"The highest possible quality of work."

Like prologue to play are Dr. Clyde A. Duniway's letters to his wife on his journey from Palo Alto to Missoula and Helena late in May, 1908. He had read all he could find about the 19-year-old state but not yet seen it.

Already I am getting a depressing idea of the distance from centers, the isolation of our likely habitation. If we take up the new work it will have to be for its real value, and then we must have vacations, when we can travel to the outer world.

From the original Hotel Florence, advertising on its letterheads steam heat, electric lights, and electric bells on all three floors, with H. E. Chaney proprietor, he wrote—

Missoula is an attractive town, for a mountain place. The University has good-looking buildings on a well kept campus. Equipment is modest but new, salaries low, the highest $2,100, the average for professors about $1,600, and few instructors or assistants.

It is evident to me that Montana needs educational leadership, enlightened and enthusiastic. The beginnings are well made, but—

From Palo Alto comes a letter from his wife, Caroline Cushing Duniway, of pioneer heritage, her father a forty-niner, son of a Massachusetts editor, her mother a native of Ireland who had come to California by sailing-ship round Cape Horn in 1853, and who was later to work for prison reform and parole.

—sharing the destiny of a new state. It would be a most inspiring work, and how very much you could do.
Dr. Dunaway summed up his findings——

I think I can do the work of such a presidency in dealing with faculty and board and students, but about the legislature and the general public I am not so sure. That takes 'glad-hand' qualities which I may not possess. However, I am willing to take my chance at the position if I am wanted.

He was caught in Helena by the same flood that made Dr. Craig's return from that meeting of the Board of Education so difficult. Four members of the board were unable to reach the city on the day set, but those present voted for him. He felt

——sober and exultant. I have dreamed dreams to these men, and they say that they will back me loyally.

By June 2, he wired his wife from Helena that the other votes had come in and the election was unanimous. Soon after, his exultance had subsided a bit, and he wrote that he had already become aware that the president himself would have to "supply the motive power to move mountains."

Clyde Augustus Dunaway was born in 1866 in Albany, Oregon. His mother and father were both Oregon pioneers, meeting out there in the fifties, and after their marriage engaging in ranching. Later, just after the family had lost their farm the father was injured in a run-away accident, the mother earned the living by teaching and millinery. Finally the family moved in 1871 to Portland, then only a village with one main street of shops.

As a girl of seventeen, Mrs. Dunaway, nee Abigail Jane Scott, had walked most of the trail from Illinois. Her mother had died of
cholera on the way. Watching the lot of women in Oregon under pioneer conditions, she began to think about matters that nearly a hundred years before had set Abigail Adams on a lady-like warpath. This nineteenth century Abigail learned in Oregon that women had virtually no rights of their own. Most of them had no money but "butter money" which in some cases husbands pre-empted for themselves. Many a tale of woe came to Abigail. She decided laws must be changed, and when her invalid husband told her that they could be if women had a vote, she decided to give her life to woman suffrage and to raise her five sons and one daughter to understand her purpose.

In Portland she established a newspaper for women, The New Northwest, and set her sons to learning printing. Her brother, Harvey W. Scott, was already editor of the first great newspaper of Oregon, the Oregonian. The New Northwest carried the news of the day and also fashion items, recipes, child-care suggestions, and comments on conditions of importance to women, including disturbing suggestions on general sanitation and public health. Letters poured in from women in far districts. The dauntless Abigail not only answered them, but toured the state by stage, buggy, or wagon, making speeches, meeting women who had written, and calling down on herself some revilement and abuse from those men who thought she menaced their sovereignty. She organised, and was for thirty-three years president of, the Oregon Association for Equal Suffrage. In 1912 the Oregon Equal Suffrage Act was proclaimed. She herself, at the age of 76, was given the honor of writing the Proclamation, the first woman to be entrusted with such an important paper.
Her son, Clyde Augustus Dunway, entered the State University of Oregon as a freshman at the age of twenty and later went on to Cornell, graduating there in 1892. During the years of undergraduate work he made most of his expenses through a skill he had acquired on his mother's newspaper—setting type.

From Cornell he went to Harvard for graduate work, taking with him the good wishes and personal friendship of Andrew D. White, then president of Cornell. During five years at Harvard he took the M.A. and Ph.D. degrees, served a term as president of the Harvard Union, and during 1896-97 was an instructor at Harvard and at Radcliffe. The story of his foreign travel during a year at Harvard is told in his reply to a young Montanan who wrote to him while he was president of the University of Montana, as it was then called, asking how a student might find wider educational opportunities by travel.

My good fortune came... thru... influential friends. President Andrew D. White, who knew me very well, was consulted by a man of wealth (Henry Clay Frick) about procuring a teacher who could help make a man of his son. President White thought I could carry on such work successfully. The position became mine, and trips to Europe followed without further effort. Let your friends know of your ambition... advertise by two or three lines in some paper like the New York Outlook.

From Harvard he went to Stanford, recommended as instructor in history by Andrew D. White, who was well acquainted with David Starr Jordan. By 1899 he was an associate professor, and was promoted to full professor in June, 1903. In 1900, he had taught in the summer session of the University of California at Berkeley under President Wheeler. On leave, in 1901-02, he was in Leipsig, Berlin, and Paris on a honeymoon trip.
Following his years at Cornell and Harvard, the years 1897–1908 at Stanford were very probably among the formative influences of his life as an administrator. The brief underclassman years in Oregon were of a Western State University but not of his maturity and were broken by a year on a ranch in Idaho in the Lost River Valley. It was because he had confided to President Jordan that he was attracted to administrative work that the latter recommended him in answer to inquiries from Montana. He was recommended also by President White of Cornell and President Elliott of Harvard. His years at Stanford were in the period that President Jordan ruefully called the "Stone Age," when Mrs. Stanford, after the death of her husband in 1893 and the panic and only partial settlement of the estate and the earthquake of 1906, determined to complete the original plans for the university that was to be a memorial to their son, Leland Stanford Junior, and to erect the outer quadrangle of buildings without delaying further.

In answer to Dr. Jordan's pleading that more students required more teachers, that good teachers required better salaries or they would leave, she merely counselled patience. The buildings must be finished first. Funds must be apportioned to that end. Limit the number of students. Limit the salaries. A faculty who had vision would be loyal. She was, as she had to be, obeyed. Students were turned away. Faculty members were promoted in rank but not in salary. Hope for additional equipment was deferred, though sometimes realized through unexpected gifts from friends of the project. No person who served during those years in Leland Stanford Junior University, as it was then known,
could escape knowledge of the trials of Dr. Jordan or the dis­
couragement that now and then overcame the faculty. The situation
was not unlike that of Dr. Craig in regard to inadequate funds
through most of his administration.

After his appointment in June, 1908, Dr. Duniway had invited
frank expression from the faculty by letter that summer. The
letters show that for a few years there had been some disharmony in
the faculty. As has been noted the minutes of the Board of Education
show that the matter of Dr. Craig's resignation came up at several
meetings. The vote is in each case against it, but the minutes are
discreetly worded that at one time they seem to imply that Dr.
Craig wished to resign and at another that some Board member wished
him to resign. That he was ill during those years and perhaps rather
desperately trying not to believe it, may explain some of the state­
ments in faculty letters.

Even Professor Aber, usually so fair and tolerant, expresses
regret that the former president's "jealous suspicion of encroach­
ment on his rights and dignity" made "free, outspoken discussion
difficult in faculty deliberations."

But the outspokenness of these letters seems almost denunciatory.
One claims that in order to hold students it had been necessary to let
them do practically what they choose; that the idea of the students
was to have a good time first and to do what they could with their
studies afterward. Another correspondent of a year's experience on
the faculty wrote that there was a lazy beginning to the year's work,
and that classes were excused before the term's end. Still another wrote that the internal organization was weak and that registration and records were not satisfactory. Another charged that Dr. Craig's saying "The University must win" had perverted the student attitude towards athletics.

Among new things hoped for by one correspondent were law and teacher training, by another courses in commercial instruction, and a Y.M.C.A. "without sentimentality or dogmatism." Mrs. Whitaker wrote:

Music till now has been an extra subject carrying no credits toward graduation, but now credits to 8 are to be allowed towards the B.A. or B.S. No credits have been allowed for orchestra, but for a year music was purchased by the state.

She hopes they may have a real department of music on conservatory lines, though she admits that "the time may not be ripe."

In the mass of these letters the "case of Dr. Elrod" is freely discussed. During the board meeting that voted for Dr. Duniway as president, Dr. Craig had presented recommendations for the faculty for the next year but had not recommended Dr. Elrod for re-employment. There was evidence that the President and Dr. Elrod had disagreed on Biological Station expenses. Professor Aber wrote that Dr. Elrod was the strongest man on the faculty, but that Dr. Craig thought him a discordant element and claimed solicitude for Dr. Duniway in wishing him removed. Professor Aber adds, "The wrong done Dr. Elrod seems to me so monstrous that I feel about it as Zola did about the Dreyfus affair - to compare a small thing with a greater one."
Dr. Duniway after gathering still more evidence finally decided the dismissal was "cold blooded and even scandalous," and requested re-instatement, a request granted at a later meeting of the board.

A matter brought up by Miss Buckhouse was the library fund. The general library, she claimed, was supposed to have matriculation fees for the book fund. It should be about $3000 annually, but $300 was the most she had any year, the balance having had to be used for other things. But Dr. Craig had succeeded in his hope for a library building, which made more money for maintenance necessary.

When Dr. Duniway moved to Missoula in late August of 1908, he brought with him, then, definite ideas of what a university needs and what it must itself supply. With former experience and new facts as criteria, after some months of administration, he deduced, privately, that Montana State University was "in a rut," and that the people of Missoula, like those of many other "country towns" were complacent over their status quo. Too many still sent their sons and daughters after a year or two at their own University to far eastern or western schools of more prestige. To stir them to action for the needs of education in their own state would be like a "mountain-moving." Salaries must be raised to keep good men and obtain more good men. Scholarship standards must be raised to give the school its place among accepted universities. The Montana system, "bad economically," with four institutions giving many duplicate courses, must be revised.
By December 1908, only two months after his inauguration, and after taking up the subject at the annual meeting of the Association of University Presidents, he was writing to the president of one of the other units that he thinks consolidation is impossible but that he would propose an alternative, namely:

... that the School of Mines, the Agricultural College, and the existing State University be organized into schools or colleges of one single state university, all under one president and one special board of regents. For each institution in its locality there should be a Vice-president or Director and the Board of Regents should take the place of all local boards and leave the State Board of Education to concern itself with normal schools and public schools in general.

Anticipating, evidently, that this proposal would leave him open to a charge of personal ambition, he added,

You ought to understand that I am not primarily interested in the institution in Missoula nor in any possibilities of gratifying personal ambition, but above all else in serving the whole people of the state by recommending measures which seem to me desirable for the best development of our system of higher education. Whatever consequences may be involved in my personal situation I shall take unflinchingly. With me everything yields to the supreme interest of accomplishing a great purpose for the good of the whole state.

Se he set up a rotary-gun that put on the defensive the boards, the other units, and the various unit supporters.

From other letters on file, it is clear that he had given consolidation considerable study before he abandoned it and had corresponded quite widely on the matter, even as to location. The presidents of Texas and Wisconsin state universities wrote emphatically that it would be advantageous to have a consolidated university in the same city as the legislature, i.e., Helena.
In President Craig's report to the Board of Education for 1903-04, and repeated thence annually during his administration, the following sentence occurs:

In the past whatever appropriations have been asked for the University, the demand has been that they should be in the smallest amount possible and still continue the life of the institution.

This must have seemed to Dr. Duniway like a copy of the demand under which Dr. Jordan had struggled. Dr. Craig had added:

It is time for the Commonwealth of Montana to reverse this policy and to provide a means commensurate with the work to be accomplished.

Dr. Duniway, in his own first report in December 1908, quotes the first of these sentences from Dr. Craig and, though granting that Montana has probably had to follow such a policy because of financial stringency, emphasizes that funds available so far have not enabled the University to do the work for which it was established. He also urges as source of permanent support an amendment to the Constitution to provide a mill tax for higher education. This matter had been considered earlier but had not found favor. However, the situation was becoming serious. The Constitution had ruled that a tax not to exceed 3 mills should be lawful until the state valuation reached $100,000,000. Then the tax should not exceed $2\frac{1}{2}$ mills till the valuation reached $300,000,000. and after that $1\frac{1}{2}$ mills unless increase of such rate be referred to the people at a general election.
The legislature of 1909 passed an act to be referred to the people at a general election of 1910. It proposed to leave the tax rate at 2½ mills but to raise the limit of valuation for that rate to $600,000,000. This time the referendum passed and was proclaimed in December 1910. The fact that the valuation had risen to $309,673,699 indicated that not only schools, but all state institutions and offices would be affected if the rate fell to 1½ mills. The referendum left things little better for the institutions of higher learning since the suggestion of a special mill tax for them was omitted, but at least it averted further impoverishment.

During his first quarter as president, Dr. Duniway often felt impeded and even somewhat ignored in administration, and he wrote to President Wheeler of California that the units of the University had two masters, the State Board of Education and the local boards, and that the presidents of the units had no place on either. Really, a local board had never been appointed for the University at Missoula. The original executive committee appointed by the governor in 1893 to prepare for and assist towards the opening of the school had continued as such, and the local boards of the other units functioned on somewhat the same plan. Dr. Duniway induced Governor Norris to prepare a corrective bill for the 1909 legislature, and as the governor was concerned about better administration and better business methods in the state institutions, the bill went to the legislature. It did incorporate some of Dr. Duniway's ideas. It proposed to abolish the existing executive committee and other unit local boards, which had power almost
independent of the presidents, and to substitute dependent executive boards with powers strictly delegated by the Board of Education, with the president of the local unit ex-officio chairman. It ignored of course a suggestion of a Board of Regents, apart from the State Board of Education, to care for all the units. Further, it proposed to divide the educational functions from the financial, transferring the latter to the Board of Examiners. It also provided for a state accountant to be appointed by the Board of Examiners whose duty would include examination of accounts of all the institutions twice a year and conference with the local boards on financial matters. To this Dr. Duniway had no objections; he had already begun to revise the business procedure and accountings of the University in line with the set-up at Stanford and, with the help of Dr. Harkins, also from Stanford, the method of registration and the evaluation and filing of student records. One could not call the business procedure in use during Dr. Craig's administration haphazard, and yet to some degree it was. Not enough ways to check income and especially out-go had been set up, not only at the University, but at the capitol.

On the matter of the new power given a Board of Examiners the president was much disturbed. He pleaded with Governor Norris that the division was wrong in principle. He conferred with legislative committees and with individual legislators. He wrote to Senator Dixon in Washington:

The situation would be unique in educational management, if the board appointed to supervise and control the educational institutions should be deprived of all financial power and unable to apportion the expenditure of its lawful resources.
Nevertheless, the bill passed, deemed not unconstitutional because, as its supporters claimed, it seemed merely to provide an additional check on one board by another, and apparently only Dr. Duniway could foresee such a situation as that of 1949.

It was suspected in 1911 when University appropriations made by the legislature had to be cut because of the inadequacy of the general fund of the state, that the Board of Examiners had exceeded its authority in cutting the State University appropriations more severely than those of the other units. The Board of Examiners has no power over appropriations granted by the Legislature for specific purposes at any institutions unless the total exceeds state funds. Also, the 1947 Revised Codes of Montana cites a decision in the case State v. Collins to the effect that the board has no control over the funds realized from the sale of bonds for the erection of buildings at the State University. It appears therefore that the actions of the Board of Examiners had at times to be tested and that Dr. Duniway's fears were reasonable because, at the time the bill was passed, the board's exact duties and powers were not defined as being merely executive, not legislative.

But Dr. Duniway had gained some points, and the considerable airing given of ideas on ways of running a separated university may have contributed to the decision later, in 1913, with the able exposition and support of the plan from Dr. Durston of the Anaconda Standard and the Butte Evening Post, to establish a chancellorship, and also to the Board of Education's discussion of consolidation in its December meeting in 1912,
and its vote to favor it after hearing the arguments for it from another president, a vote rescinded in 1914.

The 1909 legislature had added $10,000 to the maintenance appropriation for the University, the bulk of which was for repairs of the heating plant under Old Science Hall, and made a special appropriation of $7,500 to furnish the library building, later the Law School. The president, therefore, would be able to raise salaries a little, and even a little would help towards his goal of keeping a good faculty and adding to it.

That fall, 1909, after library furniture was installed, students and faculty held a "shelving bee." In February the Kaimin waxed eloquent over quarters for the museum in a basement room in the library building. The room had ten cases, two racks, and "more coming." On the walls were mounted specimens of antlers, large fish, and eagles. In the center of the room was a University trophy case holding pennants, cups, and footballs. There were also a few Indian and other historical exhibits. "The University," the Kaimin declares, "will boast of a museum hard to equal for appearance, and for the completeness of the various exhibits."

A far look ahead, indeed! But it was in line with hopes Dr. Duniway himself had expressed in a letter to alumni in July 1908, and in his inaugural address in October 1908, when he called for gifts to help make the library the "most notable collection of books between the Mississippi and the Pacific." This hope could be concurred in by David Star Jordan of Stanford and Dr. Nichols of Cornell who were guest speakers for the occasion, as the word between eliminated rivalry with the great libraries of California schools or with those east of St. Paul.
An early addition to the library came that year, when, on Dr. Duniway's request, Senators Dixon and Carter arranged to have the University library designated as the official repository of all government documents, a great and increasing source for researchers.

All in all, in spite of the Norris bill, the outlook in 1909 was encouraging to Dr. Duniway. One indication of this fact was his letter to Attorney General Galen requesting permission to build a president's house on the campus. The request was not granted, possibly because the Attorney General foresaw an implication that on a change of presidents the state might be committed to purchasing the house, and Montana, except for a few citizens of Missoula, was still far from contemplation of such an indulgence. President Duniway had lived at first in the house at 500 University Avenue, purchased later, and enlarged in the 20's, by the Phi Delta Theta fraternity. His next residence was the Lombard house on the northwest corner of the Maurice and Beckwith crossing, and from there he could see his own house being built on the southeast corner of the Maurice and Keith crossing. At the end of his administration he vainly offered it to the University for $7,500. Finally it was sold to the Cowell family, and, after other transfers, was purchased in 1953 by the ATO fraternity.

The fortunes of the University are interwoven with the fortunes of Montana, accept them, make use of them, and modify them. Few presidents have left either the state or the institution exactly as they found it. President Craig's work was pioneering in a state that had so few high schools and such undefined standards of education that in order even to open a university he had to supply courses for students who had had no
high school work. The insistence in 1897 of state examinations for 8th grade students and the establishment and accrediting of numerous high schools during his thirteen years made possible the closing of the preparatory department, year by year in Dr. Duniway's administration and the stabilizing of collegiate standards. Many things became possible that were not so in the previous years.

In 1908, Montana was affected by the national agitation for conservation of natural resources, especially under Pinchot's efforts for conservation of forests. Under Theodore Roosevelt in 1905 a National Forest Service had been established with Gifford Pinchot as Chief Forester. In 1908, Missoula, then said to be the largest lumbering center between Seattle and St. Paul, was made No. 1 Forestry Headquarters for this region. That fall, President Duniway met Pinchot in Washington, D. C., and discussed the need of education in Forestry in Montana. With the support of the Forest Service staff in Missoula, it was possible for him to put forward a plan for a short course for Rangers for the winter of 1910.

By May 1909, with Dr. Kirkwood's assistance, a Forestry nursery had been started. Located in the southeast corner of the campus, it consisted of an arbor 32 by 35 feet, roofed with lattice work to protect seedlings and was still in use in the early 20's. Four beds were laid out and planted with conifers and hardwoods, half of one bed being given to the latter. In August 1909, Pinchot himself visited Missoula, and at a luncheon at the Florence for him, plans for the short course were discussed, to which the Missoulian (progressive republican) gave adequate
publicity. In 1910, with Dr. Kirkwood in charge and nine special
lecturers from various forest districts of the state, among them
Dorr Skeels, who later became Dean of Forestry, the course opened
with fifty Ranger registrants who had been promised through the
National Forest Service the continuation of their salaries during
the course and also their traveling expenses. This seemed a triumphal
beginning indeed. But late in the month, after the completion of
the Ballinger investigation by Senator Knute Nelson of Minnesota and
his committee, brought on by charges in reports from Pinchot and others
of dishonest transactions in the far west forests and the coal claims
in Alaska, Pinchot was discharged. For a week his office was administered
by Solicitor McCabe of the Department of Agriculture, who found it was
illegal to make payments to these Rangers. Thirty out of 50 at the
University had to withdraw. The new Forestry schools in Washington,
Colorado, and Utah were similarly affected. Nothing could be done
because the Taft administration, although during the campaign Taft
apparently approved Roosevelt's and Pinchot's forestry conservation
policy, afterwards, while not opposing the policy, did question the
legality of the methods proposed and already practised to further it.
Perhaps, too, the administration may have been under some pressure to
resent the Rooseveltian muck-raking quality of the charges.

Pinchot's autobiography is no doubt colored by his own feelings,
but it is worth reading for insight into the difficult roads to our
present support of conservation. The proceedings of the Knute Nelson
committee may be read in the Congressional Record. Briefly, President
Taft had appointed Richard Ballinger, a Seattle lawyer of wide practice and experience and one-time reform mayor of that city, as Secretary of the Interior on March 4, 1909. The investigation, drawn out and highly disturbing, upset government circles to such an extent that Ballinger, perhaps because of legal work involving Guggenheim and Cunningham interests, resigned March 6, 1911. President Taft had been in Montana June 16, 1909, to lay the cornerstone of Carroll College in Helena, then known as Mount St. Charles College, later renamed after the death of Bishop Carroll who built it and the Helena cathedral. Professor Aber had gone to Helena to visit with the president and Judge Hunt. But these three members of the famous class of Yale of 1889, of which Pinchot was also a member, were more reminiscent of Yale days than prescient of the progress of the University of Montana.

Walking or riding horse-back (his friends in Oregon called him the cowboy president because of his years of ranching in Idaho) up the trail of Fattee Canyon and cut through the woods to the view of Missoula and the clustering University buildings at the foot of Sentinel, President Dunway meditated on the needs of the state and what the University could do about them. The matter of Forest conservation having been properly aired at the luncheon for Gifford Pinchot and thus one need of the state having been publicized, his mind turned to another, the suggestion from the faculty that a Law School should be opened. There was no means offered by the state for education in Law. A young man
wishing to study law in Montana could "read law" in the office of an established lawyer, but Dr. Duniway felt that the time had come, as it had in older states, when a carefully organized course should be available that would enable Montana to train and supply her own lawyers to carry on the best in the tradition set by Colonel Sanders of Vigilante fame, Judge Calloway, whose pioneer residence still stands in Virginia City, Justice of the Peace Woody of Missoula, said to be the first lawyer in Montana and self-educated, Judge Knowles of Territorial distinction, William Wirt Dixon, a future benefactor of the University Law School, Napton of Deerlodge, of the line of the early Missouri jurist, Chief Justice Brantley, in early years on the staff of Montana College at Deerlodge, and others, not native Montanans, but all of them builders of the legal tradition in the state.

Among the micro-filmed papers of Dr. Duniway, is a summary of findings on 36 law schools in the United States in 1909-10. Many items are carefully tabulated, such as entrance requirements, registration fees, course content, faculty and salaries, graduation requirements, and examinations, both school and State Bar.

In the fall of 1909 Dr. Duniway attended the inauguration of President Lowell of Harvard and on the way home visited with Dean Hall of the University of Chicago Law School to discuss Montana plans. In 1910, to bring the matter to public attention, he offered a one-credit course of one quarter in elementary law open to all students of the University, for he thought all citizens needed to know something of law.
In the legislature of 1911, on February 17, Charter Day as it happened, House Bill 92 was passed. It had been introduced a few weeks earlier by Ronald Higgins, Representative from Missoula, and proposed the establishment at the University of "a School of Law to be known as the Department of Law of the University of Montana." Public and press immediately made short work of this peculiar nomenclature and took the imaginative leap backwards in the Bill, so that from the first the accepted name was School of Law.

Just before the introduction of the Bill, word had come from Washington, D.C., of a bequest in the will of William Mirt Dixon who for thirty years had been the acknowledged leader of the Montana Bar, widely recognized as an authority on mining law, and who had hoped for a Law School. Just after the passage of the bill, word came from Mrs. Dixon that she had deposited $5,000 in a Washington bank for Law School equipment. Later she gave his law library as a memorial to him. An appropriate book-plate was designed for it by Eloise Knowles. The 1911 legislature appropriated $6,000 annually for the biennium for maintenance of the school.

In March, the Kalmin published the information that two years of college would be required for entrance to the school and three years of law for the degree L.L.B. With 17 registrants the school opened in September, 1911, in the large room at the north end of the third floor of University Hall, that had at first been the gymnasium and then the meeting place for literary societies and later would house the Fine Arts Department. The first woman to enter the Law School was Bernice
Selfridge in the fall of 1912. The first graduate was Justin Miller, to win national distinction in his profession. He had taken all but the final year in Law on the West Coast. He received the L.L.B. from Montana in 1913. In 1941, Associate Justice of the United States Court of Appeals, he was awarded the honorary degree L.L.D. by the University.

It must have pleased Dr. Duniway in 1914 to know that a class of five was graduating: Paul Domblaser, Carl Cameron, E.P. Kelly, Ellsworth Smith, and Raymond Weidman, and that the school had been admitted to the American Association of Law Schools, the only member from the Northwest. He must have smiled too in 1915 when he read of the Thanksgiving game in Missoula with Syracuse University, a tie of 6-6, and seven of the University players from the Law School. Perhaps he wondered, as others did, when the University Team would establish or patent a permanent name, for some reporters called them Bears, some Bruins, some Grizzlies; and often more than one of these names would be used in the same article.

The continued progress of the school and the success of many of its graduates perhaps helped him in time to smile at initial unpleasantnesses also. There had been distressing argument with the local board and with the state board over Dr. Duniway's first recommendations of staff for the school, since they were not for Montana men. On business trips east and west the president had sought advice, from Dean Hall of Chicago, specifically, from men Dr. Duniway had known at Harvard, and from those present at the meetings of various learned and educational societies.
He was anxious that the staff selected should be men convinced of the value of the then fairly new case system used at Harvard and being considered though not adopted at Michigan. Dr. Duniway had himself taught Constitutional Law, but those members of the Board of Education who were Michigan Law alumni felt themselves better judges of recommendations. There are still protests against the case system from law students at the University.

In 1911 compromise was reached whereby John Bertrand Clayberg of Helena of fine reputation in mining law, was elected honorary dean and Henry Winthrop Ballantine of San Francisco, a Harvard man, acting dean. The position of assistant professor was offered to, and accepted by, a young man from Kentucky, A. N. Whitlock. With a B.A. and M.A. from Kentucky State University, and L.L.B. from Harvard, a year of teaching at the University of Kentucky, and some experience with the firm of Hall and Stone in New York, he seemed a person of promise. In 1912, he became acting dean, in 1915 dean, and so functioned till 1919. He then became a partner in law with W. L. Murphy, one of the distinguished lawyers of Montana. In 1935, Mr. Whitlock left Missoula to become General Attorney for the Milwaukee railroad and moved to Seattle. In 1939 he became Counsel for the Trustees of that road with offices in Chicago. In both service to the University and in professional distinction he more than fulfilled the promise Dr. Duniway had seen in him in 1911. The memory of his tall, lean figure splitting the Hecate wind on his way to winter morning
classes is a full length portrait in the minds of those who knew him. Unassuming but witty, deliberate but almost boyishly responsive to the life around him, he moved with dignity and competence through the years of his Montana sojourn.

In this same year, 1911, Dr. Paul Chrysler Phillips came to begin his long career in the Department of History. He had a B.A. and an M.A. from the University of Indiana and a Ph.D. from the University of Illinois. He had already done research abroad in the national archives in London and Paris and had in his mind many ideas applied later to Northwest History, one of his most serious concerns being the history of the American fur trade, on which he became an authority. His long service to the University as teacher, writer, curator of the museum, member of major committees, vice-president, counsellor and participator in public works of the state, came to an end officially in 1954 with his age limit retirement from teaching. His methods of historical research, his canniiness in clues to undiscovered sources, will not cease to influence the work of those students whom he prepared for study of the great Northwest. A year after his death in 1956, the Western Press of the Historical Society of Montana published a volume as a memorial to him, Historical Essays on Montana and The Northwest, edited by two of his former students, K. Ross Toole, and J. W. Smurr.

With the University becoming after 1910 a school of real college requirements, with only last year preparatory students being admitted that year, there were many emendations of the functioning that had been necessary in the beginning years. Dr. Craig's planting needed pruning
and accessions as all gardens do. The faculty had to make up their minds on a number of things. On some there was wavering. In one of Dr. Duniway's first faculty meetings, a member moved "that we have the best football team ever," and before it could be seconded, another voice moved "That we discontinue football." The latter motion was lost. However, athletic eligibility was confirmed at 12 credit hours, and the employment of professional coaches was prohibited as it was in most universities at the time in an effort to keep athletics a sport rather than a profession.

Chicago was to solve the prohibition by listing the famous Stagg as a member of the faculty. In the fall of 1909 there was a pretty general cry for new rules to lessen the dangerous features of the game as then played. There had been an epidemic of deaths and crippling in the previous years. Anyone remembering games played through the first decade of the century can still shudder at what happened on the field. In January, 1910, a meeting known as the Stagg Meeting was held, at which coaches and administrators of various colleges discussed the matter. Among things objected to were football in high school or even the freshman college year (too dangerous for such young and still growing bodies) the forward pass, body checking and dangerous tackling, and a second player's diving into one already tackled. It was during this controversy, nearly nation-wide, that Chicago University ruled out football as then played in America until satisfactory amendment of rules could be made. In that interim Coach Stagg gave his men practice in soccer, more commonly called association football.
In addition to settling credits for athletes and the status of coach, President Duniway and his faculty set up the project of codifying all rules pertaining to student affairs, faculty, public exercises, and the awarding of prizes. In 1907 the Kaimin monthly had been turned over to student management, except for a faculty advisor, and elected their own editors. In the spring of 1909 a Press Club was organized, stock purchased by students, alumni, and faculty, stockholders to elect their own board of directors for the publication of a weekly newspaper instead of the former literary magazine. The first issue of the weekly, on April 7, 1909, gives capital stock $150, and the board of directors made up as follows:

Robert C. Line — president
Mamie Burke — vice-president
DeWitt Warren — secretary-treasurer; and other
directors on the board: Gilbert McLaren, Dr. Underwood, Edna Fox, J. B. Speer.

The issues that spring, eight in all, were four pages, on 14 by 10½ news paper, as were those up to October 21 the fall of that year, when the Kaimin took the paper size it still uses.

Dr. Duniway had made a study of freedom of the press in Massachusetts for his doctoral dissertation. It was published as The Development of Freedom of the Press in Massachusetts by Longmans Green and Company, volume 12 of The Harvard Historical Studies. It is in the University library. In his greeting to the new Weekly Kaimin are some pertinent remarks:
...an important difference between editors or reporters in college and their brethren who work outside of collegiate environment. Most newspapers exist for direct commercial ends, or for the advancement of personal ambitions of their proprietors. For the men and women who make up their editorial staffs, "freedom of the press" can never be anything but a dream. Their professional ideals must be constantly subordinated to cautionary advice from the business office, or to direct instructions from their employers. Only in country papers with modest circulation and capital, or in colleges and universities, can practical ideals of journalism be realized. This Weekly Kaimin is to be a newspaper consecrated to public service.

This statement was indeed itself but a journalistic ideal in the mind of the president, for later he realized that even a college paper could not remain free but would in a few years with change of editors and board bend its policy to influencing parties and refuse open debate in its columns. In 1912 began a movement to turn the Kaimin over to the ASUM. Independent students declared it had become openly anti-Duniway and that it would publish only opinions backed by the opposition. Dr. Duniway was not a fraternity man and a definite lack of rapport developed that later, except in the case of Sigma Nu, sharpened into conflict, partly because many fraternity members on the Kaimin staff had warm political affiliations with local and state board members in their opposition to Dr. Duniway's disagreement with them about appointments to the Law School Faculty. The movement was at the time defeated, but after Dr. Duniway's departure, and after a good deal of controversy, the change was made, in September, 1912, and the Press Club was dissolved, the name to appear some later as that of a club within the School of Journalism. With the change,
ASUM took over the election of editor and business manager that had formerly been the privilege of the stockholders of the Press Club.

In these years Convocation was to be held on the first and third Wednesdays with roll call by seating arrangement and was voted to be compulsory for both students and faculty as it had been originally as "Chapel," but to be stripped of any religious exercises. This may have been in extreme interpretation of the state law or partly that others than Dr. Duniway might have said, "Reality is lacking for me in the forms of prayer, but the spirit of some prayers are beautiful." The pretty well established Junior Prom remained on the program, but the traditional senior vacation, known in Eastern schools as "Senior Bae," of one week before Commencement, was ruled out. A charge of $2.00 was to be levied for registration one week or more late. Grades were to be designated as Excellent, Good, Medium, Passed, Failed, and, an additional one, Incomplete. A committee worked on standards of admission. A Board of Recommendations was organized to help place graduates in teaching and other positions, much later to become the Placement Bureau.

The office of Registrar was established, and a 1908 graduate who had been secretary to President Craig was appointed Acting Registrar. This was Mr. J.B. Speer. In 1912 he left the University for further study, first at Stanford and then at Michigan, where he took a degree in Law in 1917. While at Stanford he was called to the University of Wyoming, where Dr. Duniway had become president, to help revise registration and student record methods for that university, and spent
part of a quarter in that work. In 1917 Mr. Speer returned to
Montana State University to serve on through its changing fortunes
till his retirement 36 years later in 1953, so that his whole
period of service from undergraduate secretary to the president on
to comptroller is one of the longest on record. With many others
of the early staff he grew with the University into broadening
obligations and broadening ideals of service. At different periods
he served as Registrar, Business Manager, Secretary to the President
and the Faculty and to the Local Board, and finally as Comptroller.
That he gave thoughtful study to the organization of universities
and the functions of the offices he held is evident in articles he
published in such magazines as the Journal of Higher Education and
School and Society and in addresses before state committees and
national association meetings, on such subjects as the chancellor
plan in Montana, filing, accounting, ways of stabilizing fraternity
finances, student records, etc. Soon after his retirement he found
time and made arrangements to study and deduce from his experience
and in 1955 had published in the Michigan Quarterly Review, winter
number, a very fine article entitled "Know the Truth Through Account-
ing." It is to be recommended not only to those established in, or
contemplating, that profession but to all who are interested in the
ethics of a world that needs now more than ever before to know the
truth and find control through that knowledge.

A record keeper who loves the institution for which he keeps
records naturally turns archivist. Mr. Speer preserved not only the
immeasurable documents and papers required by law, but other less formal
records of the life of the University, material for archives without which the whole story would not appear. Montana had no Archives Committee until 1917, when President Sisson put one on the list of standing committees, and Montana for many years to come had no proper housing for archives, though Miss Lucille Speer of the library staff had reduced a good part of the collection to order in spite of her other library duties, and Miss Campbell and Miss White also solved the problem of temporary space and other exigencies.

In early centers of learning, archives were recognized as valuable, every scrap contributing to the jigsaw puzzle of a time gone by. A report from Harvard in 1947 states that the school had 8,793 feet of shelf space just for archives, the material classified and cross-classified so that any researcher could find dozens of clues to the trail he sought. Harvard was not wealthy in its childhood. It had less to start with than any of the state universities, but it had its flair for history. One may read in the preserved comments of various visiting committees an accurate story of changing ideas in education even before there was a United States. One may read thousands of autobiographical papers of entering students in which under command they told the story of their lives and stated their philosophy of life! "The past at least is secure," said Daniel Webster, speaking patriotically of Massachusetts, but one might add that the past is not secure without archives.
Mr. Speer for years was secretary of the Alumni Association and saved much alumni material so that the story of their service to the University is often available in their own words. After World War II, the Alumni Office of the Public Service Division under Andrew Cogswell and Mrs. R. E. Fields, became almost an institution in itself with ever increasing value as a source of information on the lives of alumni and former students published in the Alumni Bulletin and filed in cross-classification in the office repositories, a valuable archives in itself.

Although Dr. Duniway, whose main field was history, did nothing officially about archives, perhaps because the history of the University seemed still almost present, he was evidently aware of the legal importance of the true account of the University. For he discovered uncertainty about the campus boundaries. This was serious because an electric street-car line was being laid from the city down South Higgins to Connell to Maurice, continued along Maurice to a Country Club, then on unplotted ground, but later when the South Side built up given the address of South Avenue East. Records on file in Missoula showed that the fence around the campus had not been built on the survey line, but well inside it. Dr. Duniway obtained an agreement from the street-car company that the University boundary would be respected even though the expense of moving the fences could not be then undertaken, and he had all the surveys and deeds filed in Helena. The first Board of Education had requested this, but evidently some material had been overlooked.
This investigation of course recalled the warning of Dr. Craig in his 1907-08 report to the Board of Education, in which he had pointed out that the campus should be extended before land to the north, west, and south should be bought by private persons looking for residence lots, when prices might become prohibitive. In his 1910 report, Dr. Duniway, emphasized the rapid building up of the land between the town and the campus that the increasing population caused, for in three years Missoula became almost a boom town. The Missoulian boasted of increased traffic needs because of 100 automobiles owned by citizens. Causes were the opening of the Flathead Reservation, the expansion in lumbering and other industries, the establishment of Forestry Headquarters, and the building of the Milwaukee railroad.

Dr. Duniway again urged purchase of land west and south where residences were likely to multiply. He thought that $25,000 would make good purchase possible. His idea was supported by the 1911 legislature which appropriated $40,000. But, as referred to previously, that October the Board of Examiners proclaimed that the state treasury was inadequate to furnish that sum as also $50,000 for an engineering building, money for a men's dormitory, besides the requested total for maintenance of $298,000 for the biennium. Appropriations for all the units were cut, but none so sharply as that for the University. No land was purchased, no new buildings possible, and salary raises could be but small. It is not necessary to go into political exagéris very deeply to deduce that between the passing of House Bill 92 and the final appointment of a staff for the Law School, even compromise could