

THOUGHTS

ON

PUBLIC EDUCATION IN KENTUCKY,

WITH SPECIAL REFERENCE TO

NORMAL SCHOOLS, THE STATE AGRICULTURAL AND
MECHANICAL COLLEGE, AND THE TRUSTS
OF TRANSYLVANIA UNIVERSITY.

It would be of no avail to inculcate the advantages of modern scientific agriculture and the arts, if their teachings cannot be understood by our people: these can flourish only amongst an educated population.

More important fact yet: enlightened statesmen have long since taught us that freedom itself is impossible except to the intelligent and educated; who alone are competent to make good constitutions and laws for the government of their communities; to understand the necessity and benefit of implicit obedience to them, and able judiciously to enforce them. So that, while despotic or aristocratic governments may ignore popular education, or only provide the means of instruction for the benefit of the ruling class of citizens, it is the absolute duty of the free State or Republic to provide general, or even compulsory, education for its people.

To the honor of Kentucky it may be stated that she has done much in this relation. Her Common School system, established by the State Constitution, and endowed with an annual income from public sources alone, approaching to a million of dollars, gave tuition, in 1876, according to the report of the State Superintendent of Public Instruction, to 448,142 white pupils alone, at the rate of \$1.90 to each pupil, which was supplemented by a much larger sum from local sources. How many colored pupils were taught under the Common School system is not reported; but the number was considerable.

Notwithstanding this encouraging and favorable exhibit, the educational wants of our growing people, in view of the increasing necessity for more thorough training and instruction, to enable them to keep step with the onward march of improvement in our great country, *are by no means fully supplied.*

It may be instructive to compare our State in this respect with our neighboring State of Indiana. With an area of territory nearly as large as ours, and a population only about a third of a million greater, Indiana according to the Census Reports of 1870, had in that year 464,477 scholars at school, of whom 446,076 were in her Public Schools; while Kentucky had 245,139 in all, of whom 218,246 were in the Public Schools. Indiana supported her schools with an income of \$2,499,511, of which \$2,126,502 were from public funds; Kentucky devoted \$2,538,429 to her schools, of which only \$674,992 were derived from public funds.

Let us compare our State with that of Massachusetts, as reported in the United States Census Reports for 1870, as follows:

Massachusetts, with a population of 1,457,351 at that date, had 242,145 pupils in her Common Schools; which had an income from *public funds* of \$3,069,085. Kentucky, with a population of 1,321,011 at that date, had 218,246 pupils in her Common Schools, to which *public funds* contributed \$674,992. Massachusetts, in short, gave nearly five times as much for the support of her Common School system as did Kentucky; securing to the pupils a higher grade of education at the ex-

pense of the Commonwealth, and thus maintaining in the State a higher efficiency, on the part of her people, in the management of all public and private interests; which doubtless more than remunerated her for the expenditure, and causes her citizens to be leaders in enterprise all over the country.

If we compare the two States as to relative illiteracy, the contrast may also be instructive, as follows:

In Massachusetts there were, in 1870, 114,100 persons above ten years of age, of whom nine tenths were foreigners, who could not read and write. In Kentucky there were 249,567 persons ten years old or over who could not read and write, only one fourth of whom were foreigners. As a very large proportion of these illiterates in Kentucky are colored persons, the comparison as to the white population would be much less unfavorable to us.

Evidently, the educational advantages in the Common Schools of Massachusetts are greater and more profitable to the State than those of Kentucky; and this for the reason, amongst others, that she has provided ample means for the education and training of her Common School teachers in her five *Normal Schools*, and has established schools and instruction of higher grades than is possible at present in the Kentucky Common School system. The fact that well educated teachers are absolutely necessary to efficient instruction, and that those teachers may be best and most economically educated at home, is well understood. Massachusetts has five Normal Schools. Kentucky is represented in the Census Reports to have one; but this is not a State institution.

STATE NORMAL SCHOOLS.

There was a time in the history of Kentucky when, upon the urgent and conclusive representations of the late Rev. Robert J. Breckinridge, then Superintendent of Public Instruction, a State Normal School was established, to which a liberal income was appropriated by the General Assembly of Kentucky. But after two years of successful operation, under what seems to the writer unfortunate opinions as to the con-

stitutionality of the appropriation, this useful State institution was abolished by the Legislature.

The constitutional objections arose from article eleventh, section one, of the Constitution, which provides that all the public funds devoted to public education, "together with any sum which may be hereafter raised in the State by taxation or otherwise, for purposes of education, shall be held inviolate, for the purpose of sustaining a system of Common Schools"—repeating that they "*may be appropriated in aid of Common Schools, but for no other purpose.*"

A strictly literal rendering of this provision would cut off all recent endowments from private schools, colleges or universities; for the several sums donated to them were given "for the purposes of education," and the clause reads that "any sum which may be hereafter raised in the State by taxation, or *otherwise*, for purposes of education," shall be used to sustain the Common Schools. Evidently the words "*by the State*" should be understood in this paragraph.

The legal difficulty which destroyed our only Normal School is evidently based on the signification given to the term "Common Schools." The Constitution makes no definition of the term; but the General Assembly has said what a Common School in Kentucky shall be, and it has an equal right to *amend that definition* whenever the public interests may require the change.

The word *Common* means not only low, ordinary, of no rank, etc., etc., but it signifies "belonging to the public; having no separate owner; general; serving for all; universal; belonging to all:" as "our common country;" "our Commonwealth;" "our common law;" etc., etc.

In this sense alone can it be applied to Public Schools; except so far as it may be technically defined by the legal authorities, and the prefix of this word "common" means no more than would the words State, public, or general, in the same relation, and by no means fixes upon these indispensable instruments of public improvement, the Common Schools, the low grade of utility asserted by some legislators.

A Common School system being really only a system of education established by the State for the equal benefit of all her people—*for general education*—of which the poor have more especial need, and in which the State has a paramount interest, the grade and standing of such schools, as well as the means to render them most efficient, would seem to be subjects for legislative action under the Constitution; and if the wisdom of the General Assembly decides that teachers should be educated and trained in Kentucky at public expense, in order to make the public educational system more efficient, and “in aid of her Common Schools,” no constitutional prohibition appears to stand in the way of such legislation.*

The grand object proposed is the education of the whole people; an indispensable means for preserving peace, liberty, and prosperity in the Commonwealth. Education of a certain kind being necessary, not only to the peaceful preservation of our rights, common and personal, but to the successful prosecution of agriculture and the mechanic arts, the schools which provide such education for all are necessarily Common Schools, and of paramount public interest. That Kentucky should have one or more Normal Schools, “*in aid of her Common Schools,*” is proved by the successful action, in this regard, of almost all the other States of the Union. (See Appendix A for a schedule of Normal Schools in the other States.)

THE STATE AGRICULTURAL AND MECHANICAL COLLEGE OF KENTUCKY.

Elementary instruction, in so much of the great body of the natural and physical sciences as is now indispensable to modern improved agriculture and the successful prosecution of the mechanic arts, is provided for in the colleges, “to promote the liberal and practical education of the industrial classes,” established in the several States on the basis of a grant of land scrip by Congress for this purpose.

* If, as was the fact on the previous occasion, it is found economical of means to establish a State Normal School in an existing University, proper enactments to preserve all public or common interests seem to be all that would be necessary to meet the provisions of the Constitution.

In Kentucky, as well as in many other States, the original congressional grant has been largely supplemented by private donations. In the case of our College, the more than two hundred thousand dollars, raised by the energetic efforts of John B. Bowman, Regent of Kentucky University, mostly from citizens of Fayette county, have almost alone provided its ample grounds and the buildings necessary to its location and establishment. Its means of instruction, in apparatus, museum, libraries, etc., etc., having been mainly derived from Kentucky University, to which it is attached, by law and contract, as one of its Colleges.

In other States, large appropriations have been made from the public funds for grounds, buildings, means of instruction, etc., in aid of the congressional grant for promoting popular education; and in some, an annual appropriation is made for current expenses, repaid to the State in free tuition. But the Legislature of Kentucky has not as yet, probably, appreciated the fact that this beneficent institution may be a most efficient "aid" to the Common School system of the State, and constitutional objections are made to any appropriations from public sources to assist in its permanent establishment and maintenance.

The provision, however, in the contract with the Curators of Kentucky University, that each legislative district of the State may send two free pupils to this College, shows that it may be considered as the common property of the people, and that it is in fact, if not a Common School itself, a College which may be most effectually employed "*in aid of Common Schools*," according to the terms of the Constitution. Moreover, the terms of the congressional grant make it the common property of the whole State.

Our Agricultural and Mechanical College, with the sole income derived from the interest on the proceeds of the congressional land grant, and a small sum from tuition and matriculation fees and proceeds of the farm, has already been of great utility to our State, having educated, free, during the brief term of its existence, a large number of young men

annually, who come from all parts of the State, and who may be centres of enlightenment within their several localities at home. Individual munificence has provided for it a large farm, the magnificent domain lately the home of Henry Clay, together with an adjoining estate, with such buildings only as were constructed for the purposes of resident gentleman farmers, and not specially adapted to the wants and requirements of such a College as was designed; and something more is necessary, in this respect, to the permanent establishment of a great State educational institution on the present foundation.

Other States, much younger and less wealthy than ours, point with patriotic pride to large and commodious buildings for lecture halls, recitation rooms, laboratories, museums and cabinets of instruction, libraries, etc., etc., all of which are indispensable. Many of these Colleges of other States are rich in modern books and apparatus, specimens, models, and other necessary means of instruction. But our College has no special fund by which these very desirable equipments and appurtenances can be supplied. Individual liberality, in its endowment, seems at present to be dormant; the funds and property of the other Colleges of the University, given all in trust for general educational purposes, have been mainly appropriated; and hence the State, to which this College belongs, and to which will always belong the beneficial uses of its valuable real estate, as long as the the College exists in its present location, should come to its assistance, in an efficient manner, suited to the great wealth, magnitude, and elevated character of our Commonwealth, and place it permanently, by a wise and liberal legislation, on the basis of great and general utility to our people, for which it was designed.

The greatest advantage to us of the study of the Centennial Exhibition is from the comparisons we are enabled to make with other States and other countries. Statistics from other sources are naturally sought to aid us in drawing the comparison. The United States Commissioner of Agricul-

ture, in 1873, gives, in his report of that year, the following very significant statement:

“All the States, with the exception of a very few, have added something to the congressional land scrip grant. These additions have generally been made in buildings, lands, and apparatus, yet several of the States have contributed largely in money.”

“Besides all these donations (by individuals and corporations), large sums have been given annually by many of the States to defray the current expenses of conducting the Colleges.”

“By comparing the value of the property derived from the land scrip received from the National Government with that derived from other sources, it will be seen that for every \$100 given to these Colleges by the Government, the people have contributed \$69, or more than two thirds as much.”

These Colleges are peculiarly the *people's institutions*, and are the common property of the whole community. They are in fact *Common Schools*, or to be used in “aid of the Common Schools,” in a liberal rendering of the expression; and the public, by their representatives and in their individual capacity, should, at all times, cherish and preserve their interest in them by placing and keeping them in a condition of the highest efficiency; more especially because they are designed for that modern and practical education, particularly in the natural and physical sciences, etc., etc., which our advanced civilization and our free political institutions require in our people. (See Appendix B for endowments of these Colleges by the several States, by corporations and by individuals.)

TRANSYLVANIA UNIVERSITY.

The late Rev. Robert J. Breckinridge, in his report for 1850, as Superintendent of Public Instruction in Kentucky, says, page 21, what is matter of history: “It (Transylvania University) was received (from the State of Virginia) as a State institution from the earliest existence of the *State* of Kentucky, and has been so considered and treated by the Legislature to the present day; and it is the only institution

of learning in the State of which these facts are true." This statement, made before the establishment of the State Agricultural and Mechanical College, was practically acknowledged shortly afterward by the General Assembly, by the establishment in it and endowment of the State Normal School.

Indeed, the State, as the statute-books show, has more than once interposed its paramount authority over the trusts of Transylvania by reorganizing its Board of Trustees, without the petition of that body, and, in one instance, by placing them under the control of, and accountable to, the District Court of Fayette county. It has, moreover, *frequently endowed it for the sole purpose of public education*;* and, almost up to the time of its consolidation in Kentucky University, the Legislature has appointed, at each of its sessions, committees to visit it and report to the General Assembly as to its condition, wants, and progress. *All the rights and interests of the State and of the people in this our first and venerable University, acknowledged and established before the present State Constitution was adopted, were carefully preserved in the act by which it was united with Kentucky University, and consequently the Legislature, having never relinquished its paramount control of its trusts, which were all devoted to the purposes of public or general education alone, without respect to sect or party, is just as much bound, in the maintenance of public interests, to appoint its regular visitorial committees, to examine and report on its condition and progress, and to watch over its trusts and property, as it ever was; and the rights of this institution to the protection and patronage of the State Government, handed over to Kentucky by the State of Virginia when the former was made a State—rights and privileges which were established and acknowledged long before the existence of our present Constitution—no doubt remain to this day unaltered and intact.*

A very condensed exhibit of the facts in the history of Transylvania University will demonstrate that it is just as

*See Appendix C.

much a State institution now—just as much the property of the whole people—as when it was first handed over by Virginia, and that there is a peculiar propriety in its present union with the Agricultural and Mechanical College of Kentucky.

It was instituted and endowed with a grant of public lands by the State of Virginia while Kentucky was only a county of that State. Its first charters, the main provisions of which remain yet in force, given in 1780 and 1783, made it "*A Public School or Seminary of Learning;*" in other words, a "*Common School.*" This character, stamped upon it by the mother State, in its first organic laws, has been carefully preserved, by special enactments, in all its varied fortunes, down to the present day.

All of the numerous endowments, made to it by the States of Virginia and Kentucky, by the city of Lexington, by other corporate bodies, and by individuals at various times, have, without exception, been devoted by the several donors to this great general purpose—*public education, without regard to sect or party, and "the promotion of learning and science."* Consequently, the General Assembly of Kentucky, in its paramount control over all public trusts, and in its special guardianship of this State institution, *the first of our Common Schools*, can justly claim and enact that all its property shall be applied to *common, popular education alone*, and not to the special uses or advantage of any sect or party whatever.

Taking all these facts into consideration, and an examination of the records will fully establish them, our State is not so very far behind other States in her means which can be employed "in aid of her Common Schools," and in the promotion of popular education of a higher order, as might appear from the ordinary exhibit of her Common School system.

There is really no alteration or diminution of the rights of the State, or of the people at large, in the property of Transylvania University, or in the State Agricultural and Mechanical College, because of their union in the present Kentucky University.

In the tripartite contract by which the three institutions were consolidated, "all the trusts and conditions" of each were carefully preserved; and although in the charter of the original Kentucky University there is a clause which requires that two thirds of the Curators shall be members of a single religious denomination in Kentucky, yet they hold none of the University property *in fee*, to do with it as they please; *but hold it only in trust*; and are obliged, by the charters under which they act, to control and apply it "*to the purposes for which it was donated*" only, viz: for general, public education, without regard to sect or party. Being thus strictly accountable to the State for the faithful performance of their trust.

The records of Kentucky University proper show, moreover, that a large proportion of her own peculiar endowments were made for purposes of general and public education of a higher order; to build up a great liberal educational institution for general instruction; without any special appropriation of their uses to any sect or party, although under the auspices of a religious denomination.

Considering all the foregoing facts in a calm and unbiased spirit, the friend of the enlightenment of the masses of the people of Kentucky cannot but feel hopeful and encouraged as to the future progress of improvement in our State. The people of our State have always manifested a most lively solicitude for popular education, and have gone in advance of our politicians in freely taxing themselves for this greatest of public interests; and although adverse decisions of our Court of Appeals, based probably on a *technical definition* of what a Common School in Kentucky was intended for the time to be, may seem to bar all efforts to secure a more elevated system of Common School education in our State, yet *definitions* of popular rights must change as popular interests and necessities vary; and, as advancing civilization necessitates a higher and more modern training of the youth of our Commonwealth, our Common School system will undoubtedly be elevated and improved, until Kentucky is placed on an equal footing with

all our sister States in her means for the cultivation, elevation, and enlightenment of her people.

The principal objection to the use of public funds for higher educational purposes seems to be that the many are taxed for the benefit of the few; but, "as the government of our people cannot possibly be a *pure democracy*, it necessarily results that a *few* are constantly selected to perform all the practical functions of government for the benefit of the many, and it is just as necessary for the many to provide the qualified few, for the proper control and direction of public affairs, as it is for them to provide public buildings, public highways, &c., in all which the people have an equal interest.

"But for the educated men of our communities public interests would greatly suffer. These *must* be *educated* or they are not fully qualified. The practical question then is, shall the people be governed only by those who are rich enough to pay fully for their own education, or shall the State, by its assistance afforded to the poor man's son, give him an equal chance to become a manager of public affairs, by means of taxes to which the rich must contribute? It seems that in this sense the public support of institutions for higher education is more democratic than throwing the whole cost of such training on the pockets of the individual, and that the latter course gives an undue influence to *wealth* in our Republic."*

* Quoted from a letter by the present writer, published in the Courier-Journal.

APPENDIX A.
OF STATE NORMAL SCHOOLS.

From the Report of the United States Commissioner of Education for 1875.

STATE.	Number of Schools.	Number of Instructors.	Number of Students.	Appropriat'n by the State (annual) for 1874.
Alabama	2	7	199	\$9,000
Arkansas	1	2	58	. . . . .
California	1	10	390	17,500
Connecticut	1	8	175	12,000
Delaware and Georgia	none.	none.	none.	none.
Illinois	2	25	603	43,987
Indiana	1	. . . . .	. . . . .	. . . . .
Iowa	none.	none.	none.	none.
Kansas	3	20	699	24,261
Kentucky and Louisiana	none.	none.	none.	none.
Maine	4	19	548	14,899
Maryland	2	13	453	16,000
Massachusetts	6	62	1,189	55,000
Michigan	1	13	411	17,200
Minnesota	3	24	782	31,000
Mississippi	2	9	351	9,000
Missouri	5	50	1,407	35,000
Nebraska	1	7	282	12,000
New Hampshire	1	9	155	5,000
New Jersey	1	10	269	15,000
New York	8	116	3,233	110,832
North Carolina, Ohio, Oregon	none.	none.	none.	none.
Pennsylvania	10	121	3,869	35,000
Rhode Island	1	19	159	10,000
South Carolina	1	4	39	10,000
Tennessee	1	5	. . . . .	10,000
Vermont	3	22	482	45,000
Virginia	1	18	243	10,339
West Virginia	5	24	560	7,500
Wisconsin	3	35	847	35,120
District of Columbia and Utah	none.	none.	none.	none.

APPENDIX B.

SCHEDULE OF ENDOWMENTS BY THE SEVERAL STATES, BY CORPORATIONS, AND BY INDIVIDUALS, OF THE COLLEGES ESTABLISHED BY CONGRESS.

Extracted from the report of the Committee of Education and Labor, made to the House of Representatives, 43d Congress, 2d session, February 18th, 1874.

NAME OF INSTITUTION.	By State or Corporation.	By Individuals.
Agricultural and Mechanical College of Alabama	\$2,700	\$100,000
Arkansas Industrial University	82,000	200
University of California	quite largely.	. . . . .
Georgia State College of Agriculture and the Mechanic Arts	25,000	3,400
Illinois Industrial University	685,300	. . . . .
Purdue University	110,000	185,000
Iowa State Agricultural College and Farm . . . . .	. . . . .	21,385
Agricultural and Mechanical College of Kentucky . . . . .	. . . . .	210,012
Louisiana State Agricultural and Mechanical College	10,000	. . . . .
Maine State College of Agriculture and the Mechanic Arts	119,000	14,000
Maryland Agricultural College	45,000	. . . . .
Massachusetts Agricultural College	411,435	29,751
Massachusetts Institute of Technology . . . . .	. . . . .	511,026
Michigan State Agricultural College	461,396	. . . . .
University of Minnesota	135,500	. . . . .
Agricultural and Mechanical Department Alcorn University	105,000	. . . . .
University of State of Missouri, Agricultural and Mechanical College and School of Mines, etc.	260,545	1,250
New Hampshire College of Agriculture and the Mechanic Arts	27,000	87,000
Rutger's Scientific School of Rutger's College, New Jersey . . . . .	. . . . .	93,000
Cornell University, New York . . . . .	. . . . .	1,102,500
Ohio Agricultural and Mechanical College	300,000	24,215
Corvallis College	10,000	. . . . .
Pennsylvania State College . . . . .	. . . . .	117,699
Tennessee Agricultural College . . . . .	. . . . .	131,085
Agricultural and Mechanical College of Texas	100,000	. . . . .
University of Vermont and State Agricultural College . . . . .	. . . . .	49,359
Virginia Agricultural and Mechanical College	20,000	16,683
Hampton Normal and Agricultural Institute . . . . .	. . . . .	250,376
West Virginia University	130,970	53,000
University of Wisconsin	40,000	. . . . .
Worcester County Free Institute of Industrial Science	50,000	495,940

APPENDIX C.
ENDOWMENTS OF TRANSYLVANIA UNIVERSITY, ETC., ETC.

Date of Donation.	Donors.	Donations.	Conditions of Donations.
1780 & 1783	State of Virginia	Escheated lands in county of Kentucky, not to exceed 20,000 acres*	To Transylvania Seminary, for the purposes of a "public school or seminary of learning."
1783	Individuals	Books, money, etc., "as an encouragement to science"	"No property shall be diverted from the special purpose to which it was appropriated by the donor. The Trustees shall be at all times accountable to the Legislature in such manner as it may direct." (See statutes.)
1787 & 1790	State of Virginia	One sixth of surveyors' fees in District of Kentucky.	On same conditions.
1789	Individuals	Money (in aid).	
1791	State of Virginia	A lottery privilege	
1792-'3	Transylvania Land Company	A lot in Lexington (the old College lawn)†	Payment by Trustees of the value of the house on it, and the permanent location of the Seminary in Lexington.
1794 . . . . .	. . . . .	. . . . .	<i>Kentucky Academy incorporated.</i>
1795 . . . . .	. . . . .	. . . . .	The Legislature suspended the Board of Trustees of Transylvania Seminary, and placed the Seminary under the control of the Lexington District Court.
1795	State of Kentucky	6,000 acres of land to Kentucky Academy.	Under the former conditions.
1795	State of Kentucky	6,000 acres of land to Transylvania Seminary	
1795	Individuals in various Eastern States	About \$14,000 in money, books, and apparatus, to Kentucky Academy.	
1798-'9 . . . . .	. . . . .	. . . . .
1804	State of Kentucky	A lottery privilege	"For the promotion of science, learning, and virtue." Washington, Burr, and Adams amongst the donors.
1819	State of Kentucky	The bonus of the Farmers and Mechanics' Bank for two years, \$3,000	<i>Consolidation of Transylvania Seminary and Kentucky Academy as Transylvania University, under the laws and charters of the former, all the trusts and conditions of both preserved, by statute.</i>
1820	State of Kentucky	\$5,000 in commercial paper	To raise money for a medical college in the University.
1820	City of Lexington	\$6,000 in commercial paper	To Transylvania University, as a State institution (old conditions). To the Medical College, Transylvania University, for books, apparatus, etc. For same purposes.

ENDOWMENTS OF TRANSYLVANIA UNIVERSITY, ETC., ETC.—(Continued.)

Date of Donation.	Donors.	Donations.	Conditions of Donations.
1820	State of Kentucky	Fines and forfeitures of Fayette county	To the University (old conditions).
1821	State of Kentucky	Half the profits of the Commonwealth Bank at Lexington—\$20,000 in commercial paper	To the University (old conditions).
1821	State of Kentucky	2 per cent. on auction sales in Lexington and Fayette county	To the University (old conditions). (Paid as late as 1839.)
1822	Citizens of Lexington	About \$4,832	To support the Medical College of the University.
1823	Col. Jas. Morrison	\$20,000	For library or professorship "to be called after his name, as may best promote the interests of learning and science." The Trustees chose the latter.
1823	Col. Jas. Morrison	His residual estate, about \$50,000.	"To build an edifice to be called the Morrison College."
1823	State of Kentucky	A lottery privilege	To raise \$25,000 to build a medical college.
1827 to 1829.	Citizens of Lexington	\$3,000 per annum for 4 years.	To support the University; to pay salaries of President and Medical Professors.
1827 to 1829.	City of Lexington	\$500	Also \$10,000 insurance on the burnt College edifice.
1839	City of Lexington	\$70,000, to endow the several colleges of the University	The city to elect two Trustees,† and send a free scholar for each \$500.
1839	Transylvania Institute, mostly citizens of Lexington	About \$35,000 to Morrison College	To elect two Trustees, and hold a free scholarship for each \$500 paid.
1839	Medical professors and other citizens	\$3,000	To purchase the lot on which the new Medical College edifice was erected.
1839 and subsequently .	The medical professors	The residuary debt, in annual payments of \$515	Of the Medical College edifice.
1855-'6	State of Kentucky	\$12,000 per annum for two years	To pay the current expenses of the State Normal School.
1865 . . . . .	. . . . .	. . . . .	State of Kentucky consolidated Transylvania University with the State Agricultural and Mechanical College and Kentucky University, under the latter name, "preserving all trusts and conditions."

* 8,000 acres in 1780, and 12,000 in 1783.
 † By the act reorganizing Transylvania University and incorporating the Transylvania Institute, of 1839, the city of Lexington was to appoint two Trustees, the Transylvania Institute two, and the Governor of Kentucky three Trustees, of the seven constituting the Board. Showing that, up to that time, the University was considered to be a State institution. This law was in force at the time of consolidation with Kentucky University and the State Agricultural and Mechanical College.