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Missoula, Montana
May 12, 1955

Dr A S Merrill, Vice President
Montana State University

Dear Archie:

Herewith my papers on "Land for the Campus", and a communication relating to cooperation of business interests and the University, to which I have referred in conversations with you.

Following advice of various authorities in history, writers, etc., I have attempted to make these articles "colorful", and a "record of experience". This method involves "personalities" to a very considerable extent, including the writer, and apparently this can not be avoided.

I have no conclusions about the use of these papers, except that I am going to give copies to Mrs Clapp; for whatever aid she may receive in her preparation of a history of the University. I will request a few friends and acquaintances to criticize, for suggestions and possible corrections, but otherwise I do not wish to give the articles any circulation. If this were done I might want to make considerable revision.

Thank you for your interest in the material.

Sincerely

J B Spear

by J. B. Speer
Controller Emeritus, Montana State University

On an occasion in the spring of 1953, when I was being given some of the retirement honors, usual for one who has reached the age limit of active service, an old time friend, who was to give the citation in my behalf, asked me what activity of the many I had engaged in during my forty-three years at Montana State University had given the greatest satisfaction, was of the greatest benefit to the institution. I told him that my part in acquiring sites for expansion of the campus would be the answer. There are adequate records of these acquisitions - all told about fifty separate transactions. But the record of experience of how they were obtained is exceedingly meagre, although some of it is, of course, scattered among the documents, reports and correspondence. Was I justified in my statement?

A quick glance at the record over the years shows that the development of the campus, construction of buildings, has at no time been seriously delayed or handicapped by lack of suitable sites. And there have been no condemnation proceedings, no commission fees; the expenditure of tax and other funds has been relatively modest; few excessive prices have been paid. Many purchases of sites have been made during a low point in current market values.

The job of acquiring campus land was never explicitly delegated to me. And it was fifteen or twenty years after I started working in 1905 as a student clerk, and secretary, in the office of Dr. Oscar J. Craig, the first president, that my participation in land acquisition became of any consequence. During the period of my employment as president's secretary, registrar, business officer, there were nine presidents, eight of whom I

served under. The opportunity to be helpful, because of my familiarity with sites, the funds, to some extent relevant legal angles, could not escape me. The method frequently used was more or less casual inquiry, knowledge of situations, inquiries as to willingness of the owner to sell to the University, the price, the terms. When the time seemed ripe I asked the owner for his permission to discuss such a proposal with the president, find out the possibility of approval by the necessary boards, investigate methods of financing. I had no "commission"; but many times the situation responded to a "catalyst"! The relative ease in many negotiations for purchases was due to the good will of many citizens, who take pride in their loyalty to the state and its institutions by being satisfied, in many cases, with a fair price for their property, rather than holding out for "all the traffic will bear."

The original forty acres seemed very ample in the days of President Craig. It was an achievement to plant rows of trees on three sides, to fence it, partially with an ornamental iron fence. A large part of the forty acres was still in its original state, native grasses, many large rocks, difficult to irrigate even if sufficient water had been available. The fence was necessary to keep stray horses off the lawns developed on the central oval and around the four buildings. And these forty acres seemed quite remote from the town - then with a population of about 4,000 (according to the census, 3,246 in 1890; 4,366 in 1900) - no improved street or road to town; the narrow board walk from the northwest corner of the campus diagonally across a fenced field toward town was the principal access to the campus for pedestrians. Horse and buggy days, and bicycles - long before automobiles, even street cars. Students walked in those days, rain or shine, blizzard or blistering sun. Only on very exceptional occasions

did students ride in cabs.

There is little in the records, and I have never heard reports of just how these forty acres were selected for the University. Of course there are plenty of records and references to the fact that the north twenty acres was granted by the heirs of Captain C. P. Higgins, one of the two original founders of the town of Missoula, in 1864; and the south twenty acres by the South Missoula Land Company, a subsidiary of the Missoula Mercantile Company, which dates the beginning of its activities as 1865, and which participated not only in retail and wholesale merchandizing, but in banking, public utilities, hotels, real estate and many other activities. The rivalry between the two groups was at times pretty intense, according to reports of old timers. How did they get together to donate these forty acres for the campus? Of course they had one interest in common - both retained considerable areas for later subdivisions to the town, from which of course profits were expected. Apparently the rivalry flared up when the location of the first two buildings was decided on. The Higgins people wanted the main entrance to the campus to face north, toward their property; but by a vote of three to two, the building commission, a group of Missoula citizens appointed by the governor, approved by the state board of education, in accordance with an act of the legislature, decided to locate University Hall facing west, looking along the street named University Avenue. And the record of this building commission shows that it was: "Moved, and seconded that the rear of the main buildings be placed 900 feet from west line of grounds. Carried." Somehow or other the names of these opposing groups are perpetuated in the names of the streets adjacent to the campus - the north and south streets are named after members of the large

Higgins family; those east and west names of the Missoula Mercantile Company group. And the grants of this original site contained the provision that the lands would revert to the grantors or their heirs in case the land was no longer used for the University - a method of tying the University to its original location in Missoula.

Perhaps at the time I was a student my notion of what was an ample campus was typical. I had recently come from a few months in Ann Arbor and the instructional divisions of the University of Michigan, with about four thousand students, even its central heating plant, were then also within a forty acre area.

But President Craig had bigger sights - perhaps his many years at Purdue University prior to his coming to Montana had helped to give him a larger vision. At any rate in his last annual report, for 1907-08, he said:

"It is true that not all of the 40 acres embraced in the University Campus is yet utilized for building and other purposes, but it does not take much foresight to see that the grounds of the University ought to be considerably enlarged in order to provide for future growth. On both sides and in front of the University is ample ground not yet occupied by dwellings or other buildings and from which additions ought to be made to the University's holdings while the property may be had at prices which are not prohibitive."

Within two or three years after Dr. Craig's retirement (in 1908) there was a rapid increase in population of Missoula, (12,869 in 1910) and a corresponding increase in land prices. The opening of the Flathead Indian Reservation, the building of the Milwaukee railroad, organization and establishment of the United States Forest Service, the continued development of lumber, mining and agricultural industries in Western Montana contributed to making Missoula almost a boom town. The growth of the city was toward the University instead of the vicinity of the older sections of the town. Building lots were sold at prices as high as realized about thirty years later, when growth of

the town caught up with the areas plotted for residential development. But nothing was done about buying more land for the campus - the number of students had not increased, although there were fewer preparatory students and more of college rank. But President Duniway, in his report for 1910, discusses the situation as follows:

"The limited amount of land in the University Campus has been a matter of deep concern to all observing friends of the institution. It takes only a slight acquaintance with the older State Universities, and some reflection upon the University of Montana, to convince anyone that its present campus is entirely too small for its future use. The time to buy is right now, before the land adjacent to the present campus passes into the hands of small holders who will build homes and thus cut off expansion, except at very high prices. A due regard for the proprieties of private negotiations permits me to say merely in general terms, that land increasing the size of the campus by about fifty percent may be purchased at about one-third of its market value for residence lots, if an appropriation of \$25,000 can be made available at the coming session of the Legislature."

The land referred to by President Duniway, lying to the west and south of the forty acre campus, was withheld from sale to private parties by the South Missoula Land Company. The Daly estate also held a small portion of this property. Forty thousand dollars was appropriated at the 1911 legislative session for purchase of land. But the State Board of Examiners, consisting of the governor, the attorney general, and the secretary of state, withheld the appropriation. At the meeting of the State Board of Education in December 1911, action was taken terminating Duniway's services as president - the governor was chairman, the attorney general also a member, of both boards.

After a somewhat chaotic period of administration of the University, beginning in 1912, which included an initiative and referendum measure for consolidation of the four state institutions of higher education at some one place in the state and the defeat of the measure, a chancellor of the four

institutions was appointed by the State Board of Education, under legislative authority. One of the early acts of the first chancellor, Dr. Edward C. Elliott, was that of securing the services of the famous New York architect, Cass Gilbert, to make campus plans for the educational institutions. His plan (1917) for the University contemplated acquisition of land on the north as well as west and south sides of the campus. Even prior to the passage in 1920 of the educational bonds referendum measure from which the University was allotted \$1,460,270.68 for buildings, the Local Executive Board, in 1917 and 1918, which then consisted of Mr. J. H. T. Ryman and Mr. J. H. Keith, in addition to President Sisson, urgently recommended to the State Board of Examiners the purchase of land west of the campus in order to carry out the Cass Gilbert plan for a residence hall quadrangle. It was stated that "in the view of the Local Board nothing could more greatly contribute to the future progress of the University than the immediate purchase of this land. We would add (said the Local Board) that the friends of the University everywhere will be greatly pleased with this purchase as promising well for the future of the institution." But the legislative appropriation of \$20,000 in 1917 for land together with \$5,000 from University maintenance funds, was used, on authorization of the State Board of Examiners, to purchase land on the north, from the Higgins interests-a younger member of the Higgins family, had become a leading member of the legislature. There were 117 lots in this purchase, the price per lot being about \$213.00; but there had been no street or other subdivision improvements. The heating plant and the new library were the first buildings constructed on this extension to the original campus; later the Student Union and Auditorium, Business Administration and Education and Music buildings. The next legislature, 1919, made an appropriation of \$40,000 for land, but only \$10,000 was expended, for 40 lots, in the residence hall quadrangle, west of the original campus. These lots were a part of those withheld from sale about nine years earlier by the South Missoula Land

Company. This company and the Daly estate waited eight more years for a legislative appropriation of \$28,500 for purchase in 1927, of 95 lots, the remaining lots withheld from sale about 1910, during which time the company had expended considerable sums for subdivision expenses, taxes, street improvements. However, during the period 1921-1925, following World War I, when legislative appropriations were somewhat more generous and before restrictions were customarily placed on legislative maintenance (or operating) appropriations, about 60 of the lots withheld from sale were purchased from maintenance funds, the usual price being about \$300 per lot. A period of over fifteen years elapsed between the early negotiations of President Duniway and the acquisition of the major portion of the area allotted to the residence halls and on which the campus food center (The Lodge) has recently been erected. Campus land acquisition was a major problem; the difficulties of getting recognition of the need, and financial support, had been, for many years, disheartening. And so it was a very considerable relief to President Clapp and his associates when the commitments extending back to about 1910 and the requirements of the new campus building plan were satisfactorily disposed of. Then too, during this period, probably through misunderstandings, lapse of firm commitments, etc., a considerable number of residential building lots within the new area had been sold to private parties, and in many cases residences constructed. Something would have to be done in the future to get these sites; the 17 vacant lots in private ownership should of course be acquired as soon as possible. To seek legislative appropriations at this time for additional campus land, except for the 17 vacant lots in the extended campus area held by private parties, would doubtless have been deemed quite visionary.

Another factor in campus extension during the years following World

War I was a matter of apprehension. This was the possibility of industries locating north of the campus, along the Milwaukee railroad and the river, particularly an oil refinery, gasoline storage facilities. Perhaps influential citizens may have discouraged such development in this area, adjacent to the University campus. At any rate, these business ventures were limited to a small retail coal outfit, and a half block used for some years as a wood yard, when wood was still quite generally used in private homes.

But a proposition by President Clapp (1921-1935) during his first year, bore unexpected fruit. Few improvements had been made to the athletic field and track since its earliest days. The bleachers were on the rear side of the old gymnasium. A fine new gymnasium was being constructed at the south end of the field. Sponsoring a new field and bleachers was a good job for the alumni; I don't believe that at that time use of tax money or required student fees for building up facilities for intercollegiate athletics was considered financially possible or quite the correct thing to do. At any rate, an organization was formed to comply with Clapp's proposal, and it was named the "Alumni Challenge Athletic Field Corporation". It was sponsored by the alumni association, by many representative alumni, and supported by Missoula business men. Dudley D. Richards, class of 1912, prominent in student activities, for some years secretary of the Missoula Chamber of Commerce, and in 1922, city editor of the Missoulian, was the first president, and he put enthusiasm into the acceptance of the challenge of President Clapp. The original campaign for contributions was very successful, many alumni paid \$10, \$25, and some larger amounts. Then the post war depression, which hit Montana hard, came along; many banks had closed. The president of

the organization, Richards, left Missoula for a job in Chicago. The goal of around \$25,000 for improvement of the field seemed impossible to achieve! At their regular meeting, in November, 1924, the trustees concluded that because of the closing of many banks in Montana, and the general financial depression throughout the state, it was wise to proceed very slowly until such time as the state would be in a better financial condition.

Some years prior to this time, I had come into close contact with an outstanding student in the School of Law, George R. Shepard. He was a Navy veteran, baseball player, self-supporting, president of the student body. At that time there was no dean of men. Finding jobs for self-supporting students was one of my tasks. President Sisson authorized me to employ Shepard at \$50 a month as student employment secretary. He did a remarkably fine job; then he graduated and taught school for a year. Then he came back to Missoula, took a job with the Missoula Mercantile Co., first mainly as a collector; but he rapidly became the attorney of the company, public relations man, got himself elected to the legislature in spite of popular prejudice against election of a representative of local big business. He was dynamic, an "eager beaver", and ardently held the belief that an education was the one best way to success and happiness.

When our campaign for donations for the athletic field began to stall, and when further appeals did not bring in enough money to pay cost of stationery and postage, I thought the only fair thing to those who had paid their subscriptions was to offer to return the money, abandon the project. Solution of the dilemma apparently fell largely to

me. I talked it over with Shepard; he did not want to see the project abandoned. I told him if he would accept the presidency of the organization I would be willing to serve as treasurer as well as continue as secretary; and that was the way the organization was then set up. President Clapp and I were sort of ex officio members of the seven member board of trustees; the others were local alumni--business men, one of whom had served as principal adviser, and "big brother" to the organization, William L. Murphy. His name appears on the student register, September 13, 1895, the third day of the first registration of students in the newly established University. His standing as an attorney, his aid to the University, his membership on the Local Executive Board, and many other activities and virtues earned him the honorary degree of LL.D. from the University in 1952, the only alumnus resident of Missoula upon whom this honor has been conferred by the faculty. (Mr. Murphy did not graduate from the University; he completed his law course at Columbia, several years before the Law School was established in Montana).

Shepard took his job as president of the Alumni Challenge Athletic Field Corporation most seriously. Renewed vigor was put into the campaign for alumni subscriptions; Shepard had the seniors assembled into a meeting just before their graduation, and they signed up for contributions. He bargained with lumber companies to furnish lumber for construction of the new bleachers and accepted the notes of the corporation. He originated a sale of select seats, part of the price being devoted to the field project. Other devices for financing the project were used. The Associated Students, the Athletic Board, the Interscholastic Committee were induced to

guarantee interest for a period of ten years on \$15,000 certificates of indebtedness of the corporation. President Clapp and the Local Executive Board gave the rejuvenated program their enthusiastic support and approval; President Clapp personally invested several hundred dollars as a loan to the corporation and was given the first certificate of indebtedness issued by the corporation. Loans from private parties as well as from reserve funds of student organizations were obtained. The result was improvements to the field, track, bleachers, tennis courts, in the amount of about \$25,000, of which about \$8,000 was individual contributions. The challenge had been met, it was demonstrated that such a job could be done, doubtless to the great encouragement of President Clapp, particularly as it was a significant and early illustration of group and alumni contributions as well as financing through loans and earnings.

Perhaps it should be explained that many state universities, and especially the more recently established ones, including Montana, cannot plan and carry out projects as is done by business organizations. Montana University has never been set up and recognized as a corporation, so essential for carrying on business transactions beyond the limitations of private citizens. The University is dependent on the legislature, not only for appropriations from tax funds, but in recent years for approval of use of institutional income, endowments, etc., due to the development of budget procedures. These restrictions on the administration of the University, including its governing boards, created a situation in which there has developed (1) self-supporting activities, such as dormitories, health services, student unions, which are clearly under the jurisdiction of the University, and (2) auxiliary activities, which are in many respects

frequently quite independent of the University administration, such as a student store, intercollegiate athletics, the Greek letter fraternities, numerous enterprises. These auxiliary activities frequently incorporate under laws authorizing non-profit educational, charitable, religious, social and benevolent corporations.

The Alumni Challenge Athletic Field Corporation fitted into this situation. The alumni who wrote up the constitution and by-laws made the powers of the corporation very broad, as is usual in visualizing what it is hoped may be possible in the future. The purpose of the corporation was stated "to promote the general welfare" of the University and its powers included purchase, holding, sale of real property, although nothing was ever mentioned about this possibility when the organization was set up to meet the challenge of President Clapp for improvement of athletic facilities. (These athletic facilities were on the original 40 acre campus site.) But the tool, the modus operandi, which the administration of the University and its boards did not have, was there.

One day Shepard told me that the president of one of the Missoula banks wanted to liquidate a mortgage of the Higgins heirs on a site between the extended north line of the campus and the Milwaukee railroad, and east of the street extending from the campus to the bridge. The site had been platted, a sidewalk built along the street extending to the bridge. There were 94 lots, 9.13 acres and the amount \$10,911.07, or about \$116 per lot. This was the location on which development of industries had given the most worry. None of the lots had been sold to private parties--the location at the mouth of Hellgate Canyon, where wintry

blasts were at their worst, did not appeal to home owners.

Where to get the \$10,911.07? There was a student reserve fund, largely derived from a required student activity fee, which was being built up as a reserve for emergencies, later with the idea of a student union building. The president, the Local Executive Board, the business officer as secretary and treasurer of the Local Executive Board, held the money either as an earmarked University fund or as trustee (the exact legal status has never been determined). The proposal that \$10,911.07 of these reserve funds be loaned to the Alumni Challenge Athletic Field Corporation, for purchase of the site, that the University lease the site from the corporation for use as a Forestry Nursery, at a rate to yield six per cent on the investment, looked good. It received the approval of all officers, boards and parties concerned. It was the use of reserve funds with interest for a tangible property, a self-supporting project, all for the benefit of the University. This was, of course, a liberalizing of the rule or principle, that trust funds should not be invested in properties or securities of the trustee. However, this rule was by no means necessarily applicable to this situation. Title to the site was therefore taken in the name of the corporation. Shepard induced the authorities to exempt the property from taxation, since it was acquired as an extension to the University campus, which is tax exempt with title in the state. The campus was being extended to the river, a dream of President Craig, which he scarcely dared to mention in his days, and an achievement not previously planned or sanctioned by the governing boards, or requested of the legislature. A new era in financing was inaugurated! And there was faith that somehow or other the principal could be paid off--

possibly by a legislative appropriation.

For more than twenty years this site was the center of the development of the Forestry Nursery, a project stimulated by federal aid, which supplied plantings to the agricultural areas of Montana. An arboretum of much beauty was being developed. But it was a close-in site, ideally located for a field house, with ample adjacent parking space, which, in 1953, supplanted the nursery and most of the arboretum.

Two years after this deal (1928), Shepard and I were having lunch in town one day. Also with us was the architect, an appointee of the state board of examiners, who had supervised the construction of the five new buildings, 1922, and some later buildings. Shepard casually mentioned that the Missoula Mercantile Co. would like to dispose of the old country golf club site, approximately a quarter section, a half mile south of the campus. It was dry land, a rocky area, not feasible to irrigate, just beyond the areas platted for residences. Its only value at the time was pasture, and not very good at that. After the country club found a better location for its golf course, the site had been used by a few citizens for golf. The street cars then extended to the club house, which had been constructed on a small area purchased from the company (the golf course land had been leased to the club). Shepard said that the price was \$12,000, that all the time wanted could be taken to pay for it, with six per cent interest.

That was another challenge for youthful eager beavers. It did not take long to decide that the University, students, faculty, townspeople, needed a golf course. The net earnings would at least pay the interest; and they did--for a while. Then too, additional student reserve funds

were on hand, not earning interest. Here was another tangible property, its acquisition a benefit to the University, self-supporting. So, not long after the Alumni Challenge Athletic Field Corporation took title to the land, the Missoula Mercantile Company was paid off from student organization reserve funds. A few years later the street car ceased to run out to the site, student attendance decreased with World War II, interest payments were not kept up. The baseball park, developed on the site in 1933-34, mostly through a government relief project, did not help pay the interest. The stability in financial undertakings characteristic of President Clapp, no longer existed (he died in 1935); student organizations came to deem themselves owner of the site since their reserve funds had been used for its purchase. There was some bickering and grief.

Also, in 1928, another substantial addition to the north of the campus was initiated by Shepard. This was two blocks west of the street extending to the river, all of which also originally belonged to the Higgins Estate. Some of the lots had been sold to private parties. About half a block in this area had been acquired for use as a retail wood lot. And the owner refused to sell; Shepard then joined with him in obtaining title to two and one half blocks, had a suit in court to quiet title to the entire area; the owner of the wood lot then took the half block farthest from the campus. Shepard concluded arrangements for payment of \$15,400 for the two blocks to which the alumni corporation took title--76 lots for slightly more than \$200 per lot.

This acquisition appeared to President Clapp somewhat an over ambitious program. There was no immediate use for the land, the further use of student reserve funds in this case seemed unwise; a proposal for

a legislative appropriation for the site might jeopardize the much needed appropriations for operating purposes. However, Shepard was the sort who did not easily give up. A subscription list for loans to the corporation for the purpose was headed by Mr. Murphy; President Clapp sanctioned the project also with a personal loan. The banks, the Missoula Mercantile Company, and a few private citizens subscribed the necessary funds, and the deal was consummated. The Forestry Nursery made some use of the tract, and therefore increased its rental payments to the corporation a sufficient amount to pay the interest on this loan also. It was anticipated, at least by Shepard, that the principal could later be paid off from a bond issue in 1930, for state institutions, but the issue was declared unconstitutional by the state supreme court. Seventeen years elapsed before a legislative appropriation was made to buy the land from the corporation. The banks had, by law, to charge their subscriptions off as an asset; the project was therefore frowned upon by some--but in the end the banks, and the other creditors, got their principal back, and their interest. This acquisition is now indispensable as a parking area, adjacent to the Field House.

This takes the story of the major acquisitions of land for the campus, including the golf course site, up to the time of World War II. But a few of the minor acquisitions deserve mention.

The "bust" in residence lot values following the boom beginning about 1910 continued almost until World War II. Although Missoula had almost trebled in population during the ten year period from 1900 to 1910, during the next forty years, the population scarcely doubled (12,869 in 1910, 22,485 in 1950). There were two properties on which the owners failed to pay taxes. One, a little over a half acre, was

close to the north end of the east bleachers of the football field. I got a tax deed in 1939 for \$90.90 (the owner had paid several hundred dollars during the boom period); and I had to look about for this amount. The Associated Students appropriated the money, as a gift, but since the site adjoined the football field they were properly interested parties. Another tax deed was obtained in 1942 for five acres on the mountain side, southeast corner of the golf course site. The fairway between two holes of the golf course crossed a corner of this five acre tract. Morris McCollum, long time manager of The Student Store, and then also manager of the golf course property, excluding the baseball park, was instrumental in obtaining a gift from Student Store funds of about \$100 for this acquisition.

A choice and strategic bit of land was two lots, on University Avenue, located at the main entrance to the campus, opposite the house built by President Craig, purchased by Professor W. D. Harkins in the early 1900's. There were no building restrictions on these lots, as was the case with lots purchased later from the South Missoula Land Company and the Daly Estate. And there were no zoning restrictions for many years. In 1928, I visited Professor Harkins at the University of Chicago, where he had been a member of the faculty, since leaving Montana in 1912; obtained his offer to sell the lots for \$2,500. The pretext for obtaining a loan from the Student Store to pay for these lots was its interest in keeping out competition.

I will merely mention the purchase from President Craig's widow, in 1919, of the residence built by Dr. Craig. This is located at the main entrance to the campus and has been used as a president's residence almost

continuously until 1941, the purchase three years later of the adjoining residence, the home of the daughter of President Craig and her family for many years. There were also two purchases of lots in the residence hall area from residence hall funds.

The family of the president who took over in 1941 consisted of himself and wife only. He refused to live in the big old president's house, suitable for a large family. One of the houses offered for sale was located three blocks south of the main entrance to the campus, and in a desirable location. But how was the University to get the money to buy it? By this time the legislative appropriations contained a restriction against expenditures for land and new buildings out of funds for operating purposes. This restriction applied to miscellaneous fees and income of the University as well as to tax funds.

There was one fund that perhaps might be tapped--a building fee of \$5 per quarter charged students. The Dean of the Law School to whom we took many of our legal problems and whose legal opinions were seldom questioned was inclined to shake his head when I made the proposal to him. However, he looked up the cases in the law books and decided it might be done--so it was; but since it was a purchase for such a purpose, from fees charged students, the attorney general, an alumnus, insisted on a resolution, or something of the sort, by the State Board of Education, that the fund be reimbursed. How, was never stipulated; the fund was never reimbursed. And this was the first use of the student building fee for purchase of real estate, as of course the lots went along with the house. And by that time (1942) desirable residence lots in the immediate University area were valued at not less than \$750 each.

The 1945 legislature made an appropriation from the University millage fund of \$29,021 for purchase from the corporation of the two acquisitions, north of the campus, from the Higgins Estate, of the sites both east and west of the street extending to the river, the lots bought from Professor Harkins. In the acquisition were included gifts by the Missoula Mercantile Company of loans (or cancellations) to the corporation of \$2,500 for purchase of the seven acre tract east of the Higgins properties, and in the canyon, also for use of the Forestry Nursery; and four lots on University Avenue which the Company bought back from private owners, at a cost, including taxes, of \$5,117.43, and a cash gift of \$900. Since this transaction was made during the high excess profits tax of war years, much of the gift could be charged by the company to taxes. The Alumni Challenge Athletic Field Corporation was now left with title to only one property, the golf course site. The campus was extended to the river, or rather to the Milwaukee railroad. Most of the vacant lots within the campus area had been acquired. The town was growing; Mt. Sentinel, at the rear of the campus, effectively blocked expansion in that direction. President Clapp had died in 1935; George Shepard was also no longer an actor in the program, originally stimulated by President Clapp; he died in 1944, an automobile injury.

The story of the acquisitions of land for the campus, and its financing, would be deficient without an explanation of the student building fee, first used, as mentioned above, for land acquisition, as well as a building, in 1942. The legislative act of 1893, establishing the University, stipulated that "tuition shall ever be free. . . ." to residents of the state and with certain exceptions. This stipulation

was carefully observed in the early years--the only required fee was \$10 per year as a registration fee, and this money was used for purchase of books for the library. Students sometimes paid a charge for materials used in laboratories, a very modest fee for athletics. Subscriptions to the College newspaper, the annual, and such enterprises were optional, although frequently well supported.

The story of how these miscellaneous fees increased is a long one. Fees for materials used in laboratories, fees for student activities, especially for athletics, were, of course, no longer optional when authorized and required by the State Board of Education. There were fines for infractions of rules, especially by the library for overdue books, and for minor special services. None of these fees were considered a violation of the free instruction provision. Beginning in 1923, a tuition fee was charged students whose legal residence was not in Montana. Good financial accounting required that all such income should be looked after by the business or accounting office. These various incomes were merged into one fund account, deposited with the state treasurer; as budget procedures developed, these miscellaneous sources of income were considered institutional income, even state income when absorbed into the over-all budgets, placed in the general fund of the state, appropriated out by acts of the legislature.

One of the many results of decreased legislative appropriations following the great depression of the early 1930's, were ingenious devices for adding student fees for the benefit of various departments of instruction. One of the last acts of President Clapp, during his long illness, was a recommendation dated April 1, 1935, recommending several such new fees. Some of these were called "laboratory-incidental" fees.

These departmental fees were confusing, difficult to administer, often looked upon as discriminations between schools and departments. About this time, the federal government was starting a program of loans and grants for buildings which colleges and universities were eager to take advantage of. But there was no fund at the University available for interest and repayment of loans, as required by the federal government. President Clapp passed away in May; Professor F. C. Scheuch took over as acting president, and of course he relied on me, as business manager, for proposals concerning many financial matters, especially student fees.

I had made the acquaintance of officers of the state universities in Washington and Oregon. I discovered that the University of Washington had for several years allocated ten dollars of its fifteen dollar quarterly registration or tuition fee to a building fund; also that the legislature of Oregon had two years previously authorized a five dollar per term student building fee. Former Chancellor Elliott, now President of Purdue, and one of the leaders among the presidents of state institutions of higher education, was appealed to for information and advice. He wrote that "the powers that be in Washington declined to approve a financial plan which rested upon an increase in student fees"; but he advised that a plan should be submitted "on the assumption that Washington would approve it."

The members of the faculty most concerned were consulted. A proposal was worked out to eliminate some of the new fees recently authorized and a new fee of five dollars per quarter was to be collected from all students. The recommendation to the State Board of Education was submitted in a communication from Acting President Scheuch, dated June 24, 1935, in which it was stated that "The income from this fee shall be used

for the erection, alteration, equipment, operation and maintenance of buildings, and said income or portions thereof may be pledged for loans from the federal government for the erection and equipment of new buildings."

Dean Leaphart had doubts whether the state supreme court would uphold the fee. But the recommendations were approved at the July meeting of the board. Executive Secretary Swain, who prepared the agenda relative to the state institutions of higher education for the meetings of the State Board of Education, wrote in September that "it is not my understanding that the fee will actually be collected except in what appears to me to be a very remote contingency that. . . .certain proposed buildings would be approved by the Federal Public Works Administration." But the deed was done. In the August circular of information to students signed by Acting President Scheuch, attention was called to the announcement in the official catalogue of the new fee; that it was "instituted as the only feasible method of taking advantage of the provisions of the Federal Public Works Administration plan of granting 45 per cent of the cost of providing for the University much needed buildings. . . . similar fees for this purpose have recently been instituted in other northwest states."

The fee was collected beginning Fall Quarter, 1935; contracts were made with the P W A providing for payment of the income from the land grant, currently used for operating budgets. But the building fee was used to make good these obligations assumed by the University. No objections were made to payment of the new fee; other Montana state institutions soon adopted the plan.

The fee was paid by the War Department, along with other fees, for

the Air Force students, later the federal government paid the fee for veteran students (the GI's). The Journalism Building, the Chemistry-Pharmacy Building, were financed by income from the fee, as was other less extensive building construction; the fee was used to help bolster the funds of the Student Union Building.

Authorization for use of the fee was extended to purchase of land. The "founding fathers" of the University, doubtless devoted to free public education, who had written into the enabling act, by the legislature, the provision that "tuition shall ever be free. . . ." at the University of Montana might remember the fable of the camel which first got his nose under the tent. But new conditions, expediency, what an alibi for bending cherished principles!

The large influx of students after World War II ushered in another era of expansion. The payments by the government for cost of instruction of the GI's, as well as payment of the fees regularly charged students, enabled the University to meet with unusual ease its increased financial requirements. A friendly attorney general ruled that the income from the payments of the government for cost of instruction of GI's was a "trust" fund, not subject to merging in the general fund of the state and appropriation by the legislature in order to make use of the income, a requirement now applicable to many of the student fees. The student building fee was not originally charged during the Summer Session; but was later added to Summer Session fees.

There was much general satisfaction that the properties acquired in recent years by the various devices had been added to the campus. Residence lots in the University section were gradually being acquired by persons who, in many cases, soon constructed houses. Relatively few building

lots in the ownership of private parties, who had invested during the boom period thirty or more years before were for sale at bargain prices. Owners were able to get back their investment, with a modest return in some cases, for interest and taxes. But there was little, if any, speculative appetite to buy and hold building lots as an investment.

Two members of the faculty had bought acreage four blocks south of the campus, east of Maurice Avenue, about ten acres on the flat, another twenty-five acres on the mountainside. They had apparently held the property for a sufficient span of years, paid modest taxes long enough to be weary of their investment. Being close acquaintances of mine they frequently suggested the University should be interested in purchasing land south of the campus, as well as north of the campus, that their land would be good for Forestry Nursery purposes also. They suggested a payment of \$1,800 per year, the same as being made for rental of the properties for use of the Forestry Nursery. They said if this amount were paid them for twenty years, they would give the University a deed, to be deposited in escrow.

There was no immediate need for this land, its future was for University purposes highly speculative. But I mentioned the proposal to President McCain; it was another new problem for him. However, he agreed that the proposal might be called to the attention of a faculty planning committee, which at that time, under the leadership of Dean Leaphart, recently acting president for a year, gave much attention to buildings, some attention to campus sites. This I did; I was really quite surprised that the group looked with favor upon the proposal, none objecting. The approval of this committee and the president was sufficient endorsement to start the project on its way, this in 1946. The student building fee was pledged; the price

per lot was calculated as the equivalent of between \$250 and \$300, disregarding the land on the mountainside. This was the first property south of the campus, east of Maurice Avenue, acquired by the University. Four other properties along Maurice Avenue were acquired during the next few years, extending to the golf course site. This resulted in all land in the residential area south of the campus being in restricted residential areas, or owned or controlled by the University. Business and industrial uses were effectively barred from this area; and there had been no city planning movements to help.

Eight years after the contract was made for this twenty-year payment plan property, two blocks, diagonally across the street, were sold at public auction for an average of over \$1,200 per thirty foot lot. The student building fee, the renewed optimism about the growth of the University, and the town paid off handsomely; my faculty friends who sold eight years before at less than \$300 per lot, for an area about equally desirable for residence properties, never complained!

There was need for a site for the housing furnished by the government for married veterans. The golf course site, title to which was still in the Alumni Challenge Athletic Field Corporation, but the equity to which was in the Associated Students organization, was an ideal site. The government constructed 366 housing units, or "strip" houses; the government allowed a ground rental.

This big housing project could easily have been an impetus for business enterprises, some of which might not have been good neighbors for students. The residential area opposite the site (north) was subject to building restrictions; but the area was outside the city limits. But there was several properties along the mountainside in private ownership, not

subject to building or zoning restrictions. It was wise for the University to protect itself from undesirable neighbors, as well as to continue to extend its campus properties.

The first and most immediate project deserving attention was the old country club building, in the ownership of a private party, principally used for dances. It was located in the center of the new housing project. When a friendly party, who was aware of a contemplated sale because of being a creditor of the owner, informed me that immediate action was wise, I asked for a day or two to try to get sanctions for an option. The next day at noon the trustees of the corporation, the local executive board and other interested parties met, approved an option of \$12,000, although at the time this price seemed excessive. The Associated Students and their advisers believed this organization was not justified in advancing more than \$7,500. But the group in attendance at this meeting gave assurance that they would see that adequate funds were made available, and Alex M. Stepansoff, an alumnus and member of the Local Executive Board, backed up this assurance by stating that he would personally advance the remaining \$4,500, which he did, with no commitments for repayment except assurances that businessmen would be solicited to make up the sum. The option, which was then promptly obtained, was soon exercised, and the purchase made. A year later, Mr. Stepansoff was reimbursed his \$4,500 loan, from the student building fee, but he was paid no interest. Later improvements in the amount of at least \$20,000, from funds obtained from the housing project, were made to the building.

About the same time, in 1947, a member of the faculty, leaving for another University, had for sale a house and tract of about ten acres at the northeast corner of the golf course site. It was an old chicken ranch;

and there was a dwelling house. No time was lost in closing a deal--another \$9,000 from the building fee. During the next year or two, two other purchases of properties in this immediate vicinity were made--one, a vacant block was purchased by the corporation on a bid in court, and \$4,400 paid later--from the building fee. A summer cottage at the foot of the mountain was purchased during the next year from the funds received from earnings of the University from the federal housing project.

Also, in this vicinity, and at the foot of the mountain, was one other vacant block, owned by an elderly woman living in Spokane. The county surveyor had acquired a right-of-way from her, brought her to Missoula to negotiate for sale of the site. She and her family had owned the property for more than fifty years; their dwelling house on the site had burned many years before. There were about a dozen lots in the block. Efforts were made to get her to accept a price which the University would appear to be justified in paying. She met with the president and the banker member of the Local Executive Board; but she was adamant. Her price was about \$6,000, as I recall. Two or three years later grape vine inquiries were made to see if the lady was in a mood to sell. She was; her price, \$7,500. The price of residence lots in this area, across the street, had increased markedly. The site was the only remaining acreage, without houses, east of Maurice Avenue, extending four blocks north from the corner of the golf course site. She was, in 1951, given her price, also from earnings of the housing project. Had she waited two or three years longer she would have had good talking points for lifting her price again.

The 1947 legislature made an appropriation from the general fund of the state which made possible the purchase of three properties, the

acquisition of which was much desired--first, the half block north of the campus used as a wood lot, adjacent to the Milwaukee railroad, negotiations for which Shepard, in 1928, had been connected with. The owner, Mr. William G. Tremper, generously set a price of \$5,000 to the University, which was consistent with prices paid for the two adjoining blocks, nearly twenty years earlier. It was acquired on a lease-agreement with option to buy. Another property was a nine room house on University Avenue, owned by a sorority which had given up its charter, had rented the house to the University for several years, with an option to buy. When the option was exercised by the University, at \$5,980, the property was easily worth twice the sum paid. The third property was a small area of four lots adjacent to the R O T C buildings, near the Chemistry-Pharmacy Building. These lots had passed into the hands of private parties many years earlier. The present owner wanted \$5,000; the sum available from the legislative appropriation was only \$3,500. The president and the Local Executive Board put off the purchase until about the time when the appropriation would revert. Appraisers (in 1949) thought \$5,000 a fair price. The extra \$1,500 was paid from the building fee. This was the only land purchase ever made for which legislative appropriation, from tax funds, earmarked for a specific property, without a prior lease agreement with option to purchase at a stipulated price, or a prior acquisition by the alumni corporation.

A large residence adjacent to the residence halls was bought in 1948, from residence hall funds; but the earnings of a federal housing project, the "prefabricated" houses on the campus, permitted reimbursement of the residence halls for this expenditure. And the last vacant lots in the expanded campus plan (Cass Gilbert) 1917, two lots south of the campus, were bought in 1948, from a private party, for \$2,000, and paid for from

the building fee.

The name of the Alumni Challenge Athletic Field Corporation had been officially changed in 1947, to the now more suitable name of "University Development Corporation." But the organization remained practically the same. Mr. Theodore Jacobs, president of one of the Missoula banks, another alumnus of the School of Law, was president of the corporation from 1934 to 1945; he was also a member of the Local Executive Board, beginning in 1941. Mr. Edward T. Fritz, also an alumnus of the School of Law, a young attorney in the office of Mr. Murphy, became president of the corporation in 1945. There was an executive committee of the board of the corporation, consisting of Jacobs, John J. Lucy, partner in a pioneer business firm of Missoula, and President Fritz. Fritz aided in various negotiations, prepared contracts and deeds, checked all abstracts of title, for land purchases, for many years, whether negotiated by the corporation or in the name of the Local Executive Board. His services were made possible largely through the generosity of Mr. Murphy. His work in checking and preparing deeds and abstracts was seldom, if ever, questioned by the office of the state attorney general, where approval was required for all real estate acquired in the name of the state, which included all campus sites.

The corporation still retained legal title to the golf course site; but following the loan of \$12,000 from student reserve funds, the inability to meet interest obligations when use of the golf course fell off during World War II, the taking over of the management of the enterprises on the site by the manager of the student store, who made improvements and further loans to the enterprises, including the baseball park, student interests and organizations considered themselves as a sort of receiver, they "foreclosed" on the property, so to speak. There had been disappointment

in some quarters because of unexpected delay in payment of the loans for purchase of the final Higgins site, criticism of loaning student funds for these projects. A movement to form a similar corporation, less tied to the University boards and officers, and believed to be more subject to student control, made considerable headway. It was even seriously proposed that the funds collected as the student activity fee, a compulsory student fee authorized by the State Board of Education should be turned over to this student corporation. This movement lost momentum when Dean Leaphart and two members of his staff prepared a careful legal opinion to the effect that the student activity fee was a trust fund, collected by the University, that although earmarked for use of student activities, the trustee, the University and its officers, could not divest themselves of the responsibility for looking after a trust fund. It was even suggested that title to the fund was in the University as "owner" rather than a trustee. Nevertheless, another member of the law faculty spent much time making an argument to the contrary. All this was a tempest in a teapot, because there were no differences about the use of the funds. Of course much time, which could doubtless have been spent on furthering worth-while projects, was lost!

All concerned with the golf course site were anxious to have title to the land transferred to the state for use of the University. When the title is in the state there are no tax problems (at least fewer); there is a comfortable finality to a project when the state takes over!

There were ample funds in the family housing project of the University. Thirty thousand dollars was transferred to the student organizations in 1949; they had originally loaned \$12,000, paid \$7,500 on the club house. On this quarter section of land, there was a dilapidated 18 hole golf course,

a club house recently remodeled at a cost of around \$20,000, a baseball field and grandstands, constructed through aid of a federal P W A project, and valued at the time of construction, of at least \$7,500, 366 housing units, two caretakers' cottages, store houses, Figuring six building lots to an acre (allowing for streets and alleys), there were 960 lots. About this time, sites beyond the golf course were being developed as exclusive residence sections. The investment of \$12,000 in 1928 had paid off handsomely!

The corporation no longer held title to any real estate. Its activities came to an end, with several hundred dollars assets, and no debts.

One other major campus extension project remained unsolved--the Prescott property, at the northwest corner of the original campus, at the mouth of the canyon, and extending at the farthest point to the river. These forty acres, ten or twelve acres on the flat, tillable and irrigated, the remainder on the mountainside, were now surrounded by land owned by the University, except a small spot adjacent to the Milwaukee railroad and the river. The large residence had been built before the campus was established, many men students, some faculty members, had rented rooms in early years. There had been an apple orchard before the Milwaukee railroad came; later the land was used for raspberries. But, in 1945, The Prescotts had abandoned most of their agricultural efforts, had rented part of the place for a riding academy--and a horse corral was not a good neighbor for lawns on the campus when the horses strayed away. The University Forestry Nursery was expanding; the School of Pharmacy wanted a new location for its experimental drug garden. The football practice fields needed more space.

Leases extending to July 1, 1955, a period of ten years, were obtained for \$600 per year for a major portion of the land; the leases prohibited use of any of the property for commercial purposes, especially a riding academy. Mrs. Prescott gave the University the first privilege of purchase, but no purchase price was named. The lease was drawn by Mr. Murphy. After Mrs. Prescott died, in 1951, the property was appraised for tax purposes at \$60,000. About a month prior to expiration of the leases President McFarland completed negotiations for purchase of the property, at the price at which appraised. The purchase was made possible through a loan by the Union Bank and Trust Company of Helena.

Since the steep western slope of Mt. Sentinel begins on the east side of the original forty acres, there should be a reference to the extension to the campus, on the mountainside. The Northern Pacific railroad, in 1902, gave the University forty acres; Congress granted, in 1906, an adjoining area of 480 acres, also on the side of the mountain. According to President Craig's annual report, 1901-1902, "the purpose in acquiring this land is to provide a suitable site for an astronomical observatory." The acquisition of the Prescott property, adding nearly 30 acres to this mountainside area, completes this unique and picturesque campus background, a mountain rising about two thousand feet above the campus.

And then there are the off campus properties. The first, in 1908, is the congressional grant of 160 acres on Flathead Lake, the most prized section of which is 87.54 acres on Yellow Bay, where the Biological Station is located. Professor M. J. Elrod fathered this project. In 1937 and 1939, the Anaconda Copper Mining Company and the Northern Pacific railroad made gifts of about 21,000 acres of logged off timber lands in the Blackfoot Valley, as a "gift in trust for use and benefit of the Montana Forest Conservation Experiment Station." Dean T. C. Spaulding of the School of Forestry (Class of 1906) engineered this project. A still

later off campus site for the forestry program is a lease of 200 acres of land in the Fort Missoula site, about five miles from the campus.

The complete records of land acquisitions show several minor items, purchases and gifts. The last item for this story is the purchase in 1954 of about five lots, diagonally across from the Music Building, on which the construction of a Health Center has been started. These lots were paid for from the student health service fee. There are about 25 dwelling houses within the extended campus area, Cass Gilbert Plan, in the ownership of private parties; but all vacant lots in this area are owned by the University. The campus is surrounded by private dwelling houses, due to building restrictions in the deeds given by the South Missoula Land Company, and by city zoning ordinances, which bar the development of adjacent business and commercial areas. The extension of the campus area has made it possible to close many streets and alleys; many more will be made in the future for accommodation of the heavy traffic surrounding a University campus.

This is primarily a story of achievements and satisfactions obtained therefrom. Many difficulties have been referred to; but some disappointing incidents have scarcely been mentioned--others not at all. There are some sombre sides to the story.

When the management of other people's money, or the public's money and property, is undertaken, the person or persons so doing should not only use the care and discretion with which they look after their own personal property, but they must also so conduct affairs that the public, or merely casual observers, can see and conclude that such public business has been looked after with care and diligence. The persons involved in such management can easily follow his own best judgment, but if he is

not inclined to lean over backwards in meticulous care he may unfortunately disregard practices generally deemed essential when he is in the relation of a trustee. He is not only held to the highest standards of integrity, but also to laws and practices customarily followed for the protection of trust property, such as bonds, audits, competent counsel, especially legal advisers; a trustee is frequently accountable to a court of law.

All these standards were consistently observed in the handling of funds with which the corporation was concerned, including the student funds. The safeguards of University funds were in effect--the bonding of officers, the accounting procedure, financial reports, the official audit of University funds, the depository bonds of the banks in which funds were deposited, the insurance of facilities such as safes, messengers.

The records of approvals of borrowing of funds were carefully written up, after those properly concerned had been consulted, including the local Executive Board of which the president of the University was ex officio chairman, and of which I was secretary-treasurer. Similar care was taken with the minutes of the corporation. All minutes were signed by the president as well as by the secretary. When the agreement guaranteeing interest for ten years on \$15,000 was made about twenty signatures of officers and members of committees of the organizations participating were obtained, on the document. The by-laws relating to meetings were observed. An extra procedure intended to give assurance that student interests were being looked after was appointment of faculty members as trustees, to whom the corporation gave mortgages as a protection of the investments. The president and the business manager of the Associated Students were made, in 1933, ex officio members of the board of trustees of the corporation.

However, during the first two or three years of the existence of the corporation, its business and affairs were largely looked after by Shepard; he prepared the minutes so that they would show that the laws and proper procedures relating to benevolent corporations had been complied with. He was the first treasurer of the corporation.

It was generally assumed that the Business Office of the University had responsibility for investments, if any, of student funds, particularly in view of the fact that the custody of the funds was a responsibility of this office, operating under the direct supervision of the president of the University and the Local Executive Board. This was particularly true with income from the required student activity fees, and other income merged in the consolidated student activity funds and budgets. Such a policy was consistent with a long standing rule of the State Board of Education, requiring contracts of student organizations to be approved by the president or a member of the faculty appointed by him.

But even while Dr. Clapp was still president some dissatisfaction became evident. Criticisms, doubtless due to ignorance, some misunderstandings, as well as less excusable causes, culminated in the annual meeting of the stockholders of the corporation in 1934, which was attended by more than the usual number of members, including representatives of student organizations. The trustees held the proxies of those who had made contributions and were entitled to vote, as is usual in handling the business of corporations. At this meeting, President Clapp explained the policies under which loans had been made, recorded in the minutes as follows:

President Clapp explained the policy of the Local Executive Board of the State University relative to investments of student reserve funds in the properties held by the Alumni Corporation. He pointed out that various University and student enterprises are unavoidably co-operative undertakings; that the funds of student organizations were invested in properties actually in use for the benefit of the University and students (Forestry Nursery, golf course, "Harkins" lots by the student store); that there were normally sufficient operating income to pay interest on loans; that the value of the properties on which loans had been made had been greatly increased by improvements; that the students had received for many years the benefit of rent, heat and light free for the student store; that the cost of various other student enterprises was paid from University funds although borne by student funds in many other institutions.

Shepard bore the brunt of the complaints, doubtless to a large extent because he was an employee of local "big business." He had been a member of the board of trustees since the organization was started, in 1922; president since 1924. His term as a trustee having expired, he was not re-elected as a trustee, and of course, his services as president terminated.

Shepard never seemed to feel any bitterness for this slap at him; his philosophy recognized criticism of citizens who are aggressive; he proceeded to make friends with his critics. Probably I was the next in line for criticism, for working too closely with Shepard. President Clapp may also have been a target--mostly for permitting and sanctioning the acts complained of, the loans of student funds, the long delay in paying off to the banks and private citizens of the loans for the last land acquisition from the Higgins heirs.

Then there was also an investigation by a legislative committee, during a session of the legislature. President Clapp and I were subpoenaed, on less than a day's notice, to appear. We took with us my

first assistant, Kirk Badgley, who had the title and duties of auditor of student organizations in addition to his duties of chief accountant, which he had had for about ten years (I was then also registrar); also with us was the manager of the student store, Morris McCullom. It seems that certain members of the legislature thought they smelled a rat, promised they would ferret out a bad situation. The principal investigation was before two members of the legislature; we were called in one by one; there were two stenographers, the state accountant, and auditor of the University books, was present as an observer. The members of the committee, one a banker, and I were poles apart in experience, could scarcely talk the same language in some business matters. The banker could not conceive of a financial report without a balance sheet, a statement of assets and liabilities, even though funds expended by the corporation were donations to the University, and therefore, no longer an asset of the corporation. The going was rough; of course I was on the defensive. But next day, on a Sunday forenoon, there was a sort of open meeting, at which several alumni were present. The idea that there were any dishonesties was apparently dispelled by this time. There was quite a bull session, a rather friendly spirit developed at this meeting; I had an opportunity to tell my story in my own way, as well as respond to incidents brought up for discussion. The legislators who had promised something had less to support their assertions than anticipated; but Shepard, now an influential and prominent lobbyist, and another alumnus, equally prominent, had their hands full in behind-the-scenes efforts to make sure that the legislative committee made a fair report, not damaging to the University and its officers.

Contributing to this investigation was the stimulus of some one

hundred percenters of the social fraternities who did not like some of the dissent of President Clapp and me from the strictly orthodox fraternity patterns--we needed a little spanking--one of them later told me that a "quietus" was needed. It got out of hand a little (Both Clapp and I were members of these fraternities). There was a little similar stimulus from the athletic crowd. As registrar and business officer, I doubtless seemed to some a little too diligent in not disregarding some eligibility rules, and in collecting some fees.

How could these unhappy incidents have been avoided? Probably more social contacts with these detractors, good fellowship, "making friends and influencing people." There might be more insistence on larger groups sharing responsibility for decisions; particularly the boards and officers who have final responsibility, rather than merely confirming or "rubber stamping" acts and recommendations of subordinate officers. A more complete independent audit report by a certified public accountant--such an audit should be extensive enough for the auditor to answer most questions; he might be present at the more important meetings to verify financial statements and transactions; similarly more reliance on an attorney for legal matters. When such situations develop it is well to remember the lines from Shakespeare--"Whom the gods would destroy they first make mad." Utmost care and patience is essential. I well remember one of my conversations with Mr. Murphy--I was "weeping on his shoulder," explaining the rightness of our doings, the unjustified attitude of others. He gave me a very practical reminder--that we had to live with our associates! It is an achievement to win out in such struggles; but scars remain and sometimes they are held against you when you are under review. Efficiency and

integrity are not enough; those who do things cannot afford to lose contact with the group, the public. All this requires patience, tolerance, cultivation of understanding and good will.

Of the eight University presidents, from 1895 to 1950, only President Clapp (1921-35) was in office long enough and able to make substantial contributions to the extension of the campus. The original forty acres was deeded to the state two years before President Craig arrived; President Duniway labored diligently, obtained promises for withholding adjacent property from sale, succeeded in getting legislative appropriations, but the State Board of Examiners would not release the funds. President Clapp's challenge to the alumni to improve the athletic field bore unexpected fruit; the student building fee was an expediency. The sympathetic and helpful interest of Mr. C. H. McLeod, president of the Missoula Mercantile Company, and its subsidiaries, the guiding hand of Mr. William L. Murphy, the interest and aid of many others were all a part of the good fortune of the University in not being largely restricted to its original forty acre site, hemmed in by a built up residence area, and also probably with an adjacent business district. The aid of these good citizens took the place of early and faithful members of the Local Executive Board, especially the pioneer banker, Mr. J. H. T. Ryman, whose period of service, including a brief period as member of the State Board of Education, extending from the opening of the University in 1895, until his death death, in 1926, far exceeds that of any other one individual. The State Board of Education, the principal governing body, was remote from the institution; many of the legislative appropriations for campus land were withheld in earlier years; the gifts were few. But there was a passionate interest in many alumni and local residents--"The University,

it must prosper," the maxim left by President Craig, was a faith observed by these deeds.

There are now about thirty permanent buildings--instruction, research and administration; recreation--student union, field house, gymnasium; athletic fields; auditorium; health center; residence halls for more than a thousand students, besides temporary housing. There was a maximum (academic year) of 3,783 students during the peak enrollment period following World War II; 2,888 (academic year) 1954-55; between 400 and 500 faculty and full time employees. And the city of Missoula now boasts (1955) an estimated 30,000 population plus an additional 6,690 in the immediate environs.

Thus, the campus of Montana State University, originally designated the University of Montana, was fixed at the south side of Hellgate Canyon, where it ends on the western fringe of the main range of the Rocky Mountains, about one hundred miles from the Continental Divide. This canyon, very narrow as it enters Missoula, is a bottle neck of travel through the great Northwest, and there are no alternate routes at this point. The place received its name because of battles between rival Indian tribes. Lewis and Clark, in their epoch-making expedition of 1805-06, followed the route and made several stops in this vicinity. The Mullan Trail, from Fort Benton, Montana, on the Missouri River, to Walla Walla, Washington, not far from the great Columbia river, built in 1858-62, went through the canyon and the site of Missoula. The Montana frontier days began to disappear, although very slowly, which some say still exist, when the Northern Pacific railroad came through in 1883, and now it is the east-west route of another transcontinental railroad, and U. S. Highway No. 10, with heavy summer automobile travel from all states, bus and truck lines--an all year route. There are no other through east-west routes for long distances

both north and south. Airlines overhead, interstate pipe lines beneath the surface; telegraph, telephone and electric power lines.

President Craig seemed to bolster his courage by frequently saying "State Universities never die". The institution's motto, "lux et veritas", he doubtless adopted, placed it on the seal, then an important symbol of sanction and authority. The campus so recently established - there are still spots where native grasses grow, and it is not so many years since the Flathead Indians were here digging the bitterroots, a flower of semi-arid land, with edible roots, discovered by Lewis and Clark. The extraordinarily beautiful and fertile valley to the south and its river, the next mountain range to the west (the dividing line between Montana and Idaho) bear the name of this flower, and it has been adopted as the state flower of Montana. It is awesome to speculate concerning the existence down through future ages of these few hundred acres of the campus, the ever changing generations of students, the faculty, the curricula, the life and customs of the University, even the buildings and other man-made features! But, the narrow canyon, the river, the mountain, appropriately named Mt. Sentinel, and this dedicated and cherished site, will remain beyond any vivid imagination. May the light and the truth ever grow brighter and more distinct.

LB
9/1/55