CORRESPONDENCE

RELATIVE TO THE ESTABLISHMENT

OF THE

OGDEN

SCIENTIFIC SCHOOL,

OF THE

UNIVERSITY OF CHICAGO.
NOTE.

The late Hon. William B. Ogden of New York, for many years a resident of Chicago, and at one time Mayor of that city, left a portion of his estate to his executors to be distributed for charitable purposes as they might deem most advisable. By virtue of the authority thus conferred the University of Chicago has been designated by the executors to receive the major portion of this fund for the purpose of founding the Ogden Scientific School as a memorial of Mr. Ogden in the city with which during the most active portion of his life he was so largely identified. The following correspondence explains the terms of the gift.
NOTE

The late William Birney of New York was long a leader in Chicago, and in one time Mayor of that city. He was a lifelong friend of the Union, and his name is a synonym for freedom. He was instrumental in the successful struggle to make Illinois a free state. He was a pioneer in the movement for the support of the Union, and his influence on Chicago was immense. His passing is a moment of sorrow to the city, and will be mourned by the entire community. The following

numeralization shows the cause of his death.
214 Broadway,

January 12th, 1891.

Prof. W. R. Harper, Ph. D.,

Yale University.

Dear Sir:—

I have noticed with pleasure the announcement of your acceptance of the Presidency of the University of Chicago, and of such of the proposed plans as to its scope and work as have been made public.

At this juncture it appears to me desirable to obtain your opinion as to the feasibility of founding, in connection with the new University, a School for advanced scientific work upon certain conditions which I will proceed to state:

1. Would the Trustees accept an endowment of from $300,000 to $500,000 for a school as above suggested, said school to be named as the donors should designate, say e. g. the "Brown School for Original Scientific Research of the University, &c.," and said endowment to be used exclusively for advanced scientific work either in the support of well-known specialists or in the encouragement of original investigation among graduate students of proved ability under proper direction.

2. It might be as well to draft in outline the scope of such a school as it would seem to you best adapted to meet the
requirements of the object in view, and to fit in with the other departments of the University.

3. It may be further desirable to state what concessions might be granted to the donors by the University authorities, either as to discretion in the foundation of the proposed school or permanent voice in its management, and whether the denominational complexion of the Board of Trustees will in any way affect the broadest platform of study and freest admission to the proposed school of students and professors alike of any shade of religious opinion, or of none.

As full and yet concise a reply to these inquiries as you can give at an early date will be appreciated, and may lead to such a foundation.

Nothing more certain now can be promised, as others as well as myself must be consulted. May I ask you also to regard these inquiries for the present as strictly confidential?

I am, Dear Sir,

Very truly yours,

ANDREW H. GREEN
NEW HAVEN, Conn., Jan. 19, 1891.

MR. ANDREW H. GREEN,
No. 214 Broadway, New York City.

My Dear Sir:—

In reply to your kind favor of January 12th, it gives me pleasure to say as a member of the Board of Trustees of the University of Chicago and as President elect of the University, that the proposal which your letter contains will be most gladly and heartily accepted by the Board of Trustees. It has been one of the cherished plans of those most intimately connected with the organization to devote special attention to the encouragement of scientific research. The suggestion of any plan looking toward the carrying out of this policy will meet their most hearty approval.

As to the scope of such a school the following, among other suggestions, occur to me as worthy of consideration, viz.:

1. That the foundation proposed to be set apart for a School of Science, as distinguished from the College of Science, it being understood in our nomenclature that the College of Science is intended for undergraduates, the School of Science for graduate work and original research.

2. That admission to the school be granted only to students who are graduates of college or have pursued studies equivalent to graduation. In this way the work will be limited to the very best men, and opportunity will have been given beforehand to sift from among the many the few who can derive most profit from such opportunities.

3. That the income of the foundation be so arranged as to be available for the use of advanced students as well as for the payment of the salaries of the professors. The men who have
real ability in scientific lines, being in many cases men who do not have money with which to pursue their investigations, could be advantageously aided by a system of fellowships and scholarships.

4. That the income of the foundation be devoted mainly to furnishing the best facilities possible for scientific investigation on the part of professors, selected not because of their ability to teach or lecture, but rather on the ground of their ability to investigate.

5. That the School of Science thus established should include at least the Departments of Physics, Chemistry, Biology, Geology and Mineralogy and Astronomy, with the various subdivisions of these departments.

6. That while a large share of the time of the professors in the school should be given to investigation, they should nevertheless be expected to furnish instruction to advanced graduate students.

7. That encouragement of every kind should be furnished the professors to publish the results of their investigations, and that to this end a portion of the funds be set apart for the purposes of printing and publication.

8. That the entire graduate work of the University in the subjects mentioned should be done in connection with this School of Science; in other words, that the University should not place side by side with this School of Science other scientific work of an advanced character, but that it should increase the original foundation by additional funds as rapidly as such funds could be secured.

9. That, in view of this, the foundation of the school be made at the beginning as large as possible in consistency with the desires of the donors.

10. That the work in this school be organized as in other graduate schools of the University, to the end that, after three
years of study upon the presentation of a satisfactory thesis, students receive the degree of Doctor of Philosophy.

11. That museums of the University be arranged in such a way as to afford the greatest possible advantage to students in the proposed School of Science.

12. That at least a small portion of the income of the foundation be set apart for the purchase of books to be placed not in the general library but in the special departmental and laboratory libraries of the proposed school.

You will note that I have omitted any reference to technical instruction, as, e.g., engineering, whether civil, mechanical or electrical. I have omitted these because I gathered from our conversation that your preference lay in the other direction.

Still further, I desire permission to say that in the arrangement of the plans of the proposed school, and in designating in particular the use of the income, we should be most happy to have you use the largest discretion. At the same time I would suggest the advisability of our conferring together in reference to the matter, in order that the results obtained may be at the same time satisfactory to you and consistent with the general plans of the University. I should like, however, to say that in consideration of the greatness of the proposed gift, the University will be only too happy to modify its present plans—though these have long been matured—in order to adjust itself to a work of such magnitude as that proposed. At the present time there is no vacancy in the Board of Trustees, but such a vacancy is likely to occur at any time. I am confident that we should be most happy to have upon the Board some one who might act in a representative way for those who might be most closely interested in the School of Science. Even should this not be the case, it may be taken for granted that the wishes of the donors will in every particular be carried out to the letter.

I quote to you from the charter of the University the following passage, which will, I am sure, show you that the denomina-
tional complexion of the Board of Trustees will not affect in any way the broadest platform of study and the freest admission to the proposed school of students and professors alike of any shade of religious opinion or none: "At all times two-thirds of the Trustees and also the President of the University and of its said college shall be members of regular Baptist churches. . . . .

No other religious test or particular religious profession shall ever be held as a requisite for election to said Board, or for admission to said University, or to any department belonging thereto, or which shall be under the supervision or control of this corporation, or for election to any professorship or any place of honor or emolument in said corporation or any of its departments or institutions of learning." I may add to this extract the decision of the Committee on Organization and Faculty at its last meeting, to the effect that in recommending professors and instructors to the Board of Trustees for election, the particular denominational connection of such nominee, or, indeed, whether he was member of any denomination, should in no case be indicated or discussed. These two things will assure you upon this point. There are many additional things which I should like to say, but perhaps I have indicated the most important.

Sincerely thanking you for even the consideration of such a matter, and trusting that the result of our correspondence may be the foundation of such a school, the work in which will be of advantage not only to the city of Chicago but to the entire country, not only for a generation but for centuries,

I remain

Yours truly,

W. R. HARPER.
New York, June 30th, 1891.

W. R. Harper, Ph. D.,
University of Chicago,
Chicago, Ill.

My Dear Sir:—

It is with much pleasure that I am able to inform you that the executors and trustees, under the will of the late William B. Ogden, have decided to select the University of Chicago, of which you are the honored President, as the recipient of seventy per cent. of the moneys to be devoted to charities under the terms of Mr. Ogden's will. In making this selection, as you are aware, the executors have been guided by the correspondence which has passed between you and myself, as to the uses to be made of the moneys which may be realized to the University under this appointment for the founding and endowing of a school for original scientific research, to be known as the Ogden Scientific School of the University of Chicago. As the formal instrument of designation, however, can be executed only after the acceptance on the part of the University of the gift for these purposes, it seems not improper at this juncture to review briefly the general scope and plans for such a school, as discussed in our conversations and correspondence heretofore.

Viewed from the standpoint of the executors, the school is to be a monument to the name of their testator, the late William B. Ogden, for so many years a resident of the City of Chicago and the first Mayor of that city. From this standpoint it is desirable, therefore, that the school should be a separate depart-
ment of the University, and should bear the name, already stated, of the Ogden Scientific School. Its purpose is to be the furnishing to graduate students the best facilities possible for scientific investigation both by courses of lectures, which shall be provided, and the laboratory practice afforded; to these ends the income of the moneys appropriated from the estate is to be devoted, and shall be used for the payment of salaries and fellowships and the maintenance of laboratories in physics, chemistry, biology, geology and astronomy, with the sub-divisions of these departments. It is also to be understood that a large share of the time of the professors in the school should be given to original investigation, and that encouragement of every kind should be furnished them to publish the result of their investigations, a portion of the funds being set apart for the purpose of such publication.

Of course, it is to be understood that this school is to include all the graduate work of the University on the subjects mentioned, and that further appropriations or donations which may be made toward these objects should be added to the original foundation and not devoted to new schools doing similar or parallel work. It is also proposed that some portion, though perhaps an inconsiderable one, of the foundation should be set apart for the purchase of books not to be placed in the general library of the University, but in the special departmental and laboratory libraries of the proposed school.

As you are already aware, the exact amount of the moneys which may become applicable to the foundation of this school under the designation is not now ascertainable. An unfortunate litigation is now pending over the clause of Mr. Ogden’s will under which the appropriation will be made, but though no decision has as yet been reached in that litigation, it is the con-
fident expectation of the executors that the amount which will
finally become applicable to the purpose of the proposed Scien-
tific School will certainly not be less than $300,000, and may
reach a sum considerably in excess of half a million. With the
broad foundation on which it is proposed that this school should
be based, it will be necessary that the sum originally given
from the estate funds should not be less than the first named
sum of $300,000; but the trustees desire it to be understood
that the University, in accepting this gift, will pledge itself to
erect the contemplated school under the suggested name of the
Ogden Scientific School, on the receipt of this sum, whether or
not the wish and expectation of the trustees be realized in the
final receipt from the charity fund of a much larger sum. In
the event, however, of any unforeseen circumstance preventing
the moneys designated from reaching the above mentioned sum
of $300,000, it is further understood that the moneys which may
be received shall be used for the endowing of one or more pro-
fessorships in said University, to be severally known as the
Ogden Professorships.

It is also the wish of the trustees that they should be allowed
some voice in the development of this plan, and to that end I
would suggest that at least one of the Board of Trustees of the
University should be the nominee of the executors and trustees of
Mr. Ogden's estate, in order that in the formation and develop-
ment of the Scientific School proposed, the wishes of the trustees
may be voiced by at least one member of the governing body of
the University.

There is one further point upon which the executors desire
that a distinct understanding should be had, namely: the abso-
lute freedom of the admission to the proposed school of students
and professors alike, without reference to their particular re-
ligious beliefs. The assurance which you have already given me upon this point is, of course, sufficient to my own mind, but it is the desire of the trustees that in this announcement of their intention to make the contemplated designation, this point should be clearly stated, that at no subsequent date any misapprehension in relation to it should possibly arise.

I may say that in the course of the business with relation to this gift to the University, I have talked the matter over with Rev. Leighton Williams, a friend of your own as of mine, and the present statement of the plan is one which I believe will be consonant with your own views as well as with the wishes of the executors.

In conclusion, it may be well to state that, whether or not it be thought best in the future to execute a formal deed of gift, by which the exact lines of the proposed school shall be determined, the designation which the executors contemplate executing upon the acceptance of this gift on the terms stated will be sufficient to assure to the University the final application of such moneys as may vest in the trustees for charitable purposes to the amount of seventy per cent, thereof.

Yours very respectfully,

AND’W H. GREEN.
Chicago, Ill., July 1st, '91.

Mr. Andrew H. Green,
New York City.

My Dear Sir:—

I beg to acknowledge with much pleasure the receipt of your letter of June 30th, announcing the decision of the executors of the estate of the late William B. Ogden to designate to the University of Chicago a portion of the funds of that estate devoted to charitable uses under the terms of Mr. Ogden's will.

You will permit me, on behalf of the trustees of the University, to express our deep appreciation of the spirit which has prompted this magnificent gift, and to assure you that we shall join with the executors most heartily in seeking thus to do honor to one whose memory is kindly cherished in the city with the early history of which he was so closely connected. In view of Mr. Ogden's personal interest in the cause of education, and of the official relation, which at one time he sustained to the old University of Chicago, the appropriateness of the designation will be universally conceded.

As President of the University, I feel free to pledge the trustees, not only to an acceptance of the gift so kindly bestowed, but also to an administration of the funds, thus designated, in strict accord with the terms which you have so definitely, and, as it seems to me, so wisely indicated.

It has been our chief desire to be able to encourage, in connection with the University, the work of original investigation in the several fields of Natural Science. The income of the funds which you have designated, together with that which may be drawn from other funds already pledged, will enable us to
do, at all events in part, the work of this character which should be expected of a University so centrally and so peculiarly situated.

At present the membership of the Board of Trustees is full; but in a manner which, I think, will prove entirely satisfactory to the executors of Mr. Ogden’s estate, arrangements will be made for the proper representation of the donors of the fund upon the Board.

In closing, I desire to express to you the feeling that the gift, great and munificent as it is, carries with it a significance not to be measured merely by the income of the fund. It bespeaks, as you have yourself informed me, an interest in an educational work in which the directors have indicated their purpose not to be restricted by traditions of the past, but rather to move forward in accordance with what they conceive to be the true American spirit.

I remain, very sincerely yours,

(Signed) WILLIAM R. HARPER.
APPOINTMENT BY THE EXECUTORS OF
WILLIAM B. OGDEN

We, the undersigned, as executors of and trustees under the
last will and testament of William B. Ogden, deceased, do
hereby, in pursuance of the power and authority given us in that
behalf, in and by the eighth sub-division of the third clause of
said will, designate, select, and appoint the University of
Chicago, a corporation organized under the laws of the State
of Illinois, to receive seventy per cent. of the certain one and
one-half shares of the income and distributable moneys men-
tioned in said eighth sub-division of the third clause of said will
as payable to charitable uses; this designation is made upon the
agreement of said University of Chicago, that if the said seventy
per cent. of the moneys now applicable to such charitable uses,
or which may hereafter become applicable to such charitable
uses, the aforesaid eighth sub-division of the third clause of said
will, together with the like per cent. of the moneys and property
accruing under the eighth sub-division of the sixth clause of
said will, shall, at the expiration of the trust term mentioned in
said will, equal or exceed the sum of three hundred thousand
dollars, such moneys and property shall be used by the said Uni-
versity of Chicago for the purpose of founding and endowing a
school for original scientific research, to be known as the Ogden
Scientific School of the University of Chicago, but if the said
moneys shall not equal said sum of three hundred thousand
dollars, then they shall be used for the endowing of one or more
professorships in said University, to be severally known as the
Ogden Professorships.

We also further designate, select, and appoint the Arnot-
Ogden Memorial Hospital, a corporation duly organized under
the laws of the State of New York, and situate in the City of
Elmira, in said State, to receive ten per cent. of the income and
distributable moneys mentioned as aforesaid in said eighth sub-
division of the third clause of said will as payable to charitable
uses, such moneys to be used for the general purpose of said
corporation.

Dated, July 11, 1891.

MARIANNA A. OGDEN,
ANDREW H. GREEN,

Executors of and
Trustees under the last
Will and Testament of
William B. Ogden.
THE UNIVERSITY OF CHICAGO.

T. W. Goodspeed, Secretary,
1212 Chamber of Commerce Building, corner La Salle and Washington streets.

CHICAGO, July 16th, 1891.

TO THE EXECUTORS OF THE WILL OF THE LATE
WILLIAM B. OGDEN:

At the meeting of the Board of Trustees of the University of Chicago, held on July 9th, 1891, the letter of Andrew H. Green, written June 30th, 1891, to Wm. R. Harper, announcing the designation of funds made by you to this University was presented, and the following action was taken:

The Board accepts the gift of the executors of the will of the late Wm. B. Ogden for the founding and endowing of a school to be known as the Ogden Scientific School of the University of Chicago, in accordance with the terms and conditions of the letter of Andrew H. Green to President W. R. Harper, dated June 30th, 1891; and the Board, in consideration of this gift, will undertake to organize and maintain a school upon the basis of the plan outlined in said letter, it being understood that Dr. Harper has explained to Mr. Green’s satisfaction, that while the Board has not the authority to bind its successors in relation to the appointment of a member of the Board to represent the estate of Wm. B. Ogden, yet it is the opinion of the Board that a way may be found to substantially comply with the wish expressed by Mr. Green in that regard.

The Board wishes to express to the Executors its appreciation of this magnificent benefaction to the University and to the
cause of education, its profound gratitude to them for endow-
ing in connection with the University a scientific school of such
high character and exalted aims, and its assurance that every
effort shall be made to carry out the views of the Executors as
expressed in Mr. Green’s letter to Dr. Harper, and to make the
school all that you can wish.

The letter of President Harper to Mr. Green dated July 1st,
1891, reflects the views of the Board.

The Board feels a peculiar satisfaction that Mr. Ogden’s
Monument will be built in connection with the University of
Chicago and in the city of which through many years he was the
foremost citizen.

The Board will do everything in its power to lift the school
up into the highest excellence and the greatest fame.

By the authority and on behalf of the Board of Trustees,

We remain,

Very truly yours,

(Signed) WILLIAM R. HARPER, President.
T. W. GOODSPEED, Secretary.
OGDEN, WILLIAM — the People of the State of New York, by the grace of God free and independent, to Marianna A. Ogden, individually and as executrix and trustee; Emily O. Wheeler, individually and as executrix of Emily R. Wheeler, deceased; Julia W. Tiffany, Eleanor W. McClurg, Caroline W. Schwab, Laura Wheeler, William O. Wheeler, individually and as executor and trustee; Edwin B. Sheldon, individually and as executor of Edwin H. Sheldon, deceased; Frances E. Ogden, individually and as trustee under the will of Mahlon D. Ogden, deceased, for William B. Ogden, Bernon Ogden and Frances W. Bradley; William B. Ogden, Anna O. West, Mary O. Strong, individually and as executrix of William E. Strong, deceased; Charles C. Ogden, Frances W. Bradley, Bernon Ogden, Emily O. Butler, Fanny S. Whitehouse, individually and as executrix of Edwin H. Sheldon, deceased; Caroline O. Jones, Frances O. Jones, Louis B. McCagg, Caroline O. Jones, James S. Norton and Louis B. McCagg, as trustees under the will of Caroline O. McCagg, deceased, for Louis B. McCagg; Caroline O. Jones and Frances O. Jones, as trustees under the will of Caroline O. McCagg, deceased, for Alexander M. Jones, Julia H. Jones and William E. Jones, children of William O. Jones, deceased; Caroline O. Jones, Mahlon O. Jones and James S. Norton, as trustees under the will of Caroline O. McCagg, deceased, for Mahlon O. Jones; Alexander M. Jones, Julie H. Macfie, wife of Thomas G. Macfie; William E. Jones, Mahlon O. Jones, Helen Ogden and Calvin Onderdonk, committee of said Helen Ogden; The University of Chicago, The Arnot-Ogden Memorial Hospital of Elmira, The New York Homeopathic Medical College and Hospital, and to all persons interested in the estate of William H. Ogden, late of the City of New York, deceased, as creditors, legatees, next of kin or otherwise, send greeting:

You and each of you are hereby cited and required personally to be and appear before our Surrogate of the City and County of New York, at the Surrogate’s Court of said city and county, held at the County Court House, in the City of New York, on the 11th day of July, 1893, at half-past ten o’clock in the forenoon of that day, then and there to attend a judicial settlement of the account of the proceedings of Marianna A. Ogden, Andrew H. Green and William O. Wheeler, as surviving executors of and trustees under the last will and testament of said deceased; and such of you as are hereby cited as are under the age of twenty-one years, are required to appear by your guardian, if you have one, or if you have none, to appear and apply for one to be appointed, or in the event of your neglect or failure to do so a guardian will be appointed by the Surrogate to represent and act for you in the proceeding.

In testimony whereof, we have caused the seal of the Surrogate’s Court of the City and County of New York to be hereunto affixed. Witness, Hon. Rastus S. Ransom,

[2. B.]

Surrogate of our said city and county, at the City of New York, the fourth day of April, in the year of our Lord one thousand eight hundred and ninety-three.

JAMES F. MCALPHELIN,
Clerk of the Surrogate’s Court.

DIXON, WILLIAMS & ASHLEY,
Attorneys for Petitioner;
214 Broadway, N. Y.
At a Surrogate's Court held in and for the City and County of New York, at the Surrogate's Office in the City of New York, on the 11th day of April, in the year one thousand eight hundred and ninety-three.

Present:

Hon. Rastus S. Ransom,

Surrogate.

IN THE MATTER

of the Judicial Settlement of the Account of Marianna A. Ogden, Andrew H. Green and William G. Wheeler, as Surviving Executors and Trustees under the last Will and Testament of William B. Ogden, deceased.

UPON filing the verified petition of Andrew H. Green, one of the Executors & Trustees of William B. Ogden late of the City of New York, deceased, by which the petitioner has made proof to my satisfaction that, subsequent to the death of the said William B. Ogden, deceased, and

Alexander W. Jones, who resides in Stamford, Fairfield County, Connecticut, Julie W. Macfie, wife of Thomas G. Macfie, who resides at 16, Pembroke Gardens, Kensington W. London, England; and The University of Chicago, a Corporation organized under the laws of the State of Illinois and having its principal office in the State of Chicago, Cook County, Illinois, are legatees or next of kin of said William B. Ogden, deceased, and
that they are not residents of this State, and that personal service of the citation herein cannot with due diligence be made upon them within the State; and by which said petition, the petitioner has also made proof to my satisfaction that there are other legatees or next of kin of said deceased, whose names and places of residence are unknown, and cannot after diligent inquiry by ascertain by the petitioner, and also that Charles C. Ogden who formerly resided in the City of St. Louis, State of Missouri and Calvin Onderdonk, Committee of the personal estate of Helen Ogden, heretofore residing at Deposit, Broome County, New York, but now removed, are legatees, or next of kin, of said deceased, and that their places of residence are unknown, and cannot after diligent inquiry be ascertained by the petitioner.

NOW, on motion of Dixon, Williams & Ashley of counsel for the said Andrew H. Green, petitioner,

ORDERED: That service of the citation in the above-entitled matter upon the aforesaid persons, viz;

Alexander M. Jones,
Julia W. Macie,

The University of Chicago,

be made by publication thereof in two newspapers, to wit: in the New York Law Journal published in the City of New York, and in the Weekly Union once a week for six successive weeks; or at the option of the petitioner,
by delivering a copy of the citation to each of the
above-named persons, in person without the State;

A N D it is f u r t h e r Ordered and
Directed, That on or before the day of the first publica-
tion, the petitioner deposit in the post office at the
City of New York, three sets of a copy of the citation
and of this order, each set contained in a securely
closed post-paid wrapper, directed to the following
persons, respectively, at the place designated below;

Alexander M. Jones at Stamford, Fairfield County,
Conn.

Julie H. Macie, at 16, Pembroke Gardens, Kensington

The University of Chicago, at Chicago, Cook County,
Ill.

A N D it is f u r t h e r Ordered, That
service of citation in the above-entitled matter upon
those persons whose names and places of residence are
unknown, and cannot after diligent inquiry be ascer-
tained by the petitioner herein, and also upon Charles
C. Ogden and Calvin Onderdonk whose places of residence
are unknown, and cannot after diligent inquiry be ascer-
tained by the petitioner herein, be made by publication
thereof in two newspapers, to wit: in the New York Law
Journal published in the City of New York and in the
Weekly Union once a week for six successive weeks; or,
at the option of the petitioner, by delivering to and
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leaving with them without the State, a true copy of the
said citation.

AND I being satisfied by the said petition
that the petitioner cannot with reasonable diligence
ascertain a place or places where the said legatees or
next of kin would probably receive matter transmitted
through the post office, hereby dispense with the de-
posit of any papers therein.

Rastus S. Ranson,
Surrogate.
(L.S.)

Original Filed April 11th 1893
A True Copy

James F. McLaughlin,
Clerk of the Surrogate's Court
Surrogate's Court
City and County of New York

IN THE MATTER

of the Judicial settlement
of the account of Marianna
A. Ogden, Andrew H. Green
& William O. Wheeler, as
Executors &c. of William B.
Ogden,

Deceased.

Order for Publication of
Citation, &c.
said William e., the undersigned, as Executors of and
Trustees under the Last Will and Testament of William B.
Ogden, deceased, and in pursuance of the power and authority given us in that behalf in and by the
eighth sub-division of the third clause of said Will designate, select and appoint the University of Chicago
a Corporation organized under the laws of the State of
Illinois to receive Seventy per cent., of the certain
one and one half shares of the income and distributable
monies mentioned in said eighth sub-division of the
third clause of said Will as payable to Charitable uses,
this designation is made upon the agreement of said Uni-
versity of Chicago, that if the said Seventy per cent.,
of the moneys now applicable to such charitable uses, or
which may hereafter become applicable to such charitable
uses the aforesaid Eighth sub-division of the Third
Clause of said Will, together with the like per cent of
the moneys and property accruing under the Eighth sub-
division of the Sixth Clause of said Will, shall at the
expiration of the trust term mentioned in said Will,
equal or exceed the sum of Three hundred thousand dol-
lars, such monies and property shall be used by the said
University of Chicago for the purpose of founding and en-
dowing a school for original scientific research, to be
known as the Ogden Scientific School of the University
of Chicago, but if the said monies shall not equal said
sum of Three hundred thousand dollars, then they shall
be used for the endowing of one or more professorships in
Will the unprecedented expenses in connection with the
improvement of the University of Chicago
increase the financial responsibility of the
University's support and maintenance of the
property?

Do you wish to see the University's financial
situation at the time of its formation?

The University of Chicago will provide
adequate financial support to maintain
its property and its educational programs.

Will the University of Chicago
provide adequate financial support
for its educational programs?

The University of Chicago will provide
adequate financial support to maintain
its property and its educational programs.

Will the University of Chicago
provide adequate financial support
for its educational programs?
said University, to be severally known as the Ogden Professorships.

We also further designate, select and appoint the ARNOT-OGDEN MEMORIAL HOSPITAL, a Corporation duly organized under the Laws of the State of New York, and situate in the City of Elmira in said State to receive ten per cent. of the income and distributable monies mentioned as aforesaid in said eight-sub-division of the third clause of said Will as payable to Charitable Uses, such monies to be used for the general purposes of said Corporation.

Dated July 11th 1891,

Marianna A. Ogden

And W. H. Green.

Executors of
William B. Ogden, and Trustees under the Last Will and Testament of
We are in receipt of your letter of April 12th, requesting our cooperation in the formation of a hospital in the City of Albany to be known as the New York Eye and Ear Infirmary. We appreciate the interest shown by New York University in the welfare of the people of this community and we shall be happy to cooperate with you in any way that we can.

We understand that you desire to restrict the use of the name of New York University to the hospital. We are also happy to cooperate in any way that we can.

We are looking forward to the opening of the hospital and we shall do everything in our power to make it a success.

Date: July 1, 1937

Henry A. Green
Chairman of the Board

And H. Green

New York, August 12, 1892.

President William R. Harper,
University of Chicago,
Chicago, Ill.

Dear Dr. Harper:

With respect to the proposed settlement of the litigation under the Will of the late William B. Ogden; you are of course already aware of the nature of the decision of the General Term of our Supreme Court upon the appeal taken by Mr. Ogden's Executors. Since the rendering of that decision Mr. Whitehouse has returned from Europe, and he has now expressed himself as willing to consent to an arrangement which will secure to the University the full 70 per centum of the charity fund, including property in New York State as well as elsewhere and including the property now in hand and that yet to come. There are some differences yet to be adjusted as to the precise disposition of the remaining 30 per centum. It is proposed that the Elmira institution take 10% of the property on hand and the property yet to be realized upon, and that the Homeopathic Hospital of this City receive the remaining 20% of the cash on hand. As to the 20% of the property yet to come in, it is possible that this may go to the heirs, or on the other hand that an arrangement may be effected by which the whole of it may go to the Homeopathic Hospital. This
last named institution you will remember is the one favored by the Butler heirs, etc. In any event it is understood on all hands that the expenses of the litigation, including counsel fees, shall be paid out of the charity fund before the distribution is made to the different institutions.

I have within a few days talked with Mr. Willard Parker Butler on the subject, and to-day had an interview with Mr. Andrew H. Green, and also with his counsel, Mr. Mornay Williams. Mr. Whitehouse has himself had a conversation with Mr. Green on the subject. I found Mr. Green unwilling to formally commit himself without consultation with his co-executors, which was natural and proper enough, but he told me that the proposed settlement commend- ed itself to his own judgment and that he thought it would to the judgment of his co-executors.

You will remember that there are several trust estates and infants involved; it is of course highly desirable that if possible they be brought into the settlement on the same terms as the adult individual parties; I have quite strong hopes that this can be done. In order to effect this it would be necessary for us to secure an approval of the settlement by the Court, and it seems reasonable to suppose that this can be done. I believe that our own clients, the Wheelers and others, will favor this settlement. It will not be possible, however, to consult them all
personally for some little time, as at this period of the year they are scattered far and wide.

I have deemed it impolitic to ask Mr. Green for any more authoritative or more recent statement with respect to the value of the estate than are already in our possession.

As under this settlement the University will take a percentage of the property everywhere situated, and whether now in hand or yet to come, this does not seem of vital consequence. In a rough way, however, I consider the following a fair estimate: the whole estate worth, say, Ten Millions dollars; of this $5,100,000 have been distributed to the heirs; the charity fund on hand equals approximately 3/40 of the amount distributed as above stated; 70% of this less expenses will go to the University, and the like rule will apply to the approximately $5,000,000 yet to come in.

I have no doubt that you will agree with me that this is the very best settlement that the University could by any possibility expect. It gives it all that it could possibly get at the end of the most successful litigation, and indeed if the New York property is included in the settlement, as I trust it may be, it will be going further than I think any Court would be apt to go if the matter were further contested.

As to the question of legal expenses, I expect to confer with the other gentlemen in the case and may report on this sub-
I write you this in order that you and your Board may be kept informed as to the progress of matters and that our proceedings may be formally approved, and also that we may have the benefit of any suggestions that occur to you or your Board in connection in the matter.

Very truly yours,

[Signature]
CROSS REFERENCE SHEET

Name or Subject  Ogden Estate  File No.

Regarding  Date

SEE

Name or Subject  File No.

Gifts material moved to this folder 1972

File cross reference form under name or subject at top of the sheet and by the latest date of papers. Describe matter for identification purposes. The papers, themselves should be filed under name or subject after "SEE."
214 Broadway,
January 12th, 1891.

Prof. W. R. Harper, Ph.D.
Yale University.

Dear Sir:-

I have noticed with pleasure the announcement of your acceptance of the Presidency of the University of Chicago, and of such of the proposed plans as to its scope and work as have been made public.

At this juncture it appears to me desirable to obtain your opinion as to the feasibility of founding, in connection with the new University, a School for advanced scientific work upon certain conditions which I will proceed to state.

1. Would the trustees accept an endowment of from $300,000 to $500,000 for a school as above suggested, said school to be named as the donors should designate, say e.g. the "Brown School for Original Scientific Research of the University, &c.", and said endowment to be used exclusively for advanced scientific work, either in the support of well known specialists or in the encouragement of original investigation among graduate students of proved ability under proper direction.
Dear Sirs:

I have noticed with pleasure the announcement of your acceptance of the presidency of the University of Chicago and of your acceptance of the presidency of the University of California, and of your acceptance of the presidency of the University of California, respectively.

At this juncture of my career, in connection with your acceptance as to the presidency of the University of California, respectively, I wish to express my appreciation of the fact that you have decided to accept this position. I am confident that you will be successful in your new duties and that you will bring to them a spirit of dedication and a commitment to excellence that will be evident in all that you do.

I am aware of the many challenges that you will face as the president of a world-renowned institution, and I am certain that you will rise to these challenges with grace and dignity. I am confident that you will be a leader who will inspire and motivate those around you, and that you will be a voice for the values that you hold dear.

I wish you all the best in your new role, and I look forward to seeing the many accomplishments that you will achieve in the years to come.

Yours sincerely,

[Signature]
2. It might be well to draft in outline the scope of such a school as it would seem to you best adapted to meet the requirements of the object in view, and to fit in with the other departments of the University.

3. It may be further desirable to state what concessions might be granted to the donors by the University authorities, either as to discretion in the foundation of the proposed school or permanent voice in its management, and whether the denominational complexion of the Board of Trustees will, in any way affect the broadest platform of study and freest admission to the proposed school of students and professors alike of any shade of religious opinion, or of none.

As full and yet concise a reply to these inquiries as you can give at an early date will be appreciated, and may lead to such a foundation.

Nothing more certain now can be promised, as others as well as myself must be consulted. May I ask you also to regard these inquiries for the present as strictly confidential?

I am, Dear Sir,

Very Truly Yours,
It might be well to point in outline the scope of such a school as it might seem to your own judgment to meet the reorganization of the objectives of the University, and to fit in with the other departments of the University.

If may be further desirable to state what can be done, and what March be expected to the benefit of the University, and whether the proposition is to be presented to the Board of Trustees will in any way affect the progress, selection of a site and treatment of the proposition, school of science and professions alike of any nature of religious objection or of none.

As I say, my position is only one of these principles as well as my will not be compromised, and may I see you also to regard these inducements for the benefit of strikly constitutional.

I am, dear Sir,

Very truly yours,

PP 1889 - 50, 11
Mr. Andrew H. Green,

#214 Broadway, New York City.

My dear Sir,

In reply to your kind favor of Jan. 12th it gives me pleasure to say as a member of the Board of Trustees of the University of Chicago and as the President elect of the University, that the proposal which your letter contains will be most gladly and heartily accepted by the Board of Trustees. It has been one of the cherished plans of those most intimately connected with the organization to devote special attention to the encouragement of scientific research. The suggestion of any plan looking toward the carrying out of this policy will meet their most hearty approval.

As to the scope of such a school the following, among other suggestions, occur to me as worthy of consideration, viz.,

1. That the foundation proposed be set apart for a School of Science as distinguished from the College of Science, it being understood in our nomenclature that the College of Science is intended for undergraduates, the School of Science for graduate work and original research.

2. That admission to the school be granted only to students who are graduates of college or have pursued studies equivalent to graduation. In this way the work will be limited to the very best men and opportunity will have been given beforehand to sift from
among the many the few who can derive most profit from such opportunities.

3. That the income of the foundation be so arranged as to be available for the use of advanced students as well as for the payment of the salaries of the professors. The men who have real ability in scientific lines are in many cases men who do not have money with which to pursue their investigations. By a system of fellowships and scholarships could be advantageously aided.

4. That the income of the foundation be devoted mainly to furnishing the best facilities possible for scientific investigation on the part of professors selected not because of their ability to teach or lecture, but rather on the ground of their ability to investigate.

5. That the School of Science thus established should include at least the Departments of Physics, Chemistry, Biology, Geology, and Mineralogy, and Astronomy, with the various subdivisions of these departments.

6. That while a large share of the time of the professors in the school should be given to investigation, they should nevertheless be expected to furnish instruction to advanced graduate students.

7. That encouragement of every kind should be furnished the professors to publish the results of their investigations, and that to this end a portion of the funds be set apart for purposes of printing and publication.

8. That the entire graduate work of the University in the subjects mentioned should be done in connection with the School of Science; in other words that the University should not place side by side with this School of Science other scientific work of an
That the University should increase the original foundation by additional funds as rapidly as such funds could be secured.

10. That the work in this school be organized as in other graduate schools of the University to the end that after three years of study upon the presentation of a satisfactory thesis, students receive the degree of Doctor of Philosophy.

11. That museums of the University be arranged in such a way as to afford the greatest possible advantage to students in the proposed School of Science.

12. That at least a small portion of the income of the foundation be set apart for the purchase of books to be placed not in the general library but in the special departmental and laboratory libraries of the proposed school.

You will note that I have omitted any reference to technical instruction; as e.g., engineering, whether civil, mechanical or electrical. I have omitted these because I gathered from our conversation that your preference lay in the other direction.

Still further, I desire permission to say that in the arrangement of the plans of the proposed school and in designating in particular the use of the income, we should be most happy to have you use the largest discretion. At the same time I would suggest the advisability of our conferring together in reference to the matter in order that the result obtained may be at the same time satisfactory to you and consistent with the general plans of the University. I should like, however, to say that in consideration of the greatness of the proposed gift, the University will be only too happy to modify its present plans, though these have long been matured, in order to adjust itself to a work of such magnitude as that proposed. At the present time there is no vacancy in the Board of
Trustees, but such a vacancy is likely to occur at any time. I am confident that we should be most happy to have upon the Board at some one who might act in a representative way for those who might be most closely interested in the School of Science. Even should this not be the case, it may be taken for granted that the wishes of the donors will in every particular be carried out to the letter.

I quote to you from the charter of the University the following passage which will, I am sure, show you that the denominational complexion of the Board of Trustees will not affect in any way the broadest platform of study and the freest admission to the proposed school of students and professors alike of any shade of religious opinion or of nation. "At all times two-thirds of the Trustees and also the President of the University and of its said colleges shall be members of regular Baptist churches. No other religious test or particular religious profession shall ever be held as a requisite for election to said Board or for admission to said University or to any department belonging thereto, or which shall be under the supervision or control of this corporation, or for election to any professorship or any place of honor or emolument in said corporation or any of its departments or institutions of learning." I may add to this extract the decision of the Committee of Organization and Faculty at its last meeting to the effect that in recommending professors and instructors to the Board of Trustees for election, the particular denominational connection of such nominees, or, indeed, whether a member of any denomination, should in no case be indicated or discussed. These two things will assure you upon this point.

There are many additional things which I should like to say but perhaps I have indicated the most important.

Sincerely thanking you for even the consideration of such a
matter, and trusting that the result of our correspondence may be the foundation of such a school, the work in which will be of advantage not only to the city of Chicago but to any other country, not only for one generation but for centuries.

I remain

Yours truly,
BAPTIST CONGRESS.

Executive Committee,
Rev. H. M. Sanders, Chairman, 433 Fifth Avenue, N. Y.

Col. Alexander S. Bacon,
Rev. W. C. Bitting,
W. W. Boyd, D. D.,
Edward Braislin, D. D.,

Rev. L. A. Crandall,
D. C. Eddy, D. D.,
J. F. Elder, D. D.

Norman Fox, D. D.,
John Humpstone, D. D.,
William M. Isaacs, Esq.,

Rev. Walter Rauschenbusch,
Rev. Walter Scott,
W. C. Wilkinson, D. D.,
N. E. Wood, D. D.

Rev. Leighton Williams, Secretary and Treasurer, 27 Grove Street, N. Y.

New York, January 9th, 1887.

D. S. Harper,

I have just telegraphed you,

in response to your letter that I will meet you at the depot on arrival of your train at 3:30 P.M. I do so because Mr. Green, the gentleman to whom I referred in my letter, has asked us to meet them at this time by Park Ave instead of at the office. I want to explain matters a little to you first.

If you come by an earlier train, please telegraph. This means meet at the
Grant money held just opposite this depot
at the same time.

Yours very truly,

[Signature]

1. Prof. W. B. Harper, Ph.D.
    Yale University
Dear T. Harper,

I am nothing new concerning the matter which you address. I have been putting all that we can. My brother and Ex-Surrogate Potter have made me agree to the Executors to designate, but Mr. C. would not consent. He kept putting off. In short, I believe, formed the proposed disposition of funds, and was willing to designate. Now he is dead, and the 3 Executors here have
first to designate, and this was favorable. Certainly, and the third had not been considered, but very likely would be favorable, rightly approached.

Mr. G. is himself the obstacle. He is prone to postpone and may prevent any dealings with Co-executor. If the writer could be thought to express himself positively in favor of immediate action, he might act, and I am thinking how that may be brought about, but otherwise there is no way to get the resignation, and the state of Mr. G.'s health makes me anxious.

They write one that you have invited him to the new University, but he was doubtful whether to accept and asked my advice. At first I was
I am inclined to urge him to accept, but looking over his notes I found he had taken my pronounced ground in favor of government control of monopolies, K., and I felt obliged to advise him to stay where he is. I am entirely assured that his position will be acceptable to the Board of the University and he has full freedom to express them.

As far as my judgment has influenced him, I do not know, but I inform you so that you can press the matter further if you deem it best. Shall I explain it to you in
anyway I am from time to time and shall neglect to have you call upon me. Will inform you of how anything new occurs at the scientific meet. 

Yours faithfully,

R. T. Williams

To Prof. W. B. Temple, Ph.D.

Mr. Starse
New York, June 29th, 1873

Dear Dr. Harper,

"Much to our disappointment there is another hitch. We thought everything was settled last Friday. The designation was signed and a letter drafted.

However all will be well yet. All I want to say is - stand your ground. Mr. Green really means to do as he has said. It is only his disposition to delay and make the best terms he can."

Yours faithfully,

Leighton Williams
Edward H. Dixon
Merritt Williams
Clarence D. Ashley

Law Offices of
Dixon, Williams & Ashley
214 Broadway
New York. Jan 5th 1892

Prof. William E. Harper, Ph.D.

Dear Dr. Harper,

I have read with much satisfaction your plans for the scope and work of the new university.

They seem to me admirable. I am especially gratified to see that popular educational places within easy reach of the people in all parts of the country form to prominent features, and that you have fallen so entirely a way from
The nature of denominational tests and restrictions except such as are proper and necessary to hold the foundation of its spiritual basis.

Not the further test one type of my time. I trust now chiefly that if you can appoint a time to meet here at our brother's office a gentlemen of high influence in Chicago and who takes a strong interest in the new University to confer in reference to possibility of an endowment on certain terms for scientific study. Will you kindly make as early a date as possible, and address me at this office.

Very truly, sincerely Yours,

[Signature]
(DICTATED)

W. R. Harper, Ph. D.

President Chicago University.

Dear Dr. Harper;-

"Your note of yesterday has been received, and I expect to see Mr. Green Saturday, when I will arrange with him for the publication of the correspondence in relation to the gift to the University. You may rest assured, that I shall do all in my power to secure his signature to the Designation, before he leaves the Country. I shall hope to hear from you also, before your own departure."

Very sincerely,

Murray Williams
(DICTATED)

William R. Harper, Ph. D.
Yale University, New Haven, Conn.

My Dear Sir;

My Brother has handed to me your note of the 8th, inst, stating your intention to be in this City on Thursday or Friday of this week, and as my brother himself leaves the City to-day to be absent for a week or more he has requested me to answer it.

I shall be very happy to meet you at some hour convenient to yourself, on Thursday afternoon or evening, or Friday morning; if you could call at this office in the afternoon or morning of the days named, I should be most happy to see you, or I will call at your hotel if that would suit your convenience better, on Thursday evening. Friday afternoon and evening I shall be engaged. I am as anxious as you can be, that the matter in which we are both interested should be brought to a definite conclusion as speedily as may be, but our friend's health has not been such
of late, as to permit him to give much of his time to the office, and I have been at a loss for any way in which to expedite the matter, though every reason seems to me to make haste imperative.

I shall be hopeful that some method may be devised in which we can reach a definite conclusion ere long."

Awaiting an appointment, I am,

Very sincerely,

[Signature]
(DICTATED)

W. R. Harper, Ph. D.
Yale University, New Haven, Conn.

Dear Dr. Harper;

"I was very glad to learn from your letter of the cordial reception you met from Mr. Green, and I have myself since had a conversation with him on the subject. I was already aware of his intention to sail for Europe, and he informed me yesterday that he expected to sail early in July. I have prepared at his request a designation covering the donation to the University, and hope that it may be executed before he leaves.

I shall, as far as is consistent with my position, keep you informed of the standing of the matter."

Very truly,

Morris Williams
(DICTATED)

Prof. W. R. Harper, Ph. D.

Yale University, New Haven, Conn.

Dear Sir;

"Your note of yesterday is just received. I hope that you will be able to obtain the interview which you desire, though I am rather inclined to think that it may have been better to have called upon our friend without a previous announcement. I called myself on Mr. Rollins yesterday and as a result of our interview, Mr. Rollins will write Mr. Green a letter advocating the immediate settlement of the matter, in which we are so much interested.

I should scarcely feel justified in complying with your request for the names of the other parties interested at the present stage of the proceedings; while I am most deeply interested in the successful consummation of this project, I cannot forget that as a Lawyer, I am employed by the Executors, and represent them professionally in this matter. It would therefore at the present state of the affair scarcely be consistent with my professional duties to furnish the information which you desire, even
were I in a position to do so effectively; but it seems to me, if you will pardon the suggestion, that the time for such an application as you suggest has not yet arrived, and that on grounds of expediency, as well as on the ground which I have indicated, it would be wise to defer any further action until a little later.

Of course if you can, through other channels, obtain the information, which you desire, I shall do or say nothing in the premises, but I should feel that a Fabian Policy was at present the best.

With best wishes for our ultimate success, and with cordial regards, believe me,

Sincerely yours,

[Signature]
(continued)

The importance of this matter cannot be overestimated. The problem of how to ensure the security of the nation's information systems is crucial for our future. It is imperative that we take proactive measures to prevent cyber attacks and safeguard sensitive data.

In conclusion, it is essential that we address this issue head-on and implement robust strategies to protect our digital infrastructure. The stakes are high, and the consequences of failing to do so could be catastrophic.

[Signature]

[Name]