



The Montana system, an experiment in integrated education
by Lincoln J Aikins

A THESIS Presented to the Division of Education and the Graduate Division in partial fulfillment of the requirements for the degree of Doctor of Education
Montana State University
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Abstract:

The University of Montana was established in 1913 as an administrative integration of the four existent state supported institutions of higher education: Montana State University at Missoula, Montana State College at Bozeman, Montana School of Mines at Butte, and Western Montana College of Education at Dillon. Eastern Montana College of Education at Billings was added to the system in 1927, and Northern Montana College at Havre in 1929.

At the time of its inception, the University of Montana was a unique institution of higher education. This uniqueness was due to the retention by the units of the University of fully autonomous freedom of operation on the local level within a framework of integrated administrative control under a Chancellor, the executive officer of the State Board of Education. In 1916 the Executive Council, composed of the presidents of the units, was organized as a policy-recommending body for the Chancellor.

Four Chancellors have served the University: Dr. Edward C. Elliott from 1916 to 1922; Dr. Melvin A. Brannon from 1922 to 1933; Dr. Ernest O. Melby from 1943 to 1944; and Dr. George A. Selke from 1946 to 1950.

From 1933 to 1943 the University of Montana was administered in a "care-taker status" by the Executive Secretary of the University, assisted in policy recommendations by the Executive Council, with all final details handled directly by the State Board of Education. In 1951 the Legislature abolished the Chancellorship position. At the same time it created a new office, "Executive Head" of the University of Montana, but failed to appropriate funds for salary. In 1953, the Legislature made the Executive Secretary of the University an officer directly responsible to the State Board of Education. Since that time routine administrative functions of the University have been the responsibility of the Executive Secretary, with policy recommendations made directly by the Executive Council to the State Board of Education.

The original plan for a University system of integrated administrative control built around a dynamic, powerful Chancellor broke down under the exigencies of practical politics. A revised plan operating without a Chancellor and with fairly direct control by the State Board of Education through the Executive Secretary is now being tested in the crucible of fate.

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AN ABSTRACT OF A THESIS

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**Bozeman, Montana
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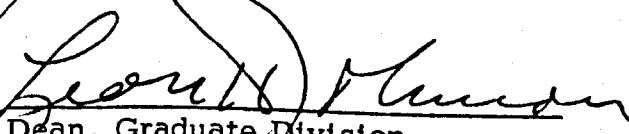
at

Montana State College

Approved:


Head, Major Department


Chairman, Examining Committee


Dean, Graduate Division

Bozeman, Montana
June, 1958

CURRICULUM VITAE

Lincoln J. Aikins

PERSONAL

Date and Place of Birth: December 7, 1898; Windham, Maine.

Marital Status: Married. Two daughters, over 21.

EDUCATION

- 1919 A.B. degree from Bates College, Lewiston, Maine.
- 1927-28 Attended Hartford Theological Seminary.
- 1935 A.M. degree from Bates College. Several summer sessions previously.
- 1949 Attended University of Colorado during spring and summer quarters, College of Education.
- 1955-date Enrolled summers and some other quarters at Montana State College, Division of Education.

EXPERIENCE

- 1919-1920 Instructor in English and French, Berea College, Kentucky.
- 1920-1927 Principal of High Schools in Maine: Stonington, Limington, Kezar Falls.
- 1928-1940 Teacher at Billings Polytechnic Institute, Billings, Montana. Originally in English, later History. Became Registrar and Dean of Junior College and full professor in rank.
- 1940-1942 Dean of Dawson County Junior College, Glendive, Montana. Organized the junior college.
- 1942-1945 Superintendent of Schools, Glendive, Montana. Included Junior College, High School, and Grade Schools.
- 1945-date Dean of Basic Curricula Division, Eastern Montana College of Education. Also, Professor of Social Sciences. Registrar from 1945-1955. Vice President, 1957-date.

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CHRONOLOGY -- THE UNIVERSITY OF MONTANA

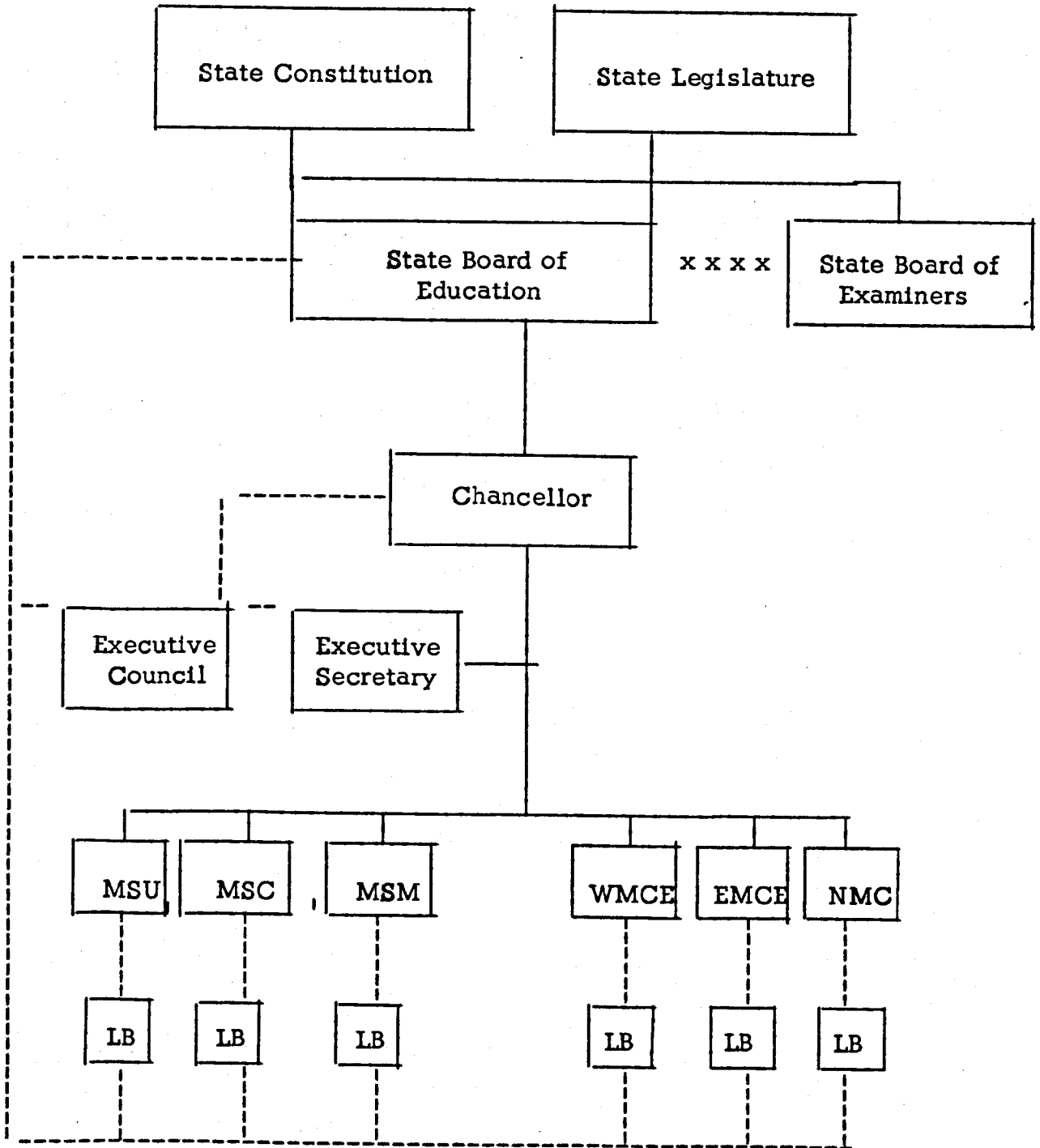
- 1893 Legal establishment of the four original state-supported institutions of higher education: the agricultural college at Bozeman (Montana State College), the university of Montana at Missoula (Montana State University), the school of mines at Butte (Montana School of Mines), the state normal school at Dillon (Western Montana College of Education).
- 1893 Opening of the Agricultural College at Bozeman on April 17.
- 1895 Opening of the University of Montana at Missoula on September 11.
- 1897 Opening of the State Normal School at Dillon on September 7.
- 1900 Opening of the School of Mines at Butte on September 11.
- 1909 Reorganization of local executive boards by Legislature. Local boards made definitely subordinate to State Board of Education.
- 1913 Establishment of the University of Montana -- composed of Montana State University, Montana State College, Montana School of Mines, and State Normal College (Western Montana College of Education).
- 1913 Establishment of Northern Montana Agricultural and Manual Training School and agricultural sub-station at Fort Assinniboine. In 1929 this school opened as the Northern Montana College at Havre.
- 1915 Bill abolishing the University of Montana, as established in 1913, vetoed by Governor Stewart.
- 1916 University of Montana begins to function on February 1 under its first Chancellor, Dr. Edward C. Elliott.
- 1916 Organization of the Executive Council (presidents of the various units) as an advisory board for the Chancellor.
- 1917 Dr. Henry H. Swain appointed Executive Secretary of the University of Montana.

- 1919 Reorganization report to Legislature by "Efficiency Commission."
- 1920 Adoption by State of mill-levy plan for the financing of the University of Montana.
- 1922 Dr. Melvin A. Brannon succeeds Dr. Elliott as Chancellor of the University of Montana.
- 1925 Establishment of Eastern Montana State Normal School, the exact location of which was to be determined under provisions of the "Montana Plan."
- 1927 Opening of Eastern Montana State Normal School (Eastern Montana College of Education) in Billings as the fifth unit of the University of Montana.
- 1929 Opening of Northern Montana College in Havre as the sixth unit of the University of Montana.
- 1933 Resignation of Dr. Brannon as Chancellor of the University of Montana.
- 1933 Bill abolishing the chancellorship vetoed by Governor Erickson.
- 1933-
1943 "Care-taker status" of the University of Montana under the Executive Secretary. (Under Dr. Swain until his death in 1941, and then under Miss Dorothy Green until 1943.)
- 1942 Reorganization report to the Governor of the Governor's Committee on Reorganization and Efficiency.
- 1943 Dr. Ernest O. Melby, president of Montana State University, elected Chancellor of the University of Montana. (Resigned July 1, 1944 to return to his position as president of Montana State University.)
- 1944-
1946 "Care-taker status" resumed under Miss Dorothy Green, Executive Secretary of the University of Montana.
- 1945 Reorganization reports to the Legislature: (1) Montana Commission on Higher Education (Leiper Commission), (2) "Melby Plan" by State Board of Education as "Board Policy."
- 1946 Dr. George A. Selke elected Chancellor of the University of Montana.

- 1950 Resignation on November 1 of Dr. George A. Selke, Chancellor of the University of Montana.
- 1951 Full responsibility for controlling expenditures of units of the University of Montana granted by Legislature to State Board of Education and "audit" power only to State Board of Examiners.
- 1951 Position of Chancellor abolished by Legislature. Legal provision for an "Executive Head," but no appropriation for salary.
- 1953 Reorganization report to the Legislature of the Commission on Reorganization of State Government.
- 1953 By law, Executive Secretary of the University of Montana made directly responsible to the State Board of Education.
- 1953 "Budget Committee Plan" of the State Board of Education incorporated into law by the Legislature.

THE UNIVERSITY OF MONTANA

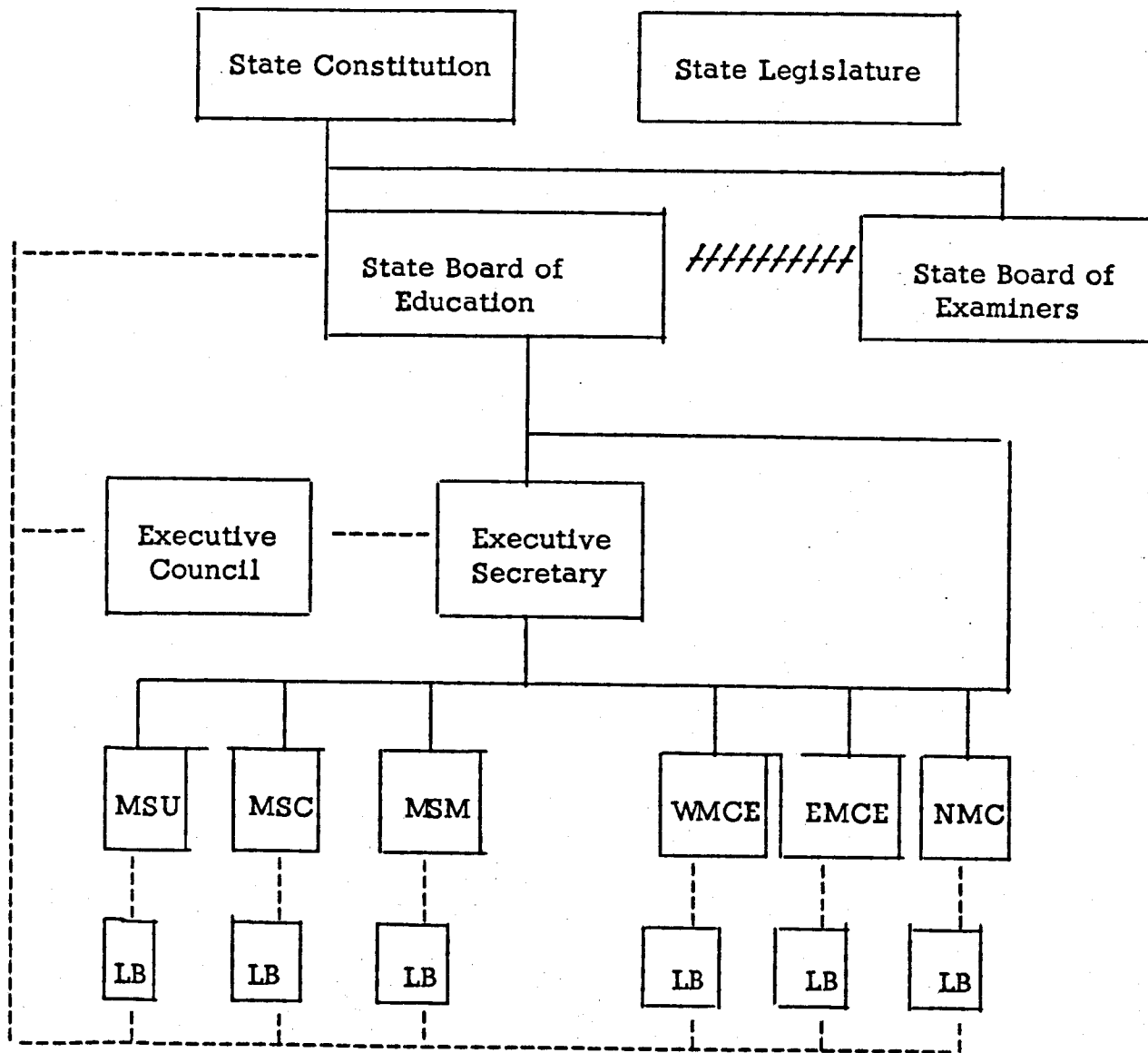
CHANCELLORSHIP PHASE



- Direct Relationship
- Advisory
- xxxxxxx Audit of Claims
- LB Local Executive Board

THE UNIVERSITY OF MONTANA

PRESENT PHASE



- Direct Relationship
- - - - - Advisory
- //////// Audit of Claims
- LB Local Executive Board

INTRODUCTION AND FOREWORD

The Montana System of higher education was hailed at the time of its inception in 1915 as an unique development. Its novel feature was the retention of separated units of local operation within a framework of an integrated administration. This singular organization, though widely discussed, has been the subject of no systematic research. In fact, no basic study of any one of the units has been completed, though partial studies are available in some.

The main purpose of this thesis is to present a systematic research of the University of Montana; its roots in the territorial period; its establishment as four separated institutions and the problems that arose soon after which led to agitation for reform; its inception as an integrated system in 1915 after a two-year delay following the legislative act of 1913 establishing the system, and its subsequent history as the experiment developed in practice. This study is not in any sense definitive of the University of Montana, or of any of its component units. Rather it is an attempt to sketch in broad outlines an overview of the University system, to present its major characteristics, and to consider the problems which have plagued it throughout the years. While treatment of human personalities has been kept to a minimum, treatment has been interpolated whenever it seemed an aid in clarifying an event or a problem.

The primary source material for this study has been the official minutes of the State Board of Education and those of the Executive Council of the University of Montana. Fragmented reports and statements on file in the office of the Executive Secretary of the University of Montana were also used extensively as were similar papers loaned to the writer, as well as special documents on file in the State Historical Library. Newspapers of the period have been used freely, as have the House and Senate Journals of the Legislature, Sessions Laws, and the like. Also included in the study were the annual catalogs of the various institutions and presidents' reports where available, which are on file in the office of the Executive Secretary of the University.

No attempt has been made to change the names of the various institutions for legal name changes as authorized from time to time by the Legislature. Rather the plan has been to refer before 1915 to the four original institutions as the agricultural college at Bozeman, the university of Montana at Missoula, the normal college at Dillon, and the school of mines at Butte. Historically, the original names were in some cases more involved. After 1915 the names of the four institutions have been used as they were established in 1913 by the Act creating the University of Montana -- Montana State College,¹ Montana State University,

1. The official name of Montana State College of Agricultural and Mechanic Arts was shortened in practice to Montana State College.

Montana State Normal College,¹ and Montana School of Mines.² The fifth and sixth institutions to be established have been referred to under the original names at first -- Eastern Montana State Normal School and Northern Montana Agricultural and Manual Training School, respectively. Later the former school was changed to Eastern Montana College of Education, and the latter to Northern Montana College.

Special acknowledgments are made to those without whose steadfast aid and encouragement this study would never have been completed. Particular recognition is given to Dorothy Green, Executive Secretary of the University of Montana, who not only freely placed the entire resources of her office at the disposal of the writer, but who also gave personal information of inestimable value in the interpretation of the inner working of the system. Recognition is also given to State Superintendents Mary Condon and Harriet Miller, for permission to use without restriction the original minutes of the State Board of Education, State Superintendent report, and other documents on file in the office of the State Superintendent; to Virginia Walton, Librarian of the State Historical Library, for her invaluable assistance in locating historical materials and for her suggestions as to source materials; to Dr. Merrill

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1. Usually referred to as State Normal College. This name was changed in 1951 to Western Montana College of Education.
 2. The official name was Montana State School of Mines.

Burlingame, who gave far more than would normally have been expected of a thesis adviser, and who also loaned many unpublished manuscripts written by early Montana State College faculty members; and most of all to my wife, Marion Cousins Atkins, without whose constant support this study would neither have been undertaken nor carried to a successful conclusion.

CHAPTER I

MONTANA BACKGROUND FOR HIGHER EDUCATION

I. TERRITORIAL ORIGINS

Pioneers in a new region consistently bring with them the institutions with which they were familiar in their former home. So it was with the early settlers of Montana, who, from the first, developed a pattern of education similar to that common in their day in the "states." As early as 1878 the Deer Lodge community had organized the Montana Collegiate Institute as an institution of higher education, emphasizing a preparatory type of curriculum parallel to that found in eastern academies. This school opened with twenty-four students and started its classes in a hired building, while awaiting the completion of a substantial brick building erected at a probable cost of \$15,000, and capable of accommodating one hundred and seventy-five students. The Institute was furnished with the most modern appliances, over \$1,000 having been invested in physical apparatus.¹

Evidently pressure soon developed for more advanced educational training in the territory -- the pattern afforded by the church-related college

1. C. Wright, Territorial Superintendent of Public Instruction. BIENNIAL REPORT FOR 1877-78. p. 4.

familiar to most Montana pioneers. Spurred on by this pressure, the Presbytery of Montana, at its meeting in Helena on August 19, 1882, adopted a resolution to purchase the Montana Collegiate Institute.¹ This school was then converted into The College of Montana -- the first institution of college grade in Montana. After seventeen years of difficult operation, this college was forced by the lack of endowment funds as well as by the competition of the state-supported colleges to close its doors on June 8, 1900. In 1906, under the dynamic leadership of Lewis T. Eaton as president, and his brother Ernest T. Eaton,² an attempt was made to re-establish the college. However, no real success followed this attempt, and in 1923 the college was merged with the Montana Wesleyan College at Helena to form Intermountain Union College in that city.³ At its peak The College of Montana had fifteen faculty members and one hundred and sixty pupils. Its second president, Dr. James Reid, later became president of Montana State College. Special support for The College of Montana came from men like William A. Clark, pioneer mining

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1. CONTRIBUTIONS TO THE HISTORICAL SOCIETY OF MONTANA, Vol. VI. (Montana State Historical Library), pp. 384-388.
 2. In 1908 these educators moved to Billings, Montana, to found the Billings Polytechnic Institute, an institute of higher education with a distinctly vocational training motive. It operated on a self-help principle, with students "working most of their way."
 3. M. G. Burlingame and K. Ross Toole, A HISTORY OF MONTANA, Vol. II. (New York: Lewis Historical Publishing Co., Inc.), p. 384.

magnate, who contributed to the departments of chemistry, geology, and mineralogy in the belief that Montana trained graduates in those areas would be willing to remain in Montana as executives at a reasonable salary for his rapidly developing mining interests. It was chiefly through his efforts that Augustus Meader Ryon, the first Montana teacher of engineering, and later the first president of Montana State College, came to The College of Montana in 1888. Several others of the early teachers of Montana State College also came from The College of Montana.

In 1888, the Methodists, reacting to similar pressure from their own people and fearful that competitive religious groups such as the Presbyterians would "steal the show" in higher education in Montana, founded the Montana Wesleyan University, which first opened its doors in September, 1890, in a five-story brick building some five miles north of Helena.¹ From the very first this institution suffered from a lack of financial support. However, it consistently had an excellent reputation as a training school, being always careful to secure well-trained and efficient instructors. In 1899, the College was moved to Helena, where it was considerably enlarged. Many years later it merged with The College of Montana to form Intermountain Union College at Helena. In 1934, after its buildings had been weakened by the great earthquake that shook Helena

1. M. G. Burlingame, MONTANA FRONTIER. (Helena: State Publishing Company), p. 318.

that year, it seemed inadvisable to try to continue the college at Helena. It was therefore moved to Great Falls, where for the balance of the year it operated in facilities graciously loaned by the Deaconess Hospital and by the Methodist and other churches. Failing in an attempt to secure sufficient financial backing in Great Falls to warrant a permanent location in that city, the officials of the College accepted the offer of President Ernest T. Eaton of the Billings Polytechnic Institute in Billings to move to the campus of that college. In 1946 these two institutions were merged to become Rocky Mountain College in Billings.

Meanwhile educational authorities in the territory were confronted with the problem of obtaining adequately trained teachers for the rapidly growing common schools of the area. Cornelius Hedges, who in 1872 became the territorial superintendent of public instruction, sought with great diligence to find trained teachers for the new schools. However, although he followed up every possible clue as he rode constantly throughout the territory, he never was able to provide adequately trained teachers for all of the schools. The pioneer high schools in the territory tried to meet this demand by enlarging their curricula to provide for teacher education in the manner developed at Helena, where in 1880 the Course of Study included a section "embracing the Theory and Practice of Teaching."¹ Apparently

1. J. F. Sasek, THE DEVELOPMENT OF PUBLIC SECONDARY EDUCATION IN MONTANA PRIOR TO 1920. (M. A. Thesis, Montana State University, 1938), p. 201.

other high schools were also providing teachers -- some without any special training -- for "high school graduates frequently went from their high schools and taught in the various rural schools, regardless of normal training courses."¹ As a partial answer to this problem of the inadequately trained teacher, the Twin Bridges Normal School was organized in 1887. By 1889 this school had built a nine-room brick building at a cost of nearly \$10,000, and had a three-story brick hotel for use as a dormitory. In 1893 -- the year in which the first four units of the present University of Montana system were established -- sixty students were enrolled in the Twin Bridges school.²

The need for colleges was felt, during the early years of the Montana territory, by other than church-related groups. Publicly supported higher education apparently became the goal of some of the pioneers rather early, for in 1868 the territorial superintendent of public instruction, T. F. Campbell, advocated creation of a permanent school fund for the support of a college or university.³ Likewise, Acting Governor James Tufts, in his message to the Legislature on December 7, 1868, recommended that

1. Sasek, *op. cit.*, p. 201.

2. HELENA WEEKLY HERALD, Jan. 19, 1893. (Report of statement by committee of citizens from Twin Bridges made to Legislature in support of locating state normal school at Twin Bridges), p. 4.

3. ANNUAL REPORT OF THE TERRITORIAL SUPERINTENDENT OF PUBLIC INSTRUCTION, year ending Nov. 30, 1868, p. 19.

a University of Montana be created.¹ This pressure for a tax-supported university received a set-back from Cornelius Hedges, territorial superintendent of public instruction from 1872 to 1876, who in 1872 felt it important to counteract public pressure to the extent of commenting in his annual report that "what we need first and most is not a university; it is a system of public free schools."² Further on in this report, commenting on the need for good teachers and the common practice in most states of insuring such a supply by establishing normal schools for this training, he states that "at present, it would be folly to ask or expect such a thing in Montana."³ By 1880, however, this pressure for a tax-supported university had developed sufficiently so that among the recommendations of an educational convention in Helena on January 4, 1881, was the following:

That of the territorial taxes and licenses, one mill of the three mills now levied, and one-fourth of all licenses collected, be set apart for five years for the purpose of creating and establishing a permanent university fund.⁴

In 1881 and 1882 the new territorial superintendent of public instruction, R. H. Howey, continued the exertion of pressure, calling in

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1. MONTANA GOVERNOR'S MESSAGES, 1864-1891. (Message of Dec. 7, 1868), p. 6.
 2. Cornelius Hedges, BIENNIAL REPORT, 1872-73, p. 11.
 3. *Ibid.*, p. 17.
 4. W. Egbert Smith, BIENNIAL REPORT SUPERINTENDENT PUBLIC INSTRUCTION, 1880. (This convention, called by Superintendent Smith, was composed of forty teachers and superintendents and "other friends"), p. 10.

his reports for some action toward the creation of a tax-supported university.¹ He also referred to the Act of Congress, approved February 18, 1881, by which 72 sections of the unappropriated lands of Montana were granted to the territory for university purposes. This Act gave further support to the "growth of an idea -- an idea centered in the democratization of higher learning."² This idea, usually referred to as the land-grant college movement, had led in 1862 to the passage by Congress of the Morrill Act, providing for the establishment and maintenance of agricultural and mechanical arts colleges and universities. The 1881 Act, in continuation of such federal support, provided that the land should be sold at public auction for not less than \$2.50 an acre nor for less than the appraised value. It was further provided that no part of the proceeds, principal, or interest should be used until a fund of \$50,000 had accumulated, and then only the interest, until the fund should reach \$100,000. After 1889, according to the Act, the entire proceeds from the sale of university lands were to be kept intact.³ Certainly the existence of this

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1. R. H. Howey, ANNUAL REPORT for year 1881, p. 21. (In 1882 report he develops at length -- pp. 20-24 -- reasons for adoption of university system.)
 2. SURVEY OF LAND GRANT COLLEGES AND UNIVERSITIES, U. S. Department of Interior, Office of Education, Bulletin No. 9. (Washington: U. S. Govt. Printing Office, 1930), p. 1.
 3. M. Orfield, FEDERAL LAND GRANTS TO THE STATES, (Minneapolis: University of Minnesota, 1915), pp. 62-63.

land-grant fund was well known to the leaders of the territory, and doubtless to some degree served to promote interest in public higher education. Later the minimum price was raised to \$10.00 an acre,¹ a most fortunate development for the state's educational institutions. Much of the land finally granted to these institutions was exceedingly rich in lumber and mineral resources. Accordingly, since these land grants, when sold, usually received a price somewhat near that of the minimum, this raise in the minimum price from \$2.50 to \$10.00 per acre netted many thousands of dollars to the Interest and Income Fund of the various institutions.

It is true that in 1889 Montana was predominantly a mining country, with agricultural interests so insignificant that no mention is made of agriculture either in the Constitution of the new State or in its early laws.² Yet the influence of the land-grant movement is found in the Enabling Act as approved by Congress on February 22, 1889. Herein is a specific provision for lands "to be used exclusively for university purposes."³ Also in the Enabling Act provision was made for land grants for the "establishment and maintenance" of specific schools, as follows: school of mines, 100,000 acres; state normal schools, 100,000 acres;

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1. BIENNIAL REPORT OF THE DEPARTMENT OF PUBLIC INSTRUCTION, 1950-1952, p. 46.
 2. H. F. Sanders, A HISTORY OF MONTANA, Vol. I. (New York: Lewis Publishing Company), p. 354.
 3. MONTANA CODES, ANNOTATED, 1895 ed., p. lxxiii.

agricultural college, 50,000 acres "in addition to the grant hereinbefore made for that purpose."¹ Certainly these provisions were not included in this important Act without the knowledge of those who had been working for the establishment of the new State. In addition to these grants in the State Enabling Act, there was also available from the Morrill Act of 1862 a land grant of 90,000 acres for agricultural and mechanic arts purposes.² In addition, the Hatch Act of 1887 granted \$15,000 per year for current use by an agricultural experiment station.³

Further support to this Montana movement for a tax-supported university was given by Governor Preston H. Leslie in his message to the Territorial Legislature on January 14, 1889. Calling attention to this country's traditional interest in higher education, he stated that

It is a source of regret that no steps have been taken by the Territory to provide a college or university for that purpose. Considering the size and extent of this country, it is manifestly certain that we need two such institutions in the Territory, and it will not, in my opinion, be inadvisable to at once enact such legislation as will lead to the establishment of an agricultural and mechanical college at some suitable place in the Territory.⁴

Later in the year, after acceptance of Montana as a State, the first head of the new State, Governor Joseph K. Toole, in his message on December 17,

1. MONTANA CODES, ANNOTATED, 1895 ed., p. lxxiii.

2. SURVEY OF LAND GRANTS, *op. cit.*, pp. 8-9.

3. *Ibid.*, pp. 24-25.

4. MONTANA GOVERNOR'S MESSAGES, 1864-1891. (Message of Jan. 14, 1889), p. 8.

1889, to the First Legislative Assembly, called attention to the constitutional provisions for the establishment of educational institutions. While he felt that the time was not ripe for legislative action for such because of expenses "consequent upon a change from territorial to state government" he did state that

It might not be unwise...if the location of these institutions should be the subject of early consideration and settlement. The longer that is delayed, the greater will be the struggle between aspiring sections of the state for recognition in that behalf, and pending such contention, the interests of good legislation may be subordinated, if not wholly ignored.¹

Because the first legislative assembly failed to act on this recommendation, Governor Toole repeated it in substance in his message of January 5, 1891, to the Second Legislative Assembly.²

With its background of available resources and in response to interest revealed, Montana might well have been expected, by 1889, to have established a university system as had all of the other western territories -- Utah, New Mexico, Washington, Dakota, Arizona, and Idaho. However, progress toward that end was diverted by the peculiar political situation in Montana. From its earliest territorial days, Montana politics had been plagued by an irreconcilable and bitter struggle between two groups inherited from the War Between the States. Early settlement

1. MONTANA GOVERNOR'S MESSAGES, 1864-1891. (Message of Dec. 17, 1889), p. 3.

2. Ibid. (Message of Jan. 5, 1891), p. 9.

of the territory was by groups fleeing from that contest or by individuals somewhat sympathetic to the Southern cause.¹ Especially in western Montana were Southern sympathies evident. On the other hand, many of the influential leaders in control in central and eastern Montana were friendly to the Northern point of view. This led to conflict over almost any issue. In fact, one writer lays the failure of Lee Mantle, one of the strong personalities in the territory, to secure appointment as Territorial Governor to the "sectional feeling...between the eastern and western parts of the territory."² As a result of this sectional feeling, Montana politics from the beginning was not only rough and ready, but also colored by the bitterness of this struggle. The scars of these early territorial battles were very much in evidence in 1889.

II. STRUGGLE FOR ESTABLISHMENT

To complicate the situation, neither political party won a decisive victory in 1889. In fact, the decision as to which party would control the

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1. While little research has been done of the ethnic background of the early settlers of Montana, many indications of this southern point of view are available. Among these, one of the most striking is the insertion in the territorial school laws for "the education of children of African descent...in separate schools." (Sec. 33.) In his report for 1872-73, Cornelius Hedges, Territorial Superintendent of Public Instruction, refers to this prejudice (p. 20).
 2. PROGRESSIVE MEN OF MONTANA. (Chicago: A. W. Bowen and Co.), p. 209.

Legislature rested on the results of the balloting in Butte Precinct 34, where fraud was claimed by the Republicans. The case was carried to the State Supreme Court, which ruled that fraud was present, and threw out the votes in the Precinct, thus giving the Republicans victory in Butte. In theory this decision permitted the Republicans to organize the Legislature. The Democrats, however, refused to accept the decision, claiming that the Supreme Court, a majority of whose members were Republicans, made their decision on party grounds.¹ Since "the important issue, overshadowing all political considerations, was the selection of Montana's first representative in the United States Senate"² both parties fought to the bitter end, seeking by various means to organize the Legislature. Out of this conflict a political deadlock developed to such an extent that not only was the Legislature unable to elect United States senators, but it also failed to pass the necessary appropriations for the operation of the state government. Of course no action whatever was even proposed for the establishment of a system of higher education in Montana. After considerable political maneuvering the Legislature adjourned on February 20, 1890, having "accomplished nothing in the way of legislation."³

The Second Montana Legislative Assembly opened on January 5,

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1. No evidence has ever been uncovered to justify this accusation.
 2. Sanders, op. cit., p. 403.
 3. Ibid., p. 409.

1891, with the deadlock still in force. On the face of the original returns the Republicans had lost the election, but on recourse again to the courts, they gained approval of sufficient changes to obtain control of the House. The Senate, however, was definitely in control of the Democrats. The Governor, Joseph K. Toole, was a Democrat. He recognized the original returns, as did the Senate, and the Democrats tried to organize the Legislature. More political maneuvering followed, the Republicans refusing to meet with the other party, and the Democrats thus being unable to maintain a legal quorum with which to transact business. Soon it became apparent that "no laws passed could hope to survive the judicial scrutiny of the highest court of the State, as this tribunal would of necessity hold that any legislation effected would be the act of an illegal body."¹

Further to complicate the situation, this second legislative assembly became engaged in a bitter political fight over the land grants which had been made to the Northern Pacific Railroad Company. As part of an inducement to promote the railroad, Congress had granted to the company every alternate section of land in a strip eighty miles wide -- forty miles on each side of the right of way. When it was impossible to take possession of such grants because of prior ownership, the railroad company was given permission to choose "lieu lands" in their stead. The

1. Ibid., p. 410.

right of way traversed approximately eight hundred miles in Montana and included approximately 28,000 square miles in the land grant. Although mineral land was expressly excluded in these land grants, the railroad company, since much of its land was in the potentially richest mineral land area of the State, soon became engaged in controversy as to whether or not their lands were "mineral." As early as 1889 a convention was held in Helena, with Lee Mantle as the presiding officer, to seek some device to aid those who were in litigation with the Northern Pacific Railroad over this question. With the controversy still unsettled in 1891, the Second Montana Legislative Assembly sought a solution for it. Opinions cut sharply across party lines, as was later to be the pattern in many similar situations in the history of Montana, while much of the mineral and other wealth of the State was exploited by greedy outside corporations. However, the anti-railroad group gained control in this Legislature and pushed through legislation as a solution for the issue. The office of mineral land commissioner was created, with the special duty to "prepare and publish a statement of facts in respect to the danger of millions of acres of the mineral lands of Montana becoming the property of the Northern Pacific Railroad."¹ The Legislature then passed a resolution requesting the governors and legislatures of Idaho, Nevada, Washington, California, Colorado, Wyoming, Utah, Oregon, Arizona, and New Mexico "to join with Montana

1. Ibid., p. 358.

in memorializing Congress to preserve the mines and mineral lands to the people and prevent their falling into the hands of railroads receiving land grants from the government."¹ This Legislature also passed a "memorial to Congress wherein it was recited that the Northern Pacific Railroad Company claimed ownership to over eight million acres of mineral lands in the state, that it already had been permitted to select about two million acres thereof; that, if patents should be issued therefor, these lands would be wrested from their rightful owners forever, and the resolution prayed that Congress take necessary action to save to the people of the state, not only discovered, but all undiscovered mines of gold, silver, and all other valuable minerals."² Unquestionably the atmosphere created by this very bitter political fight over the railroad land grants provided an unfavorable background for a sound and logical consideration of the establishment of a system of higher education in Montana.

In a similar manner the fight over the location of the State Capital developed much heat and many political repercussions. In territorial days the capital had first been at Bannack and then at Virginia City. In

1. Ibid., pp. 358-9.

2. Ibid., p. 359. (Hon. Martin Maginnis was appointed land commissioner. After many years he secured federal legislation that apparently satisfied the demands of the miners and the prospectors. However, in practice the task of classification was too difficult, and many lands classed as non-mineral were later found to be mineral. Also "lieu lands" chosen were often from among the best agricultural and timber lands of the state.)

1872, following a special election, and after a contest ending in a favorable Supreme Court decision, the capital was moved to Helena. Unfortunately opponents of the Helena location did not give up the fight, so controversy was still rampant in 1889. Unable to reach a satisfactory decision as to permanent location, the members of the Constitutional Convention provided for an election by the people in 1892 to settle the issue. It was further provided that if no city won a majority in this election, the question of final choice should be made at the next general election, with that choice to be from the two cities receiving the highest vote in 1892. Seven cities entered the fight for this location -- Helena, Anaconda, Butte, Bozeman, Great Falls, Deer Lodge, and Boulder. The partisans for each city were very active during the meeting of the 1891 legislative assembly, making deals or bringing pressure in other ways on almost every issue before the assembly. Thus a political situation, already very confused, was further complicated.

With tempers flaring and politics fuming from the capital-location fight and the Northern Pacific Railroad controversy, as well as from the political deadlock of the contested election, it was hardly to be expected that this second legislative assembly would pay any attention to the needs of higher education. However, pressure was present from another source for some action by the Legislature. Congress in 1890 had passed the Second Morrill Act, making available an annual grant for current expenses

of \$15,000 to each State College of Agriculture, with an additional grant of \$1,000 each year until the grant reached the sum of \$25,000 a year. Since \$15,000 per year was also available for an Agricultural Experiment Station, it was apparent to leaders of both political parties that Montana was losing \$30,000 per year by failure to provide at least for an agricultural college and an experiment station. Governor Toole, who had stressed the importance of reaching a decision on location in his message to the First Legislative Assembly, repeated his admonition in his opening message to the Second Legislative Assembly, pointing out this time that in addition the State was losing the available federal funds, made possible by the 1890 Congressional Act.¹ Notwithstanding this recommendation and the pressure exerted by the possibility of securing federal funds with which to provide for the current expense, the political deadlock described above prevented any action leading to the location of any institution of higher education. This Legislature did, however, set aside land for the eventual establishment of a school of mines, for state normal schools, and for agricultural colleges,² as provided in the State Enabling Act. Of far more importance, the Legislature also passed an act providing for the selection, location, appraisal, sale, and leasing of lands available

1. SENATE JOURNAL, 1891, pp. 28-29.

2. Sanders, op. cit., p. 358.

under the federal land grants. J. M. Page, a pioneer, was appointed the first state land agent.¹ This Legislature also set up the State Board of Land Commissioners² "to direct, control, lease, or sell the school lands and the lands granted or thereafter to be granted for the various state educational institutions under the rules and regulations prescribed by this law."³

There was little improvement in the political situation when the Third Legislative Assembly convened in January, 1893. Overshadowing every action of this assembly was the contest over the election of a successor to Wilbur F. Sanders as United States Senator. The Democrats controlled the State Senate by two votes, nine to seven. John E. Rickards, Republican, had been elected Governor. Twenty-six Democrats and twenty-five Republicans had definitely been elected to the State House of Representatives, with one seat in doubt -- the result of a contested election in Choteau County. Three Populists, elected to the House, held

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1. Hamilton, NOTES. (Unpublished manuscript, History Department, Montana State College), pp. 175-177. ("Page was a man of the highest integrity, a tireless worker, and a most careful investigator. Day after day he rode on horseback over the prairies and through the forests in search of lands to fill the various grants. The value of these grants was largely due to his faithful services. Much of the land selected on the west side of the main range was timber land and the law wisely directed that the timber should be sold separately from the land and the proceeds placed in the respective permanent funds.")
 2. Governor, State Superintendent of Public Instruction, Secretary of State, Attorney-General.
 3. Sanders, op. cit., p. 358.

a strategic position, being able by their votes to determine the results wherever party lines held between Democrats and Republicans. Immediately, even before organization, a struggle developed in the House over the contested election results from Choteau County. Originally the canvassers had thrown out the votes of the Box Elder precinct, thus giving the election to a Democrat, Mr. A. B. Hamilton of Choteau County. He had received an official certification of election and was present at the opening roll-call of the Assembly. The Supreme Court, to which the case had been appealed, ordered, however, that the votes of the Box Elder precinct be counted. The defeated candidate could file a contest later, if he so desired. This decision gave the election to Mr. E. E. Leach, a Republican. Unfortunately the decision of the Supreme Court came so late that Mr. Leach did not receive his certification in time to present himself for the opening roll-call of the Assembly. Accordingly, the House of Representatives had to decide whether to recognize Mr. Hamilton's certificate and swear him in, since he was there for the opening roll-call. If the certificate were thus recognized, the Democrats would organize and since that would make thirty-six votes on joint ballot, if all the Democrats held together, then a Democrat would be elected to the United States Senate. On the other hand, if the decision were to refuse to recognize the certificate of Mr. Hamilton so that Mr. Leach, the Republican, could have time to appear with his more recent certificate, and if the

Populists voted with the Republicans, their combined votes on joint ballot would be sufficient to prevent the election of a Democrat to the United States Senate, even though they might not be able to elect one of their own choice. Meanwhile, before any final decision had been made, the Populists had received instructions from their national headquarters not to vote for a Democrat for United States Senator.¹ Two of them chose to follow these instructions. On organization of the House, therefore, the battle was over the results of the contested election. A special committee of the House was appointed to check on this contest, but the State Auditor, a Republican, whose duty it was to preside at the opening organizational meeting, chose to proceed immediately without awaiting a report from the committee. He ruled against the Democrat, thus preventing him from being seated, but permitting a later seating of the Republican. On the basis of this decision, the Democrats claimed "bad faith,"² Further complicating the situation was the serious illness of one of the Democratic members, Hon. A. J. Davidson. Because every vote was needed on important issues, it was important for him to be sworn in, so as to be

1. THE NEW NORTHWEST, Jan. 14, 1893.

2. GREAT FALLS WEEKLY TRIBUNE, Jan. 20, 1893. ("But bad faith as this practice was, it was good politics on the part of the populists.... With Hamilton seated the democrats would have elected their man without the aid of even one populist. But with Leach seated, neither party could get along without some aid from the populists. It is this that the populists considered when two of them united with the republicans in the Leach matter...It cannot be called bad politics, even by those who might suffer from it.")

available as needed. In dramatic fashion, therefore, he appeared in "an invalid chair" at the first meeting of the House, attended by his wife and physician.¹ The Democratic leadership sought to arrange for a "pair" for him with the Republicans, but to no avail. The maneuver of the Republicans in the contested election and their refusal to arrange for a "pair" for Mr. Davidson added to the bitterness of the political struggle and contributed to the in-fighting that later developed over the location of the educational institutions.

The fight over the location of the State Capital had narrowed to a contest between Helena and Anaconda, since the other five communities had been eliminated in the 1892 election. Such elimination, however, made the defeated areas all the more determined to secure one of the many

1. HELENA WEEKLY INDEPENDENT, Jan. 12, 1893, p. 2. ("Hon. A. J. Davidson was carried into the hall of the House Monday on a reclining chair. Mrs. Davidson and Dr. J. B. Atchison accompanied him. His attendants carried him to the space where his desk was, on the right of the speaker's platform. By special request beforehand there was no applause. Then Judge Bach made an appeal to the Republican members in the interest of a pair for Mr. Davidson. 'An appeal to the manliness of this assembly,' said Judge Bach, 'will without doubt be promptly met. Mr. Davidson is here ready to take the oath of office, and is ready to come here at any time that he may be needed. Sickness may come to any of us, who may need the same courtesy. Under the circumstances, to refuse to pair with a sick man who, despite his condition, is ready to come here at any time to vote on a political question, will be setting a precedent without parallel in the history of legislation.' In spite of this appeal, no one on the republican side offered to pair with Mr. Davidson, who was swon in by the speaker as he lay on his couch. The sick man was then excused, without any objection from the republican side, and was carried out of the hall.")

state institutions to be established, and caused their representatives in the Legislature to be rather indifferent to logical discussion of the pros and cons over separation versus consolidation of the educational institutions. Rather were the representatives increasingly willing to dicker for votes over various issues -- especially the senatorial contest -- in return for support of their bid for a state institution. Moreover, the partisans of Helena and Anaconda were very much in evidence, constantly maneuvering back-stage during the contest over the election of a United States Senator.

As has already been indicated, the most important issue before this Third Legislative Assembly was the election of a United States Senator. The leading Democratic candidate, W. A. Clark, had, in his own party, formidable opposition in Marcus Daly, his business as well as political enemy. Both men were mining magnates in Butte and both were nominally democratic in politics. However, they had little use for each other, and in the senatorial contest Daly was determined to defeat Clark at all costs.¹ Although he was not a candidate himself and not even a

1. GREAT FALLS WEEKLY TRIBUNE, Editorial, Jan. 20, 1893. ("The public is fully cognizant of the causes which seem to render Mr. Clark's election wholly impossible... It is a fight in which the public has no particular interest, but which frequently crops out in public matters. It is, however, vendetta, and each party knows that the knife of the other is always ready.")

member of the Legislature, Daly had a group of supporters who throughout the contest refused to be diverted from their opposition to Clark, even though extending even to the national democratic party officials, tremendous pressure was exerted on them. On the other hand, there was a powerful group within the party in Montana who were determined to break the political power of Marcus Daly.¹ Throughout the entire session of the Legislature this underlying contest for control between the Daly forces and the Clark followers was a determining factor in the decisions made in other issues.² Eventually the strong party lines were broken, with several Republicans, apparently influenced by anti-Daly motives, swinging to Clark in an attempt to break the deadlock. However, the Clark forces

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1. THE NEW NORTHWEST, Editorial, Feb. 11, 1893. ("There is a growing, healthy sentiment in the ranks of all political parties that points to but one finale -- the political overthrow of Marcus Daly.")
 2. THE NEW NORTHWEST, Editorial, March 4, 1893. ("Marcus Daly has undertaken to dictate the politics of this state. . . . He directly owns or controls some 3,000 votes. Heretofore he has put his retainers and tools in office whenever and wherever his personal interests have prompted him to do so. These retainers have been selected indiscriminately from the ranks of both political parties, Daly's only purpose being to put men in power who could and would do his bidding, the complexion of their politics being a matter of absolute indifference to him. . . . Out of this untoward condition of affairs there has come one man who is unalterably and diametrically opposed to Daly and his assumption of unwarranted authority, and against whom all the hatred and venom of the man and his following have been particularly directed, notwithstanding the two are nominally of the same political faith. His success in any political undertaking means the death-blow to Dalyism. . . . That man is W. A. Clark.")

were never able to muster the necessary thirty-six votes for victory, and the Assembly adjourned without election of any United States Senator.¹ Nevertheless, the bitterness of the struggle, the lining-up of votes, and the intricate maneuvering for position undoubtedly had their effect on the decisions that were made in regard to the location of the state educational institutions. Interesting, at least, is the fact that one of the major leaders for separation in the Montana Senate was a strong Daly man, Senator Elmer D. Matts of Missoula.²

Impetus for consideration of the establishment of the institutions of higher education was given by Governor Rickards in his opening message to the Third Legislative Assembly on January 5, 1893. In this message he emphasized the importance of settlement of the location problem:

One of the most important duties will be that of locating state and educational institutions. Shall the latter be grouped or located separately, is a question now agitating our people... It is my judgment that all interests demand an early settlement of this matter. We are looking for and inviting outside capital to our State; the fact that none of our State Institutions have yet been located impresses capitalists unfavorably...

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1. Sanders, *op. cit.*, pp. 411-412. (Lee Mantle, Republican, was appointed by Governor Rickards to fill the vacancy, but the appointment was refused by the United States Senate.)
 2. H. Minar Shoebottom, *ANACONDA, Life of Marcus Daly, the Copper King*. (Harrisburg, Pa.: Stackpole Company) p. 130. ("As soon as the vote (for U. S. Senator) had been tabulated, Senator Matts, a spokesman for the Daly wing of the Democratic party, ... moved for adjournment sine die.")

An agricultural college must be established in accordance with an act of Congress approved July 2nd, 1863, in order to avail ourselves of the appropriation made in the Act of August 30th, 1890. Under the provision of this Act the sum of \$15,000 per annum, for ten years is appropriated to each State and Territory, and the sum of \$25,000 per annum is thereafter to be applied to instruction in agriculture, the various branches in mathematics, physics, natural and economic science, the English language and the mechanic arts. It requires no argument to show the losses which the State is sustaining through our neglect to locate this institution.¹

Apparently all factions in the Legislature agreed as to the need for settling the location question, but immediately a struggle developed between the forces for consolidation versus those for separation. Early in the session Senator Paris Gibson of Great Falls emerged as the leader of the consolidation forces, introducing what was popularly termed "the consolidation bill." Under provisions of this bill a "University of Montana" would have been created, including under one administrative set-up and locating in one place an agricultural college, a school of mines, and a state university of liberal arts. The permanent location for this institution would have been selected by a committee of three presidents, appointed by the Governor, chosen from the presidents of Stanford University, University of Michigan, University of Wisconsin, University of Minnesota, University of Nebraska, Cornell University, University of Virginia, Harvard College, and Yale College.² Meanwhile, in swift succession,

1. MONTANA GOVERNOR'S MESSAGES, 1891-1903. (Message of Jan. 5, 1893), p. 10.

2. HELENA WEEKLY INDEPENDENT, Jan. 19, 1893, p. 2.

the advocates of separation introduced individual bills calling for the location of each institution in some specific community. Advocates of consolidation had the support of the State Teachers' Association, which at its meeting in Missoula in late December, 1892, had by a heavy vote approved a report of its Council of State Education, recommending by a vote of ten to two consolidation of the state educational institutions into one unit. This report, in sixteen pages, not only summarized the advantages of consolidation, but also included statements from a number of the educational leaders of the country, chiefly presidents of large universities, favoring consolidation.¹ According to this Teachers' Association report, James M. Hamilton, later third president of Montana State College, but at this time the Missoula superintendent of public schools, was favorable to consolidation.² However, if so, he early changed his position -- maybe as a result of the meeting of the citizens in Missoula,

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1. HELENA WEEKLY HERALD, Jan. 5, 1893, p. 5, 7. (Also a list of Council members and fairly detailed report of meeting in HELENA WEEKLY INDEPENDENT, Jan. 5, 1893, pp. 5-6 and Jan. 19, 1893, p.1.)
 2. HELENA WEEKLY INDEPENDENT, Jan. 12, 1893, p. 9. (In a dispatch from Missoula in an account from the citizens' meeting there -- Hamilton attacks the Teachers' Association recommendations as "a Helena scheme...prepared in Helena and the INDEPENDENT had a copy of them before the Association met." He claimed that they were published before adoption by the Association. In rebuttal the INDEPENDENT states "Professor Hamilton is either misquoted in the above or he has a poor memory." It states that the meeting of the Council was on Thursday (publication was on Friday) "from 4-6 p.m., at which Professor Hamilton was present and acted as secretary." A representative of the INDEPENDENT was present.)

which voted to set up a committee to work for the location of the university at Missoula and to see that a bill should be introduced to this effect. The group further resolved that "the bill and petitions are opposed to a consolidated university."¹ In addition, "Prof. J. M. Hamilton, who was elected president of the Montana State Teachers' Association last week, was chosen president...An executive committee of nine was appointed with the president as chairman."² Obviously, as head of a committee opposing consolidation Hamilton could not maintain a personal position opposite to that of his fellow citizens of Missoula. It was logical for him to switch and to throw his dynamic drive into the fight for separate institutions. Whatever the reason for his change of position, it is clear from the attacks on him by such papers as the GREAT FALLS WEEKLY TRIBUNE, a strong supporter of Senator Paris Gibson,³ that Hamilton early became a leader of the forces working for separation. During the

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1. HELENA WEEKLY INDEPENDENT, Jan. 12, 1893, p. 6.
 2. HELENA WEEKLY HERALD, Jan. 12, 1893, p. 8.
 3. GREAT FALLS WEEKLY TRIBUNE, Editorial, Jan. 27, 1893. (The would-be brain destroyer, Mr. Hamilton of Missoula has been in Helena, and on his return said to a reporter that the senatorial contest may take a turn favorable to Missoula's university bill. Says the Missoulaian: 'Paris Gibson, the chief exponent, outside of Helena, for consolidation, may be struck with the senatorial lightning, in which case of course, he will acquire and maintain a statesmanlike silence on the question of state institutions. In Mr. Hamilton's opinion Mr. Gibson's chances for prancing out as the inky equine are momentarily improving...in which case the consolidationists will lose their main stay.' This is a vain hope, as Senator Gibson would not relinquish his darling project for the honor of Montana even to become president of the United States.)

struggle, Paris Gibson, fighting hard for one institution, and that one to be located in Great Falls, offered in the name of Great Falls to give 320 acres of land within two miles of Great Falls and \$100,000 cash endowment.¹

Countering the consolidation forces were those who advocated separation. This group was a motley crew. Many were original pioneers in the territory who had "exaggerated ideas of its natural resources and its future population and growth."² In their usual exuberance they were ready to support any scheme looking toward future expansion. Others were dreamers who felt that four educational centers in a state with an area of over 146,000 square miles would afford far more opportunity for advanced training to many more youth than would restriction to one center. Many were men like Senator O. F. Goddard of Billings, who became aroused over Senator Gibson's injection of the money issue and his attempt to sell the location of the educational institutions to the highest bidders.³ Senator Matts of Missoula also attacked this Gibson move as "a mercenary course in regard to the location of state institutions...The

1. GREAT FALLS WEEKLY TRIBUNE, Feb. 3, 1893.

2. Hamilton, *op. cit.*, pp. 178-180.

3. HELENA WEEKLY INDEPENDENT, Feb. 9, 1893, p. 2. (Back of this reaction might have been the fact that Gibson in the course of the debate, seeing that consolidation in one center was probably lost, had offered 160 acres of land and \$50,000 endowment if the agricultural college alone should be established in Great Falls rather than in Bozeman. -- GREAT FALLS WEEKLY TRIBUNE, Feb. 3, 1893.)

university should be located where the conditions are fitted for it. The agricultural college should be located in the best agricultural section; the school of mines in the greatest mining district in the state. We have no right to barter our votes away to the highest bidder."¹ Others were influenced by a sincere belief that Butte, without question, was the only spot in the State for a school of mines, but hardly the spot for an agricultural college. In the same manner, such persons reasoned that Bozeman, in the heart of the then richest agricultural area of the State, was an ideal location for an agricultural college and experiment station, but certainly not of much value for a school of mines. Moreover, many of those originally uncommitted were swayed by the presentation of considerable research material countering the claims of the State Teachers' Association and indicating a definite trend toward separation of units rather than one toward consolidation.² In the final show-down, which really came in the debate over the question of the establishment of the university at Missoula, Senator Matts made striking use of this counter-material. He attacked the circular of the Association as misleading, stating that it contained signatures of at least two men who denied that they signed it (W. W. Wylie and Prof. Hamilton), that the so-called leading educators it quoted were all university presidents -- not

1. Ibid., p. 2.

2. DAILY MISSOULIAN, Jan. 20, 21, 1893.

presidents of colleges of agriculture or of schools of mines -- and that at least one statement¹ received by the Association before the publication of the report had been suppressed because it was not wholly in favor of consolidation. He attacked the report as biased throughout and charged that the members of the State Teachers' Association were "guilty of trickery and chicanery."²

Most active in the fight for segregation were the representatives from the localities seeking state institutions for their area. How much of this activity was due to economic motives is not clear.³ Some of it without doubt was the result of ventures such as that at Bozeman, where the leaders in the fight to secure the State Capital for that city had set aside at much cost the so-called "Capital Hill Addition," and had laid out a very beautiful approach to it from the down-town area. Certainly the promoters of this venture were ready to get behind any movement that would bring a state institution to the city and would enable them partially at least to recover what they had invested. Whatever was the motivating factor, the representatives from the cities that eventually secured the

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1. That of ex-President Bascom of the University of Wisconsin. Senator Matts read to the Senate a personal letter he had from President Bascom.
 2. HELENA WEEKLY INDEPENDENT, Feb. 9, 1893, p. 2.
 3. Brewer, NOTES, pp. 4-9. (History Department, Montana State College.) (W. F. Brewer, for more than fifty years a professor at Montana State College, questions the accuracy of the "picture of a group of selfish local representatives squabbling over the distribution of state schools as a sort of prize money for the local community.")

institutions of higher education were exceptionally busy during this legislative session, and undoubtedly considerable "horse-trading" took place between them and the representatives from communities seeking other state institutions. However, there were no charges of the corrupt use of money. There is no question, on the other hand, that it was the selfish interests of these local communities that "turned the balance in favor of segregation."¹ After the great debate, which resulted in locating the university at Missoula, it did not take the legislature long to locate the agricultural college at Bozeman, the school of mines at Butte, and the normal school at Dillon. Early in the session it seemed assured that the normal school would go to Twin Bridges, where a private school was already in operation, with buildings, land, and equipment ready to be transferred to the State. However, during the in-fighting over all the issues before this Legislature, the proponents for the Dillon location succeeded at the last moment in securing the normal school, and Twin Bridges had to be content with the Orphans' Home. The agricultural college was the first to be legally established, with the bill for its creation signed on February 16, 1893.² The bills of establishment for the university and the school of mines were signed on February 17, 1893. The normal school was authorized on February 23, 1893.³

1. Hamilton, op. cit., pp. 178-180.

2. SESSION LAWS OF 1893, p. 173.

3. Ibid., pp. 176, 180, 181.

CHAPTER II

FOUNDATIONS FOR A SYSTEM OF HIGHER EDUCATION

I. LAYING CORNERSTONES

With the fight over establishment finished, the Legislature experienced no difficulty in setting up the State Board of Education and defining its duties. On March 1, 1893, the Legislature passed a bill providing that the Board should have "general control and supervision of the state university and the various other state institutions."¹ By provision of the State Constitution,² as well as by legislative enactment, the State Board of Education was to be composed of eleven members -- three of whom were to be ex-officio, and eight of whom were to be appointed by the Governor, under legal regulations. The ex-officio members were to be the Governor, who by law was to preside over the Board as its president; the State Superintendent of Public Instruction, who was designated to be its secretary; and the Attorney-General. Appointive members were to serve terms of four years each,³ with a term to begin on February 1 of the year of the member's appointment. The original

1. REVISED CODES OF MONTANA, 1907. p. 174.

2. *Ibid.*, p. cxx.

3. Note: After the original terms, which were staggered in order to have two appointments each year. Later the term of office was changed to eight years with one member appointed each year.

ex-officio members of the State Board of Education were Governor J. E. Rickards, State Superintendent of Public Instruction E. A. Steere, and Attorney-General J. H. Haskell. The appointive members were R. G. Young and Nelson Story, with terms expiring in 1895; James Reid and John F. Forbis, with terms expiring in 1896; J. E. Morse and T. E. Collins, with terms expiring in 1897; and J. M. Hamilton and Alfred Myres, with terms expiring in 1898. Duties of the State Board of Education relative to the state educational institutions were designated as follows:¹

1. General control and supervision
2. Rules and regulations for government of institutions
3. Granting diplomas and degrees
4. General control of all receipts and disbursements of institutions

The Board wasted no time in proceeding to the organization of the educational institutions. Pursuant to a call from Governor Rickards, it met in the parlor of the Hotel Bozeman in Bozeman on March 20, 1893, with all members present except Nelson Story and Alfred Myres.² That the Board intended to organize all of the authorized institutions was indicated by its action at this meeting and at a special meeting in May in setting up Board committees and local executive boards for each institution. Since no local executive board had been established by law for the university at Missoula, the Board proceeded to establish its own local executive board of three

1. REVISED CODES, op. cit., pp. 171-172; 174-175.

2. MINUTES, op. cit., p. 29.

members for this institution, with duties "as prescribed by the State Board of Education from time to time."¹ No doubt this direct link with the State Board of Education furnished that extra measure of control which was to assure little of the jurisdictional battle between the local board and the State Board that later became so evident in the other institutions. The original Board committee for the university was J. M. Hamilton, J. E. Rickards, and James Reid; for the agricultural college, Nelson Story, H. J. Haskell, and Alfred Myres; for the normal school, J. E. Morse, R. G. Young, and Nelson Story; for the school of mines, John F. Forbis, J. E. Morse, and T. E. Collins.² To the university local executive board were appointed H. T. Ryman, T. C. Marshall, and Hiram Knowles³ -- all of whom, incidentally, served continuously until the reorganization of the local executive boards by the 1909 Legislative Assembly. To the local board of the agricultural college five members were appointed as provided by the law establishing this institution: Walter Cooper, George Kinkel, Jr., Peter Koch, E. H. Talcott, and Lester S. Willson.⁴ Appointed to the local board of the normal school were George B. Conway, W. J. Crowell, Frank

1. Ibid., p. 41.

2. Ibid.

3. Ibid.

4. Ibid., pp. 29-30.

Ellel, Emmerson Hill, and W. M. Oliver.¹ Trustees² for the school of mines were Stephen De Wolfe, C. M. Goodale, J. H. Leyson, F. E. Sargeant, and E. H. Wilson. At these same early meetings the State Board accepted sites for the new institutions at Missoula and Dillon as well as for the agricultural college at Bozeman.

Despite these definite actions indicating a plan to go ahead with the organization of the institutions, no further implementation in 1893 followed, however, except for the agricultural college at Bozeman. Possibly the failure to organize the other institutions at that time might have been due to the lack of operating funds. Although the 1893 Legislative Assembly had appropriated \$15,000 to each of the institutions for buildings, it had made no appropriation for operating funds.³ Moreover, the total appropriations by this Legislature exceeded the anticipated revenue for the biennium, so that the State Board of Examiners refused to allow even the buildings appropriations.

Montana State College -- Early Organization

The legal obligations of the Legislature to the agricultural college at Bozeman were quite different from those involving the other institutions.

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1. Ibid., p. 64. Note: However, in 1895, the local board was apparently reduced to three members. It was changed back to five members by the 1903 Legislature, when the name of the institution was changed to Montana State Normal College.
 2. Note: Title used in the law establishing the institution.
 3. Hamilton, op. cit., p. 181.

A special provision of the law creating the agricultural college was the instructions to the State Board of Education to select the exact site for the new institution within ninety days after the Board should be organized. By law this site had to be in Bozeman or within three miles of the corporate limits of the city. Such an area would include the location of old Fort Ellis, land which the federal government was willing to grant to the State for the use of the agricultural college. One reason for inserting this provision in the law was to insure that the college might be in operation before the end of the 1892-1893 fiscal year on June 30, 1893, so that the federal appropriation of \$18,000 under the Second Morrill Act might be available for use by the college.

So at this first meeting of the State Board of Education in Bozeman, a committee of Bozeman citizens -- Lester S. Willson, Walter Cooper, J. E. Martin, Peter Koch, C. W. Hoffman, and O. P. Chisholm -- waited on the Board in order to offer a site for the new college. On behalf of the city of Bozeman they offered to donate to the State blocks 22, 23, 24, 25, 26, and 27, with all streets and alleys, of the Capitol Hill Addition to the city of Bozeman.¹ This site had been set aside by the city during the struggle over the location of the State Capitol, and now, since Bozeman had lost out in that struggle, was available for the agricultural

1. MINUTES, op. cit., pp. 37-40.

college. In addition, on behalf of the county of Gallatin, the committee offered to donate to the State the county Poor Farm of 160 acres which adjoined the Capitol Hill Addition. The committee further offered options at a nominal cost of 240 acres of adjoining land. After some discussion as to the relative merits of this site offer and the use of the Fort Ellis site as mentioned above, the State Board of Education agreed with the committee that the latter site was too small for use as an experimental station as well as an agricultural college and decided to accept the offer of the citizens of Bozeman and of Gallatin County.¹

The local executive board, however, was still faced with a big problem. Even though they had a site for the new college, they still had no buildings. Here again the citizens of Bozeman rallied to the support of the college. Nelson Story, a member of the State Board of Education and a citizen of Bozeman, offered free use of the old skating rink on the corner of West Main and Third Avenue, which was currently housing a small Academy sponsored by the Presbyterians. With the opening of the agricultural college, there would be no further use for this Academy, since the planned preparatory department of the college would take care of the Academy students. The academy therefore disbanded, and the college occupied its building. For other needs of the college, the trustees

1. Ibid., pp. 37-40.

of the high school made available at a very nominal fee some rooms in the high school building, located one block south of the former Academy.¹

According to a report made on April 11, 1893 to the State Board of Education the local executive board of the agricultural college organized on March 28, 1893, electing Lester S. Willson as president, George Kinkel, Jr., as vice-president, and Peter Koch as secretary. This board decided to offer a summer term of ten weeks beginning on April 17, 1893, thus insuring use of the federal appropriation of \$18,000 for current expenses. As teachers for this first session, they employed Professor Luther Foster, formerly of the South Dakota Agricultural College, and Mr. H. G. Phelps, who had been operating a private business college in Bozeman. Professor Foster was paid a salary of \$600 for the term and Mr. Phelps a salary of \$300. The report further indicated that an entrance fee of two dollars was charged each general student and a fee of ten dollars each business student, "as no money would be available to pay for current expenses."² As noted above, the State Legislature had made no appropriation for current expenses, and the federal appropriation was reserved for specific areas of instruction and for books and scientific equipment. This first income from federal sources was "used largely for initial purchases and materials for the department of chemistry, physics, geology,

1. MINUTES, op. cit., pp. 65, 67, 68.

2. Ibid.

and metallurgy."¹

From the very beginning the local executive board took the initiative in making plans and decisions regarding the agricultural college. In some cases, these decisions extended even to matters of policy. Only the most routine reports were made to the State Board of Education -- reports often made some time after actions had been taken. Such was the case in plans for the opening of the college -- most of which were made and carried out without reference to the State Board of Education. In the same way, all of the plans for the fall opening of the college were worked out in detail by the local executive board without reference to the State Board of Education until its meeting on September 8, 1893, just one week before the college was expected to open. These plans included the construction of a detailed budget² for the year, a definite responsibility of

1. W. F. Brewer, NOTES. (Unpublished manuscript, History Department, Montana State College, 1942), pp. 4-6.

2. Details of the budget were as follows:

Salaries	\$16,200
Chemical apparatus and ass. outfit.....	2,500
Surveying instruments	1,200
Furniture, shelving, etc.	800
Library	2,000
Fuel and janitor services.....	1,200
Printing and stationery	1,000
Buildings	3,000
Live Stock	1,500
Machinery	800
Fencing	640
Seeds, plants, etc.	400
Labor	2,500
Apparatus for Station Laboratory	1,500
Miscellaneous expense	1,000

the State Board. In addition, the local board decided to occupy the temporary quarters used during the summer session, and to continue the system of entrance fees from students who should enroll.¹ To be sure, all of these plans were reported to the meeting of the State Board of Education on September 8, but it was obvious that the local board expected no interference from the Board with the plans as reported or in the budget as set up. In its report the local board explained that these actions were due to the lack of meetings by the State Board. To some extent this was true. However, to a greater degree, it was unquestionable that the local executive board felt a great deal of independence as a result of the legislative act whereby considerable autonomy was inferred in the delegation to the local executive board of "immediate direction and control of the affairs of said college, subject only to the general direction and control of the state board of education."² Moreover, part of this independence was due to the dynamic leadership of Peter Koch, who from the very first dominated the local executive board of the college. In every way he led the local board into positions of command and authority, assuming that, with the exception of faculty appointments, the local executive board

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1. \$10.00 per annum, except that students from the Bozeman school district who were not qualified to "enter the college course proper" were charged a fee of \$25.00.
 2. MONTANA CODES, ANNOTATED, 1895 ed. Section 1625, Chapter IV, Title III, Education. Political Code of the State of Montana.

was empowered to make all of the necessary decisions to carry out plans for the development of the agricultural college, with little restraint, if any, from the State Board of Education.

From the first, faculty appointments seem to have been referred to the State Board of Education for confirmation. Accordingly, at its meeting on May 25, 1893, the State Board elected Professor Augustus M. Ryon of The College of Montana at Deer Lodge as the first president of the agricultural college, at a salary of \$3,000. H. J. Haskell, Attorney-General, dissented, favoring the election of President James Reid of The College of Montana.¹ S. M. Emery of Great Falls was elected Director of the Experimental Station at a salary of \$2,500. Although he did not hold a college degree, he was well known and respected in Montana for "his practical and successful work as a horticulturalist and nurseryman."² Professor Luther Foster, who had headed the college during the opening summer term, was retained on the staff at a salary of \$2,400. He was also agriculturalist for the Experiment Station. Dr. Frank Traphagen, "a highly competent scientist,"³ was brought in from The College of Montana to head the department of chemistry, physics, geology, and metallurgy. His salary was \$2,000. "A master teacher, thorough scholar, a collector

1. MINUTES, op. cit., pp. 62-63.

2. M. G. Burlingame, MONTANA FRONTIER. (Helena: State Publishing Company), pp. 15-16.

3. Brewer, op. cit., pp. 4-6.

of rare ability, Dr. Traphagen was to leave an indelible imprint upon the new institution."¹ Other faculty members were B. F. Maiden, professor of English and principal of the Preparatory Department -- at a salary of \$1,200; Homer G. Phelps (also one of the teachers in the beginning summer term) instructor in bookkeeping and shorthand -- at a salary of \$1,200; R. E. Chandler, in charge of the department of mathematics and mechanical engineering -- at a salary of \$1,500; and Dr. W. L. Williams, professor of Veterinary Science and veterinarian for the Experiment Station -- at a salary of \$2,000. "Miss Kate Calvin, who had taught music at The College of Montana, was induced to come to Bozeman as teacher of piano. She was not given a definite salary, but was to have the fees collected from her students."²

Even before the college opened on September 15, 1893, controversy had arisen as to the management of the funds of the college. The local executive board, under the influence of Peter Koch, attempted to have these funds administered directly by the treasurer of the local board. However, the State Board of Education, at its meeting on September 11, 1893, refused to accept this plan, voting to let the funds remain in the hands of the State Treasurer "until the matter should be finally determined by the Supreme Court."³ That this refusal might have been colored by

1. Burlingame, op. cit., pp. 15-16.

2. Ibid.

3. MINUTES, op. cit., pp. 80-82.

pique over the high-handed actions of the local executive board in making final plans for the opening of the college without consultation with the State Board is indicated by the fact that at the same meeting bonds for the treasurer of the local executive board were set at \$50,000, a rather high figure if no funds of appreciable amount were to be handled. Confirmation that the first action was the result of pique and not of conviction is revealed by the fact that at its very next meeting, December 4, 1893, the State Board, without awaiting the Supreme Court decision to which reference was made in September, authorized the treasurer of the local executive board to handle directly all funds of the college.¹ Thus, early in the history of the college Peter Koch won his first skirmish with the State Board of Education. Immediately following this decision by the Board, another vote directed the State Treasurer "to turn over to the treasurer of the Executive Board of the Agricultural College all funds now in his possession derived under the Morrill and Hatch Acts from the Federal Government, and that hereafter he shall turn over all such funds to the treasurer of the Executive Board when he receives them."² At this same meeting Peter Koch supplied bond for \$50,000 as treasurer. Thus he combined the duties of secretary and treasurer and also maintained control over the accounting system of the college. Such control, pointed out

1. Ibid., pp. 96-99.

2. Ibid.

William M. Cobleigh, long-time member of the faculty of Montana State College, definitely limited the power of the president of the college and established much power in the office of the secretary-treasurer. "In the absence of a budget system, he also retained authority over the policies of expenditures to the point that almost every purchase of supplies and equipment had to be individually referred to the board or to the secretary before placing the order."¹

As noted previously, the first full year of the college opened on September 15, 1893. During that year a total of 135 students were enrolled, not counting the students in music. Thirty-four of these students were enrolled in regular college curricula, which included agriculture, domestic economy, and engineering. Approximately thirty-four subject-matter courses were taught by a faculty of seven.²

This course (1893 curricula) was outlined by the first president whose collegiate training had been in mining engineering. It was prepared quite independently of advice and assistance of the agricultural department represented by only one member of the faculty. The two other curricula, one in domestic economy and the other in applied science (engineering), were about as faulty in the selection of subject matter, as is plainly evident in the course in agriculture.³

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1. William M. Cobleigh, PROGRESS THE YEARS FROM 1893-1936. (Unpublished paper presented to Bozeman G. K. Club in 1936), p. 4.
 2. Ibid., pp. 10-11.
 3. Ibid., pp. 13-14.

In addition to the college curricula, a program was offered also for the sub-collegiate student. Such a student might choose either the Preparatory Department or the Business Department. This sub-collegiate work was usual in the early period of Montana higher education and continued as a part of the college program well into the twentieth century. Opportunity for high school training was not available in many of the communities of the State in the early years, and when available, was not usually of high caliber. Accordingly, all of the colleges had to make provision to take care of students whose record showed no formal completion of entrance requirements. This pattern was also to show up later as the university, the normal school, and the school of mines were organized. In fact, the first catalogue of the agricultural college makes no mention of formal entrance requirements to the college curricula, and fails to indicate clearly that the preparatory course as outlined, or its equivalent, would be required for entrance to the college curricula. Apparently such entrance was obtained on an individual basis rather than on the completion of stated requirements. During this first year of the college the preparatory course was designed for one year only. By the third anniversary of the college, the course had been extended to three years, with stated entrance requirements for the college curricula. In 1907, under the influence of the Carnegie Foundation, the college restated its entrance provisions to require fourteen units of high school work. With the

improvement of high school facilities throughout the state, the demand for sub-collegiate training decreased each year. By the close of the school year in June, 1906, the Business Department was dropped, and a collegiate secretarial program instituted in its stead. At the close of the 1912-1913 school year the preparatory department was discontinued.

It was friction over the philosophy involved in providing for this sub-collegiate student that led to a change of presidents at the close of the first year of the college. That President Ryon was an excellent administrator was proven by his having an unexpended balance of \$16,000 in his first-year budget while at the same time providing adequate education for his students.¹ He was a thorough scholar and one who demanded high standards of scholarship from his students. However, he was convinced that the best interests of the college would be served by providing rather lax standards of admission, thus catering to a much larger group of students than would otherwise be possible, and thereby securing support from more citizens for the necessary buildings, equipment, and current expenses of the new college. He felt that the needs of such students could be met by the Preparatory Department and the Business Department, both of which would be maintained on a sub-collegiate basis. In this point of view he was supported by many faculty members and others

1. MINUTES, op. cit., pp. 111-113.

interested in the institution who felt that such a program was justified in a state with so few high schools providing adequate preparation for regular college study.

Opposed to this point of view was a group of the faculty and supporters of the college who held out for high entrance requirements, feeling that use of the restricted funds of the college could not be justified for sub-collegiate education any longer than absolutely necessary. This group maintained that the requirements for admission should be progressively raised until eventually the sub-collegiate work would be discontinued altogether. The leader of this second group was Peter Koch, secretary-treasurer of the local executive board. As has been previously noted, his influence on policy, through his financial control, was even greater than that of the President, and without question this situation intensified the struggle. Koch, an emigrant from Denmark, where he had completed his university education in the extremely academic European tradition, was a scholarly man, and had little patience with democratic tendencies as evidenced by this catering to the sub-collegiate group. In response to the argument of President Ryon that his plan was for the best interests of the State, Koch conducted a survey of places of residence as evidenced in the enrollment, finding "that the attendance was decidedly local. All but eleven of the students had come from Gallatin County, and those eleven had come from the adjoining counties of Park, Madison, and

Jefferson."¹

Throughout most of the first year the two groups continued their argument, with final victory going to Peter Koch and his followers. With every indication of good sportsmanship, President Ryon stepped aside, resigned as the President of the college, and accepted the position of professor of Engineering and Engineer of the Experiment Station at a salary of \$2,500. He held this position for two years. However, his followers did not accept defeat with the same good grace, and friction continued among the staff members to such an extent that the local executive board in 1896 "requested the resignation of all members of the faculty. Several of them were re-elected to positions on the staff, but not all accepted, and the college opened its doors in the fall of 1896 with a largely reconstructed faculty of fourteen members."²

Montana State University -- Formative Years

For some reason the Legislature, when establishing the university of Montana at Missoula, failed to make any provision for a local executive board. So the State Board of Education, at their meeting in May, 1893, set up an executive committee of three members as a direct representation of the Board. This committee, to be appointed by the Governor, was given

1. Burlingame, op. cit., pp. 23-24.

2. Brewer, op. cit., p. 7.

duties "as prescribed by the State Board of Education from time to time."¹ Accordingly, there was, throughout the years, little of that jurisdictional controversy with the university that was to be so characteristic with the other institutions. Furthermore, the State Board of Education exercised much more direct control of the university in regard to minor details of administration. At that same meeting in May, the State Board accepted as a site for the new institution the offer of forty acres of land donated by Frank Higgins and E. L. Bonner.²

Such rapid action by the State Board of Education in 1893 should have led to the immediate organization of the university. However, no further action was taken until December, 1894, when the State Board adopted unanimously the recommendation of its committee on state university, instructing the local executive board (earlier called "executive committee") to report at the January, 1895, meeting of the State Board of Education in regard to plans for opening the university. These plans were to include:

1. Terms for securing a building for university purposes for the next two years, with option for two years more
2. Needed apparatus, supplies, furniture, reference books -- costs of the same
3. Needed faculty and staff -- position and salary of each
4. Course of study adequate for present needs³

1. MINUTES, op. cit., p. 41.

2. Ibid., p. 52.

3. Ibid., pp. 131-133.

As instructed, the local executive board reported on January 15, 1895, with a complete plan for the initial operation of the university.¹ They had secured permission from the Missoula Public School District for use of the new South Missoula Public School Building located in the residential section of the city with nearby "sufficient open ground for an athletic park." It was within three-fourths' mile of the postoffice and the business center of the city, and had access to sidewalks from all parts of the city. It was within two blocks of the street-car line, and was near enough to the city so that "students may easily and conveniently find board and lodging among the private families of the city." The building had 13,890 square feet of floor space. Since it was yet unfinished, the School District agreed "to arrange the rooms to suit the convenience of the school." In this same report the local board revealed a budget of \$26,000 for the two years, with \$14,680 of this amount intended for the first year. The extra cost for the first year was due to special expenditures for furniture and apparatus.

Three curricular departments were planned in this report: preparatory, literature--science--and the arts, and professional and technical schools. The latter schools, except for art and music, were not to be opened immediately, but plans were included so as to indicate future intention to provide for training in law, medicine, pharmacy, dentistry

1. Ibid., pp. 139-146.

mechanical and civil engineering, and practical chemistry. Instruction in art and music was to begin immediately, but since the law did not provide for free tuition in such subjects, the local board planned that salaries for such instruction would be paid out of student fees. For the first year of the university it was planned to offer only the freshman work in literature, since, and the arts, since it was not expected that students would apply for admission to the higher classes. This department was subdivided into classical, philosophical, literary, and general scientific. The plan provided for obtaining six salaried instructors, at an average salary of \$1,500 per year -- one-half of whom were to be experienced teachers and were to be paid \$1,800 or \$2,000; the other half were to be paid from \$1,000 to \$1,200. No president was to be hired since the local executive board felt that to secure the kind of man the university would need would cost more than the funds which were available for such a purpose. The arrangement called for some member of the faculty to be designated as acting president.

The State Board of Education accepted the report of the local executive board and requested from the Legislature in session an appropriation sufficient, in addition to the \$13,486 then on hand, to open and operate the university. Its committee on the university was empowered "to examine and accept such plans as may to them seem best ... and to act without expense to the state." Also it instructed the local executive board

to contract with the citizens of Missoula for the building, reporting further developments to the next meeting of the State Board of Education.

At this next meeting the State Board did confirm all of the interim acts of its committee on the university and of the local executive board relative to the opening of the university and took further steps, as follows:¹

1. Definite opening date set for September, 1895.
2. Authorization of four professors -- one of whom would act as president, with salaries as follows --
 President -- \$2,500, plus not to exceed \$200 for traveling expenses
 Science -- Not to exceed \$1,800, plus \$200 expenses for the first year
 Others -- Not to exceed \$1,500
3. Authorization of matriculation fee of \$10 per student, except that for residents of Missoula, if high school students, the fee would be \$25²
4. Appointment of a committee of the State Board (Haskell, Hamilton, Forbis, and Young) "to solicit subscriptions to endow professorships in the university."

In May, 1895, the State Board of Education elected Webster Merrifield of North Dakota as president, appointed S. A. Merritt of Helena as professor of science, and decided that at least one woman should be elected for the faculty.³ Following Merrifield's declination of the appointment as president, the Board in June elected Oscar J. Craig of Lafayette, Indiana, as president, with his term to begin July 1, 1895, and with instructions to come at once. At the same meeting Mrs. L. S.

1. MINUTES, op. cit., p. 155

2. Repealed in December, 1895, as "illegal and unjust."

3. MINUTES, op. cit., pp. 165-166.

Greenleaf and Miss Elizabeth Reiley were elected to fill the remaining instructional positions, each with a salary of \$1,000 per year. Neither lady would accept the salary offered, but apparently -- though there is no statement to such an effect in the minutes of the State Board of Education -- the Board reached a later agreement with Miss Reiley, for in October¹ a certification was issued for her as mathematics teacher, with salary at the rate of \$1,200 for the year. In the same certification notice, notation is made for W. M. Aber, Greek and Latin teacher, at a salary rate of \$1,500 for the year and for F. C. Scheuch, modern languages and mechanical drawing teacher, at a salary rate for the year of \$1,200. In the July meeting the State Board of Education also authorized employment of a music teacher, "to be compensated by the pupils taught."² In the October meeting of the Board, Mary A. Craig was appointed as librarian at a salary of \$20.00 per month.

In all of their arrangements for the opening of the university, as well as for the very routine details of operation during the first year, the State Board of Education maintained close contact. This practice was in striking contrast to the policies concerning the agricultural college, where the local executive board attended to all routine details, with the exception of faculty appointments, and made only routine periodic reports

1. Ibid., p. 227.

2. Ibid., p. 208.

to the State Board, without apparently expecting confirming action by that body. In the State Board minutes for this period exist notations of actions taken about such routine university affairs as purchase of library books, employment of janitor, reimbursement of the president for postage expended, furnishings for the library, textbooks to be used by faculty, authori ation for annual catalog, and the like. Among the routine bills considered in June, 1896, were advertising bills from the Anaconda Standard and the Helena Independent. Upon presentation of these bills, many of the members of the Board strenuously objected to the use of appropriation funds for payment of newspaper advertising. While the Board did finally approve payment of these claims, it at the same time passed a resolution "that the local executive board be requested not to incur any more bills for newspapers,"¹ to be paid out of appropriation funds. Thus was established a precedent still in force today. The meticulous manner in which the State Board thus considered these routine matters indicated that it did not intend that the local executive board should have, even in minor matters, any final authority to act. There was a clear indication, even then, of that jurisdictional struggle between the State Board of Education and the various local executive boards that has persisted to some extent even down to the present day.

When setting up plans for the opening of the university, the State

1. MINUTES, Vol. II, p. 59.

Board of Education planned to show their support of the new institution by holding a meeting of the Board in Missoula in September, 1895, at the time of the opening date on September 11. However, the minutes¹ carry this terse statement: "There not being a quorum present, no official business was transacted." Despite this oversight on the part of the State Board members, the university did get off to a good start, with slightly fewer than 150 students enrolled, most of whom were in the Preparatory Department. In a summary report to the State Board of Education on December 7, 1903, President Craig indicated that for this first year six departments were actually organized -- history and literature, ancient languages, modern languages, mathematics, applied sciences, and preparatory school.² That the State Board deemed the first year successful is evidenced by its action on June 1, 1896, whereby the president's salary was increased to \$3,000, including traveling expenses -- a very comfortable raise for that day. An attempt was made in the Board to make this salary \$2,500 plus \$500 "or as much thereof as may be necessary for traveling expenses."³ However, this attempt failed, and the flat rate prevailed. The Board also authorized additions to the faculty for 1896-1897 to be made by the local executive board, "expense thereof not to exceed \$1,500, and subject to the approval of the Board."⁴

1. MINUTES, Vol. I, p. 224.

2. MINUTES, Vol. III, pp. 354-355.

3. MINUTES, Vol. II, p. 59.

4. Ibid., p. 58.

Furthermore, at this same meeting, the Board empowered President Craig to arrange plans for buildings and for platting of the university grounds, setting aside \$100 as a contingent fund for this purpose, to be expended under the direction of the president. A building commission was later appointed by the Governor, consisting of J. H. T. Ryman, E. A. Winstanley, J. K. Wood, G. E. Higgins, and J. R. Latimer. Ryman and Winstanley resigning, Alfred Case and Fred C. Stoddard were appointed in their stead. This Building Commission organized with J. R. Latimer as president and J. K. Wood as secretary. A. J. Gibson of Missoula was supervising architect.¹ Plans for the first buildings were approved by the State Board of Education on June 8, 1897. Science Hall was built first because of lack of accommodations for that branch of education in the building secured from the Missoula Public Schools. The main building -- University Hall -- was built immediately thereafter, with the cornerstone laying ceremony taking place during commencement in June, 1898.²

President Craig's annual report for 1897 indicated that the total enrollment for 1896-1897, the second year of the university, was 176, an increase of 30 students over the previous year. Fourteen counties of Montana were represented, as were seven different states. On June 8, 1898, at the end of the third year of the university's existence, the first

1. ANACONDA STANDARD, June 8, 1898, p. 10.

2. MINUTES, op. cit., p. 159.

class was graduated. Two young ladies were in this class -- Mrs. Ella Robb Glenny of Missoula, with a degree of B.A., and Miss Eloise Knowles of Missoula, with a degree of Ph.B. Also in this class was Reno H. Sales, a graduate of the agricultural college, who was granted the B.S. degree.¹ By December 7, 1903,² President Craig's annual report to the Board indicated that the university had expanded from its original six departments to fourteen departments and two schools.³ There were fifteen members on the faculty in 1903, with four of the original five members still serving. In the eight years of the institution only eight faculty resignations had been received. President Craig was lavish in his praise of the faculty as faithful to the best interests of the university, stating that the "members, one and all, have been untiring in their exertions to advance the welfare of the several departments."⁴ In his report of June 1, 1903, at the close of the school year, President Craig emphasized that three special achievements that year had marked the advancement of the university:

1. Construction of Woman's Hall and Gymnasium
2. Increased number of students admitted from high schools and attendance from portions of state previously unrepresented.

1. ANACONDA STANDARD, June 7, 1898, p. 2.

2. MINUTES, Vol. III, pp. 352-355.

3. Departments: Chemistry, physics and geology, biology, mathematics, literature, English and rhetoric, history and philosophy, psychology and methods, freehand drawing, ancient languages, modern languages, elocution, physical culture, music. Schools: Mechanical engineering, preparatory.

4. MINUTES, op. cit., p. 352.

3. Substantial increase in amount of legislative appropriations for maintenance of the university.

Montana State Normal School -- Foundations

Organization of the state normal school at Dillon and of the school of mines at Butte failed to follow the pattern set by the agricultural college and the state university. Apparently the citizens of Dillon and Butte were not as energetic as those in Bozeman and Missoula in formulating plans for providing buildings in which to conduct classes until such time as the state buildings might become available.

The lack of special popular interest in Dillon might have been due to the manner in which the normal school had been located there. In the 1893 Legislative Assembly, while the fight was on over the location of the institutions, it had been commonly accepted that the normal school would be located in Twin Bridges, where a private normal school was already in operation, with good enrollment and with buildings satisfactory for both instruction and residence of pupils. The citizens of Twin Bridges offered to donate this "going-concern" to the State, and bill for the establishment of the normal school in that city seemed securely on the way, since in both houses it had easily passed all stages in the legislative process except the final one. However, at the last moment, the representatives from Dillon, supposedly with the support of the Daly

faction¹ in the 1893 United States Senatorial contest, were able to strike the enacting clause from the bill establishing the normal school at Twin Bridges, and then were able to muster the necessary votes to establish it at Dillon. However, although the Dillon representations in the State Legislature were thus very active in securing the establishment of the normal school in Dillon, there was little evidence of popular support at home for the school. In any event, whatever the cause, subsequent progress toward actual organization of the school moved very slowly.

It is true that early in 1893 a site was secured for the normal school. In fact, three sites were offered to the State, and it was only after considerable maneuvering in the May, 1893, State Board of Education meeting, including a vote of reconsideration, that the site of twenty acres offered by Messrs. Poindexter, Orr, and Cornell was finally accepted.² Although the local executive board was appointed at that same

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1. Mrs. Melvina J. Lott, (M.H.), "History of Twin Bridges and Vicinity," HISTORY OF MADISON COUNTY 1933, Vol. II, (Montana State Historical Library), p. 370. ("The most conspicuous individual there was the late Marcus Daly of Anaconda, booming his own city for the capital. As the location of the capital of the new state had to be settled by vote, he considered it an opportune time to secure the influence of the leading men of the state for Anaconda for the capital. He took it upon himself to champion an omnibus bill and it is a matter of history that his influence so dominated the situation, that only by his good pleasure the more minor institutions, especially the State Normal School, were enabled to get on the omnibus. He deemed it best to court the favor of Beaverhead County, and chose Dillon instead of Twin Bridges, thus ending the history of our normal school.")
 2. MINUTES, Vol. I, pp. 59-64.

meeting, there is no evidence of any further action toward organization until the State Board of Education meeting on December 4, 1894. In this meeting the State Board committee for the normal school submitted a somewhat critical report¹ concerning the non-availability of an appropriation made by the Third Legislative Assembly for the normal school and involving the lack of sufficient income from the land grant for "erecting and furnishing buildings and engaging a competent faculty for the opening of the school." Accordingly, the committee suggested that the State Board consider at their January, 1895, meeting the proposition of the citizens of Dillon to furnish a suitable building for the school free of charge to the State for a period of years. If this proposition should be accepted, the committee reported, the local executive board proposed to open the school in September, 1895. This report was accepted by the State Board, which at the January meeting made a further report that the building had been secured and put in readiness to begin school by September 1, 1895.²

However, these plans were not carried out. The cause for the change is not clear, but it might possibly be due to the action of the 1895 Legislative Assembly in authorizing building programs at the state educational institutions, financed from bonds based on land grant sales and/or income. As early as December, 1893, the State Board of Education,

1. Ibid., pp. 133-135.

2. Ibid., p. 135.

reacting to pressure from the local executive board of the agricultural college, had appointed a committee to investigate the legality of possible legislative action for the issuance of bonds for building purposes on the security of land grants to the various state institutions.¹ At the December, 1894, meeting of the State Board, this committee offered the opinion that the land grants were given without restricting the power of the Legislature to dispose of them as deemed for the best interests of the State educational institutions. After accepting this report, the State Board, at the same meeting, voted to request the 1895 Legislative Assembly to authorize a building program for the agricultural college, a program to be financed by sale of these lands or of bonds secured by land sales and/or income. So when the State Board of Education was considering in their January, 1895, meeting the proposal of the Dillon citizens, they had before them this recommendation concerning the possible building program at the agricultural college. To complicate further the situation, the State Board at this meeting voted to request a similar program in regard to buildings at the state normal school.² Then, following the favorable action on their requests by the Legislature, they passed at their March, 1895, meeting a resolution that "suitable buildings be erected for the normal school at Dillon in accordance with the law."³

1. Ibid., pp. 100-101.

2. Ibid., pp. 147-148.

3. Ibid., p. 157.

In the same manner, in August, 1895, the State Board approved plans for the buildings at the agricultural college.¹ Later, buildings similarly financed were authorized for the state university and the school of mines. Whether or not this was the causal factor for the change in plans for the state normal school at Dillon cannot be determined, but no further action followed the proposal of the Dillon citizens, and the opening of the school was delayed until the necessary buildings should be completed. That this delay was unsatisfactory to many is evidenced by the defense of its "no-action" policy by the local executive board in a report to the State Board of Education on June 1, 1896:²

In view of the fact that there is a great uncertainty as to the time of completion of building and as to the necessary funds being provided for upon completion of building, we do not believe it would be wise to place the State Board in the embarrassing position of having to report a delinquency in case the school is opened.

Disapproval of this delaying action was also indicated in the December, 1896, report of the State Superintendent of Public Instruction:³

We can never have good schools, however good the law may be, until we have modern methods of teaching presented to our would-be teachers...At present our youth must attend... institutions in other states...Let us educate them at home and thus build up another educational center within our grand commonwealth.

Yielding perhaps to this pressure as well as to the fact that the

1. *Ibid.*, pp. 218-219.

2. *MINUTES*, Vol. II, p. 60.

3. *FOURTH BIENNIAL REPORT STATE SUPERINTENDENT PUBLIC INSTRUCTION*, 1897. p. 12.

Dillon building was nearly completed, the State Board of Education finally on March 29, 1897, adopted a resolution that it is the "sense of this Board that the normal school be opened not later than September, 1897."¹ On June 8, 1897, D. E. Sanders was elected to serve as its first president.² The normal school opened on September 7, 1897, in the \$50,000 two-story building, with basement, erected by the State.³ It had a faculty of six: D. E. Sanders, President and teacher of psychology and pedagogy; A. W. Mell, vice-president and teacher of history and political science; J. E. Monroe, teacher of natural sciences; Laura L. Miller, teacher of literature and Latin; Della J. Long, head of training department; H. A. Hull, principal of public schools.⁴ The position of mathematics instructor was to be supplied. The school was organized into two departments: (1) normal, instruction in academic and professional studies; (2) training department, opportunities for observation and practice. The training department operated in connection with the Dillon public schools, using the lower eighth grades in the system. The special emphasis in the curricula was on programs designed for those who wished to prepare to teach. For this purpose, three curricula were outlined;

1. MINUTES, op. cit., p. 110.

2. Ibid., p. 131.

3. Catalog for year ending June 18, 1898.

4. Since no subject-area is indicated for Mr. Hull, it is presumed that his appointment was more or less of a "courtesy" nature, since the training school for the Normal School was the public school system of Dillon.

first, for graduates of the common schools in need of advanced work in the common branches as well as in the higher; second, for graduates of high schools who needed review in the common branches, special instruction in higher branches, and careful preparation in methods and professional subjects; third, for those who were already teaching, but who because of limited opportunities for preparation needed help in particular subjects or in methods and the professional subjects. In addition to these curricula with special emphasis on teaching, opportunity was also provided in the state normal school as in the agricultural college for those who had no intention to enter the teaching profession but who desired to receive general instruction in both academic and pre-professional study. Eighty-two students were enrolled for the first school year. There were three graduates from the professional curriculum at the close of the first year: Miss Cora McCormick of Billings, Miss Mabel C. Gordon of Livingston, and Miss Maude Mosher of Helena. The State Board of Education at its meeting on June 7, 1898, commended the efforts of the local executive board for making this school "equal or superior to any of its kind in the country" and especially approved the policy of employing "only specialists for the work of the several departments."¹

By December, 1899,² enrollment, while not showing a large increase, did represent a good cross-section of the State, with fifty of

1. MINUTES, op. cit., p. 167.

2. Ibid., pp. 217-219.

the total of seventy-five students in the regular classes residents of communities outside Dillon. These students came from eleven counties in Montana in addition to Beaverhead (the county in which Dillon was located), as well as from outside of the State. For the first time, preparatory students were separated from the regular students. There were twenty-seven preparatory students, making a total enrollment for the year of 102 students. In his annual report to the State Board of Education on December 4, 1899, President Sanders referred as follows to the character of the students:¹

Most of the students are young men and women of sufficiently mature years to enable them to do very satisfactory work. Many of them have taught a term or more of school. They have shown a high degree of earnestness and faithfulness and have carried out in a satisfactory manner the lines of work they have attempted.

At the same meeting of the State Board, the local executive board also made a report, stressing the increasing proportion of students taking work in the regular classes, and emphasizing the fact that students were remaining in the school for longer periods of time. The local executive board was also very complimentary about the faculty:²

This board desires to attest its entire satisfaction with the work of the present faculty. The State Normal is fortunate in possessing a corps of exceptionally well equipped

1. MINUTES, op. cit., p. 218.

2. Ibid., p. 215.

instructors taken from the best universities, colleges, and normal schools. They are imbued with the proper professional spirit, earnest and zealous in the discharge of their duties, and their relations to each other and to the president are entirely harmonious, thus insuring the best results possible.

By the close of the school year in June, 1900, the report of President Sanders to the State Board of Education indicated a continued growth of the school, which now included a wider representation of communities in the State. Again, as in his earlier reports, he was laudatory in his statements about the students. However, that all might not be as rosy as it seemed was indicated by a "minority report" of F. C. Kress, member of the local executive board. At the State Board meeting in Helena on June 5, 1900, he attacked the management policies of President Sanders, maintaining that the school had not attained "that growth and degree of usefulness which could be reasonably expected from it."¹ He therefore requested a change in the presidency so that the school could "secure the full support and confidence of all the educational interests of the State."² His position seemed to receive considerable support from the State Board committee on normal school, which in a supplementary report listed four reasons "for non-attendance and lack of interest" in the school:³

1. Dissensions on the board and among the people of Dillon shaking the confidence of the people of the State in the school.

1. MINUTES, op. cit., pp. 274-275.

2. Ibid., p. 275.

3. Ibid., p. 275.

2. Lack of system in keeping the records of the school and lack of discipline in the government of the students in attendance, proving incompetency and mismanagement.
3. Adoption and introduction of impractical theories, fads, and fancies into the work of the school.
4. Frequent and repeated efforts to create dissensions among the teachers of the State and to belittle their efforts, and by insinuations and assertions creating a feeling of uncertainty among the teachers and trustees.

This supplemental report further stated that "it is the duty of the President of the State Normal School to lead, harmonize, and cooperate with all the educators and teachers of the State." By inference the report indicated that such leadership and cooperation had been lacking. Rather, the President had attempted "to compel the people and the teachers to adopt extreme and impractical theories; to interfere with the local affairs of the people." The report further indicated advocacy by President Sanders of misuse of "development processes and oral instruction" for proper use of "textbooks adopted by the laws of the State."¹

Friends of President Sanders on the State Board of Education sought to by-pass the attack by laying these reports "on the table,"² but without success. After "discussion pro and con at great length," the matter was postponed, to be considered later at a special meeting called for this purpose in Dillon. At this special meeting witnesses for and against

1. MINUTES, op. cit., p. 277.

2. Ibid.

the confirmation of President Sanders' reappointment were heard, with the final result being a vote of four members for confirmation and six against.¹

George J. McAndrew, M.A., Ph.D., confirmed by the State Board of Education as president of the State Normal School,² served from October 16, 1900, to August 31, 1901, at a salary of \$2,500 per year. Upon his resignation on July 1, 1901, he was succeeded by Dr. H. H. Swain, who became president on September 1, 1901, at a salary of \$2,400 per year.³ By the time of President Swain's report to the State Board of Education on December 1, 1902, the school had a total of 118 students enrolled, nearly four-fifths of whom, were above their preparatory year. In fact, some of those counted as preparatory were really just "reviewing the subjects of that year with the intention of immediately teaching those subjects."⁴ Attendance was state-wide, with only two of the state's counties unrepresented during the school year 1901-1902. More than 85% of the students were from outside Beaverhead County. Because of enrollment pressure leading to extremely large classes, there was urgent need for more faculty. In addition, the crowded conditions in the dormitory indicated the need for increased dormitory accommodations. Some relief was made possible by action of the 1903 Legislature, which

1. MINUTES op. cit., pp. 300-301.

2. Ibid., p. 344.

3. Ibid., p. 428.

4. MINUTES, Vol. III, p. 184.

also authorized changing the name of the school to Montana State Normal College. The new legislation provided for a local executive board of five members, to be appointed by the Governor, with the advice and consent of the State Board of Education. This local board was to have the immediate direction and control of the normal college, under the general supervision of the State Board of Education. It was to choose and appoint the President and faculty and to fix compensation, subject to the approval of the State Board of Education. It was to appoint a secretary and treasurer, with the treasurer required to be under bond. The college was also empowered to confer the degrees of Bachelor of Pedagogy and Master of Pedagogy. This legislation became law without the approval of the Governor, who failed to return it to the House of origination in the time prescribed by the Constitution.

Montana School of Mines -- Initial Problems

Probably the oddest situation of all the educational institutions developed in the organization of the school of mines. In common with the other institutions, a local board of trustees¹ was provided by the State Board of Education at its classic meeting on May 26, 1893. Furthermore, steps were taken later in 1893 to accept the offered site for the new school "on a commanding elevation, immediately west of -- but adjoining the

1. Title used by law instead of "local executive board."

city of Butte."¹ However, no further action was taken by Butte citizens as a group nor by the local board of trustees. Accordingly in 1895, the State Board of Education requested its committee on the school of mines to investigate the situation. At the State Board meeting on December 3, 1895, the chairman of this committee related to the Board "conversation" with C. W. Goodale, chairman of the school of mines local board of trustees.² He stated that he had "learned" that there had been considerable delay in determining title to the ground conveyed for use of the school, but that the question of title was now settled. The only current drawback for action was that of "legality of warrants," and the plan now was for a test suit to be carried to the Supreme Court. Following this report by their committee, the State Board approved action to carry out the test suit.

Butte, meanwhile, shared in the decision to provide funds for the erection of buildings for the state educational institutions from the proceeds of bond issues secured by the land grants. For some reason -- perhaps because of its irritation over the inactivity of the local board of trustees, the State Board of Education decided to set up a special building commission for the school of mines, as had been done for the university but not for the agricultural college or the normal school. This

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1. FOURTH BIENNIAL REPORT STATE SUPERINTENDENT PUBLIC INSTRUCTION, 1897. p. 13.
 2. MINUTES, Vol. II, p. 10.

commission, separate and distinct from the local board of trustees, had complete charge of all building arrangements, under the general direction of the State Board of Education. Apparently construction work was not pushed by the commission. A newspaper report¹ in 1898 stated that the building had been under construction for three years. This report gave as reason for the delay the lack of sufficient appropriation by the State Legislature to equip or operate the school. Only \$7,500 was appropriated by the 1897 Legislature for equipment and support, an amount which permitted hardly a start on the purchase of necessary equipment and left nothing with which to operate the school. Had the building been turned over to the commissioners as complete, some way would have had to be found to meet the costs of insurance and a necessary watchman. It was therefore sounder economics not to push the building program until sufficient funds had been appropriated for maintenance of the school. This same newspaper report, however, indicated that the building was nearly complete.² A later report in January, 1899, indicated that part of the delay was due to lack of leadership on the part of the commission, for

1. ANACONDA STANDARD, September 7, 1898, p. 10.

2. Ibid. ("While it is to be deplored that the school cannot at once be opened to the youth of the state, it is very gratifying to the citizens of Butte to see the building, with its towering walls and architectural beauty, overlooking the city with an imposing grandeur completed -- a lasting monument to their energy, pluck, and public spirit, and know that it can now only be a relatively short time before it will be opened to their sons.")

here credit was given to ex-Governor Rickards who, on retirement from office in 1897, secured subscriptions from Butte citizens to take up the necessary warrants for completion of the building.¹ At this time the building was completed and ready for the furniture and equipment. However, there were no funds for such purchases, nor for the operation of the school. Accordingly, an appropriation was being requested from the 1899 Legislature, currently in session. Actually, this Legislature appropriated \$1,000 for the fiscal year ending on November 30, 1899, and \$25,300 for the fiscal year ending on November 30, 1900.²

That the State Board of Education was irritated by the lack of action in Butte is indicated by notations in their minutes. In addition to that mentioned from their meeting of December 3, 1895, there was on June 6, 1898, a "verbal report"³ from Howell of the committee on school of mines that "the building was not yet completed."⁴ On December 5, 1898, the terse comment was made of "no report from the school of mines."⁵ Finally, on June 5, 1899, the Board appointed a committee "for the purpose of ascertaining the powers and duties of the Board in relation to the school of mines, and further to examine the records of this office to ascertain the terms of the members of the local board of the school of mines."⁶ This

1. ANACONDA STANDARD, January 4, 1899, p. 6.

2. SESSION LAWS FOR 1899, pp. 8-9.

3. MINUTES, op. cit., p. 163.

4. Ibid.

5. Ibid., p. 182.

6. Ibid., p. 201.

special committee, composed of Attorney-General Nolan, State Superintendent of Public Instruction Carleton, O. F. Goddard, and N. W. McConnell, reported the next day at a special meeting of the State Board of Education that the building commission was separate and distinct from the board of trustees and that its duties would end with the completion of the building and its acceptance by the State Board of Education. The committee further reported that trustees had been appointed for the school of mines, but with no duties to perform they had been inactive. Therefore they had made no reports to the State Board of Education, and some of their terms had expired.¹

Apparently no further direct action was taken at this time by the State Board of Education toward forcing an early opening of the school. By mid-summer the citizens of Butte were sufficiently aroused by the delay to warrant an editorial in the Anaconda Standard referring to the building as a "white elephant."² By late fall sufficient pressure had built up to lead the State Board of Education at its meeting on December 4, 1899, to pass a resolution informing the local board of trustees of their desire that the school "should be opened not later than September, 1900."³ At the same time it was voted that the curricula of the school should be confined to "those named in the statute." The State Board at this time

1. ANACONDA STANDARD, June 7, 1899, p. 2.

2. ANACONDA STANDARD, August 12, 1899, p. 4.

3. MINUTES, op. cit., p. 239.

appointed new trustees,¹ "the resignation of the old board having been previously accepted and a vote of thanks tendered them for their valuable services rendered on behalf of the school of mines."² This new board apparently was willing to go ahead with plans for opening the school, for the State Board of Education, at its meeting on June 4, 1900, received from them a resolution dated May 10, 1900, that "Nathan R. Leonard be elected professor of mathematics and acting president of the faculty of the Montana State School of Mines."³ The State Board of Education approved the resolution and the next day president-elect Leonard, after formal introduction to the Board, "discussed the best methods of conducting a school of mines, the manner of teaching, the branches taught," etc.⁴

The school opened on Tuesday, September 11, 1900, with the following faculty members: Nathan R. Leonard, A.M., acting president and professor of mathematics; William G. King, A.M., professor of chemistry and metallurgy; A. N. Winchill, Ph.D., professor of geology, mining, and mineralogy; Charles H. Bowman, M.S., professor of mechanics and mining engineering. Two curricula were offered, one in mining engineering, and the other in electrical engineering.⁵ Thirty-nine students were enrolled

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1. For four-year term beginning January 1, 1900: J. E. Rickards, James W. Forbis, George E. Moulthrop; for two-year term beginning January 1, 1900: W. Y. Pemberton, J. V. Long.
 2. MINUTES, op. cit., p. 237.
 3. Ibid., p. 244.
 4. Ibid., p. 278.
 5. Ibid., pp. 336-341.

this first year. No charge was made for tuition or materials to bona fide residents of the state, but out-of-state students paid \$25 a term, or \$50 for the year.¹

In strict conformity to the directive of the State Board of Education insisting that the school should offer only such curricula as were listed in the statute, the trustees made no plans to maintain a preparatory department. As a result, four-fifths of those requesting admission were unable to matriculate. Accordingly, on December 3, 1900, the trustees requested permission from the State Board of Education to establish a preparatory department. This request was granted, substituting the term "conditional" for "preparatory," and a teacher was authorized^{if} at a salary not to exceed \$1,000 per annum."² Leon R. Foote was employed to fill this position. This type of study was remedial rather than preparatory as the terms applied to similar departments in the other state institutions. Because no students were admitted who had not completed a high school course of study or the equivalent, they were qualified to enroll in at least some of the college courses in their chosen curriculum. However, many of these students were deficient in some of the courses prerequisite to college study in engineering. Such students were permitted to enroll as "conditional" students "while continuing their specialities...with the hope of finally

1. SCHOOL OF MINES FIRST ANNUAL CATALOG, p. 9.

2. MINUTES, op. cit., p. 341.

graduating from the regular course."¹

II. UNRESTRAINED COMPETITION AND GUERILLA WARFARE

Duplication of Curricula

Thus by 1901 four state educational institutions were definitely organized -- the agricultural college at Bozeman, the university at Missoula, the normal school at Dillon, and the school of mines at Butte. As has been indicated, each of the institutions was organized to meet a specific objective. However, rivalry between institutions and duplication of courses -- especially at the agricultural college and the university -- early appeared. Even the school of mines, established specifically to provide for the education of mining engineers, found it possible to interpret its directives so as to include electrical engineering as one of its first definitely organized curricula. To be sure, the president of the normal school could report to the State Board of Education on December 2, 1901,² the smallest possible duplication with the work of the other schools, with only one "special" student there -- that is, one not pursuing a regular normal course. On the other hand, only three-eighths of its students were high school graduates, so that the largest group of its students was in the Preparatory Department -- a division included in all the institutions.

1. MINUTES, op. cit., p. 360.

2. Ibid., pp. 432-463.

Since this report indicated that the enrollment covered a broad section of the state, with 82 per cent of the students from outside of Beaverhead County, it was very evident that many of these students in the Preparatory Department could have secured their training in one of the other institutions. Only at Butte was the Preparatory Department definitely restricted to the specific subjects needed to remedy deficiencies in prerequisites for college study in mining engineering. In all of the other institutions the Preparatory Department catered to general students, whatever might be their future academic plans.

As indicated above, Butte offered a curriculum in electrical engineering. So also did the institutions at Missoula and Bozeman. In addition, the agricultural college and the university had each developed those curricula which seemed best to its local administrators and its own local executive board, without any reference as to whether or not duplication was present with the curricula offered by any other state institution. As early as June 4, 1900, the State Board of Education adopted a resolution requesting its committees on the school of mines, the agricultural college, and the normal school "to secure the courses of study of these institutions and report to the Board whether or not the courses of study...were in conformity with the foregoing report of the special committee."¹ Again, on July 31, 1900, after some discussion of "conflict in the courses of study

1. MINUTES, op. cit., p. 248.

of the state school of mines, state agricultural college, state university," a committee composed of the chairmen of the respective committees for the several institutions was appointed to investigate the indicated duplication.¹ By 1903 the unsolved question of duplication had reached the point at which a special committee of five was appointed by the State Board of Education at its meeting on June 2, "to investigate the curriculums of the different state institutions, with the object in view of eliminating any duplication of work in their courses of study."² However, no net result came from this investigation, nor from later similar attempts to control duplication in the various educational institutions. Thus, by 1909, this problem had become sufficiently acute to be one of the factors behind the drive in the Legislative Assembly of that year to reorganize the local executive boards so as to provide for more direct control by the State Board of Education.

Maneuvering for Control

Closely allied to the struggle over duplication of curricula was that over control of the institutions. As has been noted, rather strict control had been exercised from the first over the state university, since no local executive board had been provided by law. As a consequence the original local board was a creation of the State Board of Education, and

1. MINUTES, op. cit., p. 301.

2. Ibid., p. 328.

entertained no misunderstanding as to the source of its powers and duties. Such authority as it had came directly from actions by the State Board of Education. Thus from the first it realized that its only function was that of agent. On the other hand, the other local executive boards were creations by legislative enactment, and one board -- at the school of mines -- was designated as trustees, a term carrying a connotation of considerably more power than that which the State Board of Education felt was consistent with the local board's powers and duties. From the very first, therefore, there was considerable friction between the State Board of Education and the local executive boards. This jurisdictional dispute was intensified by the fact that the State Board of Education met only at periodic times. As a consequence the local boards frequently had to make decisions on routine matters, and even on matters of policy if the institutions were to operate smoothly, thus leading to more and more independent action on the part of the local executive board. Illustrative of this development were the decisions made by the local board of the agricultural college previous to the opening of the college in 1893, as reported by Peter Koch, secretary:¹

All of this action has been taken without any opportunity of submitting it to your Board. As you held no meeting and time passed, we were compelled to go on and engage teachers and make all necessary arrangements...without an opportunity to consult with you on the matter.

1. MINUTES, Vol. I, pp. 77-80.

Partially to meet such conditions but more to insure that some members of the State Board of Education would be conversant with the needs and problems of the local institution, the State Board instituted a system of committees for each institution. These committees were supposed to keep in touch with their respective institutions. To them were referred at the regular meetings of the State Board all reports and items, excepting finance, concerning their institution so that recommendations could be made by the respective committee to the State Board before any final action was taken. Financial matters were referred to a special auditing committee. Since semi-annual reports were required by law from each institution, it was expected that this system would insure adequate control.

Illustrative of the conflict over control and indicative that some of it was oriented from the State Board of Education was the experience in Dillon while the building for the normal school was being erected. Unlike the systems provided at the university and the school of mines, no separate building commission, with power to act, was set up for Dillon. Here, from the submission of plans to the State Board on October 7, 1895,¹ to the completion of the building, the entire responsibility was that of the local executive board, as approved by the State Board of Education. However, the local board had no power to execute a contract. Accordingly,

1. MINUTES, op. cit., pp. 229-235.

much of the report to the State Board was an attempt to persuade that body to execute the contract so that ground could be broken in the fall. Otherwise, it would be impossible to complete the building by the date proposed -- September 1, 1896. The local board seemed to feel that technical points of relative power were being permitted to hold up the work, as their report refers to a "lengthy opinion from the Attorney-General to the effect that the State Board has no power to delegate any of its powers to the local committee in the matter."¹ While not disagreeing on final power, the local executive board felt that the State Board could authorize its agent -- the local executive board -- "to arrange the details such as the State Board cannot in the very nature of things attend to and submit our action for its approval or rejection." After pointing out details of plans and reasons therefor, the report continues, but shows exasperation at the red tape which apparently had been thrown at the local board:

You may readily imagine why the position we occupy in the matter is a very unpleasant one, but we are willing and ready to give our time and attention to it without cost to the state, to the end that the Montana State Normal School building may be speedily...completed. The question as to whether the State Board may delegate any of its powers to a Local Executive Committee is of no consequence. We are not disposed to assume any such but we are willing and anxious to aid in any way possible in arriving at the best results.²

Despite this appeal the State Board of Education failed to execute

1. MINUTES, op. cit.

2. Ibid.

the contract as requested for this purpose and postponed to November 5 a special meeting supposed to have been held on October 25. At this postponed meeting the Dillon local executive board again pressed for action, insisting that at this meeting

..all of the matters suggested herein should have attention... and (be) finally settled, to the end that all parties interested may be enlightened as to their respective rights and duties in the premises. We are seeking no controversies with the State Board, or any officer thereof, our only desire being that we have the matter in business shape.¹

At this November meeting the State Board did finally delegate by resolution to the local executive boards of the normal school and the agricultural college (also in the process of building) "immediate supervision" of buildings during process of erection, with the proviso that the "secretary of each Board be required to send to the secretary of the State Board a report on the progress of the work on the fifteenth of each month."²

In an apparent effort to tighten their control, the State Board of Education in 1898³ passed a resolution requiring that all orders for materials, supplies, etc., for the university be placed by the President or over his signature and that all bills against the university be audited by the local executive board. Also in this resolution was a requirement for the university President and heads of departments to furnish estimates of expenditures for the ensuing semester to the State Board of

1. MINUTES, op. cit., pp. 264-265.

2. Ibid., p. 257.

3. MINUTES, Vol. II, p. 169.

Education at its June and December meetings. While this resolution specifically mentioned the university, in practice it apparently was used in relation to the other educational institutions. After the December meeting of the State Board in that year it was reported¹ that the Board had decided to request from the forthcoming Legislative Assembly a change in the law "governing the normal school...to make it conform with the university law." The reason given for this request was that the "management of the state normal does not appear to keep the State Board posted as to the business of the institution."

Despite this apparent effort to tighten the controls exercised by the State Board of Education, however, the latter discovered by 1899 that their system of supervision was inadequate -- not only in Butte, to which reference has previously been made, but also in the other educational institutions. Therefore, in order to insure more careful supervision the State Board, at its June, 1899, meeting, instructed their committee members to visit at least once each year the respective educational institutions to which they were assigned and to make a report thereof at the first meeting of the Board thereafter.² It further appointed a committee "for the purpose of enquiring into and defining the powers and duties of the Board in respect to the state educational institutions, and

1. ANACONDA STANDARD, December 7, 1898, p. 2.

2. MINUTES, op. cit., p. 201.

(specified) that a copy of said report, when prepared, be furnished to every member of this Board, and to the local boards of said educational institutions."¹ According to this committee report,² the power of "general control and supervision" of the state's educational institutions included the power to prescribe rules and regulations for the government of the institutions as well as rules and regulations essential for control and supervision. The entire adjustment of the system, it declared, was in the hands of the State Board of Education, with every institution related to the University in the manner indicated by the State Board. Continuing, the report observed:³

If some general plan of management is not provided, if some central organization is not effected, by which the whole system may be wisely controlled, much energy will be lost from lack of proper organization, and conflict of interest will arise that will be productive of evil.

In its analysis of the functions of the various institutions, the report maintained that the intent of the law was for the University to develop "into an institution in the broadest and fullest sense...embracing... everything usually taught in universities of the highest order."⁴ The

1. MINUTES, op. cit., p. 290.

2. ANNUAL REPORTS BOARD OF EDUCATION, MONTANA, 1895-1901, pp. 81-107. (The Committee was composed of N. W. McConnell, Helena; C. B. Nolan, Attorney-General; and E. A. Carleton, State Superintendent of Public Instruction.)

3. Ibid., pp. 106-107.

4. Ibid., p. 88.

University was to serve three distinct purposes:¹

1. Provide for a state college of liberal arts. "No other institutions can become or take the title of the Montana State College."
2. Provide professional and technical schools: "medicine, law, pharmacy, dentistry, engineering, pedagogy."
3. "Offer opportunity for advanced instruction and investigation in those lines that lie beyond the college work, and distinguish the work of the true university from the college."

The main work of the agricultural college was envisaged to be in the field of applied science, "with such adjuncts as will be useful and necessary in making such application." Professional schools were definitely to be delegated to the university. The experimental station was restricted to agriculture and related subjects.² The function of the normal school was to be that of training people to teach in the public or common schools.

"It was not for those who may teach in the secondary or higher schools."³

The latter were to be trained at the University. The report was less definite about the school of mines, perhaps because its board of trustees by law seemed to have had considerable freedom of action, provided they kept the curricula offered within the very restricted bounds set by statute. More probably this comparative silence was due to the fact the school of mines had so recently opened its doors that it had not as yet felt the pressure to deviate from its original function, and so did not, in the minds

1. ANNUAL REPORTS BOARD OF EDUCATION, op. cit., p. 106.

2. Ibid., pp. 103-104.

3. Ibid., pp. 104-105.

of the committee, need any special statement restricting its expansion.

In 1901 controversy arose over salary payments as authorized by the board of trustees of the school of mines at Butte. Apparently higher salaries had been authorized by the local board than those approved by the State Board of Education. At the State Board meeting on June 4 of that year the Board committee for the school of mines reported that in their judgment full control over the school of mines rested in the State Board of Education, including the power "to fix the salaries of the teachers ... The local board has no power to fix the same." They further recommended that no salary higher than \$2,400 be paid any professor (other than the president) "unless the same shall be ordered and directed by the State Board of Education."¹ There was no apparent hostility toward the school. In fact, it was much the opposite, for in their report the committee stated "confidence in the ability of the present faculty." The only conflict seemed to be over the question of where real control was to be exercised. That real friction existed is evident from the notation that "Judge W. Y. Pemberton and William Clark, members of the local board of the school of mines addressed the Board upon the apparent friction between the local board and the State Board of Education."² Later in 1901 the State Board moved for tighter control by requiring that applications for teaching in any

1. MINUTES, op. cit., p. 362.

2. Ibid., p. 363.

institution should be filed with the State Board at least thirty days before the Board meeting at which action was to be taken. This was done so that Board members could "act more intelligently upon such applications."¹

The running jurisdictional fight between the local executive boards -- especially that of the agricultural college -- and the State Board of Education, with pot shots here and there, continued unabated for almost a decade. Finally, in the case of *State vs. Barrett*, relative to control of land grant money, the State Supreme Court ruled that the State Board of Education "has direct management and control of the affairs of the state agricultural college."² By 1909 resentment over the actions of the local institutions and their local executive boards had reached such a high pitch that a general restatement of the relative powers of the local executive boards and the State Board of Education was deemed necessary by the Legislative Assembly. Accordingly, by law all final authority -- if such ever existed -- was removed from the local executive boards. By the same act the latter were definitely placed under the control of the State Board of Education. Repealing all former acts or parts of acts that might be in conflict with this law,³ the powers and duties of the State Board of Education relative to the state educational institutions -- University of Montana, Montana State Normal College, Agricultural College of

1. MINUTES, *op. cit.*, p. 430.

2. REVISED CODES OF MONTANA, 1907, p. 172.

3. SESSION LAWS OF 1909, p. 102.

Montana, Montana State School of Mines -- were stated as follows:

1. To provide rules and regulations for government
2. To grant diplomas and degrees
3. To have "where not otherwise provided by law" control of all books, records, buildings, grounds, and other property
4. To choose and appoint presidents and faculty for each institution, setting terms and conditions for election and appointment
5. To confer upon the executive board of each institution and/or president and faculty of the institution, such authority relative to immediate control and management, other than financial, as "may be deemed expedient."

Financing the Institutions

From the very beginning, finance was a real problem to the state educational institutions. Previously it has been noted that the delay in the organization of the educational institutions other than the agricultural college was due not only to failure of the 1893 Legislature to appropriate funds for operating expenses, but also to the disallowing by the State Board of Examiners of the \$15,000 building appropriation that had been made by the Legislature. This action of the State Board of Examiners was based on the fact that the total appropriations made by the Legislature exceeded the total income of the state, making necessary some cut in expenses. One of the easiest places to cut was in the appropriations for the newly established but not as yet operating state educational institutions. Despite this action by the State Board of Examiners, the agricultural college was able to organize because of its available federal money

for operating expenses and the loan of buildings by the city of Bozeman. This reluctance of the state legislature to appropriate sufficient funds for adequate operation of the higher educational institutions continued throughout the early years of those institutions. Illustrative of this attitude was the fact that the school of mines building at Butte was completed and empty for a considerable time because of lack of operating and equipment funds.

As early as 1896 the State Board of Education took cognizance of this situation by setting up a special budget committee composed of the chairmen of each of the committees on state institutions "to make an estimate of the appropriations required for the various institutions."¹ This was the first time that there was any evidence of advance official promotion by the State Board of Education for the necessary appropriations. That this method proved effective is shown by the fact that the Legislature in their appropriations followed the recommendations of this committee.² However, the State Board of Examiners again cut the amounts granted to the state university³ and the agricultural college.⁴ Although the State Board of Education requested restoration of the full amounts to each institution, the Board of Examiners refused to yield.

1. MINUTES, op. cit., p. 98.

2. Ibid., p. 106.

3. Ibid., p. 116.

4. Ibid., p. 130.

Thus began the jurisdictional struggle between the State Board of Education and the State Board of Examiners which was not to be decided until more than fifty years later -- during the struggle over the allocation of funds from a bond issue for buildings voted by the people of the state in 1948. Consistently throughout the years the State Board of Examiners sought to place a financial restraining control over the steadily increasing demands of the educational institutions. So in 1899 the State Board of Examiners cut as before the legislative appropriation made for the agricultural college. Since no similar cut was made at this time for the other educational institutions, Peter Koch, secretary of the local executive board of the agricultural college, remonstrated very vigorously over what he termed the "arbitrary" cut of the State Board of Examiners. In a communication to the State Board of Education at their meeting on June 5, 1899, he pointed out that there was no "warrant in the law for singling out one institution for such a reduction"¹ and went on to attack the probable reason for this arbitrary action -- the assumption that the difference would be made up out of land grant income. In this report Peter Koch raised doubts as to the availability of such money, but even if available, he questioned the legality of using it in the manner that seemed to be desired by the Board of Examiners. Original acceptance of the land grant, he maintained, implied a moral obligation on the part of the state to provide for buildings

1. MINUTES, op. cit., p. 198.

and administration of the college. Any increased income from the land grant would be needed to take care of the expected student increase -- "350 to 400 students within a very few years."¹ This report from Peter Koch stirred up considerable discussion in the State Board of Education, which finally referred it to the State Board of Examiners, but apparently without result.

By 1900, financial difficulties resulting from the dependence on legislative "whims" became so pressing that President Craig of the university at Missoula made a recommendation in his annual report for a "stated tax...to secure permanency, prevent difficulty, and to secure the best results."² He suggested that this support might be of two forms -- "a stipulated amount per year, or a permanent appropriation of a fraction of a mill on the assessed valuation of the state." His own preference was for the mill levy -- a plan "in use in many states...and very satisfactory."³ He further suggested a levy sufficient for all of the institutions, prorated to each. In this same year the State Board of Education at its December meeting appointed a committee of three "to present to the next Legislature all needed legislation in the interests of the state educational institutions."⁴ Apparently this committee was successful in

1. MINUTES, op. cit., p. 199.

2. PRESIDENT'S REPORT -- UNIVERSITY OF MONTANA, 1899-1900, p. 26.

3. Ibid., p. 27.

4. MINUTES, op. cit., p. 343.

its efforts with the Legislature, but again, partially at least, their success was nullified by the action of the State Board of Examiners, for in 1902 Peter Koch of the agricultural college again complained about the withholding of the appropriation for the agricultural college. This time it was the appropriation for the Experiment Station that was cut, the technique used being that of ignoring bills sent to the Board of Examiners for approval and even of failing to "acknowledge their receipt." Cooperation was asked from the State Board of Education in making available to the agricultural college what the Legislature intended them to have.

For the remainder of the period preceding the creation of the greater University of Montana in 1913, no serious conflicts developed between the State Board of Education and the State Board of Examiners over the legislative appropriations for the educational institutions, although some difficulty did arise over the control of the land grant income, especially in relation to the agricultural college. The reports from the college local executive board to the State Board of Education on June 4, 1901, and December 2, 1901, deal in much detail with this controversy.¹ The June report of the agricultural college makes reference to a need for \$6,900 to balance the college accounts for the year, a sum which could be easily allocated from the balance in the land grant fund of \$17,000, with an annual income of approximately \$7,000. However, use of this

1. MINUTES, op. cit., pp. 365-373; 441-446.

land grant money to meet the balance in the college accounts had been prevented by the State Board of Examiners. In this June report the background of the land grant fund is traced and mention is made that "to settle beyond dispute the manner of expenditure of said land money" a bill was submitted to the 1901 Legislature which "passed both houses by unanimous vote." With such support the college administration assumed that everything was all right, so no follow-up was made. Thus the local executive board of the agricultural college was "taken completely by surprise, when after adjournment, its veto by the Governor was announced in the papers." Apparently the Governor's objection was the provision in the bill for payments out of the fund directly by the college treasurer rather than by the usual channeling through the State Board of Examiners to the State Treasurer. After pointing out in the report that the land grant fund could be used only for maintenance and current expenses of the college, the local executive board sought support from the State Board of Education to persuade the Board of Examiners to approve claims made on the fund, or to institute a "friendly suit" to see if the Examiners could continue to refuse to approve such claims. At the December meeting, the State Board, after approval of such action had been given by its committee on the agricultural college, voted support for the college as requested, and for a "friendly suit" to be instituted if need be.¹

1. MINUTES, op. cit., p. 413.

Eventually the suit had to be instituted, since the Board of Examiners remained adamant in their refusal to act on claims made on the land grant money. The result of the suit was a ruling of the State Supreme Court in favor of the State Board of Education, stating that¹

the State Board of Education is vested with exclusive power to receive, invest, manage, and control the funds derived from the sale of lands granted to the state for the use and support of the agricultural college, and that the income therefrom is subject to the orders of the board to meet the current expenses of the institution.

Meanwhile questions were being raised by the public as to the legality of the use of land grant money for the erection of the buildings on the various campuses. In all cases permanent funds as well as the interest derived from those funds had been used. Examination revealed that the use of the permanent funds was illegal, since only the interest from these funds was supposed to be available. The Legislative Assembly in 1909 took action to remedy this situation, authorizing the State Board of Examiners to issue bonds in the name of the State in excess of \$100,000, so as "to make whole the Permanent Funds of the various state educational institutions."² As a result of this act the state educational institutions were credited amounts as follows: state normal school, \$65,000; university, \$50,000; school of mines, \$30,000;

1. MONTANA REPORTS, 1934, V. 97, p. 379.

2. SESSIONS LAWS OF 1909, p. 252.

agricultural college, \$10,000.¹ This same Legislature set up the "interest and income funds," providing as follows:²

1. All moneys received for investment in permanent funds (land grants) of state institutions to be placed under control of State Treasurer -- credit of "interest and income fund" of each institution.
2. Payments to be made only on warrant issued by State Auditor -- payment for expenses actually incurred. Claims must first be audited by Board of Examiners.
3. All claims from institutions must first be paid out of this fund until exhausted -- before warrants may be drawn against state appropriations from the general fund.
4. Detailed reports to be made by the executive board of each institution showing all expenses incurred and disbursements made by each institution. These reports to be filed with the State Board of Examiners -- March 1, June 1, September 1, December 1 -- "out of funds, if any, appropriated by the United States Government for the maintenance and support of such institutions."
5. Detailed statements of all income and expenditures to be made at end of each even numbered year, beginning with November 30, 1910 -- estimates for income maintenance and support next two years.

Enigma of Consolidation

Even though the issue of consolidation versus separation of the state's educational institutions was settled in 1893 by the decision to establish separate schools at Bozeman, Missoula, Dillon, and Butte, attaches on the plan continued from the very first. Contributing toward the support of those who favored consolidation was the trend toward

1. SESSIONS LAWS OF 1909, p. 253.

2. Ibid., pp. 168-170.

duplication of courses in the institutions and the cost of operation of four separate schools. Unquestionably some of the reasoning behind the State Board of Examiners' consistent cutting of appropriations made by the Legislature was the feeling that much of the duplication could be avoided and that the quickest way to insure this desired goal was to give each institution less money with which to operate. However, if such were the case, this technique failed to achieve its purpose, and the net result was intensified resentment against the State Board of Examiners. In fact resentment finally built up to such a peak that court cases were instituted to insure to the institutions all of the income to which they were rightfully entitled. Thus bitterness and personal antagonism were added to an issue that otherwise might have been fought out on its merits alone.

By the turn of the century the forces seeking consolidation were once more out in the open. The Great Falls leadership had been thoroughly discredited in the 1893 conflict, but by 1901 the movement had found support in the rapidly growing eastern part of the state, which felt neglected in the matter of state institutions. Sparked by Billings as the center of the new growth, attacks became more and more frequent on the system of separation. In the 1901 Legislature the movement was powerful enough to force through a House Joint Concurrent Resolution, introduced by Representative Stull from Billings, instructing the State Board of

Education to investigate the advisability of a consolidation of the educational institutions.¹ Cost of the institutions was cited in the resolution as the reason therefor. The resolution pointed out first, the great and unnecessary expense under current methods of conducting and maintaining several educational institutions, and second, the more economical method of maintaining only one institution at one point.

Although no specific action followed the adoption of this resolution, agitation continued for some plan that would eliminate unnecessary duplication among the units, minimize the pre-legislative competition for funds by the several communities in which the educational institutions were located, and reduce the ever-recurrent misunderstanding and ill-will among the several faculties, student bodies, and alumni. Taking advantage of this feeling, Dr. Clyde Augustus Dunlway, who became president of the university at Missoula on September 1, 1908, advanced in his annual message of that year the principle of "administrative unity" for the institutions. As background for his proposal he quoted an "editor" to the effect that even when first organized intelligent citizens²

not under the bias of local, or personal considerations... well knew that the centralization of the system, including all or nearly all of the colleges or special schools, was beyond all doubt the right plan... (separation) was a deplorable mistake, it was a wrong policy, directly entered into by men, a

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1. LAWS OF MONTANA--SEVENTH SESSION--1901, p. 214.
 2. PRESIDENT'S REPORT--UNIVERSITY OF MONTANA, November 30, 1908, pp. 6-7.

good many of whom knew perfectly well that it was wrong.

Since this plan was wrong in principle, Duniway maintained, it should not be allowed to continue if there was any reasonable way for reform. He admitted that actual consolidation might not be politically possible, because of acquired habits and vested interests. Yet relief might be found from the burdens of duplication and the weakness of division "by developing administrative unity." To achieve this end he advocated establishment of a special Board of Regents, concerned exclusively with the problems of the educational institutions, exercising authority over all of the institutions. Under this plan the local executive boards would be discontinued, and their duties and responsibilities given to the Board of Regents. The institutions would remain as already located, but they would maintain "effective coordination and unity" by being connected "with the State University under such regulations as the State Board of Education may prescribe." Since this plan was only a thinly veiled attempt to place the other institutions under the control of the university, reaction indicated, as might have been expected, violent opposition from the areas where the other units were located. Up in arms to forestall such control by the university, these areas banded together to support in 1909 the Legislative proposals for the reorganization of the local executive boards as previously outlined. Thus temporarily they diverted the growing demand for consolidation.

III. ESTABLISHMENT OF "THE MONTANA SYSTEM"

Despite this attempted solution, the trend toward duplication of courses and the competition for increased state appropriations continued in the various schools, with resultant public attention and criticism in localities where there were no state institutions of any kind. In 1912 the new president of the university at Missoula, Dr. Edwin B. Craighead, took advantage of this situation and revived the earlier plan of his predecessor, Dr. Duniway, for "administrative unity." This time, however, open support was given to consolidation.¹ Feeling assured that victory for consolidation would mean consolidation of all of the institutions at Missoula, the citizens of that city as well as the faculty and students of the university threw wholehearted support to the plan. Unexpectedly, additional support was given to the movement by other areas in the state, especially by the citizens of Great Falls, Lewistown, and Helena, who, in each case, seemed to feel that if the fight for consolidation carried, lightning would strike in their particular locality and the consolidated institution would be established in their city. A consolidation measure was initiated by petition, and by October 1, 1912, friends of the measure were so confident of its passage that they publicly announced that the campaign was as good as over and that passage of the measure was

1. Brewer, HIGHER EDUCATION IN MONTANA, (Address delivered before faculty of Montana State College, April 9, 1946), pp. 12-13.

assured. However by this time the citizens of Bozeman had become thoroughly aroused and, conscious of the effect on their city if the measure did carry, had raised a campaign fund, appointed a committee against the measure (Professor W. F. Brewer of the agricultural college as chairman), and organized for battle. A short vigorous campaign was conducted and the measure was defeated by a three-to-two vote.

Despite this defeat of the consolidation measure, the friends of the current plan of separated schools realized that the campaign discussions had revealed to the citizens of the state the inherent evils in the ever-recurring struggles between the schools for funds, and the ever-increasing duplication of courses in the various institutions. They therefore threw their support to the plan for reform proposed by John H. Durston, editor of the Anaconda Standard.¹ Editor Durston suggested

1. Brewer, op. cit., p. 13. (Durston apparently by himself thought up the idea of the Montana Plan and plugged for it several years before its adoption. He was born in Syracuse, New York, on February 19, 1848. He enrolled in Yale University in the class of 1869, but left in his junior year to go to the University of Heidelberg, from which he received the Ph.D. degree in 1870. For two years he studied in Paris, specializing in civics and political economy. Returning to the United States he became head of the Department of Languages at Syracuse University. In 1878 he became editor and half-owner of the Syracuse Standard. In 1877, Marcus Daly brought him to Montana to run the Anaconda paper, giving him one of the most modern plants in the world. Rumor has it the first colored funny paper came from his plant, rather than from New York, the normal fountain head for all such profound inventions. In 1913, he organized the Butte Daily Post, which he was still managing in 1928 when he received the honorary degree of Doctor of Laws from Montana State University.)

the administrative reorganization of the four institutions under one executive head, to be called the Chancellor of the University System. His office was to be in the State Capitol at Helena, thus removing him from the immediate pressures that would be present were he to be located on any one of the campuses of the institutions. His specific duty would be to maintain real unity of effort among the institutions, cut out needless duplication of effort, and put an end to the bitter rivalry that was so upsetting at the time that legislative budgets were being requested. This plan, receiving support from the State Board of Education, was accepted by the 1913 State Legislative Assembly, which created a new university system called The University of Montana.¹ This new system was composed "from and after the first day of July, 1913," of the State University at Missoula, the College of Agricultural and Mechanic Arts at Bozeman, the School of Mines at Butte, and the Normal College at Dillon, "and such Departments of said institutions as may hereafter be organized." To the general duties enumerated in Chapter 73 of the Session Laws of 1909, this act added a new power for the State Board of Education, namely:

To receive from the state board of land commissioners, or other boards, or persons, or from the government of the United States, any and all funds, income, and other property to which any of said institutions may be entitled and to use and appropriate the same for the specific purpose of the grant or donation,

1. REVISED CODES OF MONTANA, 1915 Supplement, p. 80.

and none others; and to have general control of all receipts and disbursements of any of said institutions.¹

At this same time the Legislature took cognizance of the need for some control of the tendency of the schools to develop curricula that duplicated each other, and sought to provide for some lessening of the competitive tension that developed especially before and during each session of the Legislature. To furnish some sort of control for these and other factors that made for ill-will among the educational institutions, the act specifically provided that

It shall be the duty of the state board of education, in the exercise of its discretion, in the government and control of said University of Montana, and its component institutions, as conferred upon it by the Constitution of the State, to take such steps and prescribe such rules as may be necessary to prevent unnecessary duplications of courses of instruction in the various educational institutions composing the University of Montana; to investigate carefully the needs of each of said institutions with reference to buildings, equipment, and instruction; to estimate the necessary appropriations required for such needs and to make recommendations to the legislative assembly accordingly.²

In order to restrict the power of the local executive boards even more effectively than the act of 1909 had done, the Legislature in this 1913 act provided that the immediate direction, management and control of the respective institutions should be in the hands of the presidents rather than the local executive boards, as had been the custom in the past. General

1. REVISED CODES OF MONTANA, op. cit., p. 75.

2. Ibid., p. 81.

supervision and direction remained in the hands of the State Board of Education. In other words, the presidents now became directly responsible through the office of the Chancellor to the State Board of Education rather than to their local executive boards. The latter now became merely advisory boards to be used as needed by the respective presidents and to be assigned special duties from time to time as the State Board deemed it expedient and desirable to do so.

However, the battle for control was not as yet over. Despite the support given by the State Board of Education to the new plan while it was being steered through the legislative session, sufficient backing for the plan of President Craighead to give control to the State University was still present in that Board so that no Chancellor was chosen in 1913 or at any time during the next two years. During this period between sessions of the Legislature, the friends of a consolidated institution at Missoula worked vigorously seeking support all over the state for their idea. When the Legislature convened in 1915, the Missoula supporters were ready for action. On the fifth day of the session House Bill 14, providing for repeal of the so-called Chancellorship plan, was introduced by Representative Higgins of Missoula. This bill passed both houses of the Legislature, with powerful support from the Missoula delegation assisted chiefly by members from areas in the state in which there was no state institution of any kind. The Butte delegation was split about

evenly for and against repeal, but the delegations from Dillon and Bozeman were active against repeal. Into this crisis stepped Governor Sam Stewart with a masterly veto of the repeal bill, restating in his veto message the major arguments for retention of the new system as established in 1913.¹ Opponents of the plan were unable to muster sufficient votes to pass the repeal bill over this veto. Thus to Governor Stewart, Montana owes its present system of state-supported higher education. Four separated institutions became component parts of a single organization; yet each retained its own identity. Harmonizing the efforts of the institutions, unifying their aims, and articulating their efforts was the Chancellor of the system, exercising such powers as delegated to him by the State Board of Education.² As an aftermath of the struggle, Dr. Craighead was removed from his position as president of the State University at Missoula. There was also a general realignment of curricula, with transfers made in and out of the agricultural college and the state university. In 1916, Edward C. Elliott, then Dean of the College of Education at the University of Wisconsin, became the first Chancellor, holding office until 1922. The Montana System of Higher Education -- an experiment in integrated higher education -- was established.

1. HOUSE JOURNAL, 14th Session, 1915, pp. 576-580.

2. Elliott, Edward C., "Inaugural Address," in THE INTER-MOUNTAIN EDUCATOR, Vol. 12, No. 1, September, 1916, pp. 3-11.

CHAPTER III

THE MONTANA SYSTEM: CHANCELLORSHIP PHASE

I. HEYDAY OF THE CHANCELLOR

With the establishment of an integrated system of state-supported higher education, the battle for consolidation was over. Under the new system the four separated institutions became component parts of a single organization, but each retained its own identity and each remained established in its own locality. No similar scheme of organization and government had been established previous to this time.¹ As the new system evolved it was to be characterized by a policy of keeping authority and responsibility in "even and judicial balance" in the actions of the state board of education, the chancellor, and the presidents of the separated units.² Yet, aside from the creation of the office of Chancellor, no structural changes in the state-supported system of higher education were made by the State Legislature. No specific powers and duties were set by law for the guidance of the Chancellor, and the only direct mandate to him in his leadership of the new system was a provision in the amended powers and duties of the State Board of Education instructing the

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1. Edward C. Elliott, "Inaugural Address," *THE INTERMOUNTAIN EDUCATOR*, September, 1916, p. 6.
 2. Melvin Brannon, "The Montana System of Administering Higher Education," *SCHOOL AND SOCIETY*, Vol. 35, No. 896, February 27, 1932, P. 5.

Board to prevent needless duplication of courses of study in the institutions.¹ Otherwise the only new provision was one by which the Board could of its own volition set forth the Chancellor's powers and duties -- a provision which it failed to carry out until 1918, after two years of experimentation with the complexities of the new system. Actually the new system was adopted in an atmosphere of blind faith in the possibilities of a dream -- and the dreamer was Dr. John H. Durston² a newspaper editor rather than a professional educator. The vision was accepted by all sincere friends of state-supported higher education in a hope that a way might be found out of the morass of inter-institutional bickering and legislative log-rolling -- a possibility for a settlement of the prolonged destructive statewide controversy over consolidation and duplication. As was indicated by Chancellor Elliott's comment in his letter of resignation in 1922:³

The finest advocates of the plan realized the uncertainty of the outcome. Many of those skilled in educational administration...were frankly dubious of the success of the novel scheme, which was designed to create a harmoniously working educational organization from a group of institutions and apparently incompatible interests.

The fact that the experiment had initial success and that foundations were laid for a real working organization was due to the high ability and

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1. SESSION LAWS OF 1913, pp. 422-425.
 2. Editor of THE ANACONDA STANDARD. (Cf. ante p. 100, footnote 1.)
 3. MINUTES OF STATE BOARD OF EDUCATION, Vol. IV, p. 925.

consummate skill of the first Chancellor, Dr. Edward C. Elliott, a man of remarkable energy, foresight and administrative insight. In the words of W. F. Brewer, a professor from the Agricultural College who worked very intimately with him, especially during the first millage campaign of 1920,¹

He was a man of vigorous and dominating personality, a tremendous student with a very keen sense of fact, an indefatigable worker with abundant driving power. His first impression upon some people was not always congenial, but he always commanded respect. Those who worked most intimately with him found him, as one of them said to me, "A pretty good fellow to work with." In minor matters he did not hesitate to give orders but in major matters of policy he gave full consideration to the opinions and wishes of those with whom he worked. His mastery of the facts commanded respect everywhere.

Guiding Principles for the System

In Dr. Elliott's inaugural address,² delivered several months after he assumed office in 1916, the new Chancellor indicated many of the guiding principles which he felt would be desirable in the new system. Foremost among these was the use of the person of the Chancellor as the connecting mechanism for harmonizing the efforts of the four separated institutions and for unifying their aims and articulating their results. Through wise use of his position of influence he sought to avoid unnecessary and unwise duplication and to eliminate unwholesome and destructive competition. That he did not wholly succeed is evidenced by a report in March 1919 to

1. Brewer, op. cit., p. 14.

2. THE INTERMOUNTAIN EDUCATOR, op. cit., pp. 6-8.

a joint committee of the legislative house and senate which, while praising the achievements of the system, does mention continued existence of "enervating community rivalries, professional jealousy and insubordination of some faculty members, (and) still some waste of effort and money."¹ On the other hand, two years earlier, in 1917, Governor Stewart, in his opening message to the Legislative Assembly had stressed that "the experience of a little less than a year has proven that we are attaining a higher degree of efficiency and getting better results for the money expended than was possible under the old system."² The best proof of the satisfactory working of the new system was the whole-hearted approval of the state, which in a very decisive vote in 1920, committed itself to the financial support and enlargement of the University system. When it is considered that this decisive vote was secured after years of drouth conditions in a state very largely dependent upon agriculture, the comparative success of the new experiment is even more apparent.

Another guiding principle of the new Chancellor was that of administrative unification of the institutions from an external and mechanical point of view. Attainment of this principle in practice was secured first through the personal presentation by the Chancellor to the State

1. MILES CITY INDEPENDENT, March 14, 1919, p. 6.

2. Ibid., January 5, 1917, p. 4.

Board of Education of any problem affecting any unit of the system. In fact no individual president was permitted to appear before the State Board unless invited by the Board. This clearing of institutional problems through the person of the Chancellor not only enhanced his prestige in the state and in the respective institutions, but it also insured that all problems concerning the units would be presented to the Board as problems of the entire system rather than as problems of an individual unit striving to further its own interests and seeking to satisfy local pressures. A second factor in the attainment of some administrative unification of the institutions was the creation of the Executive Council, composed of the presidents of the University units and other administrative personnel.¹ This body was organized in 1916 by the Chancellor as a device for securing group reaction of tentative policies proposed for the future, and as a forum for the discussion of those plans and policies of the individual units which affected the smooth working of the system as a whole. By this method the Chancellor was able to secure an idea of probable reactions in local communities and in individual units of proposals advanced for the system as a whole.

In practice this use of the person of the Chancellor for the attainment of administrative unification succeeded to a higher degree than had

1. Cf. post, pp. 152-153.

been expected even by Dr. Elliott. Since the State Board of Education met in regular session only in June and December of each year, it quickly developed the practice of delegating considerable "interim" power to the Chancellor, especially in matters concerning the budget and the staff. In budget matters he was early authorized to approve changes as deemed for the best interests of the several institutions, provided the total changes did not exceed total estimated resources and provided such changes were reported to the State Board at its next regular meeting. In staff matters he was authorized to fill vacancies, make additional appointments, and set or adjust salaries in established departments, again provided that he report at the next meeting of the Board. The extent of Chancellor control of the individual units is shown by the Chancellor's Administrative Memo #9¹ of September 25, 1916, approved by the State Board of Education on December 22, 1916, which in part required the president of each unit of the University system to file a report with the Chancellor at the end of each calendar month, listing all staff absences from duty during that month. The report was to include the name of each staff member concerned, length of his absence, the cause of his absence, and whether his absence was properly authorized or reported.

1. MINUTES, op. cit., p. 49.

A third guiding principle for the Chancellor in his administration of the new system was his concern for the "genuine vested interest" of the faculty and students of each unit in the "upbuilding of the university." Calling attention to the fact that "each and every one of these institutions is larger than any one man," he decried the tendency toward imposition of an arbitrary will from without, and maintained that, as Chancellor, he would rely upon the faculty and students of the various units for "counsel and guidance in all matters of essential concern."

By 1918, the State Board of Education was ready to recognize the achievement of Chancellor Elliott in building a working system without any precedents to follow or guiding lights to use in the unique experiment. Accordingly on June 22, 1918, the Board adopted the following resolutions establishing officially the powers and duties of the Chancellor:¹

I. Relation of the Chancellor to the State Board of Education

The Chancellor is the chief executive officer of the University and as such performs the duties prescribed by law, and carries out the orders of the Board. He is responsible to the Board for the prompt and effective execution of all policies determined upon for the proper enforcement of the rules and regulations adopted for the several institutions of the University. He shall act as the medium of communication between the Board and the officers and organization of the University. He shall attend and participate in all meetings of the Board at

1. MINUTES, op. cit., pp. 356-357.

which matters relating to his office, or to any of the institutions or affairs of the University are under consideration. He shall make nominations and reports of appointments, promotions, salaries, transfers, suspensions, dismissals, and resignations of administrative officers, members of the instructional and scientific staffs, and other employees of the several institutions of the University. As prescribed by law, he shall sign all diplomas, degrees, papers, instruments, and documents executed by the University. It is also his duty to report to the Board, at reasonable intervals, on the general condition of the University, and to make recommendations concerning general policies that will promote the development of the higher educational system of the State.

II. Relation of the Chancellor to the University

The Chancellor is a member of all legislative bodies within the University organizations and decides all questions of jurisdiction, not specifically defined, of the several councils, faculties, and officers. He may refer any question of institutional or general University policy to any council, faculty, committee, or to any member of the instructional or scientific staffs for investigation and report. He may call special meetings of any council, faculty, or committee at any time. The Chancellor shall afford every opportunity, consistent with sound administration and educational policy, to every officer and member of the instructional and scientific staffs to present suggestions for the general welfare of the University or of any of its institutions.

The Chancellor may veto any act of any council, faculty, or committee within the University, but in so doing he shall transmit with the veto a written statement of the reasons for such action. A copy of each veto statement shall be transmitted to the Board. Any council, faculty, or committee may appeal from a veto of the Chancellor to the Board and may be represented before the Board by one of its members for this purpose.

III. General Powers and Duties of the Chancellor

The Chancellor shall prepare and submit to the Board such annual and special reports concerning the University as the Board may require. He shall also prepare and present annually to the Board, the University budget. When approved by the Board, this budget shall govern all expenditures, subject to the provisions of the law and to the regulations of the State Board of Examiners.

IV. Incidental Powers of the Chancellor

As the Chief Executive Officer of the University, the Chancellor is especially charged with the duty of securing harmony and cooperation among the institutions of the University, and the economical coordination of their instructional and scientific work. To these ends he has such powers as may be definitely delegated to him by the Board; and in addition such incidental powers as are necessary properly to perform the duties of his office.

Financing the System

With such sweeping recognition of his responsibilities together with the clear-cut definitions of his powers and duties, Dr. Elliott was then ready to move toward the re-financing of higher education, possibly the most important of his contributions to the new system. From the very first the State had failed adequately to support the institutions of higher education. As has been previously indicated, legislative appropriations were usually too small, and often were in part set aside by action of the State Board of Examiners on the grounds of insufficient income to meet appropriations. Reform suggestions had been made based on the "stated tax" proposal¹ of university president Craig, but no action taken to provide a system that would remove financial support of higher education from politics. By 1918 it was evident that continued dependence for such financial support each two years on legislative whims and political

1. Cf. ante, p. 91

manipulations would probably result in a decrease in income for higher education at the moment when increased enrollments, after the close of World War I, were demanding larger appropriations as well as more buildings. To meet this situation measures were initiated under Dr. Elliott's direction for the imposition of a special two and one-half mill levy for the support of the University system. In addition, Dr. Elliott also supported initiation of a special bond issue of five million dollars for the erection of new buildings at the state institutions, both educational and welfare. Professor W. F. Brewer of the Agricultural College was appointed director of the campaign for approval of these measures by the people. The campaign was successful on both issues and this financing plan -- a combination of a special mill levy for operation and a bond issue for buildings -- was adopted by vote of the people. The mill levy was limited to ten years, so periodically campaigns have been necessary to secure approval by the people of a continuance of this mill levy plan of financing. Successful campaigns were held in 1930 and 1940 and again in 1948 (set ahead two years) for such renewal. Preliminary plans are now under way for a similar vote in 1958. Bond issues, however, have not been as successful, although the one in 1948 for five million dollars did succeed, only to be side-tracked for several years by a legal battle over allocation of funds involving the relative powers of the State Board of Examiners and the State

Board of Education.¹

A New Leader

At the meeting of the State Board of Education on July 8, 1922, Dr. Elliott resigned as Chancellor, his resignation to take effect not later than September 1, 1922, in order to accept the position as president of Purdue University. In their resolution of acceptance of this resignation, the State Board stressed his accomplishments in an era when the State was suffering from "adverse drought conditions and decreased revenue." Special note was made in this resolution of his leadership in the development of

1. Friendly and cooperating faculties in the units
2. Elimination of duplication of effort in the institutions
3. Strengthened and harmonious organization
4. Enlarged building program
5. Rapidly increasing attendance²

Later, on September 18, 1922, Dr. Elliott added to his "budget letter" to the Board three convictions as the "result of my seven years of service with the higher educational system of Montana." These convictions were:³

1. Citizenship of Montana "committed to policy of providing superior educational advantages for the youth of the State" as evidenced by majorities for initiated measures authorizing the mill tax and issuance of state bonds

1. Cf. post, pp. 217-226.
 2. MINUTES, op. cit., pp. 925-927.
 3. Ibid., p. 931.

despite efforts "to sow the seeds of suspicion among the people that Montana is taxed too heavily for public schools. The interests behind the campaign have failed to take into consideration the strength of the faith of the typical American in the public schools."

2. Inconceivable that intelligent citizenship will listen seriously to "specious arguments now so industriously circulated by certain types of politicians" for substantially less future taxation for public enterprises than now. Prime question is that for a system of revenues equitably distributing the burden of support.
3. After reference to present "archaic tax system" and the need for some form of personal income tax, a statement that "the State of Montana has never raised enough money adequately to support its state institutions and governmental departments."

An interesting aftermath of the work of Chancellor Elliott is found in a statement of the State Board of Education on December 5, 1922, relative to the general school situation, including problems of financing. In this statement the Board reaffirmed the principle of educational opportunity so precious to all, especially to Montanans:¹

As a nation we are committed to the principle that an elementary education is the right of every child; that a high school education should not be denied the boy or girl who desires it; and that a university course should be available to all who can qualify for that work.

As successor to Dr. Elliott, the State Board of Education in 1922 elected Dr. Melvin A. Brannon, at that time president of the University of Idaho. A genial and friendly gentleman, with many years of previous

1. MINUTES, op. cit., p. 955.

educational experience both as teacher and administrator, Dr. Brannon was a striking contrast to Dr. Elliott, whose success came through administrative ability and efficient workmanship rather than through the art of friendly cooperation. In the early years of Dr. Brannon's administration his approachable personality was a welcome change to those who had begun to dislike the austere approach of the machine-like Dr. Elliott. Thus many years of satisfactory and pleasant progress followed the change of administrators. In October 1923 his report to the State Board of Education indicated that while enrollment was remaining fairly constant in the various units of the University, there had been an expansion of plant facilities at the same time that the budget had been considerably lowered.¹ Also he indicated an emphasis on higher scholarship. Special emphasis in the units was being placed on the development of better understanding between students and faculty and on more cooperation between departments, with greater standardization of work, making possible comparisons between departments and institutions. This emphasis upon scholarship and upon cooperation between the institutions was in fact the greatest contribution that Chancellor Brannon made to the University system. While Chancellor Elliott had had concern for such matters, his greatest interest and ability had been in the area of organization and administration.

1. MINUTES, op. cit., p. 1013.

As the first chancellor he had been exceedingly busy with such details, setting precedents and building up a routine procedure for handling the great variety of problems that arise in developing an integrated University system out of separated units. These precedents and routine procedures as worked out by Chancellor Elliott still, with very little adjustment, guide the everyday working of the University system. Dr. Brannon, on the other hand, with his more genial personality and his genuine ability to reconcile human differences and varying points of view, was well fitted to lead the system into a period of more active cooperation between the institutions, and to effect elimination of actual duplication of curricula. Also, with the details of routine administration well established, he could spend time on that part of the chancellor's task most agreeable to him -- the improvement of scholarship, of teaching staff, and of courses of study. In fact, his "REPORT, summarizing some of the achievements written into the history of the University of Montana during the ten and a half years of (his) administration,"¹ is devoted almost entirely to this phase of the chancellor's work. Seven of the ten major topics that he discusses in this REPORT deal with one aspect or another of this type of service.

1. Unpublished manuscript, on file in the office of the University of Montana.

New Institution -- Eastern Montana State Normal School

Aside from this rather intangible development of scholarship, standards, and cooperation, the most important development in the University system during Chancellor Brannon's administration was the addition of two new institutions to the University system -- Eastern Montana State Normal School at Billings, and Northern Montana College at Havre.

Even in the early years of the State Normal School at Dillon, pressure began to build up for the establishment of some form of teacher training on the elementary level in the eastern part of the state. The pressure of this movement and the general feeling that more teachers would be available were such training possible in eastern Montana was behind much of the emphasis in the early annual reports of the Normal School, attempting to show a state-wide basis in its enrollment figures. The fight over consolidation, however, delayed any specific steps toward implementation of this movement until after the establishment of the University system in 1915. With the acceptance of the principle of separate institutions in fact, though now integrated into a form of administrative unity, the pressure for more widespread normal training, especially in the area of rural teaching, was renewed. By 1917, pressure from the members of the Legislature was such that Chancellor Elliott was moved to report to the State Board of Education, at its meeting on January 23, 1917, that he was "personally opposed to the establishment of these schools until the state

had properly provided for the support of existing institutions."¹ He did favor a small appropriation from the State's General Fund for the support of high school normal training courses with the "reservation that these courses should be under the supervision of the State Normal School." The Board concurred in his recommendation and appointed a special committee "upon new normal schools and teacher training in high schools."

The 1917 Legislature responded to this pressure and to the counter-movement by the Chancellor and the State Board of Education by passage of an act providing that normal training courses could be established in one high school in each county.² This high school was to be designated by the State Superintendent of Public Instruction, with the proviso that the high school having the "largest enrollment and best equipment in the county" must be selected. The act also provided for some reimbursement from state funds and for an appropriation to be made each of the two years of the biennium. Meanwhile, training courses, at least in the summer time, were being provided in a non-accredited manner, without any direct action or approval by the State Board of Education. Such a program was that of the Rosebud Lake Summer School (sometimes referred to as the Rosebud Camp School) conducted for several summers by two Billings teachers, Miss Rosa Dell and Miss Vinnie Burton. The

1. MINUTES, op. cit., pp. 90-91.

2. SESSION LAWS OF 1917, pp. 505-506.

State Board of Education took cognizance of this school at its meeting on June 15, 1917, when, after considerable discussion, Chancellor Elliott promised to visit it during the summer of 1917.¹ However, no inspection was actually made by the Chancellor, the latter excusing his failure on the basis that the "school was giving no courses of college grade."² Meanwhile the Board had postponed action on the petition of Fergus County High School at Lewistown for permission to offer in the high school a normal training course extending two years beyond high school graduation. Their plan proposed to train rural school teachers, granting similar college credit for equivalent courses to credits given by the University system, and certification credits for other courses. Likewise the proposal included plans for advanced work in teacher training to be given in summer school at Fergus County High School. By June 21, 1918, pressure for some action by the Board on this Lewistown request had built up to such an extent that the Board actually took the proposal under consideration,³ but apparently no further action was forthcoming.

A high spot in the meeting of the State Board of Education on January 17, 1919, was the discussion of "numerous requests" before the Board for the establishment of new normal schools. Following the heated

1. MINUTES, op. cit., pp. 158-159.

2. Ibid., 1. 210.

3. Ibid., p. 339.

discussion, a resolution for the establishment of such schools was defeated by a vote of five to three in a roll-call vote.¹ However, at the same meeting the State Board did yield a little to the pressure, voting to request from the State Legislature then in session an amendment to the law passed in 1917, so that normal training courses could be provided in two high schools in each county instead of only one as provided in the 1917 law.² While the Legislature did not make this change as requested, it was reacting in its own way to the pressure for new normal schools from the citizens of eastern Montana. Responding to the fact that many bills had been introduced into the session providing for schools here and there, the Legislature set up a special joint committee to report on normal schools. This committee made its report on February 19, 1919, stating that it was their "opinion that many more normal schools will be necessary in order to provide teachers for the children of our very rapidly growing rural districts."³ After pointing out that it would be impossible to establish normal schools at all of the points that had been suggested, the committee recommended that "five normal schools be started" at the following locations: Terry, Lewistown, Billings, Malta, and Kalispell. While there was not strength enough behind this movement to secure enactment

1. MINUTES, op. cit., p. 439.

2. Ibid., p. 445.

3. HOUSE JOURNAL, 1919, p. 471.

of legislation providing for schools at all five points, there was sufficient strength to secure passage by votes of 60-26 in the House,¹ and 26-8 in the Senate² for the school at Terry. However, passage was sufficiently late in the session so that the bill reached the Governor after adjournment, and it was killed by the latter's "pocket veto."

On December 6, 1920, a considerable part of the time of the meeting of the State Board of Education was occupied with a discussion of this problem of providing training facilities in eastern Montana for those wishing to secure an elementary teaching certificate. Superintendent of Schools Ward Nye of Billings presented to the Board a plan for a one-year normal course in the high school, following the regular four-year course, to be followed by one year in the State Normal College. Graduates of this program would be given credit as if their entire training had been given at the State Normal College. This proposal was referred to a special committee for consideration. In addition, the Chancellor presented a plan for summer schools at Lewistown and Glendive, to be offered as Extension by the University system. The Chancellor's plan was referred to a special committee, with power to act.³ However, this committee chose to refer their recommendation back to the full State Board, which gave its

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1. HOUSE JOURNAL, op. cit., p. 572.
 2. SENATE JOURNAL, 1919, p. 464.
 3. MINUTES, op. cit., p. 696.

approval on April 4, 1921, to the committee's proposal that such summer schools should be offered for the summer of 1921 only, with no obligation beyond that date, and that Miles City and Terry should be included in the list of places for such schools.¹ In 1922 the State Board at first refused to grant permission for the operation of summer schools at Lewistown and Miles City, giving as reason for their refusal lack of finances due to reduction of institutional budgets. However, after conferring with the Chancellor, the State Superintendent of Public Instruction, and President Davis of the State Normal College, Governor Dixon reversed his stand against such operation, providing the necessary margin for approval of the summer schools as requested. Restriction was made on the amount available from the University for reimbursement of expenses by adding the proviso that the "total state expenditure... cannot exceed one-half of the amount allowed for this purpose last year."² Billings, at the same time, was granted permission to operate a summer school under the direction and supervision of the State Normal College, but at no expense to the State.³ At the State Board meeting on December 5, 1922, the success of the Billings Summer School was reviewed by William B. George of Billings, with the request that state financial support be granted to it on

1. MINUTES, op. cit., p. 732.

2. Ibid., pp. 880-881.

3. Ibid., p. 859.

the same basis as that given for Miles City and Lewistown. The Board granted this request.¹ Summer schools were again authorized in the same communities in 1923, 1924, and 1925. In 1926 the summer schools were restricted to Miles City, Billings, and Lewistown. In 1927, Havre was added; thus the schools were available in four communities. At the meeting of the State Board of Education on July 11, 1927, the Chancellor reported that, with the imminent opening of the new state normal school at Billings, the need for regional summer schools had passed.²

Meanwhile, the pressure for another state normal school -- this time to be located in the eastern part of the State -- had developed to such an extent that the 1925 Legislature authorized establishment of a new normal school to be located "east of the 110th meridian."³ In the battle for establishment by the Legislature all of the cities in which summer schools had been held, as well as many other communities, were struggling to secure the new school. To avoid a battle royal over location and to ward off political skirmishes in communities unsuccessful in the quest, the Legislature came up with a unique plan, frequently referred to as the "Montana Plan," the first instance of scientific location of an educational institution.⁴ This plan called, at the option of the State Board of Education,

1. MINUTES, *op. cit.*, p. 953.

2. *Ibid.*, p. 1337.

3. SESSION LAWS OF MONTANA, 1925, Chapter 160, Section 1.

4. Brannon, *op. cit.*, p. 6. (Quotation from John J. Tigert, then U. S. Commissioner of Education.)

for the location and site of the new school to be selected by a commission of three, each one of whom would be head of an educational institution located outside of Montana.¹ The State Board of Education was instructed to decide at its Board meeting in July, 1926, whether to pick the site itself or to exercise the option as provided in the law. It was further instructed to designate the site by September 1, 1926.² At the State Board of Education meeting on December 17, 1925, following receipt of a letter from W. M. Johnston of Billings, a former member of the Board, in which the Board's responsibility in this matter was called to their attention, the Board took steps to secure names of educators who might serve on such a commission, should the Board decide to use this option.³

However, by the time the State Board of Education met in July, 1926, strenuous objection had developed in the Board itself not only to the option method of selection of a location and site, but even to the establishment of the school itself. This opposition was of such strength that at first the names of the proposed commissioners were "placed on file" and the Attorney-General was requested by the Governor to look into the question as to whether the State Board of Education had legal power to "veto" the establishment of the school.⁴ Objections to establishment were based on (1) the cost of the new school, (2) the possibility of a lapse

1. SESSION LAWS OF 1925, Chapter 160, Section 6.

2. Ibid., Section 7.

3. MINUTES, op. cit., p. 1209.

4. Ibid., pp. 1280-1281.

of the one and one-half mill levy for support, (3) the strain on the other units of the University should a fifth unit be established -- particularly the strain on the Normal College because of the necessity for division of the income from the state land grant, and (4) the additional maintenance expense after establishment. Arguments in favor of establishment were (1) the lack of any state educational institution east of the 110th meridian, (2) the need for the school as shown by the large enrollment in the three regional summer schools, (3) the lack of "veto" power by the State Board of Education in regard to establishment, since the latter was a definite act by the Legislature, (4) the improving financial future of the State, with practical assurance that no educational institution would be closed for lack of funds, and (5) the lack of practically any opposition for the bill in either house in the Legislature.¹ After vigorous discussion of these arguments, the Board reversed its earlier actions and voted to appoint the three presidents -- George N. Black of the Washington State Normal School at Ellensburg, C. H. Fisher of the Washington State Normal School at Bellingham, and Frank E. Baker of the Milwaukee, Wisconsin, State Normal School -- as a Commission of three as set by law to choose a location and a site.²

1. MINUTES, op. cit., pp. 1280-1281.

2. Ibid., p. 1283.

For financing the work of the Commission the Legislature had also worked out a plan to avoid expense to the State -- that of providing that the expenses of the Commission should "be borne by the city or town where said normal school is located." The State Board of Education, therefore, required that each contestant for location should post a certified check for \$2,500 by July 15, 1926. The checks of the unsuccessful contestants would be returned; and any surplus, if the entire amount should not be needed, would be returned to the successful contestant.¹ The Commission organized at Glendive on July 23, 1926, making out an itinerary for inspection that included the following cities: Glendive, Miles City, Forsyth, Billings, Roundup, Lewistown, Great Falls, Culbertson, Wolf Point, Glasgow, and Havre. The visitations closed at Havre on August 4. Sidney also wished to be included as a contestant, but its request was received too late to be considered.² At each point the Commission met with the respective Chamber of Commerce committee, considered legal briefs filed with it, gave opportunity for an open hearing, and from time to time met in executive session to discuss applications. After the close of the visitations the Commission went to Great Falls, remaining there in executive session until August 8, 1926.³ By unanimous vote on August 7, the

1. MINUTES, op. cit., p. 1283.

2. THE MONTANA PLAN, pp. 5-6. (Pamphlet published by the Billings Commercial Club.)

3. Ibid., p. 6.

Commission selected Billings for the location of the new normal school, and selected fifty-two acres on the outskirts of the city as its site.¹

At the meeting of the State Board of Education on September 20, 1926, the sealed report of the State Normal School Commission was opened, revealing Billings as the chosen city as stated above. Following the report, the representatives of the various locations were given opportunity to present arguments for or against adoption of the report.² Major opposition to the report came from the Havre representatives, who maintained that for years "injustice had been done the northern part of the state...in the matter of location of state institutions." They claimed that half of the population of the state lived north of a line drawn east and west through Missoula. They felt that the limited time given the Commission in which to work did not permit just consideration of northern Montana. In line with this position a member of the Board friendly to the Havre point of view made a motion to disregard the report of the Commission and to establish the new normal school north of a line drawn east and west through the middle part of the state.

Billings representatives then expressed hope that the Board, recognizing the scientific method used by the Commission, would follow the

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1. THE MONTANA PLAN, op. cit., pp. 9-10. (Complete report of the Commission on pages 9-22.)
 2. MINUTES, op. cit., pp. 1284-1287.

report. They reminded the Board that each contending community had put up in good faith \$2,500 for the expenses of the Commission, feeling sure that it would act without bias or prejudice, and that the choice would be made for the best interests of the state. They emphasized that they had been instructed by the Billings community to accept the decision of the Commission, whatever it might prove to be. Furthermore, they pointed out that a circle drawn within a 100-mile radius with Billings as a center had greater population than any other similar area in the state. The motion to establish the school north of an east-west line was lost.

Representatives of the State Normal College at Dillon now entered into the discussion, implying that there was insufficient demand for another normal school and that such establishment, requiring more buildings, equipment, etc., would prove too costly for justifiable state support, especially since the existence of such a school would probably result in the failure of the Dillon institution to function to capacity. In response the Billings representatives expressed hope that the need for both institutions would be proved and that "there would be no hard feelings between Billings and Dillon." The State Board thereupon proceeded to accept the report of the Commission, establishing Billings as the location of the new normal school, and accepting as a site a gift of approximately 52 acres there as recommended by the Normal School Commission.¹

1. MINUTES, op. cit., p. 1286.

At the December 6, 1926, meeting of the State Board of Education an attempt was made by the citizens of Culbertson to force a delay in the establishment of the new normal school. These citizens presented a letter to the State Board, offering a site for the new school and advising "that no action could be taken until it is know what the Legislature will do relative to the proposed state normal school at Billings." At this same meeting the Chancellor pointed out that the new normal school had not been made a constituent part of the University of Montana and that such action could be taken only by the State Legislature.¹ During discussion of these points serious opposition on the part of some Board members to the proposed normal school was in evidence. This opposition was intensified by the appearance of Senator-elect Ernest T. Eaton of Billings before the Board to urge early action in regard to routine formalities by the Board in order to fulfill the legal needs of establishment. While such opposition was openly based on the financial burden that would be imposed upon the state, it was also due to some extent to the leadership of those who were in sympathy with the communities which were unsuccessful in their bid for the new normal school. In answer to this opposition it was pointed out again that the bill for establishment was passed almost unanimously in the House and that only thirteen votes were cast against it in the Senate. Furthermore,

1. MINUTES, op. cit., p. 1286.

it was brought out that the current system of higher education was "a little lopsided and unfair to teacher training departments" in that it more than met the needs of the state in educating for journalism, law, pharmacy, etc., -- areas in which graduates had to leave the state to secure jobs -- while in elementary education "we need more trained teachers but do not train them." As a final result of all of this discussion, the Chancellor was authorized to "appear before the appropriations committees of the Legislature for the express purpose of forwarding the interests of Eastern Montana Normal School."¹

The 1927 Legislature not only remedied its previous oversight in failing to include the new normal school as a part of the University of Montana,² but also included the school in the regular appropriations. On July 5, 1927, the State Board of Education passed a resolution providing that all previous actions of the State Board of Education of general character, not applicable solely to a specific unit, were also applicable to Eastern Montana State Normal School.³ Thus legally and formally this unit was incorporated into the University system as its fifth institution. In its early years frequent reference was made to its special function as that of preparing rural teachers. This restriction has no background in

1. MINUTES, op. cit., pp. 1308-1309.

2. SESSION LAWS OF 1927, p. 8.

3. MINUTES, op. cit., pp. 1361-1362.

law, as the act of establishment specifies its functions as "primarily for the instruction and training of teachers for the public schools of the State of Montana."¹ However, it is true that the preliminary pressure leading up to its establishment came from the need for teachers in eastern Montana -- largely in the rural areas. It was this situation that had forced the development of the regional summer schools, the experiments with post-high school normal training, and finally the 1925 Legislative action in creating the new normal school at Billings. Furthermore, in the debate in the Legislature over the bill of establishment, much was made of the need for the training of rural teachers in Montana. In addition, at the meeting of the State Board of Education on December 2, 1929, Chancellor Brannon, in response to a question, indicated that the training available at Billings differed from that available at Dillon in that "Dillon prepared teachers more especially for grade and high schools, while Billings placed the greater accent on the needs of rural schools."² Thus developed the feeling that the training of rural teachers was the primary function of the Billings institution.

New Institution -- Northern Montana College

As has been indicated the source of pressure for the establishment

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1. SESSION LAWS OF 1925, Chapter 160, Section 2.
 2. MINUTES, op. cit., p. 1570.

of Eastern Montana State Normal School is fairly easy to trace. Such is not the case in regard to the background for the establishment of Northern Montana College. Apparently this movement was at first largely the result of two factors: political pressure from the eastern section of the state for at least one educational institution in that rapidly growing section, and secondly, expediency as a result of the wish of the federal government to rid itself of the site and rapidly deteriorating buildings of old Fort Assinniboine near Havre. As a result of this latter situation there was in 1913 a bill pending in Congress for transfer to Montana the land and buildings at this Fort at \$2.50 an acre, provided the State would agree to establish and maintain an agricultural, manual training, or other educational or public institution. Accordingly, the 1913 Legislature passed an Act, establishing the Northern Montana Agricultural and Manual Training School and an agricultural experimental sub-station at Fort Assinniboine.¹ At the same time it authorized the Agricultural College at Bozeman to operate this sub-station. Having proceeded to satisfy political expediency in this manner, the Legislature calmly failed to appropriate any funds with which to operate the new school. In the same manner the State Board of Education failed to see any reason for appointment of a local executive board for the school as provided in the 1913 legislation, since with no

1. SESSION LAWS OF 1913, pp. 131-134.

funds with which to operate, there would be nothing for the board to do.

Apparently no special further pressure developed until the time of the State Board of Education meeting on December 6, 1915. At this meeting the Board received a communication from the business men of Havre, suggesting the appointment of certain men as members of the school's executive board. The communication, received early in the meeting, was referred to the Attorney-General for legal advice.¹ The Board, reconvening in the evening, apparently found a way to side-step the issue, for they sent back to the business men a suggestion that the list be revised to meet the conditions of the 1913 legislation, whereby only two members were to be appointed to this local board, the third being the principal of the school, ex-officio.² No further action appears in the minutes of the State Board of Education until late in 1916. However, the 1915 Legislature did take steps to cooperate with recent act of Congress in regard to vocational education. It passed an Act accepting the terms of the Act of Congress concerning vocational education, and pledging the state to provide cooperation with the federal program of promotion of education in agriculture and in trades and industries. It also pledged state cooperation in the preparation of teachers of vocational subjects, and

1. MINUTES, op. cit., p. 6.

2. Ibid., p. 8.

agreed to appropriate money for the same and to regulate expenditures. Control and supervision of this program it placed under the State Board of Education.¹ While the new school authorized in 1913 to be located at Fort Assinniboine was not mentioned in the legislation, there is no doubt that the intent of the Legislature was that this new program in vocational education was to build in some measure around whatever program was finally instituted in the school at Fort Assinniboine.

In any case, by the time of the meeting of the State Board of Education on December 22, 1916, sufficient pressure for action of some kind had built up so that the Board voted to give "consideration" to the report of an architect from Helena -- George Carsley -- regarding needed expenditures of "approximately \$181,000 in order to put these buildings (at Fort Assinniboine) into proper condition for the conduct of a secondary industrial school."² It also voted to consider recommendations for operating funds for the school in the group recommendations as made to the 1917 Legislature for support of educational institutions.

Apparently no legislation followed in 1917 these promises "to consider." However, another possible source of revenue for operating expenses of the school seemed to develop out of the provisions of federal aid to the states for vocational education, for at the State Board meeting on

1. SESSION LAWS OF 1915, pp. 173-174.

2. MINUTES, op. cit., p. 70.

June 15, 1917, the Chancellor was instructed to make a personal inquiry into the feasibility of organizing and opening the school on the basis of such funds. Special consideration was ordered given to the possibility, first, of necessary alterations and repairs on the buildings at Fort Assiniboine, and second, of the possibility of duplication of activities between the courses offered by the existing Agricultural College at Bozeman and those to be established in accordance with the newly available federal funds for vocational education. Inquiry also was to be made into the effect of possible disturbance of educational work by World War I.¹ The net result of this agitation was the decision at the State Board of Education meeting on December 3, 1917, to take the following actions:²

1. Reestimate the cost of repairing buildings at no expense to the state
2. If a way could be found for "economical and usable operation, make available \$10,000 for 1918-1919
3. Request from the 1919 Legislature an additional sum of \$2,500 for each year of the biennium for purchase of livestock for the North Montana Experimental Sub-Station

With still no action forthcoming for the activation of the school, the Chancellor, at the State Board of Education meeting on January 17, 1919, recommended that an appropriation of \$75,000 per year be requested of the Legislature then in session so that the purpose of the 1913 law might be

1. MINUTES, op. cit., p. 138.

2. Ibid., pp. 211-213.

carried out -- or, if no appropriation was to be made, that the legislature be requested to take appropriate action regarding the future of the said Northern Montana Agricultural and Manual Training School. Like all of the previous moves, this one likewise was doomed to fail, for the Board promptly tabled the recommendation.¹ By this time the pressure for the activation of the school at Fort Assinniboine had become involved in the movement for establishment of a new normal school east of the 110° meridian. The citizens of the Havre area were more interested in the possibility of securing a normal school for their locality than they were in the activation of a school whose primary objective would be in the field of vocational education. Thus they readily joined forces with those in eastern Montana who were energetically pushing forward the idea that a new school should be established in eastern Montana primarily on the basis of accessibility. As pointed out later by the then Chancellor Brannon, it was easier in 1922 for students in northern and eastern Montana to travel to the University of Minnesota, six hundred miles to the east, than it was to reach the nearest unit of the University of Montana.² While the State did provide for some reimbursement of cost, this did not "compensate adequately for the loss of time, the inconvenience of a circuitous journey, and the fatigue of traveling from remote points." So

1. MINUTES, op. cit., p. 442.

2. Brannon, op. cit., p. 5.

while the battle was in progress for the establishment of a new normal school, with the possibility that the latter might be located in Havre, the citizens of that area were not interested in exerting pressure for the activation of the school at Fort Assinniboine. Obviously if this latter school should be activated, all chance for securing the new normal school would be lost. For this reason, largely that of political expediency, the citizens of northern Montana joined forces with those from eastern Montana in promoting in the 1925 Legislature the so-called "Montana Plan" for the establishment of a new normal school east of the 110^o meridian.¹

This same 1925 Legislature made amendments to the 1913 law that had originally provided for a school at Fort Assinniboine. The amendments provided for a new executive board for the school which should consist of two residents from Hill County and the Chancellor, ex-officio. This new local board was to act as a commission to investigate the possibilities of disposal of the Fort Assinniboine property, should it not be needed for the conduct of a school as contemplated in 1913. It was to have full possession of the property there, except such as might be needed for the operation of the agricultural sub-station, to account for the property, and to sell or dispose of it if such action was needed to prevent further deterioration of the buildings. In addition it was to study the needs for a

1. Cf. ante, pp. 125-129.

school as originally contemplated, and was instructed to report back to the 1927 Legislative Assembly.¹ While no formal report was apparently made in 1927, that Legislature did make two changes in the basic law in regard to the school. The first of these was a provision that in the local executive board the Chancellor should serve only until such time as a president should be appointed; then the latter would become the ex-officio member. This provision was a definite recognition by the Legislature of plans for eventual activation of the school.² The second change was really one of major importance, for it was a change in the provision in regard to location and read as follows:³

Any academic department or departments of said school which do not of necessity or for reasonable convenience need to be located on the premises or grounds of said school at the Fort Assiniboine Military Reservation may be located by the executive board and State Board of Education within or adjacent to the said city of Havre, Hill County, Montana.

Meanwhile, since the special Normal School Commission had reported in favor of locating the new normal school in Billings, Chancellor Brannon, at the State Board of Education meeting on December 6, 1926, had urged the citizens of Havre to forget their desire for the normal school and to center their efforts on "improving the station they already had."

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1. SESSION LAWS OF 1925, pp. 86-89.
 2. SESSION LAWS OF 1927, p. 239.
 3. Ibid., p. 240.

He also urged the members of the State Board of Education to join in this effort, stating his strong conviction that "if some recognition is not given northern and eastern Montana in the next Legislature, dragon's teeth will be sown for state institutional support."¹ Some effect seemed to follow this admonition by the Chancellor, though the record indicates that the citizens of Havre were still primarily interested in securing some form of normal training for their area. In promotion of this form of education they provided in 1927 for a summer session at Havre, without state support, for the training of elementary teachers; but plans were made so late in the season that attendance was low. Later permission was granted for a similar summer session in 1928, but this session was to receive state support in the same manner as that provided for the other regional summer schools. It was also provided that the session might be given either at Fort Assiniboine or in the city of Havre. In addition, as was the case with the other regional summer schools, this one was to be under the supervision of the State Normal College at Dillon, with the proviso that all "credits earned will be recognized by other units of the Greater University of Montana."² Made more confident by this success in gaining partial recognition at least from the State Board of Education in their attempt to secure normal training in the Havre area, a delegation from

1. MINUTES, op. cit., p. 1309A.

2. Ibid., p. 1388.

that city attended the special State Board of Education meeting on November 10, 1928, pressing for action by the State Board, as follows:¹

1. Acceptance of a site as offered by the city of Havre for the school authorized in 1913
2. Authorization of work for the Northern unit² providing for the first two years of general college work plus teacher training
3. Preparation of an estimated budget for legislative appropriation

On definite questioning by members of the State Board, the delegation stressed that the plan for a school in Havre, with only the experimental sub-station to be located at Fort Assiniboine. When discussion in the Board developed doubt that available funds could legally be used to support the Havre program, the State Board voted that it was "not advisable to accept the offer of a site at Havre for the Northern Montana Agricultural and Manual Training School."³ However, in the State Board meeting held on April 1, 1929, after the close of the Legislative session, pressure was again exerted by another Havre delegation, this time including in the eight-man group four senators and two representatives from the Havre area. This delegation stressed three factors in support of its request for the opening of the school in Havre:

1. Increased population in Northern Montana

1. MINUTES, op. cit., p. 1473.

2. SESSION LAWS OF 1927, p. 8. (This school was made a unit in the University of Montana by the 1927 Legislature.)

3. MINUTES, op. cit., p. 1479.

2. Distance of the area from other colleges in the state
3. Need for a college in northern Montana

Yielding to this pressure, the State Board reversed its stand and voted to locate the college at Havre, as intended by the Legislature in making the appropriation. Since there were no college-owned buildings in Havre, the Board accepted the offer of School District #16 in Havre for use of some of its buildings. Summer school training in teacher education was also allowed, provided it was financed without expense to the state.¹ In 1931 the name of the school was changed to Northern Montana College.² In April, 1935, the State Board of Education granted the school permission to grant the two-year certificate in elementary education.³ The long struggle to secure an official program of state-supported normal training for the northern area of Montana was over.

Friction and Downfall

In his 1932 article about the Montana system of higher education, Dr. Brannon points out four factors as essential to its success:⁴

1. A policy of administrative "hands off" in the Legislature
2. Delegation of authority to educational experts by the Board of Education -- the latter being mainly concerned with finance

1. MINUTES, op. cit., p. 1487-1488.
2. Ibid., p. 1732.
3. Ibid., p. 2275.
4. Brannon, op. cit., p. 6.

3. Enthusiastic and sympathetic support of faculties
4. Clear and cordial cooperation upon the part of the administrative heads of the individual institutions

During the Elliott regime and throughout the early years of the Brannon administration these four factors received support in all of the major issues affecting the University system. However, as the years passed, and more and more tensions developed -- especially during the struggle over the establishment of Eastern Montana State Normal School and Northern Montana College -- Dr. Brannon was more and more subjected to criticism, much of it unfair, but nevertheless disconcerting. Undoubtedly this long struggle, with all of the strong feelings aroused pro and con, the maneuvering for position, the use of political expediency, and the other factors involved, contributed to the adverse criticism of the Chancellor. Then, too, financial problems of the State were particularly acute in the later years of his administration, as years of drought and finally the early stages of the great depression took their toll in Montana. In addition, as the years passed by, the reasons for the founding of the system, the bickering and in-fighting among the institutions, the trend toward more and more duplication, the biennial struggles in the Legislature for larger shares of the appropriations for higher education -- all of these faded in memory. Moreover, the very personality of the Chancellor, his genial approach and his occasional hesitancy to speak out with conviction, or to act vigorously in moments of stress, while an asset in normal times, became a

liability as the economic conditions worsened and political scheming consequently became more active. Be that as it may, in the late twenties there began to appear "straws in the wind" to indicate generation of friction and consequent loss of support for his administration. Much of this swing away from the Chancellor began during the long and at times bitter struggle over the establishment of the new normal school for the eastern end of the state. During this struggle the proponents both at Billings and at Havre -- the two leading contenders for the location -- became convinced of the Chancellor's insincerity,¹ each feeling that at critical times in the struggle they were promised his support, only to find that when the "chips were down" the promised support had evaporated. The Havre area, especially, continued to be resentful, after losing the fight for the normal school location, its major interest, and being forced to accept the vocational-type school, in which it had little real interest.² Part of this resentment came to the surface in 1933 when the Havre delegation forced a revision³ of the tentative University budget so as to

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1. There is no actual evidence that this is correct. It was probably due to the Chancellor's habit of apparently agreeing with whomever he was talking, but never actually committing himself on an issue.
 2. It is interesting to note that soon after the "dismissal" of the Chancellor, Northern Montana College "worked" the State Board of Education for permission to give normal training, now the curriculum enrolling the largest number of students.
 3. Cf. post, p. 197.

give more money to Northern Montana College -- a move strenuously opposed by the Chancellor. Throughout the financial stress of the late twenties and the early thirties the State Board of Education refused to follow the Chancellor's leadership, whether it was concerned to reform of accounting procedures at the State University at Missoula, requests to the Legislature for supplementation of the inadequate mill levy income by tapping the General Fund, or simply the provision of adequate budgets with which to operate within legislative appropriations.¹

By April, 1931, the note in regard to further appointments to the various faculties which in the past had definitely been a responsibility of the Chancellor in interim periods between Board meetings was restricted by the phrase "subject to the approval of the State Board of Education."² When the Chancellor, at the State Board meeting on July 30, 1931, pointed out that this restriction would prevent him from making appointments to fill unexpected vacancies, the Board authorized appointments "by the Chancellor and the President of the unit of the University of Montana affected."³ Again it had been normal to grant routine interim power to the Chancellor in the question of all routine affairs that might arise between Board meetings. Yet in January, 1932, the Board changed this

1. Cf. post, pp. 197-198.
2. MINUTES, op. cit., p. 1716.
3. Ibid., p. 1739.

to read, "Chancellor, in cooperation with the heads of the respective units."¹ In other words, more and more the State Board of Education was itself departing from one of the major tenets of the integrated system -- that of concentration of control, under the Board, in the person of the Chancellor. More and more the trend was to bring the presidents of the various units into direct contact with the Board, re-creating one of the major problems sought to be erased by the inauguration of the University system -- that of in-fighting by the presidents to secure from the Board acceptance of whatever plan was proposed for their particular unit, regardless of how it affected the other units of the system.

Criticism of the Chancellor also extended to the Legislature, where by 1933 it had become so virulent that a bill abolishing the Chancellorship system, introduced into the Senate, passed both houses of the Legislature by comfortable margins. Thus again, as in 1915, when it took a veto by the then Governor Stewart to save the system even before it had begun to operate, so now it was only the veto of Governor Erickson that saved the system after eighteen years of successful operation.² Influencing this veto message was the strenuous effort of those who were convinced of the benefits to the state of the integrated system of higher

1. MINUTES, op. cit., p. 1943.

2. SENATE JOURNAL, 23rd Legislative Assembly of the State of Montana, (1933), pp. 429-431.

education. Especially influential with the Governor was the letter from Dr. James M. Hamilton, at that time Dean of Men at Montana State College. Active in the original battle for the establishment of the institutions of higher education in 1893, Hamilton had continued for eight years as superintendent of schools at Missoula and member of the State Board of Education. In 1901 he retired as superintendent of schools to become professor of history and economics and vice-president of the University at Missoula. In 1904 he was appointed president of the Agricultural College at Bozeman, a position that he held for fifteen years, eleven of which had been in a period before the beginning of the integrated system of the University of Montana in 1915. His counsel, therefore, was very acceptable to the Governor as that of a real expert in the evaluation of the problems of higher education in Montana. In fact, the Governor, in his veto message, quoted at length from this letter of Dr. Hamilton. Before making these quotations the Governor ably summarized in five points the major conditions found in the institutions before the inauguration of the Chancellorship system in 1915:¹

1. No cooperation or coordination on the part of the teaching units.
2. Operation on a competitive basis.
3. Unnecessary duplication of curricula.

1. SENATE JOURNAL, 1933, op. cit., p. 429.

4. Jealousies, discords, bickerings among the institutions.
5. At every session of the Legislature, undignified and unbecoming lobbying for appropriations, not only by heads of the institutions but also by students and members of the communities in which the institutions were located.

He then quoted from Dean Hamilton's letter indicating that by 1915 the situation was such that¹

there was a constant struggle to add courses of study at the institutions which resulted in much duplication and waste of the state's money. There was always bitter rivalry and competition.

Because of this situation Dr. Hamilton had resigned in 1915 as president of the Agricultural College, but was persuaded to continue for a period of time in order to aid Chancellor Elliott to organize the integrated system. He did remain for four years as president, and thus in 1933 was able to speak out of actual experience under both systems, as follows:²

The new law created an entirely new condition... Most of the duplications of study disappeared, the lobbying by the Presidents in the Legislature was stopped, the bitterness and hostility among the institutions have passed away. Good fellowship and the spirit of cooperation now mark the dealing of the students and faculties with one another.

The Governor then closed his veto message with an attack on the premise that abolishment of the Chancellorship system was necessary under the guise of economy. Here he pointed out that whether the present system

1. SENATE JOURNAL, op. cit., p. 429.

2. Ibid.

was retained or not, there would be no difference in appropriations and also that the salary of the Chancellor had been saved many times "in the unified and orderly administration of the affairs of the University by preventing duplications and general chaos."¹

Before all of this maneuvering in the Legislature, Chancellor Brannon had submitted his resignation, hoping thereby to save the situation and to pave the way for the appointment of a new man who might be more acceptable to the members of the Legislature as well as to the State Board of Education. However, those who were unfavorable to the integrated system, though unable to muster sufficient support to pass the bill abolishing the system over the Governor's veto, were able to swing enough power to prevent the appointment of a new Chancellor. This they did by adding a statement to the appropriation bill for the University system, providing "that the appropriations contained herein shall not be used for salary and expenses of a Chancellor of the University of Montana."² Thus came to an end the heyday of the Chancellor, an era of laying precedents, of organizing routine, of building the foundations for an integrated system. The central officer around which the system was built was removed. Time only could tell whether the system would survive without such a central figure.

1. SENATE JOURNAL, op. cit., p. 431.

2. SESSION LAWS OF 1933, p. 428.

II. CARE-TAKER STATUS

Fortunately at this time there was in the Chancellor's office an individual who could well assume the functions of a care-taker until such time as demand would force the Legislature to restore the position of the Chancellor. Serving as executive secretary to Chancellor Brannon, as he also had served Dr. Elliott during most of the latter's term of office, was Dr. Henry H. Swain, a thorough technician and devoted educator. Perhaps better than any other testimonial of his character is the following passage from the resolution adopted by the State Board of Education after his death in 1941:¹

Dr. Swain was a courteous, thoughtful, and conscientious educator. His fidelity to the cause of education in Montana brought him countless admirers and friends. They all mourn his passing. His monument is their memory of his splendid life and service.

Dr. Swain had accepted the position of executive secretary of the University of Montana in 1917, after almost twenty years of service in Montana education. Shortly after obtaining his Doctor of Philosophy degree from the University of Chicago in 1898, he came to the State Normal School in Dillon where, after three years as teacher of economics, he was elected president of the institution, serving in that position until 1913. An excellent administrator, respected by all the schoolmen in Montana, he was

1. MINUTES, op. cit., p. 3372.

appointed assistant state superintendent of public instruction in 1913. His ability in that position brought him to the attention of Chancellor Elliott, who persuaded him to accept the position of executive secretary of the University of Montana in 1917, with his special duties in the area of administrative routine. Thus, when the political storms of 1933 forced the resignation of Dr. Brannon as Chancellor, and prevented any movement toward the appointment of another to this position, Dr. Swain was well able to carry on in the administrative routine of the office.

Executive Council of the University of Montana

Actually so smooth was the transition from a system centered around the person of the Chancellor to that of the care-taker status under the direction of the executive secretary that the lay public failed to note any change in the conduct of University affairs. This was due not only to the rare administrative ability of Dr. Swain, but also to the operation of the University Executive Council. As originally organized in 1916 by Chancellor Elliott, this Council had no legal status, but served as an advisory body as needed by the Chancellor.¹ At first, in addition to the Chancellor as its presiding officer, it included the four presidents of the University units, the Director of the Agricultural Experiment Station, and the Director of the Extension Service. Upon the appointment of Dr. Swain

1. EXECUTIVE COUNCIL MINUTES, December 3, 1920, p. 1.

as the Executive Secretary of the University of Montana, he was added to the group. Then, by 1918, latent pressure had built up from the State University at Missoula over what they felt was undue influence in the Council by the Agricultural College, due to the inclusion in its membership of the two directors whose headquarters were at Bozeman. Accordingly, an attempt was made to balance this influence by adding two members from the State University, chosen by the Chancellor. Eventually these two members were automatically to be deans from the University.

Since the Executive Council had consistently been used ever since its organization as a sounding board for the Chancellor in the consideration of proposals, plans, and new policies for the University units, with ample opportunity for discussion of the same, it was very easy after 1933 to work out a new system of the University of Montana, whereby the Executive Council should definitely act for recommendation of policy of the State Board of Education, while the Executive Secretary should become responsible for administrative routine. In order to give legal status now to the Council, the State Board of Education on April 3, 1933, after limiting its membership to the six presidents of the University units, officially recognized as a specific body in the University system, specifying that it should continue to "function as nearly as possible as in the past."¹

1. MINUTES, op. cit., p. 1951.

Thus in practice, by using this device of the Executive Council, the six units operated in a very satisfactory manner until changes in personnel of the Executive Council toward the end of the decade 1930-1940 introduced new problems.¹

Bond-Millage Campaign of 1940

These problems were intensified or at least brought out into the open during the 1940 campaign for the renewal of the millage levy for support of the University of Montana and for the bond issue for new buildings. During the original campaign in 1920 and again during that for renewal in 1930, direction and leadership was furnished by the Chancellor, whose prestige was such that rough spots in the campaign and tentative friction between units could be smoothed out without detrimental effect on the success of the campaign as a whole. In 1940, however, there was no central administrator by whom early plans could be formulated. The Executive Council had become a source of continued friction between the institutions and a spot for maneuvering for position rather than a smooth working machine for an integrated University. The Executive Secretary had neither the power nor the prestige necessary to set the campaign in motion. Though there seemed to be universal agreement that Professor Brewer of Montana State College should again be director of the campaign, as he had in the

1. Brewer, op. cit., p. 17.

successful campaign of 1920, yet up to the first of June, 1940, no action had been taken by the Executive Council to recommend his appointment by the State Board of Education. He had been named by President Strand of the State College to represent that institution, but of course had no authority to speak for the other institutions. Furthermore, no steps had been taken to secure the necessary operating funds for the campaign -- funds normally secured from the local communities in which the units were located. Although this situation was partially remedied later by the official appointment of Professor Brewer as Director of the campaign, the delayed action, and the preliminary jockeying in the Executive Council before the appointment, were definitely factors in the later defeat of the bond issue, and the low per cent by which the millage was carried. Brewer himself later stated:¹

The lack of a head for the Greater University was a definite embarrassment to me and a definite handicap throughout the campaign. My difficulties were much more with the communities where the institutions were located and which provided the funds than with the presidents of the various schools, who from June on accepted my leadership and gave all the support I sought. The communities which had accepted the Chancellor's leadership in 1920 were much less disposed to trust me in 1940.

1. Brewer, op. cit., p. 18.

The Junior College Movement

The depression conditions of the decade 1930-1940 were not favorable for any extension of curricular offerings by any of the units of the University of Montana, though Northern Montana College did take advantage of the lack of a chancellor to secure in 1935 approval of its two-year curriculum in elementary education,¹ despite the fact that in the introduction of such a curriculum there was definitely a duplication of similar curricula at Dillon and Billings. Meanwhile, probably somewhat inspired by the lack of finances in local communities due to the depression conditions, pressure was building up for publicly supported junior college programs outside the University units. Such programs had been authorized by the 1917 Legislature, provided that they conformed "to such requirements and regulations as may be prescribed by the Chancellor of the University of Montana."² However, war conditions in 1917 and the resultant effects thereafter removed, in the years immediately following, pressure for implementation of this authorization. Undoubtedly another factor contributing toward the removal of pressure was the movement that finally led to the establishment of the new normal school at Billings and to the final authorization of funds with which to operate the school at

1. MINUTES, op. cit., p. 2275.

2. Ibid., p. 227.

Havre, which had been originally established in 1913. That some interest in such programs was still persisting in 1928 is indicated by a regulation passed by the State Board of Education in that year, providing that any student who should matriculate for a degree in any unit of the University system after completion of a junior college course "must be in residence at least two years before receiving a bachelor's degree."¹ This regulation, incidentally, has never been repealed, and would seem still to be in effect.

By 1939, real pressure, especially in the eastern part of the state, had developed for a more workable law under which junior colleges might be established and supported by local taxing units. Supporters of the University system, conscious of the financial problems of the system as currently established, were able to forestall in the Legislature any attempt to secure state tax money for this new project, but were not able to prevent the passage of a new law by the 1939 Legislative Assembly. Under the provisions of this Act, Custer County Junior College was established at Miles City in 1939, and the next year Dawson County Junior College at Glendive opened its doors. Tentative plans were under way in 1941 for a junior college to open at Lewistown,² but war conditions intervened, leading first to postponement of the plans and eventually to their cancellation. At first these colleges were very popular in the home communities, each of them securing

1. MINUTES, op. cit., p. 1492.

2. Ibid., pp. 3362, 3431.

a very satisfactory enrollment, a fact which made possible the maintenance of truly collegiate-level standards of instruction. The State Board of Education sought to make certain that such standards were maintained, providing for approval of their curricula, for which definite standards had been recommended by the Executive Council. These recommendations were adopted by the State Board of Education at its meeting on April 13, 1942. Basically by these standards the junior colleges were restricted to courses general in nature. Preliminary specific study in professional fields, such as elementary education, agriculture, home economics, industrial arts, etc., was strictly forbidden. However, during World War II, the need for additional elementary teachers in Montana was such that on July 9, 1945, the State Board of Education relaxed its directive in elementary education to such an extent that for the duration of the war it gave approval for curricula in the two junior colleges leading to a "temporary elementary state certificate," good for one year, with privilege of renewal.¹ The close of the war in the latter part of 1945, with the resultant rush of students to the units of the University as well as to private degree-granting colleges and universities, had a detrimental effect upon junior college enrollment in Montana. Students in the local communities seemed, now that financial resources were better, to prefer to attend the larger schools, and enrollment

1. MINUTES, op. cit., p. 4426.

of regular students in the two junior colleges took a decided drop. This trend toward lower enrollment continued in spite of actions by the State Board of Education that should have aided in bolstering the prestige, and thus the enrollment, of the junior colleges. In 1948 the State Board recognized these colleges officially for the first time, granting them state accreditation -- Custer County Junior College on July 26,¹ and Dawson County Junior College on December 13.² Then at the State Board of Education meeting on May 17, 1954, the Board ordered "full status of graduates or transfers from Custer County and Dawson County Junior Colleges entering any unit of the University of Montana."³ Despite this stamp of approval by the State Board, enrollment in the two junior colleges failed to keep pace with that in the University units or even to move within striking distance of that of their original years. This lack of satisfactory enrollment resulted in ever-increasing difficulty in maintaining qualified instruction on the college level and a correspondingly sharper questioning by friends of higher education in Montana as to the wisdom of continuing the junior college system.

Basic Curricula Programs in the University System

Reacting to the pressure of the junior college movement in Montana

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1. MINUTES, op. cit., p. 5041.
 2. Ibid., p. 5191.
 3. Ibid., p. 7142.

as indicated above, the State Board of Education took steps to insure that similar programs were inaugurated in the smaller units of the University system, particularly at Billings, Dillon, and Havre. Actually it had long been the practice for many students to enroll in these units simply to secure preliminary training for later study at the degree-granting units of the University or at private colleges and universities in subject-matter areas, not even remotely connected with teacher training. Before 1939, however, no recognition officially was made of this practice. However, at the April, 1939, meeting the State Board of Education authorized the specific organization of Basic Curricula study at Billings and Dillon. Havre was not included in this particular authorization, since under the provision of its original establishment, such programs were already possible. However, although the original purpose of this unit was specifically in the areas of vocational education, agriculture, and the mechanic arts, the majority of the students there enrolled were, as at the regularly established normal schools, in the elementary teaching curriculum. For several years neither Billings nor Dillon followed up this 1939 action by the State Board of Education. Finally sufficient pressure did build up in Billings so that Grover C. Cisel, a member of the local executive board, wrote a letter to the State Board of Education requesting implementation of

the 1939 authorization.¹ In response to his request, the State Board, on April 9, 1945, authorized Eastern Montana State Normal School to "offer a two-year basic college course plus the normal training."¹ Under this authorization the Division of Basic Curricula there was established in the fall of 1945, accounting from that date onward for approximately one-half the total enrollment of the institution. Similar courses were later made available at Dillon, but no steps were taken toward organization of a special division of basic studies.

III. RESTORATION AND ABOLITION

The experience of the 1940 bond and millage campaign was a key factor in convincing leaders of higher education in Montana that the University system was eventually to be doomed, unless it had a strong leader at its head. In addition the changes in administrative personnel in some of the units had served to bring to an end the smooth, cooperative working of the Executive Council, with a corresponding rise in institutional rivalry felt not only on the several campuses but also in the legislative bodies meeting each two years. In the 1941 Legislature, Professor

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1. An interesting side-light on this letter is that Mr. Cisel wrote it as "attorney-at-law," not as a member of the Board, and that there is no written evidence that either the local executive board as such, or President McMullin of the Normal School was consulted in advance.
 2. MINUTES, op. cit., p. 4169.

Brewer testified before legislative committees which were investigating the possibility of restoring to the State Board of Education authority to employ a Chancellor. In this testimony he emphasized his experience as director of the 1940 bond-millage campaign. The lower house went along with his recommendation, but on the last night of the session the senate restored the clause to the appropriation bill which forbade payment of any salary to a chancellor.¹ By the time the 1943 Legislature met, Governor Ford had become convinced of the need for restoration of the position of Chancellor, and he led the fight against any restriction in the forthcoming biennial appropriation. This time the fight was successful, so that the State Board of Education was free to search for a Chancellor.

Disillusionment under Melby

For the preceding two years, Dr. Ernest O. Melby, a dynamic, forceful educator, had been president of the State University at Missoula, impressing the State Board of Education with his scholarship, breadth of vision, and leadership. He had resolved a very difficult personnel situation there, and the Board members felt that he would be able to succeed in a like task for the University system as a whole. Accordingly, on April 13, 1943, they elected him as Chancellor of the system.² Apparently Dr. Melby

1. Brewer, op. cit., p. 18.

2. MINUTES, op. cit., p. 3724.

was not at all sure that he would be happy as Chancellor. Before accepting the responsibility, he secured the consent of the Board to take the position for a year, reserving the right, through a technical leave of absence, to resume his duties as president of the State University should he so desire. Unquestionably this action was one of the major factors in his subsequent failure to reconcile the differences between the units. The uncertainty as to whether he would long be in the new office had the effect of preventing wholehearted cooperation on the part of the other unit presidents. Rather they preferred to continue their system of dickerings with other presidents as various problems arose in regard to the united policy of the University system. Then, too, the fact that Melby was on a leave of absence prevented the appointment of a full-time president for the State University at Missoula, requiring administrative decisions by an acting president. In fact, this latter official never felt secure even in that position, since Dr. Melby elected to retain his residence at Missoula instead of transferring to Helena, where all of the records of the University were kept. Such circumstances made it impossible for another man to act freely as temporary president of the Missoula unit. Furthermore, because of this mixed situation attending Melby's leave of absence and of his continued residence at Missoula, there arose a strong feeling not only among the other unit presidents and their faculties, but also in the local communities, and later throughout the state, that as Chancellor, Dr. Melby was

favoring the State University at Missoula and maneuvering for a position in which the State University might in fact become the head of the entire system in the manner visualized by President Craighead of the State University in 1915.

In any event, even though the State Board of Education gave him full support throughout the year, Dr. Melby resigned his position as Chancellor on July 1, 1944, requesting a return to his position as President of the State University at Missoula. In his resignation he pointed out the lack of power in the position of Chancellor, alleging that the functions of the office could as well be carried out by the president of the State University, and at less expense. The State Board, in agreement with his reasoning, accepted his resignation, and then appointed him as "Executive Officer for the State Board of Education to report to that Board any suggestions made by the Council."¹ In this new position -- one which had no legal status -- he enjoyed the full confidence of the State Board of Education, as he previously had done as Chancellor. In "clarification" of his duties by the State Board on July 24, 1944, it was specified that he would "not carry on any of the duties of the Chancellor, but would act as chairman of the Executive Council and visit the units and make investigations only as commissioned by the Board."²

1. MINUTES, op. cit., p. 3937.

2. Ibid., p. 3998.

At this same meeting on July 24, 1944, Dr. Melby presented to the State Board a tentative plan for converting the purposes for which the three smaller units had been established. Because of the war, enrollment in each of these units had dropped almost to the vanishing point, with no possibility of artificial bolstering, as had been done at the State University, the State College, and the School of Mines, by inauguration of special war-training groups. As early as September, 1943, he had questioned the advisability of continuing the State Normal College at Dillon, stating that it had "no future as a teacher training institution." He raised then the question as to whether it might not be wise to close the school during the war and then reorganize afterward.¹ But in 1944, he advocated conversion of the Dillon unit into a vocational training school, and the transformation of the units at Billings and Havre into junior colleges.² After discussion of his proposals, the State Board directed him to prepare a definite program of conversion for submission to the Board at its September, 1944, meeting. The record is not too clear as to the next moves by the friends of the units concerned with this conversion plan, but it is clear that they were not too happy with the proposals, and that the advancement of such a plan by Dr. Melby was one of the major points in later attacks on him and on his planning for the

1. MINUTES, op. cit., p. 3830.

2. Ibid., p. 3998.

future of the University system. Whatever may have been the contributing causes, it is a fact that Dr. Melby did not present a definite plan of conversion to the September, 1944, meeting -- nor to any future meeting. Apparently the only further notation in the minutes of the State Board of Education is one developing from the December meeting, in which, after the request was made by the University system presidents for an executive session with the Board to discuss matters "of utmost importance," the statement was made that "no plans could be made at this time for the institutions located at Dillon or Billings until their functions were decided."¹

Meanwhile, Dr. Melby had worked very closely with the special Montana Commission on Higher Education, of which Judge Frank Leiper, of Glendive, was chairman, and which was charged with the responsibility of making its recommendations to the 1945 Legislative Assembly. Judge Leiper made a personal "policy progress" report to the State Board of Education at its meeting on September 25, 1944, emphasizing --²

I am not authorized to speak for the Commission. I am going to send a letter to each member of the Commission telling them what I have said and what has been done here. That is only fair and should allay criticism. If you can change the report and do the things that we want to see done, then I say "hop to it."

1. MINUTES, op. cit., p. 4101.

2. Ibid., p. 4039. (The complete "report of Judge Leiper" is on pages 4037-4039.)

After criticising the Board for its failure to meet with the Commission, or at least to have some of its members present at the latter's meetings, Judge Leiper discussed three points that would be in the findings of the Commission: (1) the inability of Montana "to support six colleges or universities in the State of Montana," (2) the lack of real power in the State Board of Education to supervise the institutions, and (3) the need for a real "executive head" for the system "to sit in with the presidents and the local boards to study and learn all about the workings of the institutions to the end that they may discuss their needs intelligently."¹ The Board failed to act on the Leiper report at this meeting, but at the meeting on January 15, 1945, the State Board did adopt and send to the Legislature the so-called "Melby Plan" of reorganization of the units.² In the report to the Legislature this "Melby Plan" was referred to as the "policy" of the State Board of Education. The essential feature of this new "policy" was a recommendation that the Legislature adopt one central unified budget for all of the units, with power in the Board of Education to transfer budget items as desirable. Faced with the two reports, which did not agree in most of the recommendations, the Legislature failed to react favorably to either one. In fact it not only refused

1. Cf. post, pp. 232-234.

2. MINUTES, op. cit., pp. 4122-4126 and 4130-4131.

to go along with the budget recommendation of the State Board of Education, but even requested the presidents of the several institutions to present their budget requests separately to the appropriations committees. It also passed House Bill No. 214, which "provides that no person who is a president of an institution can serve as an executive officer of the Board."¹ Thoroughly disillusioned by this reaction on the part of the Legislature, as well as by the lack of cooperation, and even by evidence of opposition, on the part of the other institutions, Dr. Melby resigned as Executive Officer of the State Board. At the April meeting the State Board accepted this resignation and adopted a resolution rescinding the action of January 15, 1945, by which the "Melby Plan" was accepted as the "policy" of the Board.² This action by the State Board was made in full recognition of the fact that to the members of the Legislature as well as to the State Board of Education, the University system was considered, except for budgetary purposes, one institution.³ Thus came to an end a second attempt to so maneuver that the State University at Missoula should be in a position of hegemony among the units of the University system.

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1. SESSION LAWS OF 1945, p. 367.
 2. MINUTES, op. cit., pp. 4158, 4138-4139.
 3. SESSION LAWS, op. cit., p. 364. ("It is the purpose of this Act that the said six (6) units of our university system shall be considered for all purposes one university.")

End of a Dream

With the resignation of Dr. Melby as Executive Officer of the State Board of Education, the University system again was operated in interim fashion under Miss Dorothy Green, the Executive Secretary. The latter was no novice in working with the unit presidents, for she had had long experience as an associate of Dr. Swain in the years following the resignation of Dr. Brannon as Chancellor in 1933; and in the period from the death of Dr. Swain in 1941 to the appointment of Dr. Melby as Chancellor in 1943, she had been in charge of the University office. Thus once more University affairs were in exceptionally capable hands. For direction of the routine matters of administration and for counsel in determination of policy recommendations by the Executive Council, no one in the state had better background or experience.

The State Board, however, did not hesitate long in making a decision as to the appointment of a new Chancellor. Post-war problems created by mushrooming enrollments in the University units created pressures both on staff and on buildings. To take the lead toward the solution of these problems, the State Board of Education felt the need of one trained in college administration and experienced in handling college personnel. Such a person, it felt, was Dr. George A. Selke, then president of St. Cloud Teachers' College in Minnesota. Dr. Selke accepted

the position of Chancellor as offered to him, effective May 1, 1946.¹

In accepting the position, Dr. Selke was reported to have announced to his friends that he was "exchanging security for excitement."² Whether this was true or not, he certainly brought excitement with him to the new position. During World War II he had been an army officer, and he seemed to feel that what was needed in the office of the Chancellor was the army technique. Rarely relaxed, he barked out orders to presidents as well as to others in the University system with whom he came into contact. In meetings he rebuffed discussion of points with which he might be in disagreement, and consistently demanded recognition of his over-all power and importance. Because of this domineering personality he soon ran into difficulty with the heads and local faculties of the various institutions, who had been accustomed to a more relaxed and democratic procedure in the development of University policies and administrative routine. Lacking the exceptional organizational and administrative ability of a Chancellor Elliott, or the genial personality of a Chancellor Brannon, or the recognized scholarship of a Chancellor Melby, Dr. Selke was not one who could mesh the various discordant elements in the University system into a harmonious whole. However, he was tolerated.

1. MINUTES, op. cit., p. 4396.

2. Brewer, op. cit., p. 20.

at first by the State Board of Education because of the reluctance of Board members to admit that another mistake had been made in the choice of a Chancellor and no doubt they hoped that after the newness of the position wore off, the new man might settle down into the groove and develop a technique of leadership which would pay off in a smooth working University system. This hope was not realized, and it was not too long before signs appeared indicating trouble ahead. In an attempt to restore his falling prestige he persuaded the State Board of Education on September 23, 1949, to require that all matters of business transmitted to other departments or agencies of the University system should be channeled through the office of the Chancellor. While in itself this seemed to be a routine matter of good business, in actual practice it was designed to cut the influence of the individual presidents while enhancing that of the Chancellor.

By 1950 accumulated friction came to a head in his controversy -- and in that of the State Board of Education -- with President Vande Bogart of the Northern Montana College at Havre. In the person of President Vande Bogart the Chancellor was in contact with a personality much like his own -- self-willed, determined, ruthless in action, and willing to use almost any political means to attain his ends. By such a mode of action he had built an excellent college in Havre, one which was offering many curricula, including those in elementary education,

not even dreamed of in the minds of the legislators who first approved the organization of a school in that area. Now this technique came into action in a manner that led to very bad feeling between President VandeBogart and the State Board of Education and between VandeBogart and the Chancellor himself. This development came about in the controversy over the distribution of the funds voted by the people of Montana in 1948 -- the \$5,000,000 bond issue for University buildings. This controversy was tied up in a jurisdictional fight¹ between the State Board of Education on one hand and the State Board of Examiners on the other. In this controversy the allotment of funds to Northern Montana College from this bond issue was a key point. The allotment favored by the State Board of Examiners would give the institution at Havre a much larger share of the bond issue than that favored by the State Board of Education. Behind the insistence of the State Board of Examiners on \$1,200,000 for Northern Montana College was, it seemed to many members of the State Board of Education and to Chancellor Selke, a "deal" made by local politicians and friends of the Havre school. In their minds, President VandeBogart was tied up with this "deal" in a manner suggestive to them of total disregard for the wishes of the majority of the State Board of Education, or for the general well-being of the state. They felt that he had

1. Cf. post, pp. 217-226.

"sold" the integrated system "down the river," and were determined to have him removed from office. In this situation, pressure was brought to bear on the Chancellor, and the latter refused to recommend that President VandeBogart be continued in office. Accordingly, after a reportedly very stormy executive session of the State Board on April 10, 1950, in which feeling ran high on both sides, and after a roll-call vote recorded as six in favor to four against and one in doubt, it was voted that the "Board concurred in the recommendation of Dr. Selke that the contract of Dr. VandeBogart not be renewed."¹ In order to be sure to avoid possible legal complications as a result of this action, the Board further instructed its secretary "to send notice to President VandeBogart by registered mail advising him of the Board's action so that the notice would reach him before the 15th of April, advising him that his contract was not to be renewed."¹

By July 11, 1950, tempers had cooled sufficiently so that the April action was amended at the State Board meeting on that date so that "earned accumulated two quarters out of residence with pay" was granted to President VandeBogart. Further he was offered an appointment as professor of chemistry at Montana State University, beginning with January 1, 1951. Incidentally this latter appointment apparently was made without

1. MINUTES, op. cit., p. 5532.

official consultation with the administrative officials at Missoula. However, since the appointment was declined by Dr. VandeBogart, no further action took place.

An aftermath of this struggle with President VandeBogart was the reaction toward Chancellor Selke. Early in the fall it became apparent that even with strong support from the State Board of Education -- support that was in no way assured -- the enemies of the Chancellor and of the University system itself would be very active in the forthcoming Legislative Assembly. Accordingly, on November 1, 1950, realizing that he had failed in his attempt to restore confidence in the Chancellorship, and stating that he felt that it was for the best interest of the University system, Chancellor Selke resigned, after having served the system slightly over four years. His resignation, and subsequent actions by the 1951 and later Legislatures, brought an end to a dream -- a dream that an integrated system of higher education could be built around the person of a Chancellor, without at the same time giving to that person all the power and authority necessary for the successful operation of such a system.

New Inter-Faculty Agencies

Although there is little of accomplishment to record in regard to the four years of Chancellor Selke's administration, it should be noted that he did set in motion three inter-faculty agencies, each one of which

has great possibilities in promoting the development of that cooperation among the units and its faculties without which no really integrated system can survive. The first of these agencies is the Committee on Basic Curricula, composed of two representatives from each of the units. Originally appointed in 1948 as a Chancellor's committee, it has since been continued as a standing committee for the Executive Council. As reported to the State Board of Education by the Chancellor on December 13, 1949,¹ its main duties are three-fold: (1) formulation of better and more uniform practices among the units, (2) standardization of the evaluation of credit transcripts, and (3) development of general understanding of different curricula and courses of study. The second inter-faculty group was the Committee on Teacher Education, also composed of two representatives from each of the five units which are charged with the responsibility of training teachers for Montana's public schools. Its main function is to resolve differences in training procedures and curricula among the units, with a special responsibility of securing as much uniformity in practice as is practicable. It is also charged with the responsibility of developing good working relationships between the University units and the State Department of Public Instruction. Like the Committee on Basic Curricula it now operates as a standing committee for the Executive Council. The third inter-faculty group is the Inter-Faculty Council,

1. MINUTES, op. cit., p. 5463.

organized in 1948. Composed of five members from each unit as elected by the individual faculties, the Faculty Council meets once each quarter to discuss matters of concern to the faculties of the University of Montana. With this group, as with the two inter-faculty committees, any recommendation must be channeled through the Executive Council.

Though not many tangible evidences of results from the meetings of the Faculty Council may be present, there is no doubt that these stated meetings do much to promote goodwill and fellowship among the faculties of the various units, thus contributing immeasurably to that ideal advanced before the formation of the University system in 1915, and specifically stated again by the 1945 Legislative Assembly -- "that the six (6) units of our university system shall be considered for all purposes one university."¹

IV. CURRENT CONTROLS FOR THE UNIVERSITY SYSTEM

Upon the resignation of Chancellor Selke on November 1, 1950, the State Board of Education appointed Miss Dorothy Green as Acting Chancellor. As had been expected, the 1951 Legislative Assembly abolished the position of chancellor, changing the law by which the University system was established to read "executive head" instead of

1. SESSION LAWS OF 1945, op. cit., p. 364.

"chancellor." Moreover, as had been the case in 1933 when the politicians became incensed with Chancellor Brannon, so again in 1951 did the Legislature fail to provide any appropriation for such a position. Accordingly, at the State Board of Education meeting on April 9, 1951, Miss Green's title was changed to read "special assistant to the secretary of the State Board of Education in matters concerning higher education."¹ Whether the intent was thus indirectly to bring the University system under the control of the State Superintendent of Public Instruction (who is ex-officio secretary of the State Board of Education) is not clear. Whatever may have been the original intent, an apparent change of purpose developed by mid-summer, for at the State Board meeting on July 16, 1951, Miss Green's title was changed back to "Executive Secretary of the University of Montana," with her duties clearly defined, as follows:² (in addition to secretarial, statistical, and clerical)

1. Secretary of the Executive Council
2. Administrative
 - a. Responsibilities as custodian of Student Loan Fund -- Montana Bankers Association Edward C. Elliott Loan Fund
 - b. Duties involved in carrying out regulations in regard to the awarding of high school honor scholarships
 - c. Duties as agent of State Board of Education in regard to applications to the Director of Permits, Bureau of

1. MINUTES, op. cit., pp. 5821-5822.
2. Ibid., pp. 5911-5912.

Industrial Alcohol for withdrawal of tax-free alcohol for use by the several institutions of the University of Montana

- d. Such other duties as necessary for efficient functioning of the office

By action of the 1953 Legislature, the office of the Executive Secretary was incorporated into the law regulating the operation of the University system, with that officer directly responsible to the State Board of Education.

In addition to abolishing the position of the Chancellor, the 1951 Legislative Assembly also made the State Board of Education definitely responsible for detailed expenditures of the units of the University of Montana. It did this by passing a directive requiring the Board itself to determine "the need for all expenditures and for controlling the purposes for which all funds"¹ of the state institutions should be spent. Due to these added responsibilities the Board began to hold monthly meetings instead of the four per year specifically required by law. Despite these additional meetings the Board still found itself faced by a mounting mass of detail for which it had insufficient time or information for careful evaluation. More and more the Executive Council was used as a means of sifting details, but without a Chancellor, this group often arrived at its recommendations through the process of horse-trading,

1. SESSION LAWS OF 1951, p. 144.

dickering and political maneuvering.

Thus has evolved the Montana System: an experiment in integrated higher education. Under Chancellors Elliott and Brannon, the experiment met with enthusiastic acceptance as the answer to the problem of duplication, the menace of inter-institutional rivalry, and the frustrations of political manipulating. As practice developed and the newness of the system wore off, enthusiasm waned, and the system ran into difficulty with the politicians, egged on by local jealousies and overly-ambitious administrators. This situation finally resulted in an era of no chancellorship, an epoch of care-taker status under the executive secretary of the University system. In 1940, the failure of the bond issue and the almost failure of renewal for the millage system of financing the University renewed pressure for restoration of the position of the Chancellor. So in 1943 the idealistic Dr. Melby was called from the presidency of the State University at Missoula to take over the position of the Chancellor of the System. But Dr. Melby lacked the patience to steer carefully formulated policies through the intricacies of politics either on the state level or in local groups. Similarly, his successor, Dr. Selke, failed to sell the position of the Chancellor to those whose support was necessary if the position were to be retained. These failures led eventually to the abolition of the position of Chancellor. In this manner the cycle revolved, bringing an end to the dream

of an integrated system dominated by a strong personality, a dynamic leader of one University for the entire state. In its stead there has developed a new concept. Still maintaining the ideal of one University, the strength of integration is now deemed to be in the controls of an all-powerful State Board of Education, advised on essential questions of policy by an Executive Council of the presidents of the units of the system operating under a system of rotating chairmanship. Handling the administrative routine of this integrated system is an experienced and capable executive secretary, an officer of the State Board of Education. The original dream broke down under the exigencies of practical politics. The revised dream is in the hands of time.

CHAPTER IV

MISCELLANEOUS PROBLEMS

I. FINANCE AND BUDGET

Consistently the securing of sufficient financial support has been a major problem for the University of Montana. Actually this problem has been present ever since the first establishment of the state's educational institutions.¹ Since the major part of financial support had to result from legislative action, an over-proportionate time of administrative officials had to be devoted to political intrigue and maneuvering. In fact, a major factor in the pressure for an integrated university was the feeling that the new system would prove less of a financial burden to the state, and thus decrease the amount of such political manipulation.

For a time, as the first Chancellor instituted his systematic budgetary controls, cut out much of the unnecessary duplications, and insisted on more economy in operation, it seemed that this hope of financial security would be justified. However, as the first World War drew to a close, and students again began to flock to the University units at the same time that a shortage of qualified teachers was forcing up salaries, it was evident that the easement of the financial problem had resulted

1. Cf. ante, pp. 88-95.

more from the depletion of the student body than from the efficient operation of the new system. Thus by late November, 1919, the financial situation had become so critical that the Executive Council held an animated meeting discussing ways and means of resolving the crisis.¹ The origin of the crisis went back to the formation periods of the budgets. In anticipation of the meeting of the 1919 Legislature the Chancellor had submitted to the State Board of Education his estimates of needs for the several institutions. In the name of economy the State Board had reduced these requests, and later the Legislature had made further reductions. Thus, by November, with student bodies rapidly increasing under the impact of the returning veterans, the units were faced with the need of curtailing activities severely unless some means could be found for increased financial support. Among curtailment methods discussed were (1) arbitrary limitation on the admission of students, a procedure very distasteful to Montanans and of doubtful legality, (2) actual discontinuance of such activities as summer sessions, the preparatory department at the agricultural college, and some of the professional schools at the state university, and (3) temporary diversion of building appropriations to maintenance needs. As a result of this meeting the Executive Council agreed to request the State Board of Education to take the lead in initiating two measures to be

1. EXECUTIVE COUNCIL MINUTES, November 20, 1919.

voted on at the next general election in November, 1920:

1. A permanent state levy of two mills for the maintenance of the institutions of the University of Montana
2. A bond issue of five million dollars for the erection of buildings at the several institutions

Should this plan be acceptable to the State Board of Education, the presidents agreed that permission should be requested from the State Board of Examiners for the units to incur necessary deficiency in the current biennium to permit reasonable adjustment of salary schedules.

Except for cutting the amount of the mill levy to one and one-half mills, the State Board of Education did go along with the recommendations of the Executive Council, but made provision for allocation of one-fourth of the amount received from the sale of any bond issue for buildings for the use of non-educational institutions under the control of the State Board of Education. The major motive behind this latter provision was more to secure the support of their local communities in the campaign for the bond issue rather than to meet pressing building needs of these non-educational institutions. The mill levy-bond campaign was carried to a successful conclusion under the able direction of Professor W. F. Brewer of the agricultural college,¹ establishing the principle of a special state-wide mill levy as the main source for biennial appropriations for the University system and of a special bond issue for erection of buildings as

1. Cf. ante, pp. 113-115.

the latter might be needed. University officials soon found, however, that although in principle the mill levy did provide a source of revenue uncomplicated by the necessity for political jockeying, in practice the financial support for the University was still uncertain. This uncertainty, Chancellor Elliott pointed out,¹ was due to five conditions:

1. Depleted condition of the state treasury
2. Crop failure following possible shortage of rain in the growing season
3. Almost complete reorganization of the State Board of Education
4. General downward trend of non-academic salaries
5. Disposition of the State Board of Examiners to scrutinize much more closely than heretofore all plans for expenditures

To the presidents of the University units the situation was especially aggravating because the recent Legislature had made sufficient appropriation to provide for an average salary increase of about twenty per cent. Yet the attitude of the State Board of Education as well as that of the State Board of Examiners was such that it seemed doubtful that the raises would be authorized. Therefore, at the suggestion of Governor Dixon, the four presidents made plans to attend the April meeting of the State Board of Education, prepared "to aid in presentation of evidence as to the imperative need of immediate action upon salary increases for the coming year."²

1. EXECUTIVE COUNCIL MINUTES, March 25-26, 1921, pp. 1-2.
2. Ibid., p. 3.

This meeting of the State Board of Education, prolonged beyond its usual length, dealt chiefly with the financial problems of the various institutions of the University of Montana, with particular emphasis upon the salary situation. Sound consideration of this problem was made especially difficult because of the changed personnel of the Board. Of the eleven members only two -- Superintendent of Public Instruction May Trumper and member John Dietrich -- had been members at the last meeting of the Board in December, 1920. While there was a definite evidence of goodwill and a willingness to cooperate, most of the members were of the same mind as the one who stated that "being a new member, he wanted time to familiarize himself with the needs of all of the institutions and did not wish to be hurried."¹ Yet the situation was desperate and action was urgently needed. As brought out by the various reports of the presidents -- made directly to the Board at the latter's request -- valuable men in all of the institutions were being lost because of higher salaries available elsewhere. Other equally valuable men were remaining on the staffs simply because of love and loyalty for the institutions and the hope that some way would be found to provide for increase in salary and better working conditions. How long these men would stay if conditions did not improve was questionable. The State Board of Education, despite this recital of specific cases by the

1. MINUTES OF THE STATE BOARD OF EDUCATION, Vol. IV, p. 712. (The complete discussion of this financial situation is on pages 706-719.)

presidents, refused to be stampeded into action. Acutely conscious of the condition of the state treasury, they preferred to take their time before making any decision and voted to hold an adjourned meeting on April 25 for further consideration of the problem. They did, however, select a special committee of three who were charged to sit for two days prior to the adjourned meeting to hear the recommendations of the Chancellor and the presidents in regard to salaries. Finally, at this adjourned meeting on April 25, the State Board did accept the recommendation of its special committee, which required \$46,900 more than had been paid for salaries the previous year, but which was still only about one-half of what had been requested.¹

Confronted by this financial situation, the unit presidents continued to seek a practicable solution that would provide for ample support with which to pay salaries sufficient to hold valuable staff members. At their Executive Council meeting in August, 1922 -- their last meeting with Chancellor Elliott, who had resigned to accept the position as president of Purdue University --² they came to the conclusion that it would be futile "to ask for any large increase over present appropriations,"³ despite the pressure of rapidly increasing enrollment and the greater

1. MINUTES, op. cit., pp. 736, 748.

2. Cf. ante, pp. 115-116.

3. EXECUTIVE COUNCIL MINUTES, April 14-15, p. 1.

burden of fixed charges resulting from recently enlarged physical plants. They felt that even if they were successful in securing increases from the Legislature, "revenue would not be available." As a result of their discussion at this meeting they apparently decided on a course of action. This action favored a joint letter from the four presidents -- C. H. Clapp of the State University, Alfred Atkinson of the State College, G. W. Craven of the School of Mines, and S. E. Davis of the Normal College -- analyzing the financial situation and explaining the lack of success of the mill levy as the source for financial support. This letter was presented to the meeting of the State Board of Education in September, 1922.¹ The lack of success of the mill levy, the presidents maintained, was due primarily to three factors:

1. The decrease in the state's assessed valuation since 1920
2. The rapid rise of enrollment in the institutions
3. The increased costs, especially in regard to salaries

In 1920, at the time that the mill-levy principle was adopted by the people, the expected assessed valuation of the state exceeded \$600,000,000. Such a valuation should yield a tax income, by the adopted mill levy, in excess of a million dollars for the biennium. Actually in 1922 the assessed valuation had decreased to about \$475,000,000, which would

1. MINUTES, op. cit., p. 928.

provide a tax yield, less delinquent taxes, of less than \$700,000. The conclusion of their letter was that if the University system were to be held to the mill levy as its main source of income, the maximum number of students that it could accommodate was 2500, and that no summer school could be supported. Bringing out the effect of inadequate financing on the retention of first-rate teachers, the communication revealed that during 1921-1922, the University of Montana lost sixteen per cent of its best teachers to other colleges and to professional work. The letter continued:¹

If this process is continued, the University will rapidly become the refuge for the professional incompetent, and such persons should not be the directors of the intelligent youth of the state.

In response to this letter the State Board of Education appointed a special committee, with instructions to report at the next meeting of the Board with a statement that could be circulated so as to "acquaint the public with the actual needs of the University and the public schools of Montana."² At this meeting, held December 5, 1922, the prepared statement was approved. Maintaining that the current system of financing public education had broken down to such an extent that a decided change in means of support was needed, the State Board of Education recommended

1. MINUTES, op. cit., p. 951.

2. Ibid.

"the removal of the serious inequalities in educational opportunities as well as in tax burdens."¹ It further advocated provision for new tax revenues for the state so as to make possible the lowering of special district levies as well as legislation permitting "application of better business principles in school management."²

Apparently the Legislature failed to satisfy the intent of these moves by the Executive Council and the State Board of Education, and in fact hampered somewhat their freedom of action. At the Executive Council meeting in March, 1923, held after the adjournment of the Legislature, the presidents "discussed at length" the 1923-1925 Appropriation Bill, and especially the implications for the University System in its limitations of expenditures in section 3 of that Bill.³ By this section, General Fund appropriations could be used only "as is necessary to make up the maximum appropriation after first exhausting the corresponding Revolving Appropriation accounts, Interest and Income Fund Accounts, and any and all other fund accounts from which payment may be made for the benefit of the institution hereinabove specified."

The University System continued to feel financial stress throughout the twenties. In April, 1925, with a new Governor and a

1. MINUTES, op. cit., p. 954.

2. Ibid., p. 955.

3. SESSION LAWS OF 1923, p. 572.

new Attorney-General on the State Board of Education, emergency conditions were reflected in the vote that "no expenditures of money should be authorized at this meeting, except for strictly emergency purposes."¹ This State Board further set up a committee of three, appointed by the Governor, to which all requests for expenditures had to be referred. The committee was required to furnish each member of the Board a statement of its recommendations "not less than one week before the next meeting." Apparently in July of this year the State Board of Education cut actual budgets for the University units below those approved by the Legislature, for at the State Board meeting in October, 1925, the State College requested release of \$14,000 of its \$25,000 cut, giving increased enrollment as the basis for this request.² During discussion of the costs of the system in this State Board meeting, Chancellor Brannon mentioned that the University accounting system³ "costs the State University several thousands of dollars annually which ought to be saved by the substitution of an efficient and more economical system." Disregarding this criticism by the Chancellor, the State Board, after reviewing charges of extravagance that had been widely publicized, appointed a committee of three to work with the Chancellor in a study of the overhead expenses of the four units "with the

1. MINUTES, op. cit., p. 1125.

2. Ibid., p. 1205.

3. Ibid., p. 1206.

express purpose of working out some plan whereby the operating expenses could be reduced."¹ This committee reported on April 5, 1926,² that after investigation of the administrative machinery at Montana State University, it had "found no single item that they were prepared to recommend should be eliminated." The committee further commented that it was "impossible for an outsider to come into any business or institution and recommend intelligently wherein the costs could be eliminated." Following this oral report, a member of the Board demanded that the committee should make a written report, giving it the "same publicity which had been given the charges of extravagance... (which he) was sure... were entirely unwarranted." Following this discussion, the State Board voted to take no further action toward cutting costs until after it had received the written report of its committee.

During all this time there was considerable agitation over the efficacy of the one and one-half mill levy as the main financial support of the University System. In fact, during part of the period, the University had had to share part of the income from the mill levy with other state institutions under the control of the State Board of Education. This diversion of mill levy income was attacked so strenuously at the October,

1. MINUTES, op. cit., p. 1207.

2. Ibid., pp. 1245-1246.

1925, State Board meeting, to which reference has already been made, that Governor Erickson stated that he favored referral of the matter to the State Supreme Court, and that, if the State Supreme Court agreed, he had "no objection to the use of the entire proceeds from the one and one-half mill tax" for the educational institutions.¹ Later, at the December, 1925, State Board of Education meeting, Chancellor Brannon reported that at a conference with the State Board of Examiners, it was decided to bring a friendly suit to determine whether the "proceeds of the one and one-half mill tax could legally be used for any departments other than the four teaching units."² As a result of this suit the Supreme Court ruled against this diversion practice,³ but even with this relief the special mill tax levy was insufficient to meet the needs of the University units. This inadequacy became so acute by September, 1926, that the Chancellor sought unsuccessfully from the State Board permission to request a larger appropriation from the Legislature for 1927-1929 than the amount that would be possible under the mill levy alone. However, although the Board would not go along with the plan for securing other financial support, it did, for the first time, appoint a committee to assist the Chancellor in preparing the budget.⁴ This maneuver was fortunate, for exceptional difficulty was

1. MINUTES, op. cit., p. 1207.

2. Ibid., p. 1223.

3. MONTANA REPORTS 75: p. 458.

4. MINUTES, op. cit., p. 1303.

experienced with the 1927 Legislature, and it is questionable that any workable budget would have passed at all, had there not been this aid from the State Board of Education.¹ The Chancellor's report to the State Board on April 1, 1929, indicates that the 1929 Legislature was more friendly -- a situation that he states was largely due to the work of the State Board of Education. In this report, he comments that this activity on the part of the Board

1. Did away with the idea that the Board was just a "rubber stamp"
2. Brought out the fact that higher education has a body of constitutional officers who are concerned with the development of higher education
3. Led to cooperation on the part of the Appropriations Committee of the House which, after receiving correct information, added \$10,000 to the University appropriation.

Meanwhile, because the authorization for the special mill levy in 1920 was for only ten years, it became necessary to plan another campaign, if this method of financing the University system was to be continued. As in 1920, it was decided to combine with the mill levy a proposal for a bond issue of \$3,000,000 for the erection of buildings at the state institutions. Again, as in 1920, the bond proposal included custodial as well as educational institutions. Moreover, as a result of the inadequacy of the one and one-half mill levy which had led to something like \$3,000,000

1. MINUTES, op. cit., p. 1318.

in outstanding registered warrants,¹ the request in 1930 was for a special three mill levy, just double that requested in 1920. Some difficulty was experienced in securing a campaign manager,² but finally W. M. Johnston, a prominent Billings attorney and former member of the State Board of Education consented to accept the position. The campaign was successful for both the millage and the bonds,³ insuring financial support for the next ten years and erection of the more urgently needed buildings.

However, by the spring of 1932 the effect of the national economic depression was very definitely felt in Montana, where drought conditions only magnified the seriousness of the situation. Reactions were manifest in the State Board of Education, where heated arguments relative to the University budget for 1932-1933 were under way. Definite feeling was present that there should be an effort to reduce the cost of government in all departments because of the depression and the decreased incomes of taxpayers. Board members supporting this view called attention to the reduction of income suffered by practically everyone, during the past two years, except salaried officials and employees of the federal government, states, counties, municipalities, and school districts. Specifically they stated that probable revenue from the University Millage Fund for 1932-1933

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1. Henry H. Swain, ADDRESS, August 21, 1930, pp. 3-4. (Reprint in office of Executive Secretary, University of Montana.)
 2. EXECUTIVE COUNCIL MINUTES, November 23, 1929, March 29, 1930.
 3. MINUTES, op. cit., p. 1674.

(because of unpaid taxes, etc.) would be approximately \$300,000 less than the appropriations made by the 1932 Legislature, with the result that University warrants would have to be registered "for want of sufficient funds" if budgets equal to the appropriations were approved. Those leading the fight for a reduced budget in line with actual income called attention to the attitude of bankers toward registered warrants, an attitude which would mean a probable discount of such warrants, with consequent loss of revenue to the University employees. Moreover, such registered warrants, as a future obligation against University funds, would handicap the setting up of future budgets. Accordingly this group fought vigorously for a reduction of the University budget to an amount equal to anticipated actual income.¹

Against this point of view was that presented by the Chancellor on behalf of the respective units. The State Board of Education was reminded of commitments made by the respective units at the beginning of the biennium -- commitments made in the supposition that the amounts set by the Legislature would be authorized, especially since the Legislature itself had reduced appropriations below those authorized for 1931-1933.² Moreover, the Chancellor reminded the Board of Education that an

1. MINUTES, op. cit., pp. 1817-1820, 1824-1826.

2. Ibid., p. 1818.

additional cut of over \$50,000 would result from loss of income from land endowment. Supporting the view that members of the Legislature expected the University units to use the full appropriations for 1932-1933, the Chancellor read letters "from five senators, one of whom was the chairman of the Finance and Claims Committee, and four representatives, one of whom was chairman of the Appropriations Committee, for the 1931 Legislature, advising that it was their individual belief that the members of the Legislature expected the State Board of Education to use all of the appropriations made for the University units if it were found necessary to do so in order to secure reasonably efficient service for the state."¹ The Chancellor also emphasized the increase in attendance of approximately ten per cent in the respective units of the University, and the special additional expense for the State Normal College in its adoption of a four-year degree program, following the mandate of the 1931 Legislature.

The determined effort of the "economy-minded" group in the March State Board of Education meeting resulted only in a caution to the individual units to "make every possible effort to reduce their expenditures so as to save all possible funds during the year," while using the Legislative appropriations as a base for their next year's proposals.² However,

1. MINUTES, op. cit., pp. 1817-1818.

2. Ibid., p. 1819.

when the State Board met in April for the final adoption of the University budget, several other members had swung to the point of view of the "economy" group. Though unwilling to go along with a proposal for a flat ten per cent reduction in all salaries, they did approve a resolution requesting an approximately ten per cent reduction in all budgets from the legislative appropriations. They also instructed the Chancellor to notify the presidents of the respective units that faculty contracts would not now be renewed for the next year "on the present salary basis, but that they will be renewed at a later date, at which time the salaries will be fixed."¹ They further instructed the presidents to notify all of their faculty members of this action before April 15, 1932, after which date faculty contracts would have been automatically renewed. Finally, the presidents were instructed to submit to the July, 1932, meeting of the State Board of Education, through the Chancellor, new budgets "showing how they intend to meet the ten per cent reduction."²

By 1933, the "economy" movement had swept into the Legislature, impelled especially by Representative Ray Shannon, chairman of the House Committee on Appropriations. Under his influence the appropriation for the University system was held to two and one-half mills, the other one-half mill being set aside for the redemption of registered warrants

1. MINUTES, op. cit., p. 1826.

2. Ibid.

from the 1931-1933 biennium. In addition, provision was made for about twenty per cent delinquency in taxes. Accordingly the total University budget was set at \$700,000, an amount wholly inadequate to meet its needs. Northern Montana College, especially, was dissatisfied with its original allocation by the State Board, seeking additional funds on the basis of its lack of income from land grants or federal sources. A strenuous fight ensued in which the State Board, defeated in its attempt to secure additional funds from the Legislative Committee, finally gave in to the Havre unit by deducting pro-rata from the other units "the \$7,000 required by the Board members from the northern part of the State."¹ As was the case in 1927, this 1933 Legislature was notably hostile to the University units. So hostile was it that only by the most ardent efforts were the friends of higher education able to obtain retention of a fair budget and other items vital to the continuance of the University. This situation is reflected by the vote of thanks extended on April 3, 1933, to Mr. J. Howard Toole, a member of the Board,²

for valuable assistance rendered...in the last legislative session in connection with raising the millage levy one-half mill, preventing the lowering of the evaluation of real estate from thirty to twenty per cent, saving the residence hall act, preventing the abolition of the eastern and northern units, and other matters of vital importance to the University.

1. MINUTES, op. cit., p. 1944.

2. Ibid., 1. 1951.

An upward trend seemed to be under way in April, 1935, when the State Board of Education raised the salaries of the presidents of the units five per cent, and the faculty salaries to some degree. But two years later, at the April, 1937, State Board of Education meeting Executive Secretary Swain of the University in a letter to the Board¹ indicated that the Legislature had failed to go along with the requested budget plan for a "substantial restoration of salaries toward the figures in effect before the drastic salary reductions made in 1932." Although request had been made for an increase of \$191,810 over the budget allotted for the current year (1936-1937), the Legislature had granted an increase of only \$12,875, except for ear-marked funds. As a result no general salary increases were possible for members of the University faculty. Illustrative of the disintegrating effect of the state policy was the situation at Montana State College, where President Atkinson noted that practically every man in the agricultural division had been offered opportunities to move at a much higher salary than that available at Montana State College. "Fortunately," he stated, "only one man accepted the offer, but the men stayed only because they prefer the type of life here and not because the salaries were on a competitive basis...I find that we have lost twenty-five faculty members since 1933 because they went to more remunerative positions. The

1. MINUTES, op. cit., p. 2583.

aggregate of their beginning salaries in their new positions was an increase of 47.2 per cent."¹

Montana State College budget troubles continued to be so severe that for the fiscal year 1938-1939, Dr. Strand, who had succeeded to the presidency of Montana State College, found it necessary to request each member of the faculty to make a voluntary contribution of a certain percentage of his salary. This was done on a "release" by which deduction would be made each month. Basis for this assignment was as follows:²

Salary of 1500 to 2100 -- reduction of 3%
 Salary of 2101 to 2800 -- reduction of 4%
 Salary of 2801, up -- reduction of 5%

By 1939 the Legislature was asked to provide a "special appropriation from the general funds of the state to protect the physical plants of the University of Montana from further deterioration."³ This request, like others

1. MINUTES, *op. cit.*, p. 2583.

2. *Ibid.*, p. 2757. The "release" read as follows:

As a member of the faculty of Montana State College, I appreciate the difficulty that President Strand, through no fault of his, has in making a balanced budget for the coming year. Even by cutting departmental appropriations to the barest operating basis, he will have insufficient funds to balance the budget. Thus, expressing my confidence in President Strand, I assign to Montana State College \$_____ from my salary for 1938-1939, and authorize the College treasurer, A. A. Cameron, to deduct one-tenth of this amount from my salary warrants each month for the months of September, 1938, to June, 1939. Signed:_____.

(While all members of the faculty did sign these "releases," President Strand later was able to reorganize his budget so that no actual deductions were made.)

3. *Ibid.*, p. 2843.

before it, fell on deaf ears.

In 1940 it was necessary to secure new authorization for the mill levy which had been approved for ten years in 1930. The 1939 Legislature had voted for a three and one-half mill levy. By initiative, approval was also sought for building bonds for Montana State College. As in 1920, this campaign was directed by Professor W. F. Brewer of Montana State College.¹ The bond issue was defeated, but the mill levy carried by a narrow majority.²

Alarmed by the narrow squeeze in 1940, the State Board of Education on July 24, 1944,³ followed Professor Brewer's recommendation that request be made to the Legislature for the next campaign to be held in 1948 instead of in 1950, as would be the normal plan. With the favorable majority for the mill levy decreasing with every election, defeat for the levy seemed highly possible. An early decision by the people would give time for planning for other financial support, should such occur. Thus at this meeting in July, 1944, the State Board appointed a special committee to report in September in regard to possible plans for the campaign. However, the mixed political situation involving President Melby and his relationship to the State Board⁴ undoubtedly acted as a deterrent

1. Cf. ante, pp. 154-55.

2. MINUTES, op. cit., p. 3286. (Professor Brewer's report, pp. 3294-95.)

3. Ibid., p. 3996.

4. Cf. ante, pp. 162-68.

to action at this time, for no official report was made to the Board. The new Chancellor in 1946, Dr. George A. Selke, proposed to the State Board of Education on December 9, that authorization for a referendum "not to exceed eight mills" be requested from the 1947 Legislature, with each Legislative Assembly given the power to fix the exact levy up to that amount. While no action was taken by the State Board on this proposal, influence of the Board members in the 1947 Legislature aided in securing approval of a referendum in 1948 for a six-mill levy for support and for a bond issue of \$5,000,000 for the erection of buildings at the various University units. Albert Erickson of Great Falls was appointed manager of the campaign. With supporters very definitely aroused by the narrow margin of success for the mill levy in 1940, coupled with the defeat of the building bonds, thorough organization was possible in every county, and both referendums carried by a better than three to two margin.¹

Meanwhile after 1940 budget difficulties continued to plague the University units. Foremost among these was that of finding some way to restore the former salary schedules. This problem was forcibly indicated by President Melby before the State Board of Education meeting on April 13, 1942:²

1. MINUTES, op. cit., p. 5177.

2. Ibid., pp. 3496-3497.

A major problem is the matter of an attempt at restoration of the former salary schedule. It is feared that if the present low salaries continue, it will be impossible to get first class instructors and that it will be necessary for Montana to accept teachers who have been discarded by other institutions...As a general rule...to increase salaries about five per cent with such matters as competence, length of service, and the previous salary rate being considered...It would probably be possible to take advantage of the present war situation to strengthen the faculty personnel of the University. In view of possible decrease in enrollment...in some instances of retirement or resignation it would not be necessary to fill all vacancies, thereby making it possible to increase salaries still more. By combining some of the work of various departments, it may be possible to accumulate enough funds to bring into the University leadership to strengthen weak departments so that at the end of the war it is hoped that the University will be in a better position than at the beginning of the war.

Unquestionably it was this general budget condition -- especially during World War II, when some units were experiencing the difficulty of inadequate finances while others had a surplus of funds-- that led to Dr. Melby's leadership in the plans for an over-all budget for the units. The State Board of Education, according to these plans, would have authority to transfer funds as needed, up to a certain percentage of the original budget, but Dr. Melby's proposals eventually cost him the support of the other units and of the controlling groups in the Legislature.¹

A major factor in this problem of inadequate financial support for the University of Montana was failure to secure the necessary appropriations from the Legislature. The non-appropriation funds in the budget for

1. Cf. ante, pp. 166-167.

any unit, including income from the land grants where available, were only a minor source of income. Thus each biennium it was necessary to go before the Legislature through committees often hostile in attitude to secure the necessary funds for operation. Naturally this situation led to the political maneuvering, the swapping of votes, the jockeying for position, that characterized most of the legislative sessions before the organization of the University system. While it was the hope of the promoters of this system that formation of an integrated system would put an end to this type of effort, by 1920 it was clearly apparent that no real change had taken place. For that reason the millage tax plan was advanced, the hope now being that with such a source of income guaranteed for the support of the University, no tapping of the State's General Fund would be necessary, and political machinations out-moded. However, this aspect of the plan was never successful. The financial strains caused by the depressed economic conditions of the twenties and thirties tempted politicians to divert part of the mill levy income to the support of non-educational institutions. At the same time unexpectedly high enrollments added to the financial burden of the University units, forcing them to seek supplemental support from the Legislature beyond that offered by the mill levy and the land grant income. The ideal of a non-political source of income was never achieved. Action by the 1941 Legislature in passing the so-called "jack-pot bill" -- House Bill Number 10 -- aggravated

an already tense situation. Previously the University units at least had not had to battle for funds with the public schools, for the latter, for the most part, received their state support from earmarked funds. This 1941 Legislative action, however, changed all this. Now practically all income to the state except land grant money and a few very specialized funds usually of a temporary nature, was deposited to the General Fund.¹ Thus all agencies of government, of whatever nature, were forced to seek appropriations out of the one General Fund, the "jack-pot." The bill, when introduced into the House, aroused a tremendous furor throughout the State, and was bitterly fought in the Legislature. Yet final victory went to the exponents of the one central fund as the source for appropriations. Now the University units, in their search for adequate income had to battle with the public schools as well as with non-educational agencies of government. Each Legislative session they had to deal with politicians who, while not always hostile to higher education, were usually more favorably disposed to consider the pressing needs of other governmental agencies. Contributing to this attitude in the Legislative sessions was the University units' difficulty of providing accurate and satisfactory information to the necessary committees. Sometimes their problem was one of providing counter-information to that furnished by such economy-minded

1. SESSION LAWS OF 1941, pp. 16-21.

groups as the Montana Taxpayers Association, which often presented its data on the University system in such a manner that the inferences were detrimental to the University units, convincing the legislators that much waste and extravagance was present in the operation of the units. More often the units were obliged to convince members of the Legislature as to the urgency of University needs.

As a partial solution for this problem of providing satisfactory information as well as that of avoiding battling for funds between the University units and the public schools, M. P. Moe, executive-secretary of the Montana Education Association, suggested to the State Board of Education at its meeting on December 18, 1944,¹ that the State Board of Education join with six other organizations² interested in education to form a "steering" committee to assist in obtaining the enactment of desirable educational legislation." Moe maintained that if these groups could agree and act together it would "eliminate much confusion and overlapping and in the end bring more successful results." Although the State Board at this time took no action on this request, it later, in 1956, voted to cooperate with the Montana Education Association when its then executive-

1. MINUTES, op. cit., pp. 4087-4088.

2. State Congress of Parents and Teachers, Montana Education Association, Montana Federation of Teachers, Montana School Boards Association, State Department of Public Instruction, State Teachers Retirement Board.

secretary, D. D. Cooper, suggested consolidation of efforts by varying levels of education -- elementary, secondary, higher -- to "present a unified educational program and its needs to the people of the State."¹

This problem of providing adequate and acceptable information to the Legislature was particularly acute during the years when no Chancellor was employed. For the 1943 session the State Board of Education decided on the following procedure as the most effective method of presenting the financial needs of the University system:²

1. Each president to appear before the proper sub-committee to present his support of the budget
2. Representatives of sub-committee urged to visit each institution
3. Arrangements to be made to have the presidents and such members of the State Board as could attend appear before the full Appropriations Committee of the House and the Finance and Claims Committee of the Senate in joint session

By the time of the 1945 session the problem of adequate financing was particularly acute because the increases in the requested budget for the University system made it necessary to dip into the General Fund, since the special mill levy income was far from enough to provide the needed funds. At this time the State Board of Education set up a committee of five members³ to serve as a contact body for the presentation of University

1. MINUTES, op. cit., p. 7994.

2. Ibid., pp. 3662-3663.

3. Ibid., p. 4103. ("Three ex-officio members of the Board and two appointive members to be named by the President.")

matters to the proper legislative committees. It also authorized Dr. Melby, "Executive Officer" for the Executive Council, to "be in Helena during the Legislative session when he considers it necessary and that the presidents be in attendance when called in by the legislators."¹

During the regime of Dr. Selke as Chancellor, no attempt was made to follow up this committee procedure, but early in 1952 the State Board of Education revived the plan, now affecting a committee composed entirely of appointive members.² This "budget committee" was instructed to "work with the Presidents of the University Units in the preparation of University budgets to be submitted to the Legislature." The plan worked so satisfactorily, both to the State Board and to the Legislature, that the 1953 Legislature incorporated it into the law. In 1954 the Committee, appointed this time in May, met with the Presidents on July 13. Then, after thorough discussion with them of the proposals made by the Executive Council, the Budget Committee excused the Presidents and independently decided upon recommendations for the Legislature. Opportunity was given to each president to meet separately with the Committee to discuss the amended budget request insofar as it affected his own school. Later, on August 16, the Committee-sponsored budget request was approved

1. MINUTES, op. cit., p. 4109.

2. Ibid., p. 6227.

by the entire State Board of Education and publicity promoted by the State Board.¹ During the 1955 Legislative session this Budget Committee of the State Board of Education worked actively with the sub-committees on University appropriations to insure real understanding of University needs. A similar plan was in practice in 1957. So successful was this plan in 1957 that even though the budget request was more than double that of the previous biennium, it was adopted as requested, almost unanimously, by the Legislature.

The 1955 Legislature also changed the regulation in regard to state fees collected by the University units so that any unit could use all fees collected from students.² Previously the practice had been to set a ceiling in the appropriation beyond which all fees collected accrued to the benefit of the General Fund of the State rather than to the institution. In an era of increasing enrollments, this plan worked a hardship on the units which tried to estimate closely in regard to enrollment trends, for if the number of students exceeded such estimates, extra income was not available even though collected in fees. Accordingly the tendency had been to over-estimate prospects of future enrollment. With permission granted the units to use all fees collected from students, their predictions of future enrollment became more realistic.³

1. MINUTES, op. cit., pp. 7243-7244; 7250-7252.

2. SESSION LAWS OF 1955, p. 847. (Provision for Eastern Montana College of Education -- same provision for all other units.)

3. MINUTES, op. cit., pp. 7893-7894; 7930-7941; 7972-7979.

Early in 1956 the exceptional financial stresses of the University units were presented to the State Board of Education by the Executive Council, together with a request for partial relief to be gained by means of raising the amount for state fees paid by students. After considerable discussion, the State Board of Education recommitted the request to the Executive Council for further study. Later, after still more discussion, the Board adopted the plan, which provided for the same registration and incidental fees in all units of the University. This provision approximately doubled the fees in the smaller units and gave a very considerable increase to the others. This emergency action, highly criticized at the time by members of the Legislature and the lay public, and even by at least one president of a University unit -- Rush Jordan of Western Montana College of Education -- enabled the institutions to hold their staffs until more permanent relief was afforded by the new budgets for the biennium 1957-1959.

Thus, after forty years of operation the University of Montana had not found a continuing base of financial support on which to develop long-range policies to insure qualified instructors and acceptable working conditions. For such a base the special mill levy on property had proven inadequate. To guarantee sufficient income from such a base, in addition to the nominal income from land grants and student fees, the levy would have had to be so high that no Legislature would consent to refer it to the

people, and it is exceedingly doubtful if the people would have approved the levy, had it been so referred. Use of the levy principle meant, therefore, that a nominal mill levy was imposed, with additional funds to be secured from other sources. For a time after the close of World War II, while the veterans from that war were crowding into the units of the University, these supplemental funds were obtained from federal grants. In time these federal grants were discontinued, forcing the University to seek supplemental income from the General Fund of the State. The inevitable result occurred. Once more political maneuvering and legislative log-rolling threatened disaster to sound educational policy. It is true that the new budget committee system of the State Board of Education did result in better understanding of University needs on the part of legislators. However, adequate financing of the University system was constantly threatened by the foes of that system (and there have always been such foes), assisted not only by ardent advocates of economy and low taxes but also by the devotees of the mill levy principle. These devotees insisted that acceptance of the mill levy principle required the University to live within the income from that mill levy, as supplemented by land grant income and student fees. Yet to do so could only result in lowered standards of instruction and consequent loss of educational prestige. So still to be solved by the State of Montana was some system of financing that would permit long-range planning by the University units and at the

same time enable the Legislature each biennium to appropriate without recourse to political "horse-trades" a sufficient sum to insure a University system of which the State might be proud, a system adequately financed to insure qualified instructional practices.

II. JURISDICTIONAL DISPUTES

Both by provision of the State constitution¹ and by legislative enactment² "general control and supervision of the state university" rests in the State Board of Education. However, throughout the years friction has developed from time to time over the interpretation of the extent to which "general control" should extend. Particularly this friction has been with two agencies; the local executive boards and the State Board of Examiners.

Local Executive Boards

Practice in the state educational institutions in regard to the local executive boards has not been consistent. For some reason, the Legislature in 1893, when setting up the various institutions, not only made no provision for a local executive board for the university at Missoula, but even by implication provided for direct control by the State Board of

1. REVISED CODES OF MONTANA, 1907, Article XI, Section 11.

2. Ibid., p. 174.

Education. Therefore no question ever arose with the Missoula institution as to the relative power of its local board as later created by the State Board. On the other hand, local executive boards were specifically established by the Legislature for the other three institutions, that of the school of mines even being dignified by the relatively superior term of "trustees," with all the implications that the term carried. The duties and powers of this board were indicated in detail,¹ providing for direct control and management, for enactment of all needed laws and regulations, for control of donations and investments, and for supervision of the college treasurer and his payment of bills, with the only restriction apparently relating to actions "not inconsistent with laws of the state" and to those subject to "general control of the State Board of Education." The local executive board of the agricultural college, after the same "general control" admonition by the State Board, was given "immediate direction and control of the affairs of said college," with a further specific statement of the power to "choose and appoint a president and faculty," subject to State Board approval. The local board also had power to appoint a secretary and treasurer -- the latter apparently to receive all moneys and to pay all bills under procedures established with the approval of the State Board of Education.² The situation at Dillon was very similar,

1. REVISED CODES, op. cit., pp. 185-186.

2. Ibid., p. 195.

with considerable power apparently resting in the local board.¹

Thus, as has previously been indicated,² considerable friction early developed between the State Board of Education and the local executive boards over which the authority of the State Board extended. It was partially to meet this situation that the State Board inaugurated a system of committees of the Board to which reports from the various institutions could be referred, and from which recommendations for action could be secured. These committee members were supposed to familiarize themselves with the internal situation at their respective institutions, thus being able to provide authoritative reactions when the full Board considered requests. Apparently this plan failed to settle the question of relative power until the Supreme Court in the case of *State vs. Barrett* ruled that the State Board of Education "has direct management and control of the affairs of the state agricultural college."³ While this case was more directly related to the relative powers of the State Board of Education and the State Board of Examiners,⁴ it also served as notification to the local executive boards of where real power was centered. However, friction continued to exist to such an extent that in 1909 the Legislature

1. REVISED CODES, op. cit., pp. 207-208.

2. Cf. ante, pp. 76-88.

3. Ibid., p. 88.

4. Cf. post, pp. 216-223.

completely rewrote all sections of the law dealing with the local executive boards. This restatement¹ took away all final authority, if such existed, from the local executive boards, placing the latter specifically under the control of the State Board of Education.² By this Act, the powers of the local executive board were directly derived from the State Board of Education in the proviso that the latter could "confer upon the executive board of each institution...such authority relative to immediate control and management, other than financial, as may be deemed expedient." Restricting somewhat this conferred power, the Legislature eventually included "selection of the faculty, teachers, and employees" as well as financial matters among those reserved for direct action by the State Board of Education.³ In addition, provision was made by the Legislature for the appointment by the State Board of a "budget committee" that would review budget requests from the various institutions, make recommendations to the State Board of Education, and in effect act as a "control committee" in the consideration of financial requests from the respective units.⁴

Various court decisions have further affirmed this ultimate power of the State Board of Education, not only as to the jurisdictional rights of

1. SESSION LAWS OF 1909, Chapter 73.

2. Cf. ante, p. 88.

3. REVISED CODES OF MONTANA, 1947, Vol. 4, p. 826.

4. Cf. ante, p. 208-209.

the local executive boards, but also as to certain administrative powers of the institution presidents.¹ In the case of land grant income the State Board of Education "is vested with exclusive power to receive and control the funds derived from lands granted the State for use of its institutions of learning" and "is free from the limitations and restrictions of the ordinary revenues of the State, to-wit, only on appropriations made by the legislature and on warrants drawn by the state auditor." A later decision stated that the expressly granted powers to the State Board of Education "to manage and control the business and finances of the state education institutions" carried with it "the implied power to do all things necessary and proper to the exercise of its general powers." Again the court has held that the power to accept the resignation of a professor rests with the State Board of Education, not with the president of the institution concerned. It is the president's business merely to report resignations to the State Board of Education.

As the result of these jurisdictional discussions, sometimes evolving into actual contests to determine the source of ultimate power, the State Board of Education on December 13, 1954, accepted a statement prepared by a committee of the Board acting together with the Executive Council defining the duties of the local executive boards.² After listing

1. REVISED CODES, op. cit., p. 826.
2. MINUTES, op. cit., pp. 7354-7355.

certain statutory provisions in regard to the local boards, this statement enumerated five specific functions of the boards, as follows:

1. Periodic visits to their institutions, "especially for purpose of educational facilities, and student living conditions."
2. Performance of such functions as are customary on the part of educational boards of visitors, but such functions not to preclude appointment by the State Board of other advisory boards for particular phases or parts of such institutions.
3. "Consultive and advisory services" to the president of the institution.
4. Performance of such other duties as may be "duly specified and communicated to them by, or on behalf of, the State Board."
5. Submission of annual reports in June and such other reports as "they deem occasion so to require," respecting "duties or concerning the condition of the institution generally or in particular."

State Board of Examiners

From the very beginning of the state's educational institutions the State Board of Examiners, through its control of finances, interfered with the satisfactory operation of the institutions by refusing to honor appropriations made by the Legislature or by cutting the amounts granted -- always on the basis that actual income to the state was less than the amounts appropriated by the Legislature.¹ During these early years no serious conflicts arose between the two boards, since the State Board of Education was apparently content to rest its case after submitting routine appeals to

1. Cf. ante, pp. 60, 89, 92.

the State Board of Examiners to restore amounts originally appropriated. However, by 1921 the long-brewing dispute came out in the open over allocations for the buildings authorized by the bond issue approved by the people in the 1920 election. In April, 1921, the State Board of Education, after "prolonged informal discussion of the respective powers of the State Board of Education and the State Board of Examiners," finally agreed that the State Board of Education "should name the buildings, designate their approximate size and cost, and nominate the architects in resolutions making recommendation to the State Board of Examiners."¹ Then at an adjourned meeting later in the month, "a prolonged discussion in regard to the rights of the State Board of Education to act under the law ensued."² Finally, after accepting the premise of Judge Sanner, one of its members, that it "would be unseemly...to place themselves in conflict with any board with jurisdiction," they resolved their difficulty by including the Attorney-General and the Secretary of State on their committee to select architects and to approve plans for the buildings. By thus including two members of the State Board of Examiners on their own committee, they postponed until later further jurisdictional struggle.

In June, 1922,³ with Governor Dixon present, the institutional

1. MINUTES, *op. cit.*, p. 716.

2. *Ibid.*, pp. 764-765.

3. EXECUTIVE COUNCIL MINUTES, June 23-24, 1922.

presidents discussed their problems with the State Board of Examiners, indicating these six areas of controversy with the latter Board:

1. "Extraordinary delays" in securing approval of claims submitted to the State Board of Examiners
2. Neglect to complete transfers authorized by that Board
3. Apparent loss of claims
4. Charging of claims to wrong accounts
5. Impossibility of obtaining from the office of the Board of Examiners information as to unexpended balances
6. Failure to answer letters

That this meeting failed to resolve their difficulties is indicated by Chancellor Brannon's comments to the State Board of Education meeting on March 16, 1924.¹ At this time the Chancellor related to the Board existing conditions -- especially in regard to requisitions -- when in "one month 400 people were kept waiting several days for their salary warrants." He further indicated that sometimes warrants were held up even after requisitions had been approved by the State Board of Examiners. In response to his question as to whose mandate should be followed, the State Board of Education resolved that as far as salaries and purchases were concerned the State Board of Education was supreme and requisitions should not be delayed.

In 1925 this jurisdictional dispute again flared up over the practice of the State Board of Examiners in diverting income from the one and

1. MINUTES, op. cit., pp. 1048-1049.

one-half special mill levy authorized for University support to the payment of claims from the Experimental Station and the Extension Service. The State Board of Education, at the request of the Executive Council,¹ instituted a tax suit before the Supreme Court, as a result of which the latter ruled that the State Board of Examiners was not authorized arbitrarily to make a reduction "of valid appropriations and authorized expenditures from available funds applicable to such appropriations and expenditures which have been duly made and authorized by the legislative assembly and have received the approval of the Governor."² This ruling in effect prevented further diversion of appropriations made for the agricultural college in order to pay claims for the Experiment Station and the Extension Service.³

In September, 1926,⁴ Chancellor Brannon related to the State Board of Education another attempt of the State Board of Examiners to regulate practices in the state's educational institutions. This action concerned attendance of institutional representatives at out-of-state meetings "of great value to the institutions." Rather consistently the Board of Examiners had, in the name of economy, been refusing to approve requests for such out-of-state travel. According to the report of the Chancellor,

1. EXECUTIVE COUNCIL MINUTES, December 5, 1925.

2. MONTANA REPORTS 75: p. 458.

3. Cf. ante, pp. 191-192.

4. MINUTES, op. cit., pp. 1302-1303.

the absurdity and disadvantage to the State in this practice was illustrated by a recent refusal of the Board of Examiners to approve a trip of the head of the Extension Service to Washington, D. C., for a conference with eleven other representatives from the western states -- the expenses for all of whom were to be paid from federal funds. Responding to this attempt of the State Board of Examiners to extend their jurisdictional rights, the State Board of Education voted to instruct the Chancellor to authorize such travel as seemed wise and necessary -- also to employ lecturers and experts -- provided the budgets as approved by the State Board of Education were not exceeded.

That the relative powers of the two Boards were still unresolved in 1933 is indicated by the discussion in the Executive Council¹ concerning its relations with the State Board of Examiners. The particular cause for alarm was a letter from the State Board of Examiners to the Executive Secretary of the University of Montana "disapproving the policy of expenditures for copies of student annuals and travel expenses for student glee clubs." Also received by the Executive Secretary was a letter stating that the Board of Examiners would not approve any claim for travel unless authorization for such travel had been issued "prior to the travel." The result of this discussion in the Executive Council was a decision to present to the

1. EXECUTIVE COUNCIL MINUTES, October 11, 1933.

State Board of Education at its next meeting a memorandum requesting more detailed authorization for budgeted expenditures than that previously given, in the hope that "with appropriate action by the State Board of Education, the State Board of Examiners might be willing to confine its activities in the matter of claims to the legal aspects rather than to the policies involved in the expenditures."

In this manner the running fight between the State Board of Examiners and the State Board of Education continued throughout the next decade. Although no particular act of the State Board of Education was directly challenged, procedural obstacles were set up from time to time to demonstrate the over-all power of the State Board of Examiners. Finally this controversy came to a head in the noted struggle over allocation of funds from the \$5,000,000 bond issue which voters had approved in 1948. The State Board of Education, after several meetings and considerable discussion of the proposals presented by the presidents of the units, approved in early 1949¹ allocations as follows: Montana State University, \$1,900,000; Montana State College, \$1,700,000; Montana School of Mines, \$325,000; Western Montana College of Education, \$175,000; Eastern Montana College of Education, \$300,000; Northern Montana College, \$500,000; Unassigned (to be allocated later to "institutions where it would benefit the most

1. MINUTES, op. cit., p. 5222.

people"), \$100,000. Dissatisfied with these allocations, and claiming that Northern Montana College had never received its just share of the building allocations made by the State for its educational institutions, this institution brought pressure through the State Board of Examiners to have these allocations changed. Accordingly, this latter Board revised the various allocations so as to give Northern Montana College \$1,200,000, an increase of \$700,000. Leadership in the Board of Examiners for this increase was exercised by Sam Mitchell, Secretary of State, who was not a member of the State Board of Education, and who at no time in the controversy seemed inclined to compromise in the least. Through most of the controversy, he was supported by the Attorney General, who, though a member of the State Board of Education, failed to act in accord with that Board.

This situation was reviewed by the State Board of Education at its meeting on July 11-12, 1949, at which time the Board went on record that the allocation of \$1,200,000 to Northern Montana College "far exceeds the needs of Northern Montana College and is contrary to the plans and policies of the State Board of Education for that institution."¹ With no move toward compromise from either the State Board of Examiners or the State Board of Education, the controversy finally erupted into the courts

1. MINUTES, op. cit., p. 5316.

for determination of relative power. Here it was held for almost two years. In the meantime the question of allocation was considered by the 1951 Legislature, where pressure was exerted for the passage of legislation giving the State Board of Education full responsibility for, and complete authority over the control and direction of, the University of Montana. The intention was to avoid this twilight zone of conflict, overlapping, and duplication between the authority of the State Board of Education and the State Board of Examiners. The Legislature did partially meet this situation by passing House Bill 150, which provided that the State Board of Education "shall determine the needs of all expenditures and control the purposes for which funds of said institution shall be spent." However, it side-stepped the real point in the controversy by retaining the power of audit in the State Board of Examiners while providing for prior approval by the State Board of Education of all out-of-state travel requests, as well as of other matters pertaining to the University business.¹ The Legislature also specifically allocated funds from the bond issue according to a compromise plan which had been worked out in cooperation with the University unit presidents and approved by the State Board of Education as well as by the State Board of Examiners. With the allocations made, no further cause remained for legal action, and the State Supreme Court

1. MINUTES, op. cit., p. 5814.

dismissed the bond suit without passing on the vital question of jurisdictional power.

While in general this new plan of prior approval by the State Board of Education with final audit by the State Board of Examiners seemed to work out in practice, some smothering resentment was still present in the State Board of Education. This resentment was revealed when the sub-committee on Higher Education of the Legislative Commission on Reorganization met with the State Board of Education on April 15, 1952. In a discussion of the new plan the Board agreed that the change was advantageous, but insisted that "conflict between the authority of the State Board of Education and the State Board of Examiners still existed."¹ There was definite feeling in the Board that while it was good to have the two Boards check each other, some day this question of authority would have to be clarified. Further disagreement between the two Boards arose over the disposition of the interest earned by the \$5,000,000 bond issue during the long allocation dispute. However, open conflict was avoided when a compromise plan was agreed upon in conference between the Executive Council of the University and the State Board of Examiners, and then approved by the State Board of Education on September 14, 1953.²

Thus the long struggle over relative power of the State Board of

1. MINUTES, op. cit., p. 6240.

2. Ibid., p. 6836.

Education and the State Board of Examiners has still resulted in no final decision as to where ultimate power resides. Neither the Supreme Court nor the Legislature seems disposed to come to grips with the problem. In current practice the State Board of Examiners, while still exercising its constitutional prerogative of approving all claims, follows the recommendations of the State Board of Education, provided such claims are in order. For all apparent purposes, then, ultimate authority is in the latter Board, through its responsibility for the educational programs in the institutions. Yet no final legal decisions have been made, and at any time the jurisdictional struggle could again break forth. The anomaly of two Boards still charged -- at least in part -- with duplicate authority still exists.

III. REORGANIZATION AND REFORM PROPOSALS

From the very first, constant attacks have been made on the plan of organization of the state's educational institutions. In the early years¹ the attacks were usually on the issue of consolidation versus separated institutions. In 1908, recognizing that there was then no possibility politically to secure consolidation, President Duniway of the state university at Missoula led off on the principle of "administrative unity," a

1. Cf. ante, pp. 95-98.

thinly veiled attempt to secure control by the state university.¹ This principle was converted in 1913 and verified in 1915 as the "Montana System" -- an integrated system of higher education under the Chancellor.² Political antagonisms and local pressures finally brought to an end the Chancellor phase of this integrated plan, but otherwise the plan still survived.

Meanwhile other suggestions for reform and reorganization were constantly being thrown into the hopper. Chief among these were the 1919 "Efficiency Commission" plan, the plan of the 1942 "Governor's Committee on Reorganization and Economy," the plan of the 1944 "Montana Commission on Higher Education," and the so-called "Melby Plan."

Efficiency Commission

Reacting to pressures of its day, the 1919 Legislative Assembly passed Senate Bill 117, providing for a Commission of three "to investigate the state house with a view of making the state government more efficient." This Commission, to which was appointed Frank Eliel of Dillon, N. T. Lease of Great Falls, and W. O. Fiske of Hamilton,³ was instructed

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1. A frequently overlooked part of this plan provided for a Board of Regents, to be charged specifically with responsibility for the control and supervision of the educational institutions, doing away with all the local executive boards.
 2. Cf. ante, pp. 99-104.
 3. MILES CITY INDEPENDENT, March 14, 1919, p. 6.

to make its report to the Governor on November 1, 1919. As indicated, investigation and recommendations in regard to the educational institutions were only an incidental part of the over-all task of the Commission. In this section of their report, reference was made to two major problems confronting the units of the University of Montana: (1) inadequate buildings, and (2) the general lack of money to meet constantly growing requirements.¹ Earlier in the report tabulations had been given indicating that "Montana ranks fortieth in...the support given by each state to its educational institutions, the amount expended on each \$1,000,000 of wealth."² In its conclusions the report suggested a bond levy or special tax as the remedy for this lack of financial support. A section of the report was devoted to the claimed need for additional normal schools, an apparent attempt to slow down the band-wagon rush to create more schools.³ According to the Commission⁴ the Normal School in Dillon

was ample to supply the state's requirements for some time to come. The matter of the geographical location cannot be a serious obstacle in the matter of attendance, since a wise provision has equalized the railroad fare from any part of the state to any state educational institution. Any excess (over \$5.00) is refunded to the student by the institution.

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1. EFFICIENCY COMMISSION REPORT, (unpublished manuscript, Office of Executive Secretary), p. 34.
 2. Ibid., p. 13.
 3. Cf. ante, pp. 119-133.
 4. COMMISSION REPORT, op. cit., p. 15.

The report recognized the jurisdictional struggle between the State Board of Examiners and the State Board of Education by suggesting that jurisdiction as provided by law in the Board of Education be restricted to the State University at Missoula, with the other institutions placed directly under a proposed "Board of Administration." This latter three-member board, to be appointed by the Governor, would have full control of these latter institutions, superseding both the State Board of Education and the State Board of Examiners.¹ While no specific actions were later taken to carry out any of the recommendations of this Efficiency Commission, its analysis and recommendations -- especially in regard to financial matters -- were unquestionably a major factor in the success of the bond and mill campaign of 1920.

Governor's Committee on Reorganization and Economy

By 1942, stimulated by war economy moves, and definitely promoted by Governor Ford, sentiment was prevalent that reorganization of the state government, and especially of the University units, was necessary in the interests of economy. The Governor, therefore, appointed a committee of six, with W. E. Dowlin as chairman and Fred Bennion, executive secretary of the Montana Taxpayers' Association, as secretary. This committee, known formally as the Governor's Committee on Reorganization and

1. COMMISSION REPORT, op. cit., pp. 141-143.

Economy but more commonly referred to as the "Ford Committee," employed Griffenhagen and Associates of Chicago to survey the state government and to make recommendations. The educational survey was made by Dr. Charles Everand Reeves, a reorganization specialist for the University of California and for universities or state departments in Texas, Colorado, Kentucky, Kansas, and other areas.¹ The report proposed two possible plans -- one for complete reorganization,² and one for consolidation of control.³ The reorganization plan proposed that all units except one should be discontinued, with their plants turned over to local high schools for junior colleges. Junior colleges would then be established in every large high school, under local control, but with state supervision. Support would be derived one-half from the state and one-half from the local community. The one university unit left would be restricted to junior, senior, and graduate work.

The consolidation plan returned to the scheme attempted by President Craighead of the Missoula unit in 1915 -- the failure of which attempt was a major factor in his removal as president of that institution. This time, however, it was advocated openly, not by devious means. The proposal called for one president -- either at Bozeman or Missoula -- who,

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1. HELENA INDEPENDENT RECORD, January 24, 1942.
 2. GRIFFENHAGEN REPORT, (unpublished manuscript, Office of Executive Secretary), p. 2.
 3. Ibid., p. 9.

