

Forenoon Session of January 23, 1907.

When the board met pursuant to the adjournment the same members were present as Tuesday afternoon except Mr. Abbott.

ADDITIONAL MATTERS PRESENTED BY PRESIDENT JAMES.

TELEPHONE PAY STATIONS.

3. The following letter from Professor Morgan Brooks in regard to erecting telephone pay stations in the hallways of the several University buildings was presented:

URBANA, ILL., January 16, 1907.

President Edmund J. James, University of Illinois:

DEAR SIR—This afternoon Mr. Upham, manager of the local office of the Central Union Telephone Co., spoke to me about the possible erection of telephone pay stations in proper booths in the hallways of the several University buildings, saying that his company was ready to do this in every important building on the campus, if permitted.

Some time ago I urged upon the attention of the previous Central Union Co. manager the advisability of doing this very thing, but without response. Such facilities, assuming that a 5-cent rate would be given in the twin cities, and regular rates for toll messages, would, I believe be appreciated by the students, although I am not prepared to say that the results would be very satisfactory to the telephone company. However, they ask no guaranty at all, and I desire through you to ask the board of trustees to permit the experiment to be tried, there being no expense to the University. I think it might be possible to obtain some free service for strictly University business over such phones, which would be of some utility especially in such buildings as the Law Building, where there is now no Bell connection. I understand that the company would like permission to place the booths where they would be conveniently accessible to the students at all hours.

If the matter is placed in my charge, I will consult the custodian of each building to be equipped as to the proper location of a booth.

Yours very truly,

MORGAN BROOKS,
Professor of Electrical Engineering.

The communication was referred with power to act to a committee consisting of the chairman of the Committee on Buildings and Grounds, Vice President Burrill, Professor Morgan Brooks and in general of each building in which it is proposed to place such a telephone, the curator of the building.

CHEMISTRY OF FLESH.

4. A statement in regard to the research work of Professor H. S. Grindley.

Voted that until further notice the sum of \$2,000 per annum be appropriated from the funds of the Agricultural Experiment Station towards Professor Grindley's experiments in the chemistry of flesh.

Voted further that until further notice an additional sum of \$2,000 per annum be appropriated for the same purpose from the funds assigned to the maintenance of the chemical laboratory.

ACCOUNTANCY MATTERS.

5. A communication from the Illinois Society of Public Accountants, asking the board of trustees to continue to administer the law providing for the certification of public accountants.

ILLINOIS SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS,
CHICAGO, Jan. 10, 1907.

Dr. Edmund J. James, President University of Illinois, Urbana, Ill.:

DEAR SIR—We are advised that it is the desire of the trustees of the University of Illinois that the University be relieved of the duty of conducting the examination of candidates for the degree of Certified Public Accountants, and that the board feels disposed to solicit the present Legislature to amend the law so as to afford the relief above referred to.

At a meeting of the directors of the Illinois Society of Certified Public Accountants, held on January 8th, it was unanimously voted that the president and secretary be instructed to communicate with you and to make plain the desire of the society that the University continue to discharge the duties prescribed in the law providing for the certification of public accountants, and we therefore now address you to express the earnest desire of our society that the University shall continue to act in the capacity of administrator of the law above referred to.

We are aware that this law places upon the University duties which heretofore have been unpleasant in nature, and also places upon the University responsibilities out of proportion to the advantage gained by bearing same, but we feel confident that the law will hereafter work smoothly and that much of the annoyance and many of the disagreeable features of its administration will disappear, and that the connection of the University with the administration of the law will soon begin to redound to the advantage of the University, and that in time the sacrifices heretofore made will afford a substantial return.

The Illinois Society of Certified Public Accountants, composed of public accountants, who have been granted a decree by the University, consists of about fifty men, all of whom stand ready at any time to be of any service possible to the interests of the University.

We are enclosing herewith a resolution passed by our society at its last meeting, which shows the interest taken by the members in the success of the plans of the University, especially so far as the same relate to an extension of the business courses of its School of Finance, Commerce and Accounts.

We are preparing to secure the coöperation of numerous organizations in Chicago in inducing the Legislature to grant appropriations to be asked for by the University. It is our purpose to continue these efforts and to do all that is possible to bring them to a successful conclusion.

We have already brought the matter to the attention of the Chicago Commercial Association and have received from its Ways and Means Committee a very favorable expression, and believe that within two weeks we will be able to communicate to you a resolution of the Chicago Commercial Association endorsing the plans that have been made for the extension of the University business courses.

The members of our society stand ready to assist the University in the direction of supplying lectures upon accounting subjects, or in any other direction where their services can be of use. In view of this attitude of the Illinois Society of Certified Public Accountants toward the University, and in view of the efforts we are making to be of assistance to the University, we respectfully request that the board of trustees be made acquainted with our position in the matter, and be asked to favor the continuance of the University authorities in the administration of the law providing for the certification of public accountants.

With best wishes for the University, and with assurances of our high esteem of its board of trustees, we remain,

Yours truly,
ILLINOIS SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS,
EDWARD C. GORE,
President.
R. S. BUCHANAN,
Secretary.

(b) A communication from Dean David Kinley indorsing strongly the request from the Illinois Society of Certified Public Accountants that the trustees should continue to administer the law providing for the certified public accountants.

January, 17, 1907.

President E. J. James, University of Illinois:

DEAR MR. PRESIDENT—I desire again, as a result of my visit in Chicago yesterday, to urge very strongly that the University do not withdraw from its position as accountancy examiner. Our work here, although irksome, has made some strong influential friends; and I would think it would be a mistake to drop the work at present.

Moreover, all the waiver clause cases will be disposed of very soon now, and there is little likelihood that the trustees will have any cases before them in the future. All the appeals and all the troubles have arisen from the waiver clause cases. So far as I can foresee only one new case of this kind is likely to come up and that of Mr. H. Dinninger. This, with the cases of Mr. Oliver Coxon and Mr. Eric Everett will, I think, finish the list of annoying appeals.

Very truly yours,
DAVID KINLEY.

Voted to continue such administration for the present.

(c) A communication presenting a set of resolutions passed by the Illinois Society of Certified Public Accountants in favor of legislative appropriations

for instruction in finance, commerce and accounts, and asking that the trustees request the Legislature to appropriate \$10,000 a year for the establishment of a night school in such subjects in the city of Chicago.

ILLINOIS SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS.

CHICAGO, Jan. 10, 1907.

WHEREAS, The University of Illinois has established a school intended to provide for the higher education of men in the sciences of finance, commerce and accounts; and

WHEREAS, The said University is desirous of extending its courses of instruction in this school to the end that that the same may be more complete and productive of more beneficial results to its students, and

WHEREAS, The Illinois Society of Certified Public Accountants is fully advised of the aims, purposes and accomplishments of the said University in the school above referred to; therefore, be it

Resolved, That the Illinois Society of Certified Public Accountants, in meeting assembled, heartily endorses the methods of the University of Illinois in the conduct of its said School of Commerce, Finance and Accounts, and that said society will use its best efforts to secure from the General Assembly of the State of Illinois, at its next session, an appropriation of \$25,000.00 per annum for the use of said University in extending its courses of instruction on business subjects; and be it further

Resolved, That the Illinois Society of Certified Public Accountants favors an additional appropriation by the General Assembly for the use of said University of \$10,000.00 per annum for the establishment and maintenance of a night school of commerce, finance and accounts in the city of Chicago, the same to be wholly under the jurisdiction and control of said University of Illinois; and be it further

Resolved, That the members of the Illinois Society of Certified Public Accountants pledge themselves to do all in their power to secure action in favor of the appropriations above stated by the various social and commercial organizations of the city of Chicago.

We hereby certify that the foregoing resolutions were unanimously adopted at a meeting of the members of the Illinois Society of Certified Public Accountants, held on the 27th day of December, 1906.

EDWARD C. GORE, *President*.
R. S. BUCHANAN, *Secretary*.

Voted that the president of the University extend to the Illinois Society of Certified Public Accountants the thanks of the University for its endorsement of the asking of funds to extend courses of instruction in business subjects, and also suggest to the society that the establishment and maintenance of a night school of commerce, finance and accountancy in the city of Chicago and asking an appropriation therefor would, in the opinion of the board, be better presented in a separate bill.

(d) A communication from the Committee on Public Accountancy recommending a change in the University regulations for the conduct of examinations for certified public accountants, namely; that rule 5, page 8, of said regulations be changed by striking out the word "one" in the first line and inserting the word "accountant" so that the rule shall read, "after July 1, 1904, no accountant shall be appointed a member of this board," etc.

Voted that such recommendation be approved.

The secretary presented correspondence with regard to certain accountancy matters which by direction of President James he had had with the Attorney General.

URBANA, ILL., Sept. 29, 1906.

Hon. W. H. Stead, *Attorney General, Springfield, Illinois*:

DEAR SIR—The Board of Trustees of the University of Illinois desires your interpretation of two points in the accountancy law with regard to which questions have been raised.

Several applications have been made this year under the waiver clause (Section 3, p. 282, Sess. L. Ill., 1903.) That clause provides that a certificate may be issued to any applicant with the proper qualifications "who shall have had five successive years' previous experience as a public accountant previous to the date of application, who shall apply in writing within one year after the passage of this act, and who shall have been practicing in this State as a public accountant, on his own account, for a period of not less than one year prior to the passage of this act, also to any person who shall have been actively

in practice as a public accountant for not less than five years next prior to the passage of this act, outside of the State of Illinois, who shall have passed an examination equivalent, in the opinion of the University of Illinois, to the examination to be held under the provisions of this act."

The applicants in question, think that under the second half of this clause, they are eligible. The point is whether the words "who shall apply in writing within one year after the passage of this act," apply to those who have been practicing in Illinois as public accountants and who are described in section 3, by the words before the semicolon; or whether they apply also to those described in the second half of the paragraph immediately following, beginning, "also to any person."

The second question relates to the interpretation of "place for the regular transaction of business * * * in the State of Illinois." Some of the applicants are members of firms with headquarters in New York City and offices in Chicago. These applicants may, probably, at times come to Illinois on the business of the firm in accountancy matters; but, for the most part, spend their time and practice their profession in the head office or elsewhere than in Illinois.

Is the requirement of the law that the applicant shall have a regular place for business in Illinois satisfied if the applicant be a member or employé of a firm practicing under the circumstances noted above?

The board will be greatly obliged to you for your opinion of these questions.

Very truly yours,

W. L. PILLSBURY,

Registrar.

STATE OF ILLINOIS, OFFICE OF ATTORNEY GENERAL,
SPRINGFIELD, October 9, 1906.

W. L. Pillsbury, Esq., Registrar, University of Illinois, Urbana, Ill.,

DEAR SIR:—I beg to acknowledge the receipt of your favor of the 29th ult. You state that some of the applicants for certificates as certified public accountants are members of firms with headquarters in New York City and offices in Chicago; that these applicants may probably at times come to Illinois on the business of the firm in accountancy matters, but for the most part spend their time and practice their profession in the head office or elsewhere than in Illinois, and you ask if the requirement of the law that the applicant shall have a place for the regular transaction of business as a professional accountant in the State of Illinois is satisfied if the applicant be a member or employé of a firm practicing under the circumstances noted above.

Section 1 of chapter 110-a, Hurd's Revised Statutes, provides:

"That any citizen of the United States or person who has duly declared his intention of becoming such citizen, having a place for the regular transaction of business as a professional accountant in the State of Illinois, * * * and who shall have received from the University of Illinois a certificate of his qualifications to practice as a public expert accountant as hereinafter provided, shall be styled and known as a "Certified Public Accountant," etc."

It will be seen that the persons who may avail themselves of the benefits of this act are not confined to those who are residents of the State of Illinois, but that "any citizen of the United States," having a place for the regular transaction of business as a professional accountant in the State of Illinois, may do so.

It is therefore my opinion that applicants who are members of firms with headquarters in cities outside of the State of Illinois, but have offices for the regular transaction of business within the State of Illinois, are eligible for such certificates.

In regard to your other inquiry, I will state that section 3 of said act provides as follows:

"The University of Illinois may, in their discretion, under regulations provided by their rules, waive all or any part of the examination of any applicant possessing the qualifications mentioned in section 1 who shall have had five successive years' previous experience as a public accountant previous to the date of application, who shall apply in writing within one year after the passage of this act, and who shall have been practicing in this State as a public accountant, on his own account, for a period of not less than one year next

prior to the passage of this act; also to any person who shall have been actively in practice as a public accountant for not less than five years next prior to the passage of this act, outside the State of Illinois, who shall have passed an examination equivalent, in the opinion of the University of Illinois to the examination to be held under the provisions of this act."

This section provides for a waiver of examination for two different classes of applicants. The first embraces those who shall have had five years' previous experience as public accountants previous to the date of application, and who shall apply in writing within one year after the passage of the act, and who shall have been practicing in this State as a public accountant, on his own account, for a period of not less than one year prior to the passage of the act. This class embraces only those applicants who have been practicing in this State as public accountants for a period of not less than one year prior to the passage of the act. Such applicants must apply in writing within one year after the passage of the act in order to secure the privilege of a waiver of examination. The second class refers to those persons who have been actively in practice as public accountants for not less than five years prior to the passage of the act outside the State of Illinois.

The provision applicable to the first class above mentioned, that they must make their application within one year after the passage of the act, does not apply to applicants coming under the second class. No such condition is prescribed for applicants embraced in the second class.

It is therefore my opinion that applicants who have been actively in practice as public accountants for not less than five years next prior to the passage of the act, outside of the State of Illinois, and who shall have passed an examination equivalent, in the opinion of the University of Illinois, to the examination to be held under the provisions of said act, are not limited in making their applications to within one year after the passage of said act, but may make their applications at any time.

Yours truly,
W. H. STEAD,
Attorney General.

6. A statement from the Dean of the College of Agriculture that Professor J. M. Trueman intends to resign his position as Instructor in Dairy Husbandry, and proposes to ask for premission to leave some time during the month of April.

Voted to refer the matter to the president with authority to accept the resignation.

7. A communication from the secretary of the University of Illinois School of Pharmacy that the persons named below were nominated by the State Pharmaceutical Association to the board of trustees from among whom the trustees are to appoint one to succeed W. K. Forsyth of Chicago on the advisory board of the University of Illinois School of Pharmacy, Mr. Forsyth's term having expired in July, 1906, namely: W. D. Duncan of Ottawa, William Barrow of Olney, H. W. Giese of Bloomington, and George M. Bennett of Urbana.

A further communication from the secretary of the University of Illinois School of Pharmacy suggesting that Mr. W. K. Forsyth be appointed to take the place of Mr. A. E. Ebert, lately deceased, for the unexpired term on the advisory board of the School of Pharmacy.

Voted that H. W. Giese, of Bloomington, Illinois, be appointed in place of Mr. W. K. Forsyth of Chicago upon the advisory board of the University of Illinois School of Pharmacy for the term beginning July, 1906.

Voted that W. K. Forsyth of Chicago be appointed to A. E. Ebert's unexpired term.

8. A statement in regard to a clerical mistake made in fixing the salary of J. M. Lindgren, assistant in chemistry in the State Water Survey.

Voted that the necessary correction be made, and that Mr. Lindgren's salary from the first of January, 1907, be so adjusted that his salary for the term of twelve months, beginning September 1, 1906, be \$75 a month.

9. A communication from Assistant Professor H. L. Schoolcraft asking for leave of absence on half pay for the academic year 1907-08.

Voted that such leave of absence be granted.

10. A communication from Dean David Kinley concerning certain research work now carried on by Professor S. W. Parr with a request endorsed by Director H. Foster Bain of the Geological Survey for an appropriation of five hundred dollars for the conduct of such work.

Voted that such appropriation be made, subject to the approval of the general plan of such research work by the President of the University.

FELLOWSHIPS IN ENGINEERING EXPERIMENT STATION.

11. A recommendation from the director of the Engineering Experiment Station that ten research fellowships be created in the Station at an annual stipend of \$500.

URBANA, ILLINOIS, June 11, 1906.

Dr. Edmund J. James, President University of Illinois,

DEAR SIR:—After careful deliberation concerning the subject of Research Fellowships for the Engineering Experiment Station, I desire to state that:

WHEREAS, Under the present University regulations provision is made for fellowships at a stipend of \$300 a year, at the expiration of which time other conditions being fulfilled the fellow is granted his master's degree; and

WHEREAS, Work for the master's degree *in absentia* requires three years, often four or five; the candidates usually being engaged in practical work at an average salary of \$1000 a year; and

WHEREAS, It is impossible to obtain superior investigators as fellows at \$300 a year:

Therefore, It seems wise and just that the Engineering Experiment Station should be enabled to offer research fellowships at \$500 a year, on a basis of a two years' acceptance of the fellowship; and

Therefore, After due consultation with the members of the staff now present, I recommend the following:

(1) That ten research fellowships be offered in the Engineering Experiment Station at a stipend of \$500 a year.

(2) That these fellowships be assigned only to graduates of technical schools of approved standing, and that they be accepted for two collegiate years, at the expiration of which period, after compliance with all the requirements of the Graduate School, the fellows shall be granted their master's degree.

(3) That the Station Staff of the Engineering Experiment Station be authorized to recommend suitable candidates for these fellowships, and that the appointments may be made upon the approval of the faculty of the Graduate School and of the President.

Respectfully submitted,

L. P. BRECKENRIDGE,

Director of the Engineering Experiment Station.

Voted that said fellowships be established and the necessary money be appropriated from the funds assigned to the use of the Experiment Station.

THE AUDITORIUM.

12. Certain letters from C. H. Blackall, architect of the Auditorium:

December 21, 1906.

DEAR SIR:—I visited the Auditorium Monday, December 10. I found the steel setters at work on the dome trusses and the walls carried for the most part up to the level of the spring of the roof. I went over the work very carefully with Mr. English, the contractor, and subsequently with Mr. English and Dean White. There were a few minor points which require attention, which Mr. English assured me would be set right at once. In the main I consider the work has been carried out very carefully as Mr. English has given constant attention to it, and I have very little to find fault with. The mosaic work which is going in the upper panels above the cornice is coming out very satisfactorily indeed, and I visited with Mr.

English the shops in Chicago where the copper cheneau work is being prepared and found that they were following exactly my models and drawings and the work gives every promise of being perfectly satisfactory. There are a few points, however, to which I wish to call your attention.

English Brothers have built into the inner face of the brick walls, wooden laths, at intervals of three or four feet in height, these laths being continuous for long distances horizontally. These are to be used to afford nailings for the furring strips. In my previous report I called your attention to this as being a custom of which I did not approve. In the east the walls are bored and blocked with wood to afford nailings instead of being cut off horizontally in the manner I have just described in your walls. The margin of strength is ample, but it is construction of which I cannot approve. On the other hand, Mr. English, Mr. White, and Mr. Bullard all have told me that this is the common practice in the west and is considered all right. If it is satisfactory to you of course I have no objection, but it would not be satisfactory to me in the east. I should be glad to have your definite instructions as to whether I shall observe the local practice in this respect or insist upon it being carried out in the eastern manner.

Also, I notice that English Brothers have used floor timbers which are considerably under the sizes specified. I called for 2x12 timbers and under that specification I should expect to get sawn lumber, instead of which the timbers are all dressed to a size about 1 5/8 to 1 3/4 inches thick and 11 1/2 inches deep. As far as I can ascertain the lumber as supplied by English would be fully as expensive as what I had specified and the margin of strength is amply sufficient to give you all the stiffness of floors you require. I consequently merely call your attention to the fact that these are not the full size provided by the specifications though they are what is technically known as 2 inches thick. I should not advise any change in this respect.

The work is in such shape that I can receive no assurance from English Brothers that they can carry out the provisions of their contract as to time. The equipment on the building is not such as would enable them to carry out the work with dispatch. I cannot feel that either English Brothers or Parker, the sub-contractor for steel work, are equipped to do this thing promptly. The cause of the whole delay is with the steel contractor. He does business in a small way and had more work on hand last summer than he could attend to with the consequence that he neglected your work. English Brothers tell me they cannot undertake to get the work completed before August. If the work were taken away from them and entrusted to others who were better equipped to hurry it I believe the building could be pushed to completion so you could have your May festival in it, but this would involve, I am quite sure, a considerable added expenditure. The very fact that English was able to figure so low as he did was due to his not being equipped for large and rapid work. The University is getting the benefit of his low price and will unfortunately have to stand the corresponding delay. The question of damages is of course something that will have to be taken up later and fought out with him and with his sub-contractors. The one consoling fact in the situation is that English Brothers are not slighting the work in either personal attention, nor in material nor in quality of workmanship.

President E. J. James, University of Illinois.

Yours very truly,
C. H. BLACKALL.

December 22, 1906.

MY DEAR DR. JAMES—There is one item in connection with the Auditorium which I want you to think about. The plastering of the domed ceiling is specified to be entirely on wooden lath. I asked English to give me a price for substituting metal lath in place of this. If at some future time you should decide to have extensive mural decorations it would be rather a pity to have such expensive work applied to wall plastering over wooden lath. I think this item was talked of when the contract was made but the University at that time did not feel like spending the money. I call your attention to it now so that you will appreciate that you are not to have a metal lathing.

Yours very truly,
C. H. BLACKALL.

President E. J. James, University of Illinois.

January 12, 1907.

MY DEAR DR. JAMES—I am in receipt of your letter enclosing letter from Dr. Davison, which I return herewith. I have written to Dean White and to English Brothers that I cannot accept the wood strips which they have built into the wall, and that these must be removed, the joints properly filled with cement and the furring nailed to blocks properly inserted in the wall. I quite agree with Dr. Davison and I feel quite convinced that the method Mr. English took, while a local usage, is not sanctioned by good practice anywhere.

Yours very truly,
C. H. BLACKALL.

President E. J. James, University of Illinois.

PRACTICE SCHOOL.

13. A resolution passed by the State Teachers' Association requesting the establishment of a practice school for the training of high school teachers at the State University.

Adopted by the Illinois State Teachers' Association, Dec. 28, 1906.

CAROLINE GROTE,
Secretary.

As the State University must always be one of the important sources of supply of adequately prepared teachers for the public high schools of the State, we urge that its trustees be asked to consider the question of the establishment of a practice school as an important factor in the preparation of such teachers.

SCHOOL OF RAILWAY ENGINEERING.

14. A communication from the Dean of the College of Engineering in regard to the establishment of a School of Railway Engineering and Administration.

URBANA, ILL., January 22, 1907.

President E. J. James, University of Illinois.

DEAR SIR—At the meeting of the Board of Trustees on January 30, 1906, a recommendation was approved creating a Department of Railway Engineering and Administration in the College of Engineering. On October 8th at a meeting of the advisory committee on this course, held in the senate room, at which you were present, the organization of the new department was fully discussed, it being agreed that we would recommend the establishment of a School of Railway Engineering and Administration. It seems to me that it would therefore be desirable to present again the matter to the trustees, as we now have some literature ready for the press. Will you not therefore recommend:

That the action of January 30, 1906, creating a Department of Railway Engineering and Administration in the College of Engineering be reconsidered and that a School of Railway Engineering and Administration be established which shall include in its organization a department of railway engineering in the College of Engineering offering three railway courses, and a course in railway administration in the department of economics in the College of Literature and Arts.

In the description of courses for the new catalog we have outlined the three courses in railway engineering, though they are almost identical with our regular courses up to the senior year, so that they are really options for seniors, differing from the straight courses by from 12 to 22 semester-hours in each case.

Yours very truly,

JAMES M. WHITE,

Dean of the College of Engineering.

Voted that said recommendation be adopted.

15. A communication from Sergeant Post requesting an increase of salary.

Voted that the president report upon the expediency of granting this request at the next meeting.

DEDICATION OF THE AUDITORIUM.

16. A plan as to the dedication of the new Auditorium to the service of music in the autumn of 1907.

It is proposed to dedicate the Auditorium in the autumn of 1907 first to the purposes of music, second to the purposes of oratory, third to the purposes of science. These three purposes may be achieved at once, or they may be separated into distinct occasions as subsequent experience may make desirable.

In connection with the dedication of the hall to the purposes of music, it is suggested that the most distinguished American musician be invited to superintend a production of his works in the new Auditorium, and that after such a successful production, a tablet containing the name of the composer and the date of the production of his works be placed upon the walls of the memorial vestibule or in the panel of the gallery or some other suitable place within the building.

In order to ascertain which of our American musicians may be considered worthy of such honor, it is proposed to take a poll among the competent musical authorities of the country in order to ascertain, if possible, the name of the man, who by common consent, ranks first among living American musicians.

It is suggested that at least once a year in successive years a leading musician, in this or other countries, be invited to superintend in a similar way the production of his works and that on such occasion a similar tablet be erected so that in the course of years, around this hall, which is destined to

be one the great music halls of the country, a worthy tradition may be gathered, heightening the interest of the public in the musical work of the University and heightening the interest of our student body in the subject of music.

Voted that said plan be approved.

17. (a) The report of the advisory committees in the Agricultural College and Experiment Station concerning appropriations to be asked for from the next Legislature.

AGRICULTURAL APPROPRIATIONS; ADAMS FUND.

Voted that the President of the University and the committee of the board on the College of Agriculture and Experiment Stations confer with the advisory committees further on this subject.

(b) Recommendation of the Dean of the College of Agriculture and the Director of the Agricultural Experiment Station as to the use of the additional funds granted by the so-called Adams bill for the use of the Agricultural Experiment Station.

The following recommendations as to appropriations from the Adams fund were approved:

(a) Researches in heredity and correlation by the statistical method especially in corn, \$1,000.

(b) Investigations concerning the effects of inbreeding first upon pigs, second upon corn, \$4,000.

(c) Experiments to determine whether varieties ordinarily propagated by grafting or budding may be permanently improved by selection, standard varieties of apples to be used in experiments, \$2,000.

(d) Experiments to determine the differences in the efficiency of the descendants of different individual cows for the purpose of beef production as regards both quantity and quality, \$4,000.

APPOINTMENTS.

18. I submit for record the following statement of appointments made since the September, 1906, meeting of the board:

T. L. Kelly clerk and stenographer in the office of the Dean of the College of Science at a salary of \$55 a month from October 1, 1906, until further notice.

Deane Burns, assistant in chemistry in place of Mr. Gardner at \$20 a month for nine months from October 1, 1906.

Dr. J. C. Hemmeon instructor in political economy at \$100 a month for the nine months beginning October 1, 1906.

Edith Williams assistant in the woman's gymnasium at \$30 a month for ten months from September 1, 1906. Miss Williams takes the place of Miss Gillespie.

Anna M. Davison second assistant in the woman's gymnasium at a salary of \$20 a month for ten months from September 1, 1906. Miss Davison takes the place for which Miss Williams had been appointed.

Norman Cabot tool room attendant at a salary of \$40 a month from December 1, 1906, to July 1, 1907. Mr. Cabot takes the place of Mr. Alley, resigned.

Beulah Agnes Burroughs library stenographer at \$50 a month.

Burton R. Herrick assistant in chemistry in the Agricultural Experiment Station at the rate of \$600 a year, for the year ending August 31, 1907, salary to begin when he reports for duty.

D. M. Craig assistant in general engineering drawing \$30 a month for nine months from October 1, 1906. Mr. Craig is to give his afternoons to this work.

Ward R. Robinson assistant in Engineering Experiment Station, department of applied mechanics, at a salary of \$75 a month for eight months from November 1, 1906.

C. M. Black instructor in general engineering drawing a salary of \$80 a month from October 23, 1906, to June 30, 1907.

Earl T. Strong mechanician in the physics department as a salary of \$75 a month for eight months from November 1, 1906. Mr. Strong takes the place of Mr. Hays, resigned.

Sabra L. Nason general assistant in the library at a salary of \$60 a month from November 1, 1906, until further notice.

Mary M. Wetmore instructor in the department of art and design from January 16, 1907, to June 16, 1907, her pay for the service to be \$500.

V. H. Kadesh assistant in chemistry at \$60 a month for eight months from November 1, 1906. Mr. Kadesh takes the place of Mr. Woods, resigned.

Agnes Carroll stenographer and assistant in the office of the High School Visitor at \$50 a month from October 6, 1906, until further notice.

Rosalie Parr assistant in general chemistry at \$60 a month from September 17, 1906, to July 1, 1907.

H. A. Mattill assistant in chemistry at the rate of \$60 a month from October 15, 1906, to July 1, 1907.

I also report for record that C. P. A. diplomas have been issued as follows: Harold Bennington, F. W. Menzies, A. K. Todd, and George E. Fawcett.

These diplomas have been issued in accordance with the decision of the Attorney General which is presented today for record.

I have reappointed—

Katherine McCullum McIntyre, secretary, \$1200 a year.

Olive Faith Saxton stenographer in the office of the Dean of Undergraduates at \$65 a month.

Sue Wilson Ford clerk and stenographer in the College of Engineering at \$75 a month.

ACQUIRING LAND BY CONDEMNATION.

It was voted that the University request from the present Legislature the passage of a law giving the University authority to acquire land by condemnation proceeding which may be needed for University purposes, and that Dean Harker be asked to draw said bill.

To the President and Trustees of the University of Illinois:

May the University of Illinois condemn private property for the use of the University?

My opinion is asked on the above question.

The right by which private property is taken for public use is called the right of eminent domain. While the right is generally conceded to be an attribute of sovereignty, it is uniformly held by the courts in this country that the right remains dormant until the terms and conditions under which it is to be exercised have been prescribed by appropriate legislation. The exercise of the power is a strictly legislative function, and, subject to the rights of the courts to determine whether the use for which property proposed to be taken is a public one and whether the condemnation proceedings have been conducted according to law. The Legislature is made the exclusive judge of the necessity justifying the exercise of the power.

Our State Constitution does not attempt to limit the persons or corporations who may exercise the power. It simply provides that "Private property shall not be taken or damaged for public use without just compensation. Such compensation, when not made by the State, shall be ascertained by a jury, as shall be prescribed by law." (Ar. 2, Sec. 13.) The framers of the Constitution left it to future legislators to determine who should exercise the power and the manner in which it should be exercised, with the single limitation that compensation for the property taken should be ascertained by a jury.

The Legislature has by enactments, passed from time to time, granted the power to counties, cities, villages, school directors, railroads, canal companies, and other corporate bodies, but has not granted the power to the University of Illinois. I am not advised that any attempt has ever been made to have it do so.

The question has been asked, Why may it not be exercised under the general provision of the free school act which allows school directors to institute condemnation proceedings for land wanted for a school house site where the

owner and the directors cannot agree? The answer is found in the general doctrine so frequently announced by our courts that a power granted by legislative enactment will not extend beyond the persons named in the act. In cases where the particular power under discussion has been before the Supreme Court of Illinois the rule has been uniformly stated substantially as follows: In the exercise of the power of eminent domain, which takes the property of the citizen away from him without his consent, the limitations prescribed by the Constitution should be strictly observed, and the statutes passed in pursuance thereof should be strictly complied with and not extended by implication. I am therefore of the opinion that the University cannot, under the law as it now exists, condemn private property for the use of the University.

Although I was only asked for my opinion on the legal question involved, I do not think it out of the way for me to suggest that some legislation should be procured that will enable the University and other educational institutions belonging to the State to condemn. If the president and members of the board desire me to do so I will open correspondence at once with the Attorney General and the heads of the different normal schools, which shall have in view the securing of such legislation. I make no doubt those schools would be glad to join with us.

Respectfully submitted,

O. A. HARKER,
Counsel for the University.

AUTHORITY TO ISSUE PERMITS TO CROSS UNIVERSITY GROUNDS.

It was voted that the trustees request the present Legislature to pass a law giving to them authority to issue permits to cross the University grounds to street railways, telephone, and telegraph companies, and that Judge O. A. Harker be requested to draw said bill.

The secretary was directed to send a vote of thanks to the members of the Urbana Commercial Club for their courtesy in entertaining the board of trustees by a banquet Tuesday evening.

REPORT ON ATHLETICS.

The special committee appointed to examine into the condition of athletics made the following report, which was received for record.

To the Board of Trustees.

Your special committee appointed with instructions to examine into the condition of athletics in the University desire to report.

Your committee made its examinations to determine the facts which exist in the University pertaining to athletics along the following lines:

- (1) By whom is athletics controlled?
- (2) Can the danger of injury be removed from the rough games?
- (3) How far is money or favor used to recruit men for athletics?

In order to obtain the information which the committee desired the principal men who have to do with the control and direction of athletics here were invited to come before the committee. The answers given by these men were taken stenographically for the use of the committee and copies of constitution and by-laws of the Athletic Association were submitted. The persons examined were:

Professor H. J. Barton, a member of the Board of Control.

Mr. George A. Huff, director of Athletics.

Professor G. A. Goodenough, chairman of the Council Committee of Athletics.

Mr. W. J. Carey, president of the Athletic Association.

Mr. W. J. Healy, manager of the baseball team.

Mr. C. T. McCully, manager of the track team.

Mr. C. J. Moynihan, captain of the football team.

Mr. J. M. Lindgren, coach of the football team.

Mr. C. W. Vandagriff, captain of the baseball team.

In relation the first inquiry, it was found that there is among the students an organization known as the Athletic Association of the University. Any teacher, student, graduate, or former member of a recognized athletic team of the University may become an active member; anyone may become an associate member. The fees are dues of \$2 a year. The object of this association is to promote and direct athletics and conduct contest games with other institutions of learning.

The officers are the usual officers which organizations have, and a board of control is charged with the active conduct of all details of the work of the association. Its membership is composed of three members of the faculty who are appointed by the president of the University, three alumni of the University who are not members of the corps of instruction, one of whom shall be a resident of Chicago, and one of either of the cities at the seat of the University and all shall be chosen by the association, the graduate manager of the athletic teams and four undergraduates, namely, the president of the association, the managers of the football team, baseball team and track team. In addition to these persons the following named persons are associate members of the board of control, but have no right to vote—the captains of the recognized athletic teams and the inter-scholastic manager. The board of control elects the graduate manager and treasurer.

Coaches and team managers are chosen by the board. Captains are chosen by the teams under certain restrictions. Games are arranged with other institutions by the director of athletics. He decides upon the institutions, the dates of games and upon the division of the gate receipts. Instruction in the game devolves upon the coach of the team, the study qualifications and general conduct of the men upon the team manager, and the direction of the men during the game upon the captain.

The sources of revenue are from dues, admissions to games, to special features and sometimes by subscriptions of individuals. All moneys go directly to the treasurer. Moneys are paid out only on appropriations by the board of control and all bills are itemized, approved by the director of athletics, and then paid by check drawn by one of the faculty members of the board to be designated by the board.

Items of expense are salaries of coaches, trip expenses of teams, sweaters, blankets, etc., for team use and help at games. Money at times has been spent on improving the athletic field and building bleachers. No salaries are paid to others than coaches.

No financial report is made further than a general one through the medium of the papers.

Your committee did not learn of any loss of funds or of funds misused in any way and the financial management seems to be conducted in an honest and efficient manner.

In relation to the second point of inquiry it was learned that roughness was charged principally to football of the regulation or Rugby style. What is known as "association football" was not objected to on the score of danger.

The chief danger in football is in tackling, that is, where one man is running with the ball and another attempts to throw him down. Mass plays look to a spectator very brutal, but they are not so unless it is intentional on the part of the players. Intentional injury to a player is called slugging and by the rules is barred from the field. Such outlawed work is more easily hidden in mass plays. The new rules of this year makes possession of the ball by one side less valuable to that side than the old rules did and will cause fewer mass plays and more open plays and kicking. To reduce the hazard in playing is to reduce the interest in the game, both to players and spectators. There were few or no suggestions by the persons examined that would make the game less dangerous and more attractive. It was thought by some that fewer contest games would relieve the players of the continued hard strain and exercise. The efforts of the players in a football game unfit them for study for the remainder of the day and evening.

It was thought that the new rules and the reduction in the number of contest games would relieve to some extent the drain on the vitality of the team players.

In reference to the third point of inquiry, it was learned that the players on all athletic teams were obtained upon announced call for such players to present themselves on trial with others for such positions. After trials in which each man is given an opportunity to do his best, the players on the University teams are chosen by the several managers and the director of athletics. Many contestants for positions always appear. No money, offer of scholarships, payment of fees, laxness of examinations, or free expense are offered to any one to induce men from the secondary schools who have abilities as athletes to attend the University in order to have them become members of one or another of the teams. A training table has been operated but those using it are required to pay their regular portion of the expense which amounts to near the same charge as at a club boarding house with the same number of patrons.

A few instances were mentioned where men desiring to go to colleges but without ample means to do so and who were good athletes, were offered places not in the University where they could earn by services a part of their college expenses. Most of such cases had not proved to be successful, either for the reason that studies, service, and athletics are too great a draft upon a student and he had to quit one of them; or the student felt that his service was unimportant and rendered it indifferently and was therefore discharged from it, and with that quit school. And this method of obtaining students had fallen into disuse.

It was found that no society, fraternity, or personal influence, or "pull" was allowed to dictate the choice of a player on teams, but rather his ability to play and take training, his standing in his classes, and his companionableness as a man.

In making a summary of the findings of your committee the following statements are made:

(1) The management and control of athletics in the University are exercised by a satisfactory organization.

(2) The funds which have been received and paid out in past years have been properly and honestly accounted for.

(3) No improper influences have been used to obtain players in teams or to win contest games with other educational institutions.

(4) That the general practice of the several forms of athletics by the great body of students of the University, induced largely by the interest developed among the students through the great college and inter-college games, is a good far outweighing the harm resulting from the contest games with other institutions.

Your committee makes the following recommendations:

(1) That the treasurer of the Athletic Association annually make to the president of the University an itemized report of his financial receipts and disbursements for the previous year, the said report to be examined and approved as correct by the finance or auditing committee of the board of control. If in his judgment it may be desirable the president may present the said report to the board of trustees together with any recommendations which he may think advisable.

(2) That as large a number of the students as possible be encouraged to take regular athletic exercise of some form.

Respectfully submitted,

S. A. BULLARD,

Chairman Committee.

The board adjourned.

W. L. PILLSBURY,

Secretary.

S. A. BULLARD,

President.