

A PRECURSOR TO AFFIRMATIVE ACTION: CALIFORNIOS AND MEXICANS IN THE UNIVERSITY OF CALIFORNIA, 1870-72

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Introduction

We tend to take the presence of substantial numbers of minority students on campuses for granted. Yet their widespread matriculation is a fairly recent phenomenon. Before the mid-1960s, most colleges geared admissions standards to the scholastic level of wealthy, white high schools. This practice limited minority enrollment dramatically. Only the affirmative action programs, created in response to demonstrations and ghetto riots, have enabled significant numbers of minorities to attend universities.

These programs have been criticized for relaxing admissions criteria and lowering institutional quality. It is not generally known, however, that colleges in the late nineteenth century commonly relaxed standards so technically unqualified students could enter a preparatory department, adjunct to the university, and ready themselves for formal admission. The high school movement had not yet flowered, and the preparatory department filled the gap between the free public school and the university. In 1870, there were only five states where no college had such a department. Four of them were in New England, where the tradition of private academies remained vigorous.¹

Sometimes these departments made it possible for minorities to enter a university. For example, in 1870 the University of California created a sub-freshman grade called the Fifth Class. Its curriculum was designed

to help students pass the strict entrance exams. At a time when the university proper enrolled only one minority student, the Fifth Class contained several Spanish-surnamed individuals, many of whom later qualified for entry into the freshman class. When the regents ended the program in 1872, minority enrollment virtually ceased. This paper examines the brief career of the Fifth Class and minority access in the early 1870s.

The University of California

The California constitution of 1849 provided for a state university and any branches of it that might be deemed desirable. Legislators, however, did not exploit this opportunity at once. Gold fever, and the later excitement over the Comstock Lode, drew potential students off to the sluices and mines. Financial problems, competition from private colleges, and warnings of catastrophe from worthies like Dr. Horace Bushnell² further delayed its inception. After the Morrill Land Grant Act of 1862 made a state university feasible, politicians from Sacramento, Napa, Alameda, Santa Clara, and El Dorado counties vied for its site. Not until March 23, 1868, did governor Henry Haight sign legislation officially creating the University of California.

It was a time of swift transition, for both the state and higher education. The transcontinental railroad was nearing completion, and most Californians were buoyed with expectation of imminent prosperity. In education, the traditional small colleges were rapidly transforming themselves into universities as we know them.

American colleges in the nineteenth century resembled the medieval institutions in Bologna, Paris, and Oxford more closely than modern universities. The European schools originated as guilds, whose members had recognized rights to instruct apprentices (students) and dispense licenses (degrees) to teach.³ Since the functional core of a guild is monopoly of a service, admission was restricted:

For nothing destroys the standards, dignity, status, and above all the prestige of a guild so decisively as open doors and large numbers . . . Knowing this, many scholars insist [ed] that every applicant must be carefully scrutinized; and that only those who possess the qualities essential to excelling in scholarly work . . . should be permitted to attend the universities.⁴

Though the purpose of universities had grown somewhat broader since the late Middle Ages, they retained structural, philosophic, and linguistic holdovers from the era.⁵ Most nineteenth century colleges maintained narrow classical curricula, small enrollments, and a cloistral commitment to the preservation of learning.

In 1870s America, however, this practice was coming under sharp attack. Industrialization created the need for a better educated populace, and such lords of the marketplace as Vanderbilt, Stanford, Cornell, and Johns Hopkins were endowing new universities apace. Rising affluence brought a college education within the reach of more and more people. The rapid growth of technology inspired confidence in science and progress. A new concept of higher education was developing, which Ezra Cornell perhaps summed up best: "I would found an institution where any person can find instruction in any study."⁶ Vanguard universities added science and other topics to the curriculum. They introduced the elective system, stressed intellect over piety, induced many more students, and declared their goal to be the search for truth rather than the conservation of antiquity.

The new University of California experienced this conflict in an interesting way. On one hand, it was a public institution, open to all who could pass the entrance exams. It offered numerous courses in the pure and applied sciences, and had a Board of Regents who

had been drawn, as Regents have been drawn ever since, from the ranks of Californians who had reputations for astuteness in business or for contributions to the cultural development and general prosperity of the state.⁷

On the other, it had a faculty of ten men who were unusually attached to the admission standards of the guild. The resulting interplay between openness and elitism largely determined the trajectory of the Fifth Class.

Costs of Attending the University

The first official catalog of the university proudly announced that its doors were open "without charge, to all of both sexes, who are qualified to profit by its advantages." The *Register* urged students to "avail themselves of its advantages, in such numbers as to justify its high aims and its large hopes."⁸ The university was free and public, and beckoned

the bright to enter.

However, hidden costs prevented many of them from responding. Though students were not charged tuition, they still had to pay room and board. The 1870-71 *Register* listed the estimated expenses:

Board and Lodging, from	\$200	to	\$320
Fuel, Lights, and Washing, from	40	to	60
Books and Stationery, from	20	to	40
	\$260	to	\$420

With modest allowance for clothing, travel, pocket money, and board during vacation, the cost of attending the university probably ranged from \$300 to \$500 per year.

These were substantial sums, more than most working class or minority families could afford. A list of annual wages in various occupations, issued by the Legislature in 1868, gives some idea of the value of the dollar at this time: apothecaries, \$480; bakers, \$360 to \$480; barbers, \$720 to \$1200; butchers, \$420 to \$720; dyers, \$480 to \$600; fruit-pickers, \$300 to \$360; harness-makers, \$480 to \$900; laborers, \$300 to \$360; laundrymen, \$360 to \$480; salesmen, \$420 to \$600; undertakers, \$960.⁹ Clearly, with such incomes, most parents could not send their children to the university. Moreover, by 1870 wages had dropped significantly. Completion of the railroad in 1869 led to competition from Eastern companies, a slump in the artificially excited real estate prices, and a statewide depression. At the same time, the influx of former railroad workers inflated the labor pool and reduced demand. Jobs grew scarcer and less remunerative. The "Terrible Seventies" were upon California. Minorities, always at the lower end of the pay scale, suffered most.

University administrators encouraged students to help defray expenses by working part-time. The school itself offered a few jobs tending the grounds or working in the printing office. In addition, students could seek employment "on Saturdays, and in vacations away from the University."¹⁰ In the same breath, however, administrators cautioned, "It should be borne in mind, to avoid disappointments, that hard mental work is not often compatible with hard manual labor; and that the tact to earn something, while pursuing a course of study, varies much with individuals."¹¹ About 90 students, or slightly less than half the 1873-74 enrollment, had such jobs. No figures exist on the extent to which the "hard manual labor" of students paid for their living expenses.

However, it is evident that part-time work did not cover all their costs. Thus a university education was generally restricted to the offspring of fairly wealthy parents.

Admission Standards

The very structure of the university showed the tension between the old and the new. The school had a College of Letters, which required familiarity with Greek and Latin for admission. The school had a College of Arts, whose entrance requirements were basically modern. The admission requirements for these two colleges were:

TO THE COLLEGE OF ARTS — Candidates for admission to the Fourth Class, in either of the Colleges of Arts, must pass a satisfactory examination in the following studies:

Higher arithmetic, in all its branches, including the extraction of square and cube roots, and the metric system of weights and measures.

Algebra, to Quadratic Equations.

Geometry, first form books (Davies' Legendre or Loomis).

English Grammar.

Geography.

History of the United States.

TO THE COLLEGE OF LETTERS — Candidates for admission to the Fourth Class in the College of Letters, *in addition* to the foregoing requirements, must pass a satisfactory examination in the following studies, viz.:

Caesar, four books.

Virgil, six books of *Aeniad*.

Cicero, six orations.

Greek Grammar.

Xenophon's Anabasis, three books.

ADVANCED STANDING — All candidates for advanced standing, whether from other Colleges or not, in addition to the preparatory studies, are examined in those already pursued by the classes which they propose to enter.¹²

How did one go about obtaining such knowledge? California maintained a system of public schools in 1870. Attendance was not compulsory and "truancy" was estimated at 40 percent.¹³ The state had nine

high schools: San Francisco, Sacramento, Nevada City, San Jose, Grass Valley, Vallejo, Oakland, Santa Clara,¹⁴ and Stockton. The latter four had opened within the previous three years.¹⁵ Aspirants from towns that lacked a high school, had to find other means of preparation.

Much more common were the private academies, whose enrollment in 1866 was 15,644 children aged 5 to 15. The total number of children in this age group (excluding Asians and reservation Indians) was 84,042.¹⁶ Such lyceums were denominational or secular, large or small, expensive for boarders, but relatively cheap for day students. The Russian River Institute at Healdsburg, for instance, enrolled 110 pupils in 1864.¹⁷ The household academy run by the mother of Josiah Royce for her son and other children in Grass Valley probably enrolled but a few.¹⁸ The Sonoma Institute for Young Ladies charged boarders \$600 per year. The San Francisco Collegiate Institute (where boys wore uniforms "to prevent some of the evils arising from different style of clothing") \$60 to \$80 per month. And a Sierra academy at Chinese Camp charged \$20 per month.¹⁹ The private schools thus asked fees comparable to the living expenses for university students. Hence, if one lacked access to a secondary school and could not afford an academy, entering the university became a task involving significant ingenuity.

Minorities in California

Meeting the entrance requirements posed special problems for California minorities. They faced pervasive and sometimes brutal bigotry. Native Americans, Chinese, and Californios had to master a second language to pass the English grammar exam. Native Americans and blacks had to overcome the lack of a university tradition. In 1870, Native Americans, Chinese, and blacks all attended segregated schools. Only Californios, who claimed a European heritage and vestiges of social position, seemed able to send their children to white schools without stimulating Anglo opposition.

Native Americans have lived in California for at least 15,500 years. They monopolized it for 97 percent of its human history, and dominated it numerically for another 99 percent.²⁰ The immigration of whites decimated them. In 1769 there may have been 275,000 Native Americans in the state. By 1846, there were only about 100,000, and by 1870, 30,000.²¹ Enslaved by the padres, murdered²² or sold into servitude by Anglos, scythed away by smallpox, typhoid, measles, tuberculosis, and

starvation, they faced problems more immediate than quadratic equations. In 1866 a white Indian agent at Tule River refused to recommend schools for them, since they "must soon be extinct."²³ Even if the Legislature had allowed them to attend white schools, it is likely that few of them would have seized the opportunity. Bitterness aside, the method and substance of education in their cultures differed critically from those in the Anglo. The Native American system of knowledge transmission was oral, informal, and pedagogically social; the Anglo was primarily visual, institutional, and professional. Anglo schools exalted white ways and insulted Native Americans.²⁴ In 1862, the Legislature excepted Native American youngsters with white guardians from the segregation strictures. By 1866 the public schools had enrolled 63 such children, out of 1,093.²⁵

In terms of passing entrance exams, the Chinese had several advantages over Native Americans. Literacy in their South China homeland was relatively high (30 to 45 per cent among males), learning was venerated, and exams themselves had long determined access to social rank.²⁶ Prodded by poverty, overpopulation, a tremendous flood,²⁷ the Taiping Rebellion,²⁸ and glittering rumors of easy money across the seas, thousands embarked around mid-century for California.²⁹ Most paid their passage by indentured servitude to the Six Companies, a Chinese-run association that farmed out their labor for pennies and kept them in debt-bondage and penury for years. Their numbers in California grew, from about 25,000 in 1852,³⁰ to 35,000 in 1860,³¹ to 49,000 in 1870.³² Their prevalence, their willingness to work for low wages, and the 1869 depression turned white sentiment against them. Pogroms occurred. On October 24, 1871, between 500³³ and 1,000³⁴ of the 6,000 citizens of Los Angeles swept through the Chinese quarter, burning, looting over \$30,000, lynching fifteen Chinese, and killing four more. At almost the same time, in 1870, the Legislature deleted all reference to Chinese from the state school law. This move virtually excluded Chinese children from the public school system for fifteen years.³⁵ It forced the educationally ambitious back upon the "missionary schools," founded by Protestant sects to teach Christianity and English to the infidels. Lau Choy, a graduate from one of these schools, later wrote that the original Chinese "emigrated to China not long after Noah had left the ark . . . by and by they turned more to evil, and forgot the way of God . . . those heathen Chinese still kept on their idolatrous and wicked course."³⁶

California blacks fared better than either Native Americans or Chi-

nese. Most had grown up in America, knew English and something of the political system. Since probably "only the brightest and most enterprising of the race could have mustered the resources needed to attempt a trek to California,"³⁷ they prospered in agriculture, business, real estate, and mining. An 1855 report estimated their total valuation at \$2,413,000, or over \$501 for every black individual in the state.³⁸ In 1860 they numbered perhaps 4,000,^{39,40} or about one percent of the total population. Their relative scarcity probably spared them the attention of white lynch mobs. It did not relieve them of statutory discrimination. Through concerted political action, they won the right to testify against whites in court in 1863,⁴¹ and to ride San Francisco's streetcars in 1864. However, by 1870 their children still attended segregated schools. In that year there were 17 black public schools, and a smattering of black academies, which had 75 pupils in 1866.⁴² "Nowhere in California did qualified blacks have assurance of admittance to public secondary schools."⁴³ Because of the small size of the segregated schools, those who did reach the high school level often found themselves with only one teacher to cover the entire curriculum. No black graduated from a California University until Ernest H. Johnson earned his diploma at Stanford in 1895.⁴⁴

The native Mexicans or Californios had the most to lose from the Anglo takeover. However their racial resemblance to the conquerors and the diverting presence of Native Americans and Chinese probably saved them from the brunt of Anglo intolerance. They had ruled the state from the founding of the missions in the 1770s to the Bear Flag Revolt of 1846. They were ranchers whose wealth was based on cattle and land. From 1861 to 1864, flood and drought killed 40 percent of the state's livestock, and drove the price of cattle down from \$12 to 37 and a half cents a head.⁴⁵ Then an epidemic ravaged the species. In 1862 Santa Barbara had 200,000 head; by 1869, only 13,000 remained in all southern California.⁴⁶ Californio title to land disappeared more subtly. The Land Law of 1851 opened all claims in the state to legal challenge. The resulting title cases lasted an average of seventeen years.⁴⁷ Attorneys for the Californios—mostly Anglo and often corrupt—were paid in land, since cash was scarce and clouded title prevented most of them from obtaining mortgages.⁴⁸ In all, court judgements and lawyers' fees may have divested Californios of one-fourth to two-fifths of their land.⁴⁹ Side effects of the litigation cost much more. Squatters, banding together in "settlers' leagues," forced their way onto landowners' property, some-

times burning their crops and killing their stock. Confidence men posing as their benefactors boldly defrauded them. Lenders, charging weekly interest rates as high as twelve percent for loans and three percent for mortgages, foreclosed on their property.⁵⁰ Such depredations rapidly impoverished the Californios, and inspired a rash of banditry.⁵¹

Nonetheless, the 15,000 Californios of 1850⁵² “were not early targets of discriminatory educational legislation.”⁵³ When Stockton’s first white public school opened, for instance, twenty-two of the town’s thirty Californio children attended it.⁵⁴ Because many of these youngsters spoke only Spanish, they faced linguistic problems, especially after the Bureau of Public Instruction issued its 1855 order that all instructors teach solely in English. This edict sparked creation of some bilingual private schools. In 1856, J.R. de Neilson opened a bilingual Catholic academy for boys in Los Angeles, but he found he had to lower his tuition constantly. “Even at \$1 a month many parents found the cost steep.”⁵⁵ When public subsidies failed to materialize, the school folded. By 1870, the public schools were still the main avenue for Californio advancement in education.

The University of California opened in 1869 with forty students, none of whom, as far as can be ascertained, was a minority. It would have been noteworthy if the university had a Native American or Chinese matriculant, and surprising if it had a black one. California whites did not want educated minorities, and had taken effective steps to prevent their preparation for the university. As a group, only Californios had a chance, and even they needed the boost of a preparatory department.

The Fifth Class: Creation

A great university could not have only forty students. Harvard and Cornell’s students numbered in the hundreds,⁵⁶ and the University of California could aspire to no less. Moreover, as a public institution it had a duty to educate its citizens and spur the economic growth of the state.

In December of 1869, the regents sought legislative permission to buy new buildings for the Oakland campus to house a preparatory department. The Legislature approved the request. However, the faculty objected because they believed the task of college preparation belonged to the fledgling high school system.

The regents ignored this cry of impropriety. In the spring of 1870, Regent O.P. Fitzgerald, state superintendent of public instruction and a

segregationist, introduced a resolution. It directed the faculty to create "a fifth class or otherwise, which shall bring the different University schools into direct relation with the Grammar schools of the State."⁵⁷ Faculty members contemplated this development for several weeks. In May, Professor Robert Fisher, the Regent-appointed Dean of Faculty, announced that the faculty now approved of the Fifth Class, provided it was temporary and did not lead to weakening of the admission standards.

However no plan for initiating the Fifth Class appeared. Under the leadership of Professor John LeConte, a physicist and former official of the Confederacy, the faculty dawdled into the late summer. In August, Regent John W. Dwinelle⁵⁸ decided to address the Academic Senate. He reminded the professors of "the necessity of 'popularizing' the institution,"⁵⁹ and urged them to take action. When he withdrew, they formally resolved "that in pursuance of the power conferred by the Board of Regents, the faculties of the University hereby establish a Fifth Class in the nature of a preparatory class to continue during the pleasure of the Board of Regents."⁶⁰

The Fifth Class: Operation

Entrance requirements for the Fifth Class were noticeably less stringent than for the rest of the university: "Candidates for the advanced grade of the Fifth Class must not be less than fourteen years of age, and must pass a satisfactory examination in English grammar, arithmetic, geography, and United States history."⁶¹ Admission to the Fifth Class, as opposed to the College of Arts, required less knowledge of English, geography, and history, and none of algebra or geometry.

However, since the Regents forbade independent living arrangements and charged tuition, the Fifth Class, under supervisor George Tait, charged costs that equaled or exceeded those of attending the higher grades:

Members of the Fifth Class, or Preparatory Department, who do not reside with their parents or guardians, are expected to room and board in the buildings belonging to that Department. Boarding and lodging, with suitable supervision, will be provided at \$30.00 per month for students of this Department; and \$27.50 for others. Tuition for day scholars in the lower grades of the Fifth Class will be at the usual rate; in cases of need, it may be free.⁶²

The *Register* nowhere shows “the usual rate,” and this important omission suggests either crafty salesmanship or the existence of separate pamphlets, now lost. In any case, it appears that most boarding students paid expenses rivaling those of the cheaper academies, and some day students may have paid nothing at all.

The Fifth Class was aimed at increasing enrollment, not helping minorities in particular. Nevertheless, in its first year sixteen of its students had Spanish surnames. As Table 1 shows, Mexicans outnumbered Californios. Moreover, they bore the names of some of the most illustrious Californio families: Alvarado, Pacheco, Peralta. Juan Bautista Alvarado had been governor of California under Mexico. After the Bear Flag Revolt, Anglo creditors forced him to sell his Rancho Mariposa, the only Mexican land grant on which gold would be discovered. Later, twenty years of litigation reduced his holdings to a fraction of one rancho.⁶⁵ The Pachecos had long been active in California politics. Romualdo Pacheco, elected lieutenant-governor of the state in 1871, served briefly as governor in 1875. His party did not renominate him. The Peraltas had owned the site of the University of California. Their Rancho San Antonio covered all present-day Oakland, Berkeley, and Alameda. After passage of the Land Law, the half-mad Vicente Peralta realized he needed a knowledgeable Anglo adviser. He settled on attorney Horace Carpentier, who had regularly “appeared in the family casas with a cross dangling from his neck, talked of religion, and unrolled legal papers that would ‘make the family rich.’”⁶⁴ After inducing Peralta to sign a “lease” that mortgaged the Rancho away, Carpentier bought the land at a sheriff’s sale, laid out upon it the town of Oakland, and became its first mayor. B. Peralta may have enrolled in the Fifth Class to gain greater familiarity with Anglo ways, since litigation in this matter lasted until 1910.

TABLE 1: Californios and Mexicans in the Fifth Class, 1870-71

Californios	Listed Home Town
Fred Alvarado	San Diego
M. Moreno	San Diego
Ynes Pacheco	Pachecoville (Pacheco)
B. Peralta	Fruit Vale (Oakland)

Mexicans

F.F. Astiazaran

Mexicans

Jesus Cota

Manuel Cota

R.F. Corella

R. De La Toba

E. Grice

L. Martinez

Rafael Salorio

Salvador Salorio

F. Urriolagoitia

G. Urriolagoitia

P.P. Yrigoyen

Listed Home Town

Hermosillo, Sonora

Listed Home Town

Santiago, L.C.

Santiago, L.C.

Sonora

La Paz, L.C.

San Antonio, L.C.

Guadalajara, Jalisco

La Paz, L.C.

La Paz, L.C.

Mexico

Hermosillo, Sonora

Mazatlan, Sinaloa

In 1870-71, the Fifth Class outnumbered the rest of the university by 10: 88 to 78.^{65, 66} Moreover, breakdown of university enrollment reveals that most students were lowerclassmen—First Class (seniors): 5; Second Class (juniors): 2; Third Class (sophomores): 13; Fourth Class (freshmen): 32; Special Category (part-time): 26.⁶⁷ Of these students, 46 came from the San Francisco-Oakland area, 30 from the rest of northern California, one from Los Angeles, and one from out of state. Seven of the 78 were women.

Only one, as far as we can tell, was a minority. He was Manuel Corella, a Special Category student. From his class picture, Corella stares at us with a serious expression and deep-set, dark eyes. His black, curly hair is parted on the left, and he wears a narrow mustache and an imperial. He is dressed in a white shirt, vest, wide-lapelled coat, and bow tie. His young unlined face gives no indication of a harsh life. As Corella is not a common Hispanic name, he may well have been related to Sonoran R.F. Corella of the Fifth Class. He was probably the first minority ever to attend the University.

In 1871-72, the Fifth Class grew from 88 to 262 students^{68, 69} probably because more people knew about it, and had time to apply and prepare for attendance. Nonetheless, the number of Spanish surname individuals declined from 16 to 12, as Table 2 shows. Among the Californios, the two San Diegans—Alvarado and Moreno—had dropped out, possibly because of the strain of travel on their budgets. They were replaced by three Bay Area persons—Garrido and the two Bernal, the latter of

whom had also come from a notable Californio line. Peralta and Ynes Pacheco remained. Among the Mexicans, R.F. Corella, Grice, G. Urriolagoitia, and Yrigoyen had left. No one took their place, and their ranks were depleted. It is hard to tell exactly why, in the face of a vigorous upsurge in enrollment, so many Californios and Mexicans abandoned the program. Perhaps expense, hostility from within the institution, and a sense of the limited utility of a university degree in a white world all contributed to the decline.

TABLE 2: Californios and Mexicans in the Fifth Class, 1871-72

Californios	Listed Home Town
A. Bernal*	Pleasanton
M. Bernal*	Pleasanton
E. A. Garrido*	Walnut Creek
Ynes Pacheco	Pacheco
B.J. Peralta	Fruit Vale (Oakland)
Mexicans	Listed Home Town
F.F. Astiazaran	Hermosillo, Sonora
Jesus Cota*	Santiago, L.C.
Manuel Cota*	Santiago, L.C.
R. De La Toba	La Paz, L.C.
L. Martinez	Guadalajara, Jalisco
Rafael Salorio*	La Paz, L.C.
Salvador Salorio*	La Paz, L.C.

**earned right to enter Fourth Class of 1872-73*

The Fifth Class of 1871-72 exceeded the rest of the student population 262 to 153,⁷⁰ or by about 170 percent.⁷¹ There were 24 females and 129 males, so the female/male ratio among the remaining students had risen from one-seventh to one-fifth.⁷² Also, there were now two Mexicans enrolled at a level above the Fifth Class. F. Urriolagoitia, who came from Mexico and lived in San Francisco, had passed the entrance exam and was attending the Fourth Class. Manuel Corella, who listed his residence as Oakland, not only remained as a Special Category student, but became an instructor of Spanish for the Fifth Class. He was thus the first minority to teach in the university.

The Fifth Class: Demise

The Faculty did not view the growth of the Fifth Class with equanimity. Guild spirit had been dampened, not dowsed, and professorial claims to an elite environment remained alive. Indeed, they soon led to a compromise proposal, in which the citadel would revert to the high academics and local branches of the Fifth Class would dispense preparatory education to the populace. According to the plan, neighborhood school districts would solicit the branches, and the university would oversee their quality. Dwinelle supported the option, and the Regents passed regulations authorizing and defining it:

- 1.) Applications for the establishment of such a Fifth Class branch must come through the highest local board of education.
- 2.) The applicant for license to teach a branch must furnish satisfactory testimonials as to character, and also credentials of competency from the County and State Superintendents of Public Education.
- 3.) He shall be subject to examination by the Faculty of the University. Undoubted evidence of high literary standing and ability to teach may be accepted in lieu of a personal appearance before the Faculty.⁷³

Local school boards were to bear the expenses. Few of them were enthusiastic about doing so, and the dispersal program soon withered from lack of local initiative.

However, the Fifth Class faced a far more serious difficulty. Students, it seems, were not paying their bills. The sometimes cryptic brevity of the minutes of the regents' meetings make the extent and nature of this problem hard to ascertain. Nevertheless, there appears to have been at least some abuse. As early as December 12, 1871, the regents adopted the following resolution:

That it is expedient to discontinue the system of boarding students in the Preparatory Department, and that it be referred to the Committee on Instruction to make the necessary arrangements for the purpose, at as early a date as practicable, with power.⁷⁴

This move suggests that at least one faction of the regents had already decided to eliminate the Fifth Class, since if fourteen-year-old students from out of town could not obtain room and board from the university,

their parents might prevent them from attending at all. The resolution does not explain why it is "expedient" to end the boarding system, but subsequent actions suggest financial considerations played a significant role.

At their next meeting the regents resolved:

That the manner of admitting students, to the University of California, who are not citizens of the United States, and not already provided for, be referred to the Committee on Instruction, to report to the Board, at its next meeting.⁷⁵

Since Mexicans constituted the only sizeable group of foreign students at the University, this investigatory measure was probably aimed at them. It implies they were causing the institution financial distress. It is impossible to assess the truth of the implication. When the Committee on Instruction reported back at the following meeting, it addressed the problem of tuition nonpayment as one involving the whole Fifth Class:

Mr. Dwinelle, from the Committee on Instruction, presented a Report in writing. The Report was accepted and order [*sic.*] on file. The Committee recommend [*sic.*] that tuition in the Preparatory Department, including the Fifth Class,⁷⁶ be payable by term invariably in advance. On the motion of Mr. Merritt this recommendation was adopted.⁷⁷

Henceforth, the regents decreed, Fifth Class students had to pay tuition before enrolling.

Though seemingly rational, this solution to student financial delinquency received no extended trial. On May 24, 1872,

Mr. Dwinelle moved that the Committee on Instruction be authorized to inquire into the condition of the Preparatory Department of the University, to report at the next meeting of the Board.⁷⁸

The regents adopted this resolution. No report was immediately forthcoming, however. On June 14, George Tait submitted a document to the regents showing the financial condition of the Preparatory Department. This evidence was passed along to the Committee. Finally, on July 16, 1872, the Committee on Instruction presented its written report, recommending termination of the Fifth Class. The suggestion provoked controversy, but the minutes do not record whatever debate ensued:

First recommendation: To abolish the Preparatory Department at the close of this term. Mr. McKee moved, as a substitute, that the Preparatory Department be continued from and after this term, under the direct control of the Academic Senate, and that the tuition fees be exacted invariably in advance.

Lost on a division—Ayes, 6 Noes, 8.

The first recommendation was then adopted. . . .

On motion it was ordered that the Committee on Grounds and Buildings be authorized to dispose of so much of the furniture of the Preparatory Department, as may not be needed.⁷⁹

When the regents took votes deemed especially significant, as that of July 30, 1872, in which Daniel Coit Gilman was elected president of the university, the minutes listed the individuals for and against the proposition. Since no such list appears concerning the abolition of the Fifth Class, we can only speculate whether the move represented a genuine shift in sentiment among regents who had previously favored the class, or merely a change in the composition of the Board. However, it is worth observing that the vote was very close, and that, for some reason, eight of the twenty-two regents did not participate in it.

Consequences of Termination

On November 7, 1872, President Gilman delivered a stirring inaugural address in which he described the university as a prime force for the prosperity of all Californians:

It must be adapted to this people, to their public and private schools, to their peculiar geographic position, to the requirements of their new society and their undeveloped resources. It is not the foundation of an ecclesiastical body nor of private individuals. It is "of the people and for the people"—not in any low or unworthy sense, but in the highest and noblest relations to their intellectual and moral well-being.⁸⁰

The speech won Gilman wide acclaim, and helped stimulate a flow of donations into university coffers.

The academic year of 1872-73 saw the virtual disappearance of Spanish surnamed students from the University of California. The three Californios and four Mexicans who had earned promotions to the Fourth Class never enrolled. F. Urriolagoitia, a freshman the previous year,

dropped out. It is difficult to determine whether they simply abandoned higher education or transferred to another local institution, perhaps to Catholic St. Mary's in nearby San Francisco, which was incorporated as a college in 1872. After their departure, Manuel Corella became, again, the only minority in the university.

After eliminating the Fifth Class, the regents further restricted enrollment by stiffening admission requirements. The *Register* of 1872-73 strongly urged that applicants to the College of Science and the Arts have at least one year of Latin, and insisted that aspirants to the College of Letters know Virgil's *Eclogues* and two books of *The Iliad*.

Abolition of the Preparatory Department and augmentation of the entrance requirements succeeded in limiting the growth of the student population. Enrollment in 1872-73 was 185, up 22 from the 153 of the previous term. Enrollment in the following year was 191, up six.⁸¹

Manuel Corella: A Postscript

Manuel Corella was not the only foreign language instructor for the Fifth Class. On April 8, 1872, he and two other teachers presented their bills to the regents:

On motion of Mr. Hammond, the bill for the back salary due Louis Armand, M.M. Corella, and Julius Grossman, Instructors respectively of French, Spanish, and German were [*sic.*] referred to the Committee on Instruction with power to act.⁸²

Corella sought \$956.66, Armand \$550, and Grossman \$725.

The Committee on Instruction reported back about three weeks later. It fixed the salary of Corella at \$80 per month, Armand at \$100 per month, and Grossman at \$125 per month, for services up to April 1, 1872, "said salaries not to be constructed as fixed beyond that date."⁸³ It is unknown if these rates satisfied the instructors' requests. At such salaries, the regents would have fully paid the bills of Armand and Grossman if the latter had worked about five and a half months, or since the school year began in late September. They could only have recompensed Corella if he had worked 12 months, or since early January of 1871.

Differences in salary pose even more of a puzzle. Stadtman says "there were curious inconsistencies in salaries within the same rank" at

this time in the University.⁸⁴ One can only speculate to what extent variations in work load, teacher supply and demand, paper credentials, personal influence, or ethnic origin led to discrepancies in this case. By way of contrast, assistant professors earned \$150 to \$175 per month, and professors \$200 to \$300.⁸⁵

The regents' warning that instructors' salaries might fluctuate was not idle. Soon after, the minutes reveal that

On motion of Mr. Dwinelle, the sum of \$150 was audited and ordered to be paid to M. M. Corrella on a/c for services as Instructor of Spanish.⁸⁶

Since it seems unlikely the regents would have paid Corella for one and 7/8 of a month, this action suggests that they reduced his salary to \$75 per month.

After termination of the Fifth Class, Corella remained on campus as both a student and instructor, teaching Spanish to the traditional top four grades. Despite this apparent promotion, his wages did not change. Later in the 1872-73 academic year, Dwinelle introduced and the Regents passed the following resolution: "That M.M. Corella be paid \$75 per month for instruction in Spanish, for the academic year from Sept. 19th to July 19th 1873."⁸⁷ No other teacher at the university received lower pay.⁸⁸

Besides studying and teaching, Corella trained regularly with the campus military unit. The *Register* of 1872-73 lists him as Second Sergeant in Company C of the University Cadets. The following year he was moved up to Second Lieutenant in Company B.

On September 24, 1873, the university opened its doors at its new Berkeley campus. Two buildings, North and South Hall,⁸⁹ received students for the first time. Compared with the relatively urban Oakland, Berkeley at this time was pastureland, and the administration warned:

The hours of recitation are such that many students reside in Oakland, and come out daily to the University by horse car. It is possible, but quite difficult, for a student to reside in San Francisco while in daily attendance at the University.⁹⁰

Room and board was available with private families in both Oakland and Berkeley at between \$20 and \$30 per month. Students who joined clubs reduced this expense to \$16 per month.⁹¹

Manuel Corella attended and taught classes at the new Berkeley site during 1873-74. On the back of his class picture, someone, perhaps Corella himself, noted that he was a member of the graduating class of 1874. However, this observation was premature. The records show he never received a university degree. Of the 13 people in the class of 1874, none was a minority. By the academic year 1874-75, minority enrollment at the University of California had ended. No Spanish surnames appear in the *Register's* student list, and Carlos F. Gompertz had replaced Corella as instructor of Spanish.

Manuel Corella attended the University for about four years, and taught at it for perhaps three. At the time his name disappears from University archives, he had presumably fulfilled most of the requirements for a diploma. He was certainly earning more than most Californians, though less than his peers. There seems to have been no doubt about his competence and fortitude. We can only guess the possible reasons for his withdrawal: discrimination, physical injury, family disaster, a better offer. In any case, he played a ground-breaking role in the history of the university.

Conclusion

The Fifth Class differed from the affirmative action programs of today in many important respects. It was not aimed at minorities. It involved preparation for admission requirements rather than selective alteration of them. It contained no special services or retention mechanisms for those who passed the entrance exams.

But the similarities are perhaps more significant than the differences. The Fifth Class did, and affirmative action does, bring into the university intelligent people who otherwise would not attend. In the 1870s, with secondary education expensive and sometimes inaccessible, the Fifth Class offered cheaper, centralized preparation, that was well-articulated with the university. Today, with the best high schools in wealthy neighborhoods inaccessible to most minorities, and with admission standards geared largely to these schools, affirmative action affords a means for bright minority students to enter the university. In both situations, there is a sense that some prospective applicants need special programs, that students will be drawn from a broader population base, that enrollment will and should increase, and that everyone will benefit thereby. As modern affirmative action offers financial aid to the needy,

so the Fifth Class offered tuition elimination. As affirmative action involves vigorous recruitment, so the Fifth Class had the effect of recruiting students for the Fourth (or Freshman) Class.

It is easy to see why the regents wanted the Fifth Class. Their reasons for termination are not so clear. It worked well. It filled a need and profited the state. The rationale of financial difficulties is simply not convincing, at least insofar as student failure to pay bills may have caused the problem. Prepayment of fees is the obvious response to such problems, but the university attempted it only briefly. It is possible the Fifth Class was not paying its way for other reasons. If this was the case, one wonders why its supporters at the critical regents' meeting of July 16, 1872, did not advance other alternative proposals, such as raising tuition. In any case, student default seems less a reason than a rationale for closing the Fifth Class. We thus must look elsewhere for the truth behind the termination.

The financial condition of the university, as opposed to that of the Fifth Class, may have played a role. "The original financial support of the University was scandalously inadequate, and based, unbelievably, on nothing more than the relatively small state and federal endowments that were created in 1868."⁹² As the Fifth Class bolstered enrollment, the regents had to hire many young instructors, not only in foreign languages, but in mathematics, English, drawing, and other topics. In addition, a steadily growing student population required more new buildings on the undeveloped Berkeley campus. The regents may have abolished the Fifth Class to curb enrollment and hence rein in labor and construction costs. If they feared the public might perceive this policy as anti-democratic, they may have decided to cloak it in an explanation that seemed fair, pragmatic, and totally internal.

There was yet another source of inspiration for eliminating the Fifth Class. Stadtman says the regents acted because of the "deficit, problems of discipline, and a growing feeling that the department really was inappropriate to the University."⁹³ The complaint about discipline deserves no serious attention; if mere student rowdiness could close a school, Oxford and Bologna would have died aborning.⁹⁴ However, the reference to the Fifth Class as "inappropriate" is more interesting. Appropriateness, of course, is meaningless as a virtue in itself. It always indicates congruence with a larger set of values, and we must look to these if we are to divine the sense and merit of the criticism. If such values are unspoken, as they are here, we must attempt to determine

them by extrapolation. We must ask: With what aims of the university did the Fifth Class conflict?

The Fifth Class clearly did not interfere with the university's educational role. If a preparatory annex could degrade the quality of instruction, then the teaching of elementary Spanish in one room can inhibit exposition of Cervantes in the next. Indeed, the Fifth Class so swiftly increased the sheer amount of education, by augmenting the number of students qualified for admission, that it enhanced the educational mission of the university. It seems hard to deny that the Fifth Class was "appropriate" for the basic function of bringing higher learning to Californians.

At the same time, the Fifth Class just as clearly did conflict with the faculty's concept of itself and the institution. This vision sprang from the ideal of elitism and exclusivity for its own sake. Every college is exclusive to some extent, because facilities are limited and not all people can do the work. Elitism has a long history in the academic sphere. The medieval guild professors used it to bulwark their own positions and prerogatives. After the Reformation, the upper classes in England and later in America came to dominate the universities, and employed them to stamp their offspring with social superiority.⁹⁵ This heritage was not lost on the faculty at the University of California. It is hard to resist the conclusion that most of them saw, or wished to see, themselves as masters of a special scholastic enclave, where difficulty of student access could feed their own sense of privilege and prestige. At the outset, they insisted that the task of preparatory education belonged not to them, but to the high schools, a responsibility the schools were unable to assume. After the Fifth Class was commenced, over their protests and delays, they fought to scatter it across the school districts of the entire state. It might seem anomalous that professors of modern topics at a state university should so oppose popular education,⁹⁶ but few of them sought out the university because of sympathy with its public nature. John and Joseph LeConte, ex-Confederate administrators, could not get work in the North or the South. They were contemplating Europe and Latin America when word came of possible openings in California. Ezra S. Carr had failed to gain re-election to the faculty of the University of Wisconsin in 1867. Martin Kellogg had taught at the College of California, and was left stranded when the university supplanted it. William Welcker had never taught at the university level before and William Swinton was known to have spied on the command-

ing generals of the Union Army.⁹⁷ Such men were in vocational straits. They joined the university to earn a livelihood, not to further an educational experiment. They brought with them very old notions of what a university should be, and defended these values at every turn. It is hard to tell how, or to what extent, their ideals affected the regents, whose interests were somewhat different. But the elitist viewpoint decidedly had influence. In 1875 the regents elected John LeConte president of the university.

The Fifth Class probably succumbed to both financial pressures and the guild ideal. Enrollment stabilized only briefly, however, and in succeeding decades the University of California grew into a multi-campus giant, with 166,547 students in 1990 and a worldwide reputation for scholarship and enlightenment. The University of California system has proven conclusively that a university can be large and excellent too. Yet a history of discrimination still kept most American Indians, Chinese, Blacks, and Mexican Americans outside the gates. As the founding regents recognized in 1870 that admission standards did not mesh well with the public school experience, and thus created the Fifth Class, so almost one hundred years later the regents of 1964 recognized that admission standards did not mesh at all with the minority school experience, and created the Educational Opportunity Program (EOP).⁹⁸ Only through EOP have minorities been able to attend the university in significant numbers. In both cases, a special program of the university successfully remedied defects of the lower schools, and brought higher education into a closer relation with the people of the state. As a device to improve an imperfectly responsive admission system, the Fifth Class was a true precursor of today's affirmative action.

NOTES

¹ Frederick Rudolph, *The American College and University* (New York: Alfred A. Knopf, 1962), p. 281.

² "The state university becomes, of course, a mere prize for placement and subject to all the contests, agitations and changes of dynasty that belong to party politics. There is no place for that quiet which is the element of study, no genuinely classic atmosphere. . . . It is little to say that no university can live in such an element." (See William W. Ferrier, *Ninety Years of Education in California*. [Berkeley, CA: Sather Gate Book Shop, 1937], p. 311.)

- ³ Charles Homer Haskins, *The Rise of Universities* (Ithaca, NY: Cornell University Press, 1923), p. 11.
- ⁴ Calvin Woodard, *The Effect of Historical Change on University Purpose* (Charlottesville, VA: Resident Staff Program of the Office of the Dean of Students of the University of Virginia, 1976), p. 11.
- ⁵ For instance, the term “master” of arts was borrowed directly from craft guilds.
- ⁶ Walker P. Rogers, *Andrew D. White and the Modern University* (Ithaca, NY: Cornell University Press, 1942), p. 47.
- ⁷ Verne A. Stadtman, *The University of California, 1868-1968* (New York: McGraw-Hill, 1970), p. 36.
- ⁸ The University of California *Register*, 1870-71, pp. 64, 65. The yearly *Register* was something of a super catalog. It contained the names of students, teachers, and classes, as well as information for applicants and appeals to the public for funds. It is the only extant source for much of what we know of the student body.
- ⁹ Hubert H. Bancroft, *History of California*, Vol. II (San Francisco: The History Company, 1890), p. 350.
- ¹⁰ *Register*, 1873-74, p. 29.
- ¹¹ *Ibid.*, p. 29.
- ¹² *Register*, 1870-71, pp. 30-31.
- ¹³ William W. Ferrier, *Ninety Years of Education in California* (Berkeley, CA: Sather Gate Book Shop, 1937), p. 117.
- ¹⁴ Santa Clara may have opened as late as 1873.
- ¹⁵ Ferrier, *Ninety Years of Education in California*, p. 89.
- ¹⁶ Irving G. Hendrick, *The Education of Non-Whites in California, 1848-1970* (San Francisco: R & E Research Associates, Inc., 1977), p. 17.
- ¹⁷ Ferrier, *Ninety Years of Education in California*, p. 134.
- ¹⁸ Stadtman, *The University of California, 1868-1968*, p. 6.
- ¹⁹ Ferrier, *Ninety Years of Education in California*, p. 130-131, 138.
- ²⁰ John W. Caughley, *California: A Remarkable State's Life History* (Englewood Cliffs, NJ: Prentice-Hall, 1970), p. 4.

- ²¹ Walton Bean, *California: An Interpretive History* (New York: McGraw-Hill, 1968), p. 169.
- ²² "Two Indians were found murdered in our streets the past week, by persons unknown, and dumped into the common receptacle made and provided for such cases." (See *Alta California*. [San Francisco, August 8, 1854.]
- ²³ Charles M. Wollenberg, *All Deliberate Speed: Segregation and Exclusion in California Schools, 1855-1975* (Berkeley: University of California Press, 1976), p. 86.
- ²⁴ Evelyn C. Adams, *American Indian Education* (Morningside Heights, NY: Columbia University Press, 1946), p. 56.
- ²⁵ Hendrick, *The Education of Non-Whites in California, 1848-1970*, p. 17.
- ²⁶ Evelyn S. Rawlski, *Education and Popular Literacy in Ch'ing China* (Ann Arbor: University of Michigan Press, 1979), p. 140.
- ²⁷ The inundation of 1849 created a lake one hundred miles long, devastating livestock, killing 10,000 people, and, to the chagrin of the Chinese, floating up coffins everywhere. (See Stanford M. Lyman, "Strangers in the Cities," in Charles Wollenberg, ed., *Ethnic Conflict in California History*. [Los Angeles: Tinnon-Brown, Inc., 1970], p.68.)
- ²⁸ This savage uprising (1851-1865) may have left more than 30,000,000 dead. (See Stanford M. Lyman, "Strangers in the Cities." In Charles Wollenberg, *Ethnic Conflict in California History*. [Los Angeles: Tinnon-Brown, Inc., 1970], p.68.) The population of the entire United States in 1870 was 38,558,371 (U.S. Census), and of California was 560,000.
- ²⁹ Ronald Takaki, *Strangers From A Different Shore* (Boston: Little, Brown and Company, 1989).
- ³⁰ Bean, *California: An Interpretive History*, p. 164.
- ³¹ Wollenberg, *All Deliberate Speed: Segregation and Exclusion in California Schools, 1855-1975*, p. 30.
- ³² Stanford M. Lyman, "Strangers in the Cities." in Charles Wollenberg, *Ethnic Conflict in California History* (Los Angeles: Tinnon-Brown, Inc., 1970), p. 78.
- ³³ Bean, *California: An Interpretive History*, p. 235.
- ³⁴ Coughley, *California: A Remarkable State's Life History*, p.328.
- ³⁵ Hendrick, *The Education of Non-Whites in California, 1848-1970*, p. 25.
- ³⁶ Wollenberg, *All Deliberate Speed: Segregation and Exclusion in California Schools, 1855-1975*, p. 35-36.

- ³⁷ Hendrick, *The Education of Non-Whites in California, 1848-1970*, p. 4.
- ³⁸ Hendrick, *The Education of Non-Whites in California, 1848-1970*, p. 5.
- ³⁹ Because many light-skinned blacks passed as white, exact figures are hard to obtain.
- ⁴⁰ Velesta Jenkins, "White Racism and Black Response in California History," pp. 121-134 in Charles Wollenberg, ed., *Ethnic Conflict in California History* (Los Angeles: Tinnon-Brown, Inc., 1970), p. 124.
- ⁴¹ In 1852, a white murdered Gordon Chase, a black San Francisco barber. Witness Robert Cowles was able to identify the killer, but the court held his testimony inadmissible when analysis of his hair revealed that he was "1/16 black." (See Kenneth Good, *California's Black Pioneers* [Santa Barbara, CA: McNally & Loftin, 1974], p. 75.)
- ⁴² Hendrick, *The Education of Non-Whites in California, 1848-1970*, p. 17.
- ⁴³ Wollenberg, *All Deliberate Speed: Segregation and Exclusion in California Schools, 1855-1975*, p. 16.
- ⁴⁴ Delilah L. Beasley, *Negro Trail Blazers of California* (Los Angeles: publisher unmentioned, 1919), p. 186-187.
- ⁴⁵ Leonard Pitt, *The Decline of the Californios* (Berkeley: University of California Press, 1966), p. 247.
- ⁴⁶ *Ibid.*
- ⁴⁷ Bean, *California: An Interpretive History*, p. 157.
- ⁴⁸ Pitt, *The Decline of the Californios*, p. 100.
- ⁴⁹ Paul W. Gates, "California's Embattled Settlers." *California Historical Society Quarterly* *XLI*, (June, 1962): 124-125.
- ⁵⁰ Pitt, *The Decline of the Californios*, p. 100.
- ⁵¹ From 1854 to 1865, 16 to 20 percent of San Quintin inmates were Mexicans or Californios, a high figure even after allowing for selective law enforcement. (See Pitt, *The Decline of the Californios*, p. 256.)
- ⁵² Pitt, *The Decline of the Californios*, p. 53.
- ⁵³ Hendrick, *The Education of Non-Whites in California, 1848-1970*, p. 12.
- ⁵⁴ *Ibid.*
- ⁵⁵ Pitt, *The Decline of the Californios*, p. 227.

- ⁵⁶ Rudolph, *The American College and University*, pp. 219, 267.
- ⁵⁷ Minutes of the California Board of Regents, April 12, 1870, pp.133-134.
- ⁵⁸ Dwinelle, a prominent San Francisco lawyer, had authored the State's Organic Act of 1868, which established the University of California and defined its structure. From 1872 to 1874 he represented blacks in *Ward v. Flood*, which challenged the constitutionality of segregated schools.
- ⁵⁹ Minutes of the Academic Senate, August 29, 1870, p. 16.
- ⁶⁰ *Ibid.*, August 29, 1870, p. 17.
- ⁶¹ *Register*, 1870-71, p. 31.
- ⁶² *Ibid.*, pp. 65-66.
- ⁶³ Pitt, *The Decline of the Californios*, p. 139.
- ⁶⁴ Pitt, *The Decline of the Californios*, p. 97.
- ⁶⁵ *Register*, 1870-71, p. 25.
- ⁶⁶ A Regents' report of 1872, however, puts the number of Fifth Class students at 55. (See Stadtman, *The University of California, 1868-1968*, p. 56.)
- ⁶⁷ *Register*, 1870-71, p. 26.
- ⁶⁸ *Register*, 1871-72, p. 25.
- ⁶⁹ The 1872 Regents' report asserts there were only 149 Fifth Class students. (See Stadtman, *The University of California, 1868-1968*, p. 56.)
- ⁷⁰ The 1872 Regents' report gives a figure of 151 for the remainder of the students, so that, in its calculations, there are actually fewer Fifth Class students than others. (See Stadtman, *The University of California, 1868-1968*, p. 56.)
- ⁷¹ *Register*, 1871-72, p. 26.
- ⁷² Stadtman adds that, of the 65 freshmen, 54 had graduated from a 55-member Fifth Class of 1870-71. (See *The University of California, 1868-1968*, p. 56.) By his reckoning then, only one student from the 1870-71 Fifth Class failed to become a freshman in 1871-72. It is hard to square these figures with the *Register*, which lists nine Spanish surnames in the Fifth Class of both 1870-71 and 1871-72, and another six who dropped out after 1870-71.
- ⁷³ *Register*, 1871-72, pp. 34-35.

- ⁷⁴ Minutes of the California Board of Regents, December 12, 1871, p. 239.
- ⁷⁵ Minutes of the California Board of Regents, December 23, 1871, p. 241.
- ⁷⁶ If this diction is precise, its meaning is mysterious, since every other source refers to the Fifth Class as the entire student population of the Preparatory Department.
- ⁷⁷ Minutes of the California Board of Regents, January 5, 1872, p. 243.
- ⁷⁸ Minutes of the California Board of Regents, May 24, 1872, p. 257.
- ⁷⁹ Minutes of the California Board of Regents, July 16, 1872, pp. 262-263, 265.
- ⁸⁰ Stadtman, *The University of California, 1868-1968*, p. 64.
- ⁸¹ *Register*, 1872-73, p. 13.; *Ibid.*, 1873-74, p. 20.
- ⁸² Minutes of the California Board of Regents, April 8, 1872, p. 250.
- ⁸³ *Ibid.*, April 30, 1872, p. 252.
- ⁸⁴ Stadtman, *The University of California, 1868-1968*, p. 58.
- ⁸⁵ *Ibid.*
- ⁸⁶ Minutes of the California Board of Regents, July 23, 1872, p. 268.
- ⁸⁷ *Ibid.*, March 4, 1873, p. 303.
- ⁸⁸ Stadtman, *The University of California, 1868-1968*, p. 58.
- ⁸⁹ The former, built largely of wood, has vanished. The latter, made of brick and iron, still stands on the Berkeley campus, near the buildings named after Dwinelle and Le Conte.
- ⁹⁰ *Register*, 1873-74, pp. 28-29.
- ⁹¹ *Ibid.*, p. 28.
- ⁹² Stadtman, *The University of California, 1868-1968*, p. 85.
- ⁹³ Stadtman, *The University of California, 1868-1968*, p. 56.
- ⁹⁴ Student riots in medieval Oxford were common, and, at Bologna, a student was attacked with a cutlass in a classroom, "to the great damage and loss of those assembled to hear the lecture of a noble and egregious doctor of laws." (See Haskins, *The Rise of Universities*, p. 60-61.)

- ⁹⁵ Woodard, *The Effect of Historical Change on University Purpose*, p. 30.
- ⁹⁶ The faculty also rebelled against lecturing before working-class boys at the Mechanics Institute, a practice obligated by the land grant college program. Again, the regents overrode the protest.
- ⁹⁷ Stadtman, *The University of California, 1868-1968*, p. 51-52.
- ⁹⁸ David León, "Racism in the University: The Educational Opportunity Program," *Humbolt Journal of Social Relations* (Spring, 1981): 83-101.



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