and extended a half block to the east. After her husband's death, Mrs. Underwood took student boarders. The student Laurean (men) and Eutaxian (women) literary societies were legally incorporated organizations, without "faculty advisers." Their regularly published columns probably provide a reliable index of the views and interests of a large majority of University students of their day.

¹⁵ There seems to have been a conspiracy of silence, which Geary supported, concerning the ethics, to say the least, of the association's concealment of encumbrances when it conveyed the property to the state in 1876. Dunn and Scott shared responsibility for this concealment by buying off creditors who might have blown the cover. The Excelsior Lime Co., a Douglas County concern, seems to have been persuaded to cooperate through Walton's reckless assurance that Lane County would provide tax money to pay its claims (see no. 7).

¹⁶ Telegram, Sharples to Villard, Aug. 8, 1881, in *Guard*, Aug. 13; letter, Straub to Deady, Aug. 8 (OrHi).

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difficult to surpass, but the most remarkable point about him is his face. It is strong without being harsh, determined without being stubborn. He has light grayish blue eyes which look right at you in a manner to speedily dispel all formality and nervousness, while his forehead is high and well formed, shaded by jet black hair of ample quantity. A close cropped iron-gray mustache shadows a mouth of more than ordinary expression—the whole making up a gentleman of fine personal appearance.

Villard wired a reply to Sharples' telegram promptly, with words suggesting that he was already considering further gifts to the University—which were forthcoming in the fall: "Best thanks for your dispatch. Glad to help University on this occasion, and hope to do more for it hereafter."¹⁷ But he was uncharacteristically slow in answering an August 5 letter from Deady, and then through a secretary. His time was doubtless pre-empted by the complex maneuvers involved in organizing the "blind pool," through which he gained control of the Northern Pacific Railroad.

No. 22.
Villard to Deady,
Aug. 26, 1881
(OrHi)

Dear Judge Deady: Your favor of Aug. [5] received.

Please accept my assurance that I consider it a privilege to have an opportunity to assist the leading educational institution of Oregon.

Thanking you for your kind intervention in the matter, I am

Sincerely yours, H. Villard By C. A. S.

At a special meeting of the Board of Regents on September 2, the crisis was officially terminated, with reports from the committee on the indebtedness and from the Board treasurer, who finally provided an accounting of the debts, and with an appropriate official resolution thanking Villard for his gift. (The treasurer's report had been published at his request in the August 27 *Guard and Journal*.)

No. 23.
Regents Minutes,
Sept. 2, 1881
(OrU)

You committee appointed to take into consideration and devise was [ways] and means to satisfy the indebtedness against the University building respectfully report:

That pursuant to their duty as such committee they called a meeting of the citizens of Lane County and submitted to them the urgent necessity of immediate steps to raise the necessary funds. That it was ascertained that there existed demands for work performed, moneys advanced and material furnished in the construction of the University building in the aggregate to the sum of \$8181.89;

That Mr Henry Villard, President of the Oregon Railway and Navigation Company unsolicited generously placed \$7000 at the disposal of the Treasurer of the Board to be used in liquidating such claims. That the citizens of Eugene City and vicinity subscribed and paid to the Treasurer of the Board the deficiency being \$1181.89.

¹⁷ *Guard*, Aug. 13, 1881.

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That the Treasurer has with the before mentioned funds fully extinguished all such demands as have come to the knowledge of your committee a detailed statement of which is hereto submitted as a part of our report.

And your committee further state that after having made diligent inquiry they have been unable to find any further claims of any kind growing out of the construction of the University building and your committee verily believe that none such exists.¹⁸

B. F. Dorris [treasurer] in account with the Donors to the fund for liquidating the debt against the University Building.

Dr		
August 18, 1881	To Cash of Mr Henry Villard	\$7000.00
" 20 "	" " " Citizens Com.	\$1181.89
	Total amt received	\$8181.89
Cr		
August 20,	By am't paid as per vouchers herewith—	
	Dunn & Bowker	\$2972.75
	Excelsior Lime Co.	\$1572.50
	F. B. Dunn	980.63
	W. J. J. Scott	\$2131.81
	W. J. J. Scott	287.00
	T. G. Gilfillin	94.00
	G. B. Dorris	143.20
	Total amt paid out,	\$8181.89

. . . On motion of Joshua J Walton, Dr Edward R Geary was appointed a special committee to draft suitable resolution expressing the thanks of this Board for the generous donation made by Mr Henry Villard to pay the demands against the University building.

. . . The special committee appointed to draft suitable resolutions expressing the feeling of this Board to Mr Henry Villard for his generous gift made the following report:—

Whereas the unsolicited and generous donation of Mr Henry Villard—the sum of \$7000.00 to relieve the pecuniary embarrassment of the State University of Oregon, has been received by the Board of Regents and applied to its intended purpose.

Therefore, Resolved, That the liberal and public spirited donor has, in behalf of the friends of education in our State and the patrons of the University our most cordial thanks;

That our best wishes attend him in all the noble and beneficent enterprises of his life, which we trust may be long, useful and prosperous;

That in his valuable and timely aid we find encouragement to hope

¹⁸ The *Guard* quickly uncovered a still unsettled claim. Sept. 3: "We learn that one worthy person has failed to receive pay for work done on the University building, although not the fault of the University Association or anyone here, yet it seems to us that the bill should be met in some way. We refer to a claim of \$280 still due the estate of Daniel Norris by Bowker and McAlexander, for work done as sub-contractor. We understand that Mr. F. B. Dunn, who purchased the claim of Mr. McAlexander, will donate the sum of \$50 for that object. Mrs. Norris is deserving and in need of the amount due the estate, and we would be glad to see some of our public-hearted citizens take the subject matter in hand and try and raise the amount."

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an impulse to new endeavor, that the University may long attest, by its well prepared alumni, and high educational and moral standard, that the gift of the donor has been well bestowed.

That a copy of these resolutions be forwarded by the Secretary to Mr. Villard.

On motion the resolutions were unanimously adopted.

Skepticism concerning the story that the University really faced untimely death through a sheriff's sale in 1881 and that it was saved from this fate by a *deus ex machina*, Henry Villard, is not new. Sheldon was confident that the story was a myth, that the debt would certainly have been paid through local contributions if Villard had not intervened.¹⁹ Though he cited no evidence, it is probable that Sheldon's judgment was based on conversations with Straub, with whom he discussed other aspects of the 1881 excitement. About all that can be added is the suggestion that the peril was the creation of Eugene fund raisers profiting from their "development fund" experience in the early 1870s and that the role of Villard as a savior was the creation of Deady, whose expertness in public relations seems to have been instinctive. But Villard cherished the role and maintained it with further benefactions that had a less ambiguous and more important impact on the history of the University.

The University did not have to wait long for the second installment of Villard's munificence. Fresh from the triumph of the "blind pool," he arrived in Portland late in September 1881 with an extraordinary international party of tourists. He was expected to visit Eugene and the University on October 3, but was held up by business in Portland and his party came without him.

No. 24.
Guard, Oct. 8,
1881

The party of gentlemen who recently arrived in Portland in company with Villard passed up the road Monday. The party consisted of Messrs. R. Koehler, P. Schultze, and J. Brant of the O. & C. R. R. Co.; Herr Herzog, of Berlin, formerly secretary of state for Alsace-Lorraine and still connected officially with the government; Prof. James Bryce, M.P., the London correspondent of the New York Nation from its foundation; O. Von Ernthausen, merchant, London; Capt. Henry H. Gorringer, U.S.N., of obelisk fame;²⁰ General H. L. Burnett, a distinguished lawyer of New York; Junius Henri Brown, the well known New York journalist and author; William Lloyd Garrison, of Boston, son of the famous anti-slavery journalist and brother-in-law of Mr. Villard; H. J.

¹⁹ *History of the University of Oregon*, p. 83, note 16.

²⁰ Gorringer, on a trip to Egypt on official Navy business, had received an offer from the Khedive of the gift of an obelisk to the United States of America. With the approval of the Navy, he undertook the transport of Cleopatra's Needle from Thebes to Central Park, New York City, in 1879-80 with primitive equipment reminiscent of ancient Egyptian engineering. See *Dictionary of American Biography*, VII, 437.

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Winser, late consul at Sonneburg, Germany; Wm. W. Bates, a prominent shipbuilder of Chicago; Charles Fairchild, a Boston capitalist; N. P. Hallowell, of Boston; C. F. McKim, a New York architect.

Our people were expecting Mr. Villard, himself, with them, but received a telegram stating that he would have to defer his own visit, but that his friends would be here by two or three o'clock. They reached here however a little after twelve, and after stopping a few minutes at the depot, passed on to the University where they made a stay of about an hour and a half, visiting the several rooms, and taking especial interest in examining the fine cabinet in Prof. Condon's room. Before leaving addresses were made by several of the visitors from the car platform to the students, in a genial and hearty spirit that called forth hearty cheers from the students. The visiting party went on to Roseburg, and came back down the road at night.

It was a great day for the University. Never before and seldom since has it seen such an abundance of distinguished visitors from such varied walks of life. The "genial and hearty spirit" of the occasion was reflected in the press.

No. 25.
Oregon State
Journal, Oct. 8,
1881

Among the Villard party, who visited the University last Monday, was Mr. Gorringer, the man who "transplanted" the obelisk. Those who saw him say they don't understand how he did it, for he ain't as big as our friend Humason. He must have had help.

No. 26.
Eutaxian Column,
Guard, Oct. 15,
1881

Monday, the students of the University had a half holiday to welcome distinguished visitors . . .
The small boy accompanying the Villard party was a peanut boy from the train, and not a German Prince as some supposed.

On October 22 Villard himself arrived for his delayed visit. Though the local regents had had only a few hours advance notice, they quickly arranged an appropriate reception.

No. 27.
Guard, Oct. 29,
1881

On Monday morning the regents of the State University received a dispatch stating that Mr. Henry Villard would be at Eugene about 9:45 a.m., and would be pleased to meet them at the University. They, with leading citizens, were at the depot at that time to receive and welcome their distinguished visitor. From the depot the party walked to the University, the auditorium of which was filled with University students, pupils of the public school and leading citizens. Dr. Geary introduced Mr. Villard, referring in fitting terms to the generous act by which he had lifted a load from the University management, and earned the heartfelt gratitude of the people of Eugene City and Lane County.

Prof. Thos. Condon, on behalf of the faculty, followed with a short address of welcome.

Mr. Villard responded thanking the faculty and the assemblage for their hearty welcome, saying that it pleased him far better than any

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reception that had been accorded to him on this Coast, as it evidently was spontaneous, and higher motives than mere business interests called the people together. He related how he accidentally became acquainted with the troubles of the University through the press, and that he was pleased to give out of his abundance. His friends who had visited the University before him had given a good report, and he believed that the foundation was laid of an institution which would afford all the advantages of a higher education, saying that he attributed all the success he had attained in life to a university education. Every effort, he said, should be made to concentrate influence towards building up in Oregon one leading university and institution of learning and that one should be the State University. All the colleges in the state would in time become subordinate. After again thanking the students and citizens for their welcome he sat down amid hearty applause.

He sought an interview with the faculty and agreeably surprised them by several donations [see no. 28] . . .

When he returned to Portland, Villard formally confirmed his promised gifts to the University.

No. 28.
Villard to Regents,
Oct. 25, 1881
(OrU)

I beg to confirm herewith my promises of pecuniary aid made at our conference of yesterday, as follows.

1. That I will donate \$1000. for the purpose of providing additional philosophical and chemical apparatus. I desire that in the disbursement of this sum for the purposes stated the Board be guided by the recommendations of the Professors of Natural Philosophy and Chemistry.

2. That I will give \$1000. for the foundation of a library for the University. I will personally undertake to have the most suitable works of reference selected by competent experts.

3. That I have agreed to provide the salary of a Professor of English Literature from the date of his appointment until November 1, 1882.

Since meeting you I have come to the further conclusion to place an additional amount of \$250. at the disposal of the Faculty, to be distributed in scholarships of \$50. each to the most meritorious students during the current University year. In granting these scholarships it is my wish that the Faculty should consider not only diligence in study and good conduct, but also the spirit of devotion and self-sacrifice manifested by students in supporting themselves by their own efforts.

In accordance with the foregoing, I herewith enclose check for \$1250., being my contribution for additional apparatus and for the scholarships. I will thank you to give me due notice, to my address in New York, whenever the appointment of the Professor of English Literature is made.

With the best wishes for the institution under your charge, I remain
Respectfully yours H. Villard

It would have been a great satisfaction to Deady to have participated in these events in person. But he was vacationing in the East, where Geary reached him with a private report, giving principal at-

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tention to the gift to begin the realization of a major Deady ambition, the establishment of a chair of English literature; he had urged the need for this professorship in his 1876-77 and 1877-78 annual reports.

No. 29.
Geary to Deady,
New York, Oct. 27,
28, 1881 (OrHi)

Very dear friend: I have only yesterday obtained your address and haste to advise you of matters connected with the State Uv. Mr. Villard has again given the Institution substantial evidence of his most friendly interest. On Monday at an early hour a dispatch advised that he was on his way to pay the University a brief visit . . . Being introduced, Prof Condit [*sic*] was quite happy in an address of welcome, and Mr Villard responded in a somewhat extended and very charming address full of words well weighed and conveying the assurance that the subject of Education is one familiar to his thought, and that a school of high rank entered essentially into the plans of those with whom he was associated for the development of the resources of the state . . .

In a more private conference with the Regents and Faculty, he generously offered to lay the foundation for a suitable library by the purchase of a thousand dollars worth of Books mainly of reference to be selected under his own supervision, to increase the scientific apparatus to the amount of one thousand dollars, to pay the salary of a prof of English Literature & Ethics till the legislature meet and then to respond with others and cooperate with them in placing the University by endowment &c on the permanent basis of an educational institution of the highest order.

This is indeed very encouraging and I trust that a wise and liberal procedure by all the parties—benefactors and beneficiaries—will secure results of the most enduring good to the present and coming generations.

Prst Johnson & myself are committee appointed jointly at the meeting of the resident regents and faculty last evening to send you a dispatch to confer with Prest Porter of Yale in regard to securing a suitable person for the chair of "English Literature &c." I must say that I regard this apparent limitation of your effort in this matter to Yale & Prest Porter as not in accord with my view; nor do I think it accords with the better considered views of the gentlemen present at the meeting.²¹ "Yale" in this sphere is no better than at least half a dozen other institutions that will readily arise to view. I therefore feel like giving you the largest discretion in this matter as conducing most to the obtainment of a suitable incumbent. We need a man that will bring us high character and thorough qualification, of the best brain power and moral impulse, thoroughly taught himself and of that aptitude to teach that springs of that exalted motive and experience. I would suggest two persons of eminence with whom you might confer with advantage; and the object of your conference and your position will be to you a general card of introduction.—I will name three. Dr McCosh of Princeton—Dr Chase of Haverford College near Philadelphia and Rev Dr Crosby late chancellor of the Uv of New York. These are all noble and liberal men who are of course interested in our young Uv., will take in the subject at once, and help you all in their power. Dr Chase is a graduate of Harvard of very elevated literary ability and of wise cul-

²¹ President Johnson was a graduate of Yale.

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ture ; which is equally true of the other gentlemen. The person selected should be here if practicable by the first of the year. The salary will be \$1750.

Most respectfull regards to Mrs. Deady.

Ever truly yours Edward R Geary

Very dear Sir[:] Enclosed is a copy of Mr Villard's letter to the Regents of the Ogn State University making the donations referred to in my letter of Tuesday last and the additional \$250. for prize scholarships. I thought it would interest you and make you partner in the cheer this liberality affords us. Indeed Mr Villard has rendered the friends of our young University happy and hopeful, for he has evidently in his large heart and clear head, if we prove worthy, liberal things for the future in store.

I sent you a telegram this morning relating to the obtainment of the new professor. It is all confided to your discretion. Prest Johnston signed it with me. I trust you may early find the right man for this important chair.²²

Truly as ever yours Edward R Geary

Deady had left Portland on September 19 on his way east, by way of San Francisco. In San Francisco on September 26 he saw Villard, on his way to Oregon (Deady diary, February 8, 1882, summarizing the early events of his trip). Villard must have taken this opportunity to talk with his friend about the University's needs and to get his advice on how he might best aid the institution. The gifts that emerged remind one, in various ways, of Deady's special interests and prejudices.

His interest in a chair of English literature has been noted. The gift for the founding of a University Library also sounds like a Deady suggestion. In 1881 the faculty and students were probably well satisfied with the library of the Laurean and Eutaxian literary societies—which was in fact a respectable collection for the immediate needs of the students. The Villard Library seems to have been rather a nuisance for some years to come. The Laurean and Eutaxian collection had comfortable quarters in the societies' clubroom in the University building ; the Villard books, for which Professor Mark Bailey was assigned perhaps unwilling custody, nearly crowded him out of his

²² This assignment would not have surprised Deady, who had been given a similar opportunity in 1878, when President Johnson wrote on Mar. 6: "... I shall be much obliged to you, if you can find some one well qualified to fill the 'Chair of English Literature and Modern Languages.' It has occurred to me that you may know of some young man in the 'East,' who would fill the position well and would like to come 'West.' I shall be glad to cooperate with you in this matter. In a conversation with Judge Walton a few days since he expressed the wish that you would select a suitable person for the place named. It was with this view that I favored a temporary reduction of salaries" (OrHi). As it turned out, the duties of that new chair were restricted to modern foreign languages, and it was filled by John Straub ; there is no evidence that he was selected by Deady. See note 27.

room.²³ As late as May 27, 1891 President Johnson wrote to Deady that the University Library was not "of much value to under graduates who have usually all they can do with the ordinary textbooks" (OrHi).

Deady, who was president of the Library Association of Portland and an omnivorous reader, would not have shared this point of view and would not have been satisfied with a library selected by students. To the end of his life, he did not trust the judgment even of adult librarians and enjoyed the self-imposed duty of book selection himself, for both the University and the Portland libraries. Villard's provision, "I will personally undertake to have the most suitable works of reference selected by competent experts," is Deady-like; it would not be surprising if he was one of the experts who proposed titles for the initial collection. It is, in fact, probable that he was the competent expert who selected the meticulously correct collection of seventeen volumes on Anglo-American jurisprudence.

As Villard intended, the Library was a reference collection and included no literary texts except Longfellow's anthology of translations of European literature, two anthologies of translations of German prose and poetry, and translations of the works of several ancient historians. It is perhaps significant that Xenophon and Sallust translations in the collection quickly disappeared. Xenophon was (and still is) one of the first authors sampled by students of Greek, and Sallust was President Johnson's favorite Latin author, whom he enjoyed teaching in Latin not only to collegiate students but also to select groups of students in the Preparatory Department. The translations may have served principally as ponies for language students; if so, their shelf life may have been short. And Johnson, who held the chair of Greek and Latin, may not have welcomed their distracting presence in the Library.

Though the student columns in the *Guard* and *Journal* in the 1880s included frequent items reporting what was going on in University classes and what students were reading as class assignments, they provide little evidence of classroom use of the Villard collection—except that Professor Lambert in the fall of 1882 assigned Prescott on *The Conquest of Mexico* as the base for review essays in his classes in rhetoric. Lambert wrote in his June 19, 1884 report: "My home Library has been placed freely at the disposal of the graduating class

²³ Board of Regents Minutes, June 15, 1883, Report of Executive Committee: "The Villard library . . . are now crowded into Prof. Bailey's room for want of a suitable place to put them, which makes the Prof's room badly crowded and very inconvenient for his work." The initial arrangement allowed students access to the Library only on Fridays at 2:00 p.m. Laurean column, *Oregon State Journal*, Mar. 4, 1882.

in preparation of their Commencement themes . . . They have been freely used . . .”

The Villard books were chosen primarily from the in-print lists of American and English publishers. A few titles with imprints in the 1860s and earlier have penciled flyleaf notations by antiquarian book dealers, and several of these titles are distinguished by handsome half-leather bindings. All titles are in English except Littré's five-volume French dictionary.²⁴

Most of the books reached Eugene in February 1882. As the spring advanced, Villard was expecting some expression of appreciation from the faculty of the University, but had heard nothing. Probably late in April he expressed his displeasure in a letter, apparently addressed to the faculty. A May 8 reply, not from the faculty but from Walton, apologized and explained: “I beg to say to you on behalf of the Faculty that they are innocent of any intention to neglect the acknowledgement of the receipt of the Books, or of any want of courtesy to you.” The books, with an accompanying list, had been addressed to President Johnson, who had consulted Walton and agreed that it was proper for Walton, as secretary of the Board of Regents, to make the acknowledgement, which he did; but Villard never received it (letter in MH). Deady would have arranged a more adroit response.

And, finally, the conditions attached to the gift of \$1,000 for the purchase of scientific equipment excluded Condon from too much influence in determining the disbursement of the fund, which again sounds like Deady. He may well have anticipated that Condon and his cabinet of geological and palaeontological specimens would impress the distinguished visitors, as it did, and that a substantial part of the gift for the support of the sciences might end up in his hands. Deady was no doubt aware, even in those early and presumably simple academic days, of competitive professorial ambitions, and may have suggested a provision that would balance Condon's charm.²⁵

Though Villard's gifts for initial support of a chair of English literature and to found the University Library had little immediate impact on the curriculum, they would bear fruit in later years.

Within days after he formally offered to provide the salary for a

²⁴ For a complete list of the 1882 Villard collection, see George N. Belknap, “Henry Villard and the University of Oregon Library,” *Imprint: Oregon*, University of Oregon Library, Spring 1976, pp. 6-14.

²⁵ In a July 2, 1883 letter (in MH), George H. Collier, professor of chemistry and physics, reported to Villard on how the gift had been used. The original allocation, agreed upon by the science faculty, was \$600 to chemistry and physics, \$200 to astronomy, and \$200 to natural history (Condon). But Bailey, professor of mathematics and astronomy, found that his allotment was far less than he needed for even basic equipment, and turned his \$200 over to Collier.

“Professor of English Literature” for a year, the scope and title of the chair was being hyphenated and diluted. On October 27 Geary seemed to believe that Villard had in mind a “Professor of English Literature & Ethics” or a “Professor of English Literature &c.” (no. 29). And on October 29 the *Guard* reported his support of a “Professor of English Literature and Mental Philosophy.” In his talks with regents and faculty members in Eugene, Villard had perhaps indicated that he would not object to the new professor assuming some additional duties. But, for the chair of English literature, Geary’s “&c.” was an omen.

Deady made no very extensive attempt to recruit a professor of English literature in the East, though he visited a number of colleges and universities. Geary’s telegram reached him in New York City on November 2; the October 27 letter, with detailed information and suggestions of persons to consult, reached him in Philadelphia on November 10. Deady had completed his tour of New England, including Yale, Brown, and Harvard, in October. He had called on President Porter at Yale, but his reception had been upsetting.

No. 30.
Deady Diary,
Oct. 18, 1881
(M.C., II, 347)

Called on President Porter and found him in his office . . . Presented Prof Hills letter. He did not demonstrate much about it. Took us to Alumni Hall, and there put us in the hands of Superintendent Hotchkiss while he went to hear a recitation.

Superintendent Hotchkiss was probably Justis Street Hotchkiss, a wealthy retired New Haven businessman and friend and benefactor of Yale. He was prominent in the affairs of the First Church (Congregational) and was for many years superintendent of a mission Sunday School near New Haven. Deady’s use of the term “Superintendent” may reflect his feeling that Yale “did not demonstrate much about” his visit. “Prof Hill” was Joseph Hill, principal of the Bishop Scott [Episcopalian] Grammar School, Portland.

Geary’s letter also arrived too late for recruiting in New York City or Princeton, and Deady apparently did not see Dr. Chase at Haverford. He did, however, make one try, at Johns Hopkins, where he talked with Professors Herbert B. Adams and George S. Morris about a Mr. Swift, whom he may have met; he later wrote Professor Morris about Swift from Washington, D.C. (diary, November 27, December 3.)²⁶ The salary may not have been attractive to scholars with the

²⁶ Morrison I. Swift was intermittently a graduate student of philosophy at The Johns Hopkins University from 1880 to 1885, when he was awarded the Ph.D. degree. Documents in the Hopkins archives show that Professor Morris recommended him for academic appointments in 1882, including an instructorship at Hamilton College, and that he taught philosophy at Hobart College in 1882-83. He is known, however, primarily as a radical activist and publicist. He led the

level of learning that Deady had in mind; candidates with the potentialities for moral uplift that Geary had in mind might have been more plentiful.

Deady, a Protestant Episcopal communicant, also received advice in an October 26 letter from the Rev. B. Wistar Morris, bishop of the Oregon diocese: "An opinion has been expressed coming from one intimately connected with the University that this chair should be filled by a member of the Episcopal Church. I have been told that you will probably be empowered to make a Selection, or nomination, & have been requested to write to you. Of course there is no reason why our church should not be represented in the University, & many reasons why it should. It is not a Sectarian institution, & any attempt to make it such would be fatal to its Success. There is a very general impression that the *Baptists* would like to do this" (OrHi). The bishop added a list of five prominent eastern churchmen that Deady might consult; there is no evidence in his diary that he consulted any of them.

Falling back on resources within the state before Deady returned to Oregon, the Board of Regents elected Charles E. Lambert, a clergyman who had just resigned as acting president of Willamette University, to the chair of English literature and mental philosophy, effective January 1882.²⁷ Walton informed Villard of the appointment in a January 23 letter (in MH), with the added information that the first quarterly payment of Lambert's \$1,760 salary by Villard would be due on April 1. The title of the chair, as it appears in Walton's letter, in

New England contingent in Coxey's Army in 1894, and published numerous books between 1890 and 1927 on topics ranging from American imperialism and the plight of the unemployed to marriage reform and the evils of religion. *The Independent*, Apr. 19, 1894, p. 487, commented on his role in Boston demonstrations preceding the march on Washington: "In the line of agitation for public action, efforts have centered about a young man named Morrison I. Swift. Mr. Swift is perhaps thirty-five years of age, quiet in bearing, and possessed of a certain personal charm, winning in his manner before a conversational group, and very able before a promiscuous crowd. He is well educated, has traveled, and has dwelt much upon economic ills and their cures. He is a socialist of the extreme type. He advocates peaceful methods, but would not hesitate at radical measures provided they promised success . . . His home was in Ohio, and this is his first season in Boston." Swift died in 1946 at the age of 91.

²⁷ Villard's stimulus and Lambert's election might be said to have been anticipated by the election of Thomas M. Gatch, Lambert's predecessor as president of Willamette, as professor of history and English literature in 1879. This was, however, primarily an episode in an intrigue by Eugene regents to ease Johnson out of the presidency and replace him with Gatch. When the move failed, Gatch resigned in Dec. 1880. Nowhere in the Regents minutes or in voluminous correspondence concerning the Gatch election and its consequences is there any mention of his instructional field. The Regents at their June 1879 meeting simply created a new unidentified chair and chose him to fill it. Six members were present and five, all Eugene residents, voted for Gatch; Deady, uncharacteristically, did not vote. One must turn to the catalogues to find Gatch's academic title.

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Board of Regents minutes, and in newspaper items announcing the appointment, seems to have been little more than a ruse to obtain Villard's money. University catalogues designated Lambert professor of rhetoric and psychology. During a brief tenure, he devoted his energies primarily to the reorganization and integration of collegiate instruction in elocution and rhetoric under his tutorship; the responsibility had previously been shared by all the professors.

In 1884 he was succeeded by Benjamin B. Hawthorne; the title of the chair now revived "English literature" in the catalogues, but with the order of parts reversed: professor of mental philosophy and English literature, which reflected his major interest. Hawthorne came to the University from Oregon Agricultural College at Corvallis, where he had taught languages. In 1895 the parts were divided; Hawthorne became professor of mental science and Luella Clay Carson professor of rhetoric and English literature. Miss Carson had come to the University in 1888 from Pacific University at Forest Grove as professor of rhetoric and elocution. Although "literature" remained in her new title (after 1904 "American literature") until she left to become president of Mills College in 1910, her interests lay principally in rhetoric and in her duties as Dean of Women. Consistently, what Villard must have thought secondary responsibilities of the chair he had hoped to establish became primary for the incumbents.

However, the University finally achieved an authentic chair of English literature in 1901, with the arrival of Herbert Crombie Howe from Cornell University as an assistant professor, twenty-four years after Deady had urged the creation of the chair and nineteen years after Villard tried to implement Deady's ambition. Deady would have approved Howe's nationally pioneer efforts toward academic respectability for English authors of the nineteenth century and early twentieth; but he might have sympathized with the unhappiness of regents of the 1920s over Howe's mild socialistic views, derived from William Morris and Ruskin—a far cry from the radicalism of Morrison I. Swift.

Though a large part of the Villard Library arrived early in 1882, its impact on the curriculum was also delayed. The 359 volumes shipped to Eugene were in some ways a remarkable collection. The major fields of competence of the 1882 faculty encompassed the Greek, Latin, German, and French languages, mathematics, physics, chemistry, geology, and biology, though the faculty managed to broaden the curriculum to some extent by sharing responsibility for elementary textbook instruction in history, government, and economics, as well as for rhetoric and elocution. The Villard collection reversed these priorities. It included 243 volumes of political history, 26 volumes of literary history,

and eight volumes of art history. Ancient and modern philology, apart from literary histories and translations of ancient historians, was represented by a sparse selection of dictionaries, the sciences by nine volumes. One is tempted to believe that the collection reflected deliberate reservations concerning the curriculum and supplemented it, hopefully, with resources for independent study. If so, the suggestion that Deady may have had a part in its selection gains strength. Whatever the intent of Villard and his experts, the editor of the Laurean column in the *Journal*, though not critical of the curriculum, sensed the primary value of the Library with perhaps more insight than President Johnson exhibited in 1891 (see page 29). However, students then as now were incurably idealistic, as President Johnson was not.

No. 31.
Laurean Column,
Oregon State
Journal, Dec. 30,
1882

The students are beginning to appreciate the value of the library founded for the University by the generosity of Mr. Villard. There is more outside reading being done this year than ever before. This is partly due to the increased facilities offered in the new library, and partly to a realization on the part of the students that there is something more necessary to fit them for active work in life than a mere knowledge of Greek and [natural] philosophy or similar studies required in the curriculum. The chief object of a college course is to discipline the mind, and the studies set down in the course are selected as the best possible to accomplish this end. This is as it should be. The mind needs to be disciplined before it can think accurately or rapidly. But there is a vast store of knowledge to be gained that a college course does not pretend to furnish. This must be obtained independently of instructors. If we, as students, expect to take our place in an active world, we must both keep up with the thought of the age and reach backward and grasp the thought of the past. To do this we must read . . . The time squandered by many students would afford ample opportunity if duly improved for much reading . . . The facilities, though limited, are sufficient for the present. The University and society libraries supply the choicest selections of history, science and art . . . The companionship of great minds is profitable. It is our privilege to enjoy this companionship. Will we do it?

In spite of Deady's comment in his August 1, 1881 diary (no. 17) that "A subscription . . . from him would be a good investment," it is easy to understand Villard's gifts to the University simply as altruistic gestures of intelligent good will—except for a dissenting voice, now and then, from the editor of the *Guard*. What disturbed the *Guard* was apparent two months before Villard "saved the University."

No. 32.
Guard, June 4,
1881

At last Henry Villard has gained control of every public transportation facility in the state of Oregon and Washington Territory. It was a real calamity to the Willamette valley when the Scotch company leased its lines in this valley to Villard. Monopolies have no souls

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and it will not be contrary to the general rule if Villard places rates at the highest notch which the people can endure and live. It is rumored that the Scotch gauge company was paid an immense bonus for their railroad, the narrow gauge having a position just outside the lines of the O. & C. R. R. where it could harass and underbid its more wieldy and costly rival for the favor of the public . . .

In August, however, the *Guard* shared the general enthusiasm for Villard's generosity. It had not forgotten its suspicion of entrenched wealth, but now considered Villard an exception—though it echoed Deady's thought that his generosity was a good investment.

No. 33.
Guard, Aug. 13,
1881

It is remarkable how little has been done for the advancement of this coast by our millionaires. These men have made everything they possess here, and have been beneficiaries of every public and private enterprise, but in no instance have they ever helped to develop our great natural resources.

We are glad to note an exception to this class. Mr. H. Villard, who has large interests on this coast, has given \$7,000 in aid of the State University, showing the trait of generosity, which is but little developed in the Pacific Coast capitalist. His conduct is very different from that of Stanford and the C. P. R. R. nabobs, who have never given anything to charitable or educational institutions, or otherwise, and have exacted the utmost farthing from the people of California. Mr. Villard, by this act, has gained many friends in Lane County, and his bread cast upon the water, will be returned to him increased many fold in the respect and esteem of the people.

In its October 29 report of the October gifts (no. 27), the *Guard* continued to reflect, unambiguously, the general enthusiasm of the community—down to the last paragraph. But this paragraph reveals, ambivalently, the persistence of its suspicions: "By these generous unsolicited donations and his interest in the University, Mr. Villard has earned the gratitude of our citizens. We do not believe that he has hidden motives, as some would suggest, in making these gifts, as other institutions of learning applied for aid and met with refusal. If he had been thinking of gaining undue influence he would have distributed his gifts less partially."

That Villard was vulnerable to charges of monopolistic theory and practice in the 1870s and 1880s is indisputable. As early as September 1876 he had defended transportation monopoly in Oregon in a published letter, arguing that the completion of the transportation system in the state and its connections with the east and south and the economic development of the region could not be achieved under conditions of destructive rate competition.²⁸ The letter, he believed,

²⁸ *Op. cit.*, note 3, pp. 68-73.

had defeated Granger anti-monopoly proposals in the 1876 Oregon Legislative Assembly. Throughout his Oregon career, Villard worked diligently for uniform rates among the carriers, which was what the *Guard* and the Grangers meant by monopoly. On the other hand, Villard and his German constituents were committed to the economic development of Oregon as the only assurance of long-term profits for their transportation investments—in contrast to Ben Holladay's maneuvers for short-term profits from manipulation of land grants, stocks, and bonds.

Villard's attachment to the University of Oregon unquestionably had a base in enlightened self-interest, as both Deady and the *Guard* recognized—and, with Deady's help, the attachment was profitable to the University and an investment in good will for Villard's transportation companies when good will was sorely needed. But the potential profit to Villard did not preclude a genuine interest in the progress of higher education in the state.

A week after its enthusiastic account of the October gifts, the *Guard* published a long communication from "Citizen," a Salem correspondent, that had the unintended result of pushing the editor back to his June position.

No. 34.
Guard, Nov. 5,
1881

EDITOR GUARD:—Many things are done by men without considering results that are liable to flow from them. Small beginnings are often found in great enterprises. And events are liable to grow. The payment of the State University debt by Mr. Villard was an event of itself, and would have been one of great interest if it had ended where it began. This act has expanded into proportions which are by no means stinted or fixed. We look upon the act of Mr. Villard in this particular as one that must command the admiration of the people of this entire state. He first pays off the University debt. He now makes another donation to found a library, and to obtain scientific apparatus. He will pay the salary of a Professor in English Literature until the Legislature meets. This is a new chair in the University suggested by Mr. Villard. We have no acts so generous and unselfish to record of any of our monied men on this Coast as those of Mr. Villard in behalf of the State University. All this has been done for the cause of education, and for the benefit of our state. We accept this gift as the outflow of an exalted sentiment in matters affecting public welfare . . . With reference to the donor, Mr. Villard, many questions have arisen. In these degenerate days we are apt to kill off our benefactors as in the days of the Roman Empire. Hence what kind act is this that Mr. Villard has done that requires us to decapitate him? A more inquiring person, but wholly reckless in thought, asks what Mr. Villard will make by it. And so it is. The reason or motive that prompted this gift is perhaps misunderstood or misconstrued. Nevertheless the money is accepted upon the honorable terms it was offered. To the high minded citizen, he who is responsible for the good order of society, this do-

nation will be regarded as the noblest individual act that has happened in our state connected with the cause of education. In this connection we may allude to the criticisms made of Mr. Villard and his enterprises. He has made some excellent suggestions and has laid his plans fully before the public. For doing this unusual but proper thing he is arraigned. We are told that Gould, Vanderbilt and Fisk kept their plans to themselves, and the public in the dark, as to their schemes. But in the case of Mr. Villard it is different. He visits the people at different points hundreds of miles apart and tells them what he is doing for them. The cause of the anti-monopoly movement may be found in the fact that the people have heretofore felt the oppressor without seeing him. Great monopolies move as it were in contempt of the wishes or opinions of the masses . . . These oppressive monopolies are being called to account . . . [But] monopolies are needed and will always find favor with the masses if they are but properly directed and understood. This anti-monopoly feeling cannot exist against Mr. Villard. He has no secrets. He tells the people what he can do for them and how he will aid them in their endeavors to develop the resources of this great country. He wants all to thrive, expand their means and appliances for greater growth in all industries. He aims to reconcile and harmonize the labor of the country with its wealth or capital. Intelligence he expects to find in those with whom he deals. He aids in educating the young gentlemen and ladies of the state with his own means, in order that intelligence shall prevail . . . We find Mr. Villard standing out before the world as an exception to the rule that has governed monopolists or capitalists in these past years. Do not our people honor Mr. Villard for this? Mr. Villard will accomplish more for our people by his plans in a few years, than has been accomplished for the masses by monopolies in fifty years past. He will distribute wealth instead of hoarding it up. This experiment may lead to grand results for the masses.

No. 35.
Guard, Nov. 5,
1881

A correspondent from Salem, in another column, proceeds to eulogize and extol Mr. Villard for his munificent gifts to the State University. Our correspondent, who is the peer of any gentleman in the state in point of intelligence and ability, seems to think that Mr. Villard's is a benevolent monopoly that will deal fairly with the people. While his reasoning may be good, experience has long ago proven that any man or set of men with unbounded authority and control will abuse their power. We do not expect the corporations, of which Mr. Villard is the head, will do otherwise; they have the entire Northwest Coast under their control, and will make all they can from their investments without entirely ruining the goose that lays the golden egg. We trust that Mr. Villard had no mercenary motive as a mainspring to his kind acts to the University. It is universally demanded by our people that freight rates should be cut down from their present exorbitant figure, and no representative should be elected from this county to the next Legislature, who will not pledge himself to vote for measures that will check and restrict the extortion of common carriers.

Having been called back to its anti-monopolist stand, the *Guard* continued its attacks for some months, with special attention to Villard.

No. 36.
Guard, Dec. 3,
1881

BOUGHT OFF.—It seems that Villard is determined there shall be no opposition on the Northwest Coast to the companies which he represents. He has purchased the stock of the Pacific Coast Steamship Co., of San Francisco, and now has no rival north of San Francisco to compete with him.²⁹

Early in 1882 Villard made a move toward extending his support of public higher education in the Pacific Northwest. The University of Washington was in desperate trouble because of the refusal of the 1881 territorial Legislature to approve an appropriation for operating expenses. Having learned through the newspapers of the University's plight, Villard wrote President Anderson on January 9, 1882, offering to help and stating that he was instructing his Portland agent to send a check for \$1,000 to cover immediate needs. On February 24 he proposed to provide \$1,000 every six months for the next two years until the University could again appeal to the Legislature for support. The contributions totaled \$4,000. But this promising beginning had no future for the University of Washington, in contrast to Villard's expanding interest in the University of Oregon. The reason probably was that the Washington institution had no one like Deady to help keep the interest alive and fruitful. President Anderson left the University of Washington within a few months to become president of a seminary at Walla Walla that would become Whitman College.

In later years Villard and his family believed that Washington had shown little appreciation for his help. In his *Memoirs*, written at the turn of the century and published in 1904 after his death, Villard considered his 1882-83 contributions as a loan, and complained that he "was never reimbursed for this outlay by the Legislature" (II, 304, note 1). Letters and resolutions in the archives of the University of Washington Board of Regents show that the regents thought, at the time, that they were receiving gifts; a January 1882 clipping from a Seattle newspaper in the Villard papers in MH includes the text of a resolution acknowledging the initial gift. In his *Fighting Years* (1939), Oswald Garrison Villard commented: "The university had reason to be grateful to my father for he personally carried it for a couple of years when the legislature refused to appropriate the small budget of this struggling school; curiously enough, the university has long since forgotten this whereas the University of Oregon always remembers with every evidence of gratitude my father's similarly gen-

²⁹ See also items reprinted from the San Francisco *Chronicle* in the Jan. 14, 1882 *Guard*, and from the *Democratic Standard*, Jan. 21.

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erous gifts to what has now become a great university at Eugene." In 1940 this remark came to the attention of President Sieg, and the secretary of the Washington Board of Regents was instructed "to write Mr. Villard explaining that suitable resolutions were passed at the time of the gift in 1881 and to reassure Mr. Villard of the continuing appreciation of the present Board of Regents." Unhappily, this pained protest misplaces the years of the gifts and the resolutions.

In his conference with University of Oregon regents and faculty members on October 22, 1881, Villard had made it clear that he had further plans for the institution. Geary reported to Deady his proposal "... to respond with others and cooperate with them in placing the University by endowment &c on the permanent basis of an educational institution of the highest order." See no. 29. The *Guard* was more specific on October 29: "He stated . . . that he would make a proposition to the next Legislature to liberally endow the University, if the State would do likewise." The Legislature would meet on September 11, 1882. By the summer months, Deady must have been expecting further word from Villard, perhaps with some impatience. The word came in July.

No. 37.
Villard to Deady,
July 8, 1882
(OrHi)

Dear Judge Deady: In view of the former embarrassments of the State University, I had it in mind, with the object of freeing that institution permanently from similar experiences, to submit a proposition for the coming legislature to the effect that I would undertake to raise a cash endowment for the University, yielding say \$3000 a year fixed income, if they would pass an act providing for a like fixed annual allowance.

The Annual Report of the University for the past year just received makes such a good showing, that necessity for my intervention in the matter described seems to have passed away. Will you favor me with your opinion on this point, and oblige.

Very sincerely yours, H. Villard

The last paragraph was probably a joke, a rare occurrence in the Deady-Villard correspondence. Deady's 1881-82 Annual Report had not been especially optimistic, though he had written in glowing terms of his friend's generosity. If he chose to favor Villard with his "opinion on this point," the letter has not survived. He did, however, begin preparations for an approach to the Legislature.

No. 38.
Deady Diary,
July 22, 1882
(M.C., II, 398)

. . . Got a letter from H V suggesting that he would procure an endowment of the University equal to an income of \$3000 if the Legislature would provide for the same amount annually. Sent it to Dr Geary for suggestions.

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No. 39.
Geary to Deady,
July 29, 1882
(OrHi)

Dear friend[:] I have not had time to write you regarding the important matter referred to in your note covering the letter of Mr Villard now returned. One thing is certain that the expenditure of the next year will overtax by probably \$2000. all resources we have in reasonable prospect.

The condition of the Uv. urgently requires just such aid as has been in the generous plans of Mr Villard, and wise and energetic action on the part of the Bd of Regents encourages the belief that the increased educational facilities a permanent income of \$6000 from the sources named would afford would make the school widely beneficial and most worthy of the generous aid of both the state and private munificence even to a much larger extent than suggested . . .

Truly yours Edward R Geary

In an August 24 letter to Deady (which has not been found), Villard set the amount of his proposed endowment at \$50,000, provided the Legislature appropriated \$5,000 a year for the support of the University. Five days after it convened, the Legislature, on the basis of "Private information . . . received," requested Deady "to communicate to this body the proposition of Mr. Villard" (House Journal, p. 84; Senate Journal, pp. 28-29). Deady responded on September 20.

No. 40.
Deady Diary,
Sept. 23, 1882
(M.C., II, 400)

. . . Took tea [in Salem] Wednesday evening [September 20] with Hendricks and Dorris, members from Lane and prepared a memorial to the Assembly on Villards proposition to endow the University with \$50,000 . . . and left it with Dorris to present.

No. 41.
House Journal,
1882, pp. 117-18

To the Honorable, the Legislative Assembly of the State of Oregon : . . . On August 24th Mr. Henry Villard wrote to the undersigned, President of the Regents of the University, proposing to provide the same with an endowment of \$50,000, on condition that the state would provide it with an annual allowance of \$5,000.

The Regents are very anxious that this generous offer should be accepted, and on their behalf I ask your honorable body to pass an act accepting Mr. Villard's proposition, and providing for the levy and collection of a tax sufficient to raise the sum of \$5,000 per annum, to be applied to the payment of current expenses so far as the same may be necessary.

September 20, 1882.

Matthew P. Deady,
President of the Board of Regents.

Since Deady's communication proposed the assessment of a tax, it was for constitutional reasons presented to the House of Representatives by Lane County Representative S. B. Eakin, not by Senator George B. Dorris. On motion of Lane County Representative R. B. Hayes, it was referred to the Education Committee. A bill to accept Villard's gift and satisfy his conditions, and more, was introduced by Hayes on September 25.

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No. 42.
Guard, Oct. 3,
1882

The following bill was introduced in the House by Representative Hayes, Sept 25th, and read the first time Sept 27th. The bill is a meritorious one and should pass by all means. The state now has a chance to procure an endowment to the University at very slight cost to itself:

WHEREAS, Mr. Henry Villard has proposed to the Board of Regents of the University of Oregon to endow the said University with the sum of fifty thousand dollars, on condition that the State of Oregon provide an annual allowance of five thousand dollars; and

WHEREAS, The interest accruing from the University Fund, together with the tuitions received, are not sufficient to meet the annual expenses of the said University; and

WHEREAS, The rapid growth of this state and the demands of education require immediate action, and that this young and growing state should furnish an institution of learning therein to become the peer of any in our sister states; therefore

Be it enacted by the Legislative Assembly of the State of Oregon:

SECTION 1. That the proposition of Mr. Henry Villard be and the same is hereby accepted.

SEC. 2. That there shall be collected an annual tax of one-fifth of one mill upon the taxable property of this state for University purposes.

SEC. 3. That there shall be and there is hereby appropriated out of said University Fund the sum of five thousand dollars annually for the support of the University of Oregon.

SEC. 4. The sum hereby appropriated shall be drawn quarterly, and in such amounts as shall be required to pay any deficiency that may exist for the current expenses thereof, and shall be drawn in favor of the Board of Regents of said University, which deficiency shall be certified to the Secretary of State by the Executive Committee of the Board of Regents upon the report of the President of the Faculty.

SEC. 5. The remainder of such tax shall be and remain a special University Fund, subject to the order of the Board of Regents for library, apparatus, building purposes, or other improvements, the warrants to be drawn by the Secretary of State, as hereinbefore directed; provided, that no larger sum than one thousand dollars shall be drawn within the next two years for apparatus and library.³⁰

The bill was a carefully and subtly constructed document. If enacted as written, it would have raised more than \$10,000 a year, providing \$5,000 for current expenses plus an additional \$5,000 for capital expenditures specified in Sec. 5, as Deady pointed out to Villard on October 4 (see no. 43), and might have had the effect of a contract immune from tampering at future legislative sessions. One may guess that Deady wrote the bill; in several respects it reminds one of his draft of the 1876 University Charter.³¹ Certainly, as a letter to Villard indicates, it had his full approval.

³⁰ The *Guard* printing is the only text of the bill located. Files of the official printed bills of the 1882 Legislature have not been found.

³¹ See George N. Belknap, *The University of Oregon Charter* (Eugene, 1976), *passim*.

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No. 43.
Deady to Villard,
Oct. 4, 1882
(MH)

My dear Mr Villard. Your favor of August 24 concerning the endowment of the University was submitted to the Regents and at their request I prepared a memorial asking the legislature to accept the proposition.³²

A bill has been introduced in pursuance thereof providing for the levy of an annual tax which shall produce over \$5000 to be applied to the current expenses of the University and more than as much more to be applied to the extension of the building and the increase of the library, and I am informed that it will probably pass.

Very truly yours Matthew P. Deady

No. 44.
Villard to Deady,
Oct. 17, 1882
(OrHi)

Dear Judge Deady: I am very glad to receive your note of 4th inst. reporting progress in connection with my proposition to the legislature. I hope your anticipations will be fulfilled.

Sincerely yours H. Villard

Unfortunately for the immediate solution of all University problems, the Legislature penetrated the full intent of the bill. It was debated at length in three sessions of the House Committee of the Whole on October 3-5 and amended by removing all reference to the Villard endowment and by cutting the tax to one-tenth of a mill (*Oregonian*, October 4, 5, and 6). The *Oregonian* on October 6 commented briefly: "The house did not think proper to comply with the conditions imposed and in amending it totally ignored the Villard offer." Both Eugene newspapers regretted this action, apparently fearing that omission of mention of his gift would annoy Villard. Since the House Journal did not, under standard rules of order, report the proceedings of the Committee of the Whole, all we know of the debate, apart from the *Oregonian's* brief reports of its results, emerged two years later when the *Oregon State Journal* charged that R. M. Veatch, Democratic member of the House from Lane County, had opposed the acceptance of Villard's endowment. The context was Veatch's candidacy for re-election. The *Guard* hurried to his defense in an editorial that exhibited the vigor of the nineteenth-century Oregon style of journalistic rhetoric, provided interesting information concerning the early political history of the University, and showed that Deady's partial defeat in 1882 had a bipartisan base.

No. 45.
Guard, May 31,
1884

The last issue of the Ninth Street Impotent has a great deal to say concerning the State University, and the Democratic connection therewith. It is a matter of history that from the inception of said educational institution the Democracy, state and county, has ever been its truest

³² Deady probably sent Villard's Aug. 24 letter on to Geary for submission to the Executive Committee. There was no official meeting of the Board of Regents between June 21 and Nov. 10, and there is no mention of the letter in the Nov. 10 minutes.

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supporter. The bill locating the University was drawn by a Democrat, passed by a Democratic Legislature and signed by a Democratic Governor. Such honest and able Democrats as B. F. Dorris, T. G. Hendricks and J. J. Walton gave money and time liberally to the construction of the building. Indeed it is not too much to say that Lane County owes its successful completion to the vigorous exertions of these men and W. J. J. Scott. The building was accepted on the part of the state by Gov. L. F. Grover, Secretary of State S. F. Chadwick and Treasurer A. H. Brown, all Democrats. The Board of Regents, appointed from the active workers for the University, were mainly Democrats. They were not, however, imbued with partisan ideas in their management of the trust, and they chose a faculty in which there was only *one* Democrat . . .

Now we come down to the action of the last Legislature. The Journal says that R. M. Veatch opposed every measure in the interest of that institution. We say the editor of that delectable sheet knowingly and deliberately lies. Mr. Veatch did oppose the coupling of the state tax with the Villard donation for the reason that he wanted them kept distinct and separate. The organ fails to state that R. M. Veatch made one of the best speeches of the session endeavoring to make the state tax one-fifth of a mill instead of one-tenth for the support of the University. The reduction, nevertheless, was made by the Republican Legislature. The Journal dare not deny the above.

To show Mr. Veatch's connection with the University bill, we publish the whole record relating to that bill, as given in the House Journal of 1882 . . .³³ This is Mr. Veatch's whole record on the University bill. And still the Ninth Street Blowhard says that Mr. Veatch is opposed to the University. Every true friend of the Oregon State University will vote for Veatch, notwithstanding the misstatements of facts in that paper last week . . .³⁴

The bill, as amended, passed in the House and the Senate without difficulty.

No. 46.
Oregon Laws
1882, p. 8

SECTION 1. That there is hereby levied an annual tax of one-tenth of one mill on the dollar upon all the taxable property within this state for University purposes, to be levied and collected as other taxes are collected, and the fund arising therefrom shall be paid into the State Treasury and kept separate from other funds, and shall be known as the University Fund.

SEC. 2. That there shall be and there is hereby appropriated out of said University Fund the sum of five thousand dollars annually for the support of the University of Oregon.

³³ The "record," which provides only references to page numbers in the House Journal, points to no important evidence, since the *Oregon State Journal's* charges concerned Veatch's conduct in the Committee of the Whole, which was not reported in the House Journal.

³⁴ The *Journal's* charge was published on May 24 and reiterated on May 31, with a demand that Veatch "give us an explanation of this dastardly act towards the best interests of this county and against the educational interests of the State." Veatch retained his seat in the June 2 election, receiving the largest number of votes of all legislative candidates in Lane County.

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SEC. 3. That the five thousand dollars above appropriated shall be drawn quarterly by said Board of Regents for the purpose of paying any deficiency that may exist in the payment of current expenses, which deficiency shall be certified to the Secretary of State by the Executive Committee of said Board of Regents.

SEC. 4. That the remainder of the amount arising from said tax shall be subject to the order of the Board of Regents of said University for the purpose of making additions to the library, apparatus, building and other necessary improvements; and any of said fund not needed for said purpose at present shall be loaned by said Board of Regents on approved security and by them kept separate and apart from other funds.³⁵

This enactment was followed by the adoption of a separate concurrent resolution introduced in the Senate by Hendricks; friends of the University hoped, as it turned out correctly, that it would satisfy Villard.

No. 47.
Oregon Laws
1882, p. 199

WHEREAS, Mr. Henry Villard generously proposed to endow the University of Oregon in the sum of fifty thousand dollars, providing the State would appropriate annually the sum of five thousand dollars to aid said State University; and

WHEREAS, The Legislative Assembly of Oregon passed an Act levying one-tenth of one mill on the dollar to aid said University; wherefore,

Be it resolved by the Senate, the House concurring:

That the generous offer of Mr. Henry Villard merits the thanks of the people of the State and of this Legislative Assembly.³⁶

On November 25 Deady noted in his diary: "Wrote to Villard enclosing copies of act to aid University and J R respecting himself as per request of the Regents." Villard replied on December 13.

No. 48.
Villard to Deady,
Dec. 13, 1882
(OrHi)

Dear Judge Deady [:] I have your kind favor, and the copy of the act of the legislature in aid of the University accompanying it.

I am entirely willing to accept this act as a compliance with my conditions, and to make the endowment to the promised amount.

It is my intention to devote to this purpose \$50,000 of Northern Pacific 6% General First Mortgage Bonds, which are a first class investment security, selling at this time at about 105 in this market. From an Oregon standpoint, the fixed interest on these bonds may appear a small income, and the financial requirements of the institution may render it desirable to obtain a larger income. If this should be the case, I am perfectly willing to formally make over the proceeds of the bonds to the institution, and then, as its agent, administer the fund and try to obtain a larger revenue from it, which I am quite sure I shall be able to do without risk. There may be legal or other objections to this latter offer, in which contingency I beg you not to have it considered by the

³⁵ The act was passed on Oct. 12 and signed by the Governor on Oct. 17.

³⁶ Senate Concurrent Resolution No. 14, adopted Oct. 16.

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Regents. If the preference of the latter lies in favor of taking the bonds, I will thank you to inform me in whose name they shall be registered by the Company.

Very sincerely yours H. Villard

There would not be a regular meeting of the Board of Regents before June 1883. Deady's first thought may have been to call a special meeting. But he sought the advice of Henry Failing, Portland regent and president of the First National Bank of Portland, who discussed the matter, apparently in Portland, with Geary. Geary agreed with Failing that the investment of the endowment should remain in Northern Pacific bonds "for the present at least," that the fund should be placed under the control of the Board of Regents, and that there was no need of a special meeting if the Eugene regents concurred. Failing, and perhaps Geary, tried to see Deady to discuss the matter, but his court was in session. The Eugene regents did concur, and proposed that the bonds be assigned to Failing as agent of the University.³⁷ Deady conveyed the decision to Villard.

No. 49.
Deady to Villard,
Jan. 18, 1883
(MH)

My dear Mr Villard [:] By the direction of the Regents, I have to ask you to have the bonds which you kindly advised me that you intended for the University—\$50,000 of the first mortgage bonds of the North Pacific Ry—transferred or registered in the name of Mr Henry Failing agent of the Regents.

As soon as a formal meeting of the Regents is had, a suitable acknowledgment of your generous action will be duly made.

I remain very truly yours Matthew P. Deady

Though the phraseology may be only conventional, "I have to ask you" suggests that Deady may have preferred Villard's proposal to reinvest the endowment at a higher rate of interest. If so, the future history of the endowment suggests that he may have been right. He perhaps recalled his own 1881-82 experience with Villard's skill in the management of investments (see pp. 9-10).

No. 50.
Villard to Deady,
Feb. 1, 1883
(OrHi)

Dear Judge Deady: I have your note of 18th ultimo.

In reply I would kindly suggest that the Regents agree upon some permanent plan for managing and utilizing the fund to be provided by me, and allow me to consider it before its definite adoption. I think there should be a formal agreement between us, looking to the preservation of the fund for stated purposes.

I am entirely willing to agree, for my part, that the income from it shall be applied towards the general purposes of the University, except the sum of \$400 per annum, which I desire to have devoted an-

³⁷ Eugene regents to Deady, Jan. 11, 1883; Failing to Deady, Jan. 18 (both letters in OrHi).

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nually to the enlargement of the library, for which I provided the foundation . . .

Very truly yours, H. Villard

On March 9 the Eugene regents, in a memorandum addressed to Deady, approved the provision for Library support. In an accompanying letter, Geary suggested: ". . . that, should he [Villard] desire it, the selection of the annual contingent of books be subject to his approval" (OrHi). The offer was apparently never made.

Villard again visited the University on Monday, April 23, 1883. The reception was less elaborate than usual when he came to Eugene. His train was late, many of the welcomers had left, and he could spare only an hour before going on to Portland.

No. 51.
Oregon State
Journal, Apr. 28,
1883

Last Sunday night Henry Villard, president of the Northern Pacific Railroad Company and of the Oregon railway companies, went south from Portland with a few friends on a special train to the end of the track of the Oregon and California Railway south of Roseburg. A telegram was received here Monday morning, stating that he would stop at the State University, which is situated near the railroad track in the upper end of town, at 4 p.m. that day on his way to Portland. Before the hour named a large crowd of citizens had assembled at the University and along the railroad track in front of the building to welcome the distinguished visitor. The train did not make its appearance until about 5.30. Many of the citizens and students had gone away, not knowing how long they would have to wait, but a considerable number were present when the special train stopped. Mr. Villard and friends were immediately escorted to the University building by the President of the college, members of the faculty, several of the regents and a crowd of citizens. When the auditorium was reached in the third story, the visitors were escorted to seats upon the platform along with the regents and faculty. President Johnson then called the audience to order and introduced Henry Villard, the friend and patron of the University. On rising, Mr. Villard remarked pleasantly that the gentleman had not pronounced his name correctly. It is frequently spoken that way like the English name Willard. He said he does not sound the d, and then pronounced his name, sounding both syllables, with the accent a little the strongest on the last syllable—*Vil-lard*.³⁸ He had expected to meet only the regents and faculty for a brief conference, as he was obliged to return to Portland that night, but thanked the audience for their presence . . . He expressed the hope that the state will do more for the University than it has yet done. He will remain the friend of the institution in the future as in the past, and hopes to see other non-residents, like himself, who are interested in the material development of the state, take an interest in it. He hoped all the students would make the best use of their advantages. He thanked the

³⁸ Nov. 22, 1886 faculty minutes: "A communication to Prof. Hawthorne in reference to the pronunciation of Mr. Villard's name was, on motion, ordered to be placed on file."

audience and bid them good evening. After a few minutes spent in visiting the library and the apparatus, in company with the faculty and four of the regents, the visiting party proceeded to the special train . . .

The *Guard*, which also reported the visit on April 28, recorded a Villard intention that remained unrealized, probably because, within eight months, he lost control of the Northern Pacific and other transportation interests, with a disastrous effect on his personal fortune. "He referred to his proposition to the Legislature to give the institution \$50,000 as a permanent endowment . . . and when he enquired of President Johnson to ascertain how much the tenth of a mill would yield per annum, and was told it would be about \$5,500, he said he intended to give as much as the Legislature." It is not, I believe, an overstatement of Deady's Irish canniness to suggest that the original bill for a fifth of a mill state tax deliberately overmatched Villard's generosity partly to encourage his friend "to give as much." Had the fifth of a mill tax been enacted and Villard's fortune survived the Wall Street crisis, the University might have enjoyed a prosperity beyond the wildest dreams of its founders.

When he returned to Portland after this visit, Villard formally assigned the Northern Pacific bonds to the Board of Regents.³⁹ When the Board met in June, it recorded the conveyance and its acceptance with equal formality. The documents were elaborately engrossed and sent to Villard by Deady.

No. 52.
Deady to Villard,
June 22, 1883
(MH)

My dear Sir. Enclosed please find the preamble and resolutions of the Regents, accepting your generous gift to the University.

Please acknowledge and advise of the transfer of the bonds.

Sincerely yours Matthew P Deady Pres. Regents.

Be it remembered that at the annual meeting of the Regents of the University of Oregon, begun and held on the 15th day of June A.D. 1883, the following, among other business, was transacted:

On motion of T. G. Hendricks the following resolutions were unanimously adopted, namely:

Whereas, Mr Henry Villard of New York has given the Regents of the University of Oregon ten certain bonds of the Northern Pacific Railway Company, of the par value of Fifty Thousand Dollars, as evidenced by his deed to them of April 25th, 1883, in the words and figures following, to wit:

Know all men by these presents:

³⁹ Oddly, at just this moment, Deady confided privately to his diary the only hint of a question concerning Villard's motives that appears in his papers. Apr. 28, 1883: "He is evidently a strong, deep man and I think an upright one—at least compared with other Railway Kings and speculators of the U. S." Immediately following this reflection: "He called to see me on Sunday and we talked over the endowment of the University . . ."

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That I, Henry Villard of New York, being desirous of permanently aiding the University of Oregon as a means of promoting liberal education and intelligence among the people of that State, do give and assign to the Regents of the University of Oregon ten (10) of the general first mortgage bonds of the Northern Pacific Railway Company, the same being of the numbers and denomination following, to wit . . . and of the par value of Fifty Thousand Dollars, (\$50,000) bearing interest at the rate of six per cent per annum, payable semi-annually together with the interest accrued thereon since January 1st 1883, in trust that they will forever keep said Fifty Thousand (\$50,000) Dollars as an irreducible fund invested either in said bonds or the bonds of the United States or some one or more of the states, or municipalities thereof, or loaned on interest, and amply secured by the first mortgage upon improved real property within the State of Oregon, as may be for the best interest of the University, and collect and receive the interest or income arising therefrom, and apply the same, or so much thereof as may be necessary and convenient from time to time for the maintenance and support of the University as provided in subdivision 2 of Section 9 of the University Act of October 21, 1876; Provided: First, that at least Four Hundred (400.00) Dollars of said income shall be devoted annually to the enlargement of the library of the University for the establishment of which I have heretofore given One Thousand (\$1,000.00) Dollars,

Second, that if at any time any portion of said fund is lost and the sum of Fifty Thousand (\$50,000.00) Dollars is thereby diminished, thereafter the entire interest or income arising from said fund shall be added to the principal thereof until the same is equal in amount to the sum of Fifty Thousand (\$50,000.00) Dollars . . .

In witness thereof I have hereunto set my name and seal this 25th day of April A D 1883.

(Signed) H. Villard (Seal)

In presence of J N Dolph W T Hume

Now therefore be it Resolved, by the Regents aforesaid, in lawful meeting assembled, that said gift is hereby thankfully accepted and upon the trust and condition in said deed specified; and we hereby authorize and request Mr Villard to assign and deliver said bonds to Mr Henry Failing, of Portland, Oregon, as the agent of the Regents of the University.

And be it further Resolved, that the Secretary is directed to prepare a certified copy of these Resolutions attested by his signature and the seal of the University, and deliver the same to the President of the Regents to be forwarded to Mr Villard, at New York . . .

In his 1882-83 report, Deady concluded a factual statement concerning the endowment with a eulogy of the donor.

No. 53.
Deady's Report,
1882-83, pp. 6-7

While I do not intend to indulge in any personal adulation of the giver of this good gift, it seems proper that on this occasion I should do something more than chronicle the mere fact that it has been made.

And first, it is noteworthy as being the only considerable contribution ever made in this state by private wealth to public uses. No town

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or place in Oregon can yet boast of a building, monument, arch, fountain, hospital, asylum, gallery, school or church, the gift of any one of its citizens. For a third of a century wealth has been accumulating in the hands of enterprising and fortunate individuals in Oregon, without any other distribution than the every day expenditures that are necessary and incident to ownership. But let us hope that this auspicious beginning will prove to be the stone loosed from the side of the mountain that shall fill the whole valley.

And second, this gift is not made by Mr. Villard as a citizen or resident of this state, but as the representative of "enterprises of great pith and moment" therein, which he is engaged in the conduct of. And I believe he has wisely chosen this means of acknowledging and discharging that undefined but high moral obligation, that all such enterprises are under to the country upon whose well-being and doing they so largely depend for their success.

Such an act proceeding from such motives is a benefit to the country far beyond the actual value of the dollars and cents involved in it. It familiarizes men's minds with the true use of riches, and as an example worthy of emulation is potential and far-reaching.

It is also pleasant to think that the memory of this aid to education will be kindly preserved in the traditions, orations, songs, chronicles and lives of the generations of Oregonians who shall share its benefits; and that the name of Henry Villard will thereby be remembered and distinguished, as the first benefactor of the University of Oregon, when his fame as the constructor of a great continental railway may be forgotten.

When the news of the collapse of Villard's empire at the year end reached Oregon, Deady immediately wrote to his friend.

No. 54.
Deady to Villard,
Jan. 4, 1884
(OrHi, copy)

My dear Sir. At last the wires bring us the unwelcome news that you have been compelled to resign the management of the Northern Pacific Railway and kindred companies, and that you have probably lost your fortune also.

Permit me to sympathize with you in your misfortune and express the hope that you may soon be restored to health, wealth and prosperity.

I have admired your genius, great-heartedness and philanthropic concern for the welfare of your fellowmen—and am very sure that this storm of adversity to which you have been subject for the past few months is wholly undeserved and unjust.

In your career, there has been nothing petty mean or selfish, but the great means and opportunities that have been placed in your hands have been freely used to accomplish great and good ends that will endure as your honorable monument when Wall Street and its heartless strife is forgotten . . .

Again tendering you my sincere sympathy and regards, I remain
very truly yours
Matthew P Deady

No. 55.
Villard to Deady,
Jan. 18, 1884
(OrHi)

My dear Judge Deady: I thank you most heartily for your generous words of sympathy and regard. They were especially welcome and grateful to me, as almost the first message of the kind that reached me from Oregon. The knowledge that my motives and acts were rightly

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appreciated by such friends as you sustains me in the severe visitations that have come upon me.

I am glad to say that my bodily condition is much improved. Moreover, I keep my courage and faith in the future.

Gratefully yrs. H. Villard

Oregon newspapers reported the event and speculated on the consequences for the state. The *Oregon State Journal* echoed Deady's assessment of Villard on January 5. The anti-monopolist *Guard* was, as usual, ambivalent. Its Eutaxian column expressed a more forthright student point of view.

No. 56.
Guard, Jan. 5,
1884

Mr. Henry Villard has resigned the presidency of the Northern Pacific railroad forced thereto by the manipulators of Wall Street. The producer of the Northwest will have abundant reasons to regret the retirement of a manager who has meant well in all his measures toward them. The stockholders of the systems he represented wish larger dividends, and the producer will soon contribute to pay them. As for Mr. Villard's supposed shrewd practices, we do not believe in them, as the position he resigned is of greater consequence than the millions he may have gained by indirect methods.⁴⁰

No. 57.
Eutaxian Column,
Guard, Feb. 2,
1884

Much regret is expressed by students of the University for the financial misfortunes of Mr. Villard. He will long be held in grateful remembrance for his many acts of kindness and his generosity towards us. His helping hand relieved, at a critical moment, an indebtedness which endangered the existence of our college. He paid the expenses of an additional professorship, which now should bear his name. He kindly furnished money to be divided among worthy students, as a stimulus to study. He donated liberally for the purchase of books wherewith to found a University library. For these and other kind and benevolent acts, he is duly remembered. And now that his financial embarrassments have stripped him of his wealth, we should remember and honor him the more.

Deady remained firm in his determination that the University must never forget its benefactor.

No. 58.
Deady Diary,
Mar. 13, 1886
(M.C., II, 492)

Went to Eugene on Friday and returned on Saturday to a meeting of the Regents . . . Got a resolution passed designating the new College building as Villard Hall, in acknowledgment of his benefactions to the University, of which I have had a copy handsomely engrossed to send him.

No. 59.
Deady to Villard,
Mar. 17, 1886
(MH)

My dear Mr Villard. The Regents of the University have just erected a new College Building at Eugene. It is a handsome structure and will cost when finished about \$30,000. The second story is occupied by the Hall or Assembly room to be used on gala days and State occasions.

⁴⁰ The *Guard* was still in character on May 3: "Henry Villard is not a very poor man after all. It is given out that he will manage to save \$1,000,000 from the wreck of his fortune."

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At a late meeting of the Regents it was determined, in consideration of your generous aid to the University to call the building "Villard Hall."

The enclosed resolution which I take great pleasure in sending you will explain the matter.

Please accept the same with kind regards to yourself and Mrs Villard, with the wish that I may yet hear your manly and friendly voice in "Villard Hall."

With kind regards I remain Sincerely yours Matthew P. Deady

No. 60.
Villard, from
Berlin, to Deady,
Apr. 7, 1886
(OrHi)

My dear Sir, I beg to acknowledge your kind letter of March 17, informing me of the decision of the Regents of the University to name the newly erected edifice after me, and accompanied by a copy of the resolutions of the Board to that effect.

I consider this action of the Regents a great honor for which I am truly grateful and I will thank you to express my full appreciation of it to the Regents.

I am much pleased to take the erection of the new building as evidence of the prosperity of the University.

It is a special satisfaction to me that I received the pleasing announcement in your handwriting. I trust that your kind wish may be fulfilled and that I may be permitted to visit Oregon again. With renewed thanks.

Yours very faithfully, Henry Villard

Thanks for the pamphlet rec'd some time since.

On September 15, 1887 Villard regained the presidency of the Northern Pacific. He wrote to Deady four days later, mentioning his victory but with first attention to a Deady decision in a major case of railroad law.

No. 61.
Villard to Deady,
Sept. 19, 1887
(OrHi)

My dear sir: I have been wishing for a long time to express to you my admiration of your interpretation of the Inter-State Commerce Law rendered *in re Ex Parte* Richard Koehler.⁴¹ In making this able and just decision, you have rendered a service of almost inestimable value to the entire public interested in railroad properties, which assures to you lasting fame in the present and in the future. I took occasion to comment upon the decision myself in a review of the Inter-State Commerce Law written for a leading German periodical. I also pointed out its merit and bearing editorially in the columns of the *Evening Post*.

I should have said this earlier, but for the entire absorption of my time and thought by the events that culminated in the Northern Pacific election on the 15th inst. Knowing that I always had the honor of your unchanged confidence, I feel sure that you will rejoice with me in the

⁴¹ Federal Reporter, XXXI, 315-322; Interstate Commerce Reports, I, 317-321. The July 4, 1887 decision, in the form of instructions to Koehler whom Deady had appointed receiver of the Oregon and California Railroad Co., concerned long-and-short-haul rate differentials under the Interstate Commerce Act. In two 1885 instructions Deady had arrived at a similar interpretation of the effect of an Oregon Granger statute. *Ex Parte* Koehler, Federal Reporter, XXIII, 529-534, XXV, 73-76.

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result of the short campaign that wrought so remarkable a revolution in my personal position within a few weeks.

With great respect, [Henry Villard]⁴²

In the fall of 1891 Villard and his wife, the daughter of William Lloyd Garrison, visited Portland. Deady sensed that Oregonians were beginning to forget the gifts to the University and took steps to remind them.

No. 62.
Deady Diary,
Nov. 7, 1891
(M.C., II, 619)

Tuesday afternoon met Mr & Mrs Villard by appointment at the [Portland] library and afterwards drove with them to the new building.⁴³ Called with Paul at their reception at the Portland [Hotel] in the evening. Not many there I am sorry to say. Wrote a paragraph calling attention to Villards gift of \$50,000 to the University and predicting that he would be remembered for it when the fame of his financial and railway exploits shall become a thing of the past. Gave it to the Oregonian in which it appeared on Wednesday morning.

No. 63.
Deady to Mrs.
Villard, Jan. 7,
1892 (MH)

My dear Mrs Villard. The books came safely to hand and were duly placed in the Library to your credit.⁴⁴ The public as well as myself are much obliged to you for your kindness. I mislaid your card or I would have made this acknowledgment sooner. As it is I am compelled to direct to New York generally, with the hope that so distinguished a person as yourself cannot be missed.

You remember the conversation at the [Portland] Library between Mr Villard and yourself and myself, in which I said that the public had glorified Mr V. as a railroad man, but I thought he ought to be noticed as a generous friend of the Oregon University; and added that I would make it my business to see that this was done [see no. 62].

In the Oregonian of the next morning I published a brief article on the subject. It was the morning you left Portland. Did you see it?

Sincerely yours Matthew P. Deady

A sculptured bust of Villard, presented by the subject at the request of the faculty, was placed in the assembly room in Villard Hall late in 1891. John Straub, secretary of the faculty, transmitted a resolution of thanks on December 6, with a preamble noting that "this image . . . is a constant reminder to the youth of our State, of what one good man can do." Also in 1891, apparently as Christmas greetings, Villard sent copies of an autographed portrait (perhaps a photograph of the bust)

⁴² The signature has been cut out, apparently by an autograph collector.

⁴³ A new building for the Library Association of Portland was under construction on Stark Street between Broadway and Park.

⁴⁴ *William Lloyd Garrison 1805-1879. The Story of His Life as Told by His Children.* 4 vols. New York, 1885-89. The OrU copy has an inscription on the flyleaf of vol. I: "To the Oregon University, with the sincerest good wishes of Fanny Garrison Villard December 1891—New York." Deady's letter might suggest reference to a set given to the Library Association of Portland; but the Portland library's copy has no inscription, and was not catalogued until 1903.

to members of the faculty. Professor Hawthorne acknowledged receipt of this "very handsome picture" with excessive flattery, and concluded: "The artist brings out that kindly expression of peace on earth and good will to man, and a pronounced disapproval of flattery." (Letters in MH).

A reorganization of the Northern Pacific in the late 1890s involved the retirement of the bonds in which the Villard endowment was invested and required re-investment. Judge Robert S. Bean, Deady's successor as president of the Board of Regents, handled the negotiations. Northern Pacific 4 per cent bonds, with a par value of \$55,000, were purchased in July 1899; the endowment is still invested in these bonds, which will mature on January 1, 1997.⁴⁵

On August 3, 1899 Villard, with his wife, made his last visit to the University, by special train courtesy of the Southern Pacific. He toured the building named in his honor and spoke to an assembly of citizens and faculty members in its auditorium, fulfilling in part the wish expressed by Deady in 1886 (see no. 59); Deady had died on March 24, 1893. The event was reported in the *Guard* and *Oregon State Journal*, August 5. On returning to Portland, he was interviewed by the *Oregonian*: "He thought the endowment he left the university would have been followed by other gifts from public-spirited citizens of Portland, but he has been disappointed in this" (reprinted in *Journal*, August 12). Mrs. Villard was not happy with the "crayon-picture" of her husband displayed in Villard Hall.

No. 64.
Regents Minutes,
June 14, 1900
(OrU)

To the President of Board of Regents
of the University of Oregon.

Dear Sir: I have just had sent to you a portrait of my husband, Henry Villard, painted by Eleanor Bell, a pupil of Leubach in Munich,⁴⁶ which I would very much like to have replace the crayon-picture of him that I saw in "Villard Hall" last summer. It represents him as he was at the time of his greatest activity in public enterprise in Oregon, and when he became interested in your institution. As the picture seems to me and to others, to well represent his energy of purpose and force of character, I venture to ask your acceptance of it for the University. My husband and I remember with great pleasure the warm welcome given to us at the University last summer, and we have its welfare much at

⁴⁵ Regents Minutes, June 18, 1896; July 22, 1899.

⁴⁶ This portrait hung on the wall of the first-floor corridor of Villard Hall from 1900 to 1969, when it was severely damaged during a period of campus vandalism. It was removed for repair and restoration, in the course of which earlier damage and unskilled repair were discovered and remedied, and stored for security in the University of Oregon Museum of Art. Early in 1973, when the violence of the late 1960s seemed to be a thing of the past, the portrait was returned to Villard Hall for rehanging. When Museum staff members, who were to supervise the rehanging, arrived fifteen minutes later, it had been stolen and has not been found.

Henry Villard and the University of Oregon

heart . . . Yours for the furtherance of the great cause of higher education.

May 11, 1900

Fanny Garrison Villard

Frank Strong, who had been elected third president of the University of Oregon in June 1899, had not yet assumed his duties when the Villards visited the campus in August; Straub had welcomed the guests as acting president. In December, however, encouraged by what he had heard of the University's benefactor, Strong wrote Villard, apparently soliciting further gifts with characteristic bluntness. The letter (which has not been found) seems to have lacked Deady's skills. Villard replied in January 1900.

No. 65.
Villard to Strong,
Jan. 8, 1900
(OrU)

Dear Sir: I duly received your favor of the 18th ult., but I am only now able to answer it.

You may rest assured that my interest in the institution under your charge is as great as ever. It is also my firm intention to do something more for it, but, for good reasons, which you will hardly expect me to explain, I am not prepared to indicate the time and extent of my additional aid at this time. I am also quite ready to assist any effort to increase the usefulness of the University by advice and otherwise.

As I made free to state in my remarks at the University last summer, its misfortune has been that the wealthiest men in the State died without leaving anything to it and that their heirs are not inclined to do anything and that there are now but a few considerable individual fortunes existing within the limits of Oregon from which donations can be expected. Still, it seems to me that it ought to be possible to induce the heirs of W. L. Ladd and Henry S. Failing, and perhaps those of Mrs. S. G. Reed, by proper effort, to do something for the commemoration of their names by gifts.

Another misfortune is the requirement of free instruction by the State.⁴⁷ I have always considered this very unreasonable, but whether it is possible to bring about a change is another and doubtful question. It is perhaps not known to you that I exercised some influence in obtaining the yearly contribution of the State for the maintenance of the institution from the legislature by making my large donation conditional upon its favorable action.

Perhaps a similar course might be effective hereafter. The free instruction should be abolished or the contribution of the State largely increased. I shall go to Washington this afternoon, and, while there, talk this point over with the Congressional delegation from the State.

Your reference to the statement in the press that Mr. Carnegie and myself intended to join in a money gift for a library building for the

⁴⁷ An act of the 1889 Legislature (Oregon Laws 1889, pp. 54-55) had provided an increased millage tax for the support of the University, but had also prohibited the collection of tuition from students. Villard's view would not have pleased Strong, who firmly supported free instruction, apart from a \$10 a year incidental fee that had survived the 1889 legislation—though he also supported initial evasions through a \$10 laboratory and breakage fee for instruction in science and engineering and a \$2.50 student-body fee.

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University was the first information I had on the subject. I must own that I have no such intention at this time, and I know nothing about the purposes of Mr. Carnegie. I know him, and will be glad to approach him regarding the matter, but I think I ought to be provided to that end with a formal application on the part of the University, endorsed by the Governor and Congressional delegation. I would kindly suggest this method for your consideration and action.

Permit me to add that I rejoice in knowing the chief direction of the affairs of the University to be in such competent hands as yours.⁴⁸

I remain Yours, very truly, H. Villard

Villard wrote again on January 31. Though he had not heard from Strong, he had seen Andrew Carnegie, who informed him that he was no longer interested in receiving applications for library donations. "In response to my question whether he could be approached later on behalf of your institution, he would not commit himself." Strong replied on February 23, still hoping for aid from Carnegie and for Villard's good offices with other men of wealth. "If there are men who desire to do good with their means in an educational way, we are hoping that you may see fit to direct their attention toward this far off coast."

Villard, however, preferred that Strong himself take the initiative, and on April 9 suggested Collis P. Huntington, president of the Southern Pacific, as a prospect. "He has a very large fortune, most of which was made on the Pacific Coast, and, as far as I know, has done hardly anything for that part of the country, and very little for public purposes elsewhere. He is on the Pacific Coast at this time, and I would suggest, therefore, that you present your wants to him in person. He makes his headquarters at San Francisco . . . I recommend making a point of seeing him as early as possible."

The correspondence closed with an exchange of letters in which Strong again urged Villard's intervention with Carnegie, and with Huntington, and Villard politely declined.

No. 66.
Strong to Villard,
May 21, 1900
(letter book,
OrU)

My dear sir: I received your letter in regard to Mr. Huntington just when I was setting out on a trip to Eastern Oregon. When I returned I stopped in Portland and inquired about Mr. Huntington, and was informed that he had already returned east . . . I wish very much that I might have seen him, but I trust that it may seem wise to you to speak to him some time, and if there is any disposition what ever to consider us we shall be more than glad to approach Mr. Huntington. Do you think it would do to again broach the subject of a library to Mr. Carnegie? We are simply desperately in need of a larger library in the university . . . it becomes a matter of very great moment to us

⁴⁸ This sentence may be only polite, but it may express satisfaction with the departure of President Charles H. Chapman after a troubled six-year term. There seems to have been no contact between the University and Villard during Chapman's administration.

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whether Mr. Carnegie is going to feel like doing anything for higher education in Oregon.

I recently received the painting of yourself sent by Mrs. Villard. It is certainly a fine piece of work and all together makes a magnificent appearance. I need not tell you that we are very proud of the gift; and it will be received with ceremony during commencement week.⁴⁹

I am happy to tell you that from indications the university is beginning a new period of life. We shall probably have twice as many students next year as we have this, and we look for one thousand by 1905 or 1906.

With very best wishes and assurances of my high regard, I am,
Yours sincerely, Frank Strong President of the University.

No. 67.
Villard to Strong,
June 7, 1900
(OrU)

Dear Sir: Your letters to Mrs. Villard and to me reached us simultaneously.

I am very sorry that you were not able to see Mr. Huntington during his stay on the Pacific Coast, which was prolonged beyond the time you indicate. I regret that I cannot comply, at this time, with your wish that I see him myself regarding your needs, as I have undertaken to urge upon him another benefaction. I may find it possible, however, to approach him in your interest in the fall. As regards Mr. Carnegie, he is out of the country spending the summer in Scotland in accordance with his regular custom, and it would be useless to address him there because he makes it his rule not to answer any applications received during his vacation. I must confess, too, that in view of his positive verbal declination of which I informed you I feel rather delicate in bringing the subject to his attention again.

Mrs. Villard is greatly pleased to learn that my portrait has given so much satisfaction. She rejoices with me at the improved prospects of the University.

Faithfully yours, H. Villard

Henry Villard died on November 12, 1900. Mrs. Villard informed President Strong by telegram; he responded for the University.

No. 68.
Strong to Mrs.
Villard, Nov. 12,
1900 (letter book,
OrU)

My dear Mrs. Villard: We were much shocked at the receipt of your telegram this morning announcing the fact that Mr. Villard had passed away. I at once telegraphed you the profound regret and sympathy of the University. It is needless for me to say that Mr. Villard, and indeed all of you, have a warm place in our hearts, for it is a very remarkable fact that the only man who has ever become the benefactor of the university, to any large degree, lived three thousand miles away from the university. His name will always be held in grateful remembrance by all graduates and students of this university, who in time to come share in its benefits.

With assurances of our highest regard and sympathy, I am,
Yours truly, Frank Strong

⁴⁹ Strong described the ceremony in a June 16 letter to Mrs. Villard. In a May 23 letter to Judge Bean, he had commented: "It is a magnificent picture and I want it to be displayed for the first time in public at this alumni dinner, and to make a considerable of it because I think that both he and Mrs. Villard are inclined to do something more for us." See note 46.

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Memorial services were held in Villard Hall on December 19. Professor Straub, secretary of the faculty, wired Mrs. Villard while they were in progress, and Strong in a letter the next day reported that the services were very impressive, showing "the deep attachment of the University and the state to him and his memory."⁵⁰

Mrs. Villard replied with expressions of continued affection for the University that encouraged Strong to again renew the question of Carnegie and to remind her that her late husband had intended further gifts. There is no evidence that Mrs. Villard responded.

No. 69.
Strong to Mrs.
Villard, Jan. 9,
1901 (letter
book, OrU)

My dear Mrs. Villard: Your letter of December 31st was much appreciated. I should not trouble you now except for the fact that Mr. Villard, about a year ago, called Mr. Carnegie's attention to the University of Oregon. Mr. Carnegie then said that he had given all he intended for a season for libraries, but did not forbid Mr. Villard's broaching the subject at some future time. I notice that Mr. Carnegie is offering Seattle \$200,000 for a public library. I am wondering whether you have an acquaintance with Mr. Carnegie and whether you would feel like calling his attention to Mr. Villard's conversation with him. Or, if that is impracticable, I am wondering whether you could think of any way in which I can be put into communication with Mr. Carnegie, in a manner that would give my communication a hearing.

I know that I am troubling you a good deal at a time when such things must be more or less unwelcome, but the fact is that the needs of the University are very great and I do not know which way to turn now that Mr. Villard is gone. I appreciate very much what you say about his intending to extend a helping hand to us again, and your trying at some future time to carry out his wishes.

He wrote me in the letter in which he told about Mr. Carnegie that he intended to do something more for the University but when and how much he was not prepared to say.

With very best wishes, I am

Yours most respectfully, Frank Strong

The interest of the Villard family in the University of Oregon con-

⁵⁰ The services were reported in the Dec. 19, 1900 *Guard*. Among other speakers, Condon addressed the assembly briefly on "Two Attributes of Henry Villard's Character." A copy of this address in the hand of his daughter, Ellen Condon McCornack, has survived in the OrU archives. It was not one of his best efforts: "There are two attributes of the Almighty that men of elevated culture are permitted to imitate, and often to develop into great permanent forces of character . . . Mr. President, I have an abiding conviction that it comports with the eternal fitness of things that the Almighty desiring to bestow on Oregon a great commercial uplift, looked into the brain of this broad minded man and chose the channel of its working through which to bestow upon the Northwest the blessing of the Villard Railroad System of the Columbia Basin. And I have an abiding conviction of like fitness that the Almighty desiring to enlarge and enhance the scope of higher education in Oregon looked into the workings of the brain of Henry Villard and saw there a fitting channel for his providential help to a higher plane of culture for the youth of Oregon."

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tinued after the death of Henry Villard, though President Strong's more grandiose dreams were never realized. They remembered especially that Henry Villard had founded the University Library; and the Library over the years received frequent gifts of books from Fanny Garrison Villard and her son, Oswald Garrison Villard.

When the University observed its semi-centennial anniversary in 1926, a telegram informed Mrs. Villard, then eighty-two years old, that speakers on this occasion had recalled her husband's part in the institution's early history. She replied: "We are deeply moved by the recognition of Mr. Villard's unfailing interest in the University of Oregon at its semi-centennial celebration. Please accept our warmest thanks for your kind telegram from Eugene which we so highly appreciate" (*Oregon Daily Emerald*, October 27, 1926).

In the spring of 1934 Oswald Garrison Villard spent two days on the University campus. At a student-faculty banquet in his honor on March 5, Dean Wayne L. Morse of the School of Law welcomed him for the faculty, and Richard L. Neuberger, a student and former editor of the *Emerald*, introduced Henry Villard's distinguished son. He again visited the University in June 1935, addressed the graduating class, and was awarded the honorary degree of Doctor of Laws. Both the 1934 and 1935 visits stimulated a rash of historical journalism in the *Emerald*, retelling from the morgue the story of how Henry Villard "saved the University" in 1881.

In June 1942 Oswald Garrison Villard, now an honorary alumnus of the University, joined a group of New York alumni in purchasing and presenting to the Library a thirty-year run (1836-65) of his grandfather's abolitionist newspaper, *The Liberator*; in October Villard added the 1833 volume to the file.

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