

Meeting of October 27, 1905.

The following call for a special meeting of the Board of Trustees of the University of Illinois was issued October 21, 1905:

"Upon the call of the President, Mr. Bullard, there will be a special meeting of the Board of Trustees of the University of Illinois at the office of the State Superintendent of Public Instruction in Springfield, Illinois, at three o'clock. p. m., Friday, October 27, 1905, for the purpose of considering the report of the joint committee relative to purchasing the house now occupied by Dean Davenport for a residence for the Director of the Agricultural Experiment Station, and any other business that may be brought before the Board."

When the Board was called to order the members present were Messrs. Bayliss, Bullard, Davison and Kerrick and Mrs. Alexander, Mrs. Busey and Mrs. Evans. Governor Deneen and Mr. Abbott came in a little later. President James was present.

Mr. McKinley, who had been elected to Congress, had handed to the Governor his resignation, and the Governor had appointed in his place Mr. Lewis L. Lehman of Mattoon. Mr. Lehman having qualified took his seat as a member of the Board.

COMMUNICATIONS FROM PRESIDENT JAMES.

1. A statement with regard to the organization of the School of Ceramics, and a recommendation that a kiln be constructed for the use of the School.

Referred to the Committee on Buildings and Grounds with power to act.

2. The recommendation that the salary of Mrs. Constance Barlow Smith be made \$110 a month for ten months beginning September 1, 1905.

On motion of Mrs. Evans, the recommendation was adopted.

A RESIDENCE FOR THE DIRECTOR OF THE AGRICULTURAL EXPERIMENT STATION.

The report of the committee on the purchase of Professor Davenport's house for a residence for the Director of the Agricultural Experiment Station, the consideration of which had been postponed to this time, was then taken up. (See minutes of September 12, 1905, p. 270, and of October 19, p. 283.)

During the discussion which followed, Mrs. Alexander presented and had read a letter addressed to her by the Attorney General relative to the subject under consideration. (For this letter see page 288.)

Some members of the Board having said that it would be more satisfactory to them to have an opinion from the Attorney General addressed to the Board, Mrs. Alexander moved that the Attorney General should be asked to meet and confer with the Board.

The motion was lost by the following vote: Aye, Mrs. Alexander; noes, Governor Deneen, Messrs. Bayliss, Bullard, Lehman, Kerrick, and Davison, and Mrs. Evans and Mrs. Busey; absent, Messrs. Barber and McLean.

Mr. Kerrick moved to postpone the consideration of the question until the December meeting, and that the opinion of the Attorney General as to the legality of the proposed purchase be meanwhile asked by the Board.

The motion was lost by the following vote: Ayes, Messrs. Bayliss, Bullard, Kerrick, and Abbott and Mrs. Evans; noes, Governor Deneen and Messrs. Lehman and Davison, and Mrs. Alexander and Mrs. Busey; absent, Messrs. Barber and McLean.

The pending motion, to adopt the report of the committee recommending the purchase of a house was lost by the following vote: Ayes, Messrs. Bullard and Kerrick; noes, Governor Deneen, Messrs. Bayliss, Lehman, Abbott, and Davison and Mrs. Alexander and Mrs. Busey; absent, Messrs. Barber and McLean. Mrs. Evans was excused from voting.

The following resolution was adopted on motion of Dr. Davison:

Whereas the Forty-fourth General Assembly passed an appropriation bill in aid of the College of Agriculture and the Experiment Station, section one of which reads as follows:

"Section 1.—That it shall be the duty of the College of Agriculture to give thorough and reliable instruction in the economic production of crops; the treatment of the different soils of the State in such manner as to secure the largest returns from each and without impairing its fertility; the principles of breeding and management of live stock, including animal diseases and a thorough knowledge of the various breeds and market classes; the economic and sanitary production of dairy goods, and the best methods of meeting existing market demands and of extending and developing trade in the agricultural production of the State.

"That it shall be the further duty of said College to provide and maintain such live stock specimens, laboratories, apparatus and other material equipment, together with teachers of such experience and skill as shall make instruction effective.

"That to carry out the provisions of this section, there be, and hereby is, appropriated the sum of 50,000 dollars annually for the years 1905 and 1906—*Provided*, that the disposition of the funds from time to time to carry out the intent of this act shall be along lines agreed upon by the dean of the College of Agriculture and an advisory Committee consisting of the President of the following State Agricultural organizations, to-wit:—The Illinois Farmers' Institute, The Illinois Live Stock Breeders' Association, The Illinois State Horticultural Society, The Illinois Corn Growers' Association, and the Illinois Dairymen's Association," and

Whereas the Advisory Committee appointed by the act of the Legislature consisting of the following persons:

A. P. Grout, President of the Illinois Live Stock Breeders' Association.

H. A. Aldrich, President of the Illinois State Horticultural Association.

Joseph Newman, President of the Illinois Dairymen's Association.

E. E. Chester, President of the Illinois Corn Growers' Association.

B. F. Wyman, President of the Illinois State Farmers' Institute;

have agreed upon the recommendation that a part of the appropriation should be expended, in order to best carry out the intent of the Act, for the erection

or purchase of a house to be used as a residence for the Director of the Experiment Station and have so certified their recommendations to this Board and

Whereas, this Board is charged by the Act with the responsibility of using the moneys appropriated therein for the purposes severally set forth in the Act as stated in the latter part of Section 8 which reads as follows:

"Section 8.—Nothing herein contained shall be deemed to take away from the Board of Trustees of the University of Illinois the usual authority conferred by law over the expenditure of moneys appropriated to said University. The recommendations of the Committees herein provided for shall be advisory, but the use of the moneys herein appropriated shall rest in the discretion of said Board for the purpose herein set forth, and said Board shall account therefor," and

Whereas, this Act does not clearly state that it was a part of the purpose of the law to provide a residence for the Director of the Experiment Station; but it does clearly charge that the College of Agriculture shall give thorough instruction in economic production of crops, treatment of soils, the principles of breeding live stock, and economic and sanitary production of dairy goods; and that the College shall provide and maintain live stock specimens, laboratories, apparatus and other material equipment and shall provide experienced teachers in order to satisfy the law in expenditure of the money appropriated, and,

Whereas, it is the desire of this Board in order that it may properly account for the moneys entrusted to it by the legislature to follow as definitely as possible the directions which the law gives in the expenditure of the money appropriated.

Therefore, be it resolved that it is the sense of this Board that it cannot concur in the recommendation of the Advisory Committee that a residence be erected or purchased for the Director of the Experiment Station and be paid for from the said fund.

On motion of Governor Deneen it was voted to print the following letter written to Mrs. Alexander as a part of the minutes of the meeting:

STATE OF ILLINOIS, OFFICE OF ATTORNEY GENERAL,

SPRINGFIELD, October 26, 1905.

Mrs. Carrie Thomas Alexander, Leland Hotel, Springfield, Illinois:

DEAR MADAM—Your favor of the 24th inst., duly received. You state that a meeting of the Trustees of the University of Illinois is about to be held, for the purpose of taking action on the matter of purchasing a residence for the Dean of Agriculture, and ask whether any of the funds appropriated for the College of Agriculture by the Appropriation Act of 1905 could be used for that purpose.

If any of the funds appropriated by said Act could be applied for such purpose, it would have to be from the fund of \$50,000 mentioned in the first section of said Act. This section states, in substance, that it shall be the duty of the College of Agriculture to give instruction in the economic production of crops; the treatment of different soils of the State; the principles of breeding and management of live stock; the economic and sanitary production of dairy goods; to provide and maintain live stock specimens, laboratories, apparatus and other material equipment, together with teachers of experience, etc., and \$50,000 is appropriated for such purposes. The other appropriations in said Act are for specific investigations and experiments.

It will be noticed that the appropriation in said section 1, in addition to the instruction designated, is for the provision and maintenance of live stock specimens, laboratories, apparatus and other material equipment, together with teachers. I can see nothing in this section nor in this Act which would authorize the Trustees to appropriate any of the funds mentioned for the purchase or construction of a residence for the Dean of the College of Agriculture. The Dean of the College of Agriculture would probably be classed as a teacher within the meaning of said section, but in making it the

duty of the College to provide and maintain teachers, it was the evident intention of the Legislature that the College should provide a salary for such teachers, and it cannot be construed as giving the College authority to erect residences for them.

Yours truly,

W. H. STEAD,

Attorney General.

The following resolution offered by Mr. Kerrick was referred to the President of the University.

Resolved, That the present salary of the Director of the Agricultural Experiment Station be increased in the sum of \$1,000.00 per annum, payable from the money appropriated in Section 1 of the Act of May 18, 1905, and to date from September 1, 1905.

The Board adjourned.

W. L. PILLSBURY,

Secretary.

S. A. BULLARD,

President.