

UCCSN Board of Regents' Meeting Minutes February 13-14, 1911

02-13-1911

Volume OD - Pages 243-249

Reno, Nevada
February 13, 1911

A meeting of the Board of Regents was held in the Office of the President, at 10:45 A.M. February 13, 1911, Chairman Codd presiding. Those present were Regents Williams, O'Brien, Codd and Reid.

The reading of the minutes of the last regular and call meetings were dispensed with, as matters of importance pertaining to the appropriations for the University needs were to be taken up and acted on as quickly as possible, in order that Regent Williams might take the afternoon train for Carson, in the interests of the same.

President Stubbs appeared before the Board, bringing several matters of interest to their attention. He read a letter from himself and Regent Henderson which was written in New York to the Governor on the occasion of his inauguration.

President Stubbs submitted the following report, only fragments of which were read:

To the Honorable
The Board of Regents of the
University of Nevada

Gentlemen:

According to the action of the Board of Regents this meeting was called to consider two important questions:

First: To confer together respecting the passage of the bills recommended in your report to the Governor; to consider further the resources of the State that will enable the Legislature to grant all that the University has asked to be appropriated at this Biennial Session.

I reported to you at your meeting on Friday evening the 10th of

February the very cheerful outlook for obtaining the gifts of \$250,000 for the Library and Administration building; the preparation of plans for beautifying the grounds, to be made without expense by a landscape gardener from New York.

Before going East, I had gone over what the University required and what the Regents of the University recommended to the Governor for legislation, and I trust that you will be able to show that a good deal depends upon the action of the Legislature with regard to your recommendations. I hope that the Legislature will give you for the University everything that you have asked, consistently with the financial ability of the State.

Second: With regard to the Nevada Historical Society. Unfortunately Mr. C. B. Henderson and myself had to leave early in the evening of January 2nd, and Tuesday morning, January 3rd, we were in San Francisco. I submit the following letter to Mr. Henderson, written from the Hotel St. Francis on the morning of January 3rd, which will give a history of what was done in the matter:

Honorable Charles B. Henderson
Fairmont Hotel
San Francisco, California

My Dear Mr. Henderson:

I telegraphed Mr. Codd this morning asking him to wire me for Mr. Henderson and myself what decision the Regents had made at their last evening session. I have just received the following reply:

Reno, Nevada, January 3, 1911

J. E. Stubbs
St. Francis Hotel
San Francisco

Williams leaves tonight on 23. Will bring full copy of meeting, which unless approved by you and Henderson, it is not to be binding. They agreed to two Regents on Council to lease ground but they own building. Williams will come direct to hotel on arrival. Wait for him.

A. A. Codd

In reply to this message of Mr. Codd's, I am sending him the following by Postal:

A. A. Codd
Board of Regents
Gazette Building
Reno, Nevada

Have Williams go direct from train to Fairmont Hotel and put up there. Mr. Henderson will meet him perhaps in time for breakfast at 8:30 or 9 o'clock.

J. E. Stubbs

I will have to leave you to settle this matter as all my arrangements are made to leave on No. 10 at four o'clock this afternoon for New Orleans. I beg leave to suggest to you the following, inasmuch as I can't be present:

- 1st. Insist that the Regents ought not, cannot, and will not alienate a foot of land on the Campus which they already own, either by selling the land or by leasing it, or in any other manner where the control of the land will pass out of the hands of the Board of Regents. Ten years ago the Regents leased the land on the Campus on which my house stands, but they leased it conditional that I should only use the house as an official residence. The lease forbids me to dispose of the house, or to rent it, or in any way use it except as the official residence for the President. Now, you can see that this lease of land does not in any way parallel the question of leasing land to any other organization or corporation which is not controlled by the Board of Regents. It is clearly an unwise policy to allow a foot of the land to pass to other ownership even if it is not unconstitutional for the Legislature and Regents to make such a lease.
- 2nd. It seems to me in accepting two Regents on the Council, the members thereof are short-sighted in not putting the three Regents on and making them members of the Council ex officio; for the reason that then the Council would have a majority of the Board of Regents upon it, and any action with regard to the Historical Society would have at the back of it the three Regents - a majority of the Board. Does not that safeguard the interest of the Historical Society as well as that of the Board of Regents?
- 3rd. I think that the terms that I suggested in my letter

should be about the terms accepted:

- (a) The Regents will allow them to erect a building upon the land in the rear of Stewart Hall but will not lease the land to the Historical Society, but reserve it in their own hands.
- (b) The Regents will enter into a contract for 10 years, subject to successive renewals, that their building shall belong to them and never be disturbed at the end of each successive 10 years unless the Regents deem that it become necessary, and then only upon the terms that the Regents will pay them for the building which they have erected with the State's money procured by them.
- (c) The plan of the building shall be by University architect and approved by the Board of Regents and the Council. This is only to ensure a building that will harmonize with the other buildings that are contemplated around the quadrangle.

These, I take it, are in the main your views, and I think it is easy to maintain them. I wish the Historical Society well, and want to promote their interests, but there is a broad difference between the University and its future and the little organization which the Historical Society will ever be. Furthermore, the arrangements that I suggest to you are in their very essence cooperative and breathe the spirit of friendly affiliation. But the proposition from the Historical Society savors of the "stand and Deliver" policy, which, if they want to pursue, then we don't want to have anything to do with them.

Remember me very kindly to Mrs. Henderson, the boys, and Mr. Smith, and believe me,

Very sincerely yours,

J. E. Stubbs

Mr. Williams arrived at the Fairmont on Wednesday morning, the 4th of January, and talked over the matter with Mr. Henderson, submitting the following report of the action of the Board of Regents:

The Regents of the University of Nevada met at Room 9, Gazette Publishing Company building, at 8 o'clock P.M. January 2, 1911. Present: Regents Codd, Reid, Williams and O'Brien. Absent: Regent Henderson and President Stubbs.

Representing the Nevada Historical Society were Miss Jeanne E. Wier, Dr. Hershiser and Senator A. W. Holmes.

The object of the meeting was for the purpose of discussing the Nevada Historical Society, its building and management. After a lengthy discussion, Regent Williams offered the following resolution, which was seconded by Regent Reid and carried, all members present voting yes.

RESOLVED,

- (1) That we, the Board of Regents of the University of Nevada, recommend that a piece of ground between Stewart Hall and the Chemistry building, of sufficient size for a Historical Society building, be leased for a period of ten years, with an assurance of successive renewals, to the Nevada Historical Society.
- (2) That any building erected thereon shall be the property of the said Nevada Historical Society.
- (3) That two members of the Board of Regents, through virtue of their election as such, become ex officio members of the Executive Council of the Nevada Historical Society.
- (4) That, as a condition to successive renewals of the above mentioned lease, the building shall be used exclusively for Nevada Historical Society purposes, and that no changes be made at any future time on the exterior of said building without the consent of the Regents at an authorized meeting of the Board of Regents; and further, that a specified portion of the building be reserved for the use of the University for Library purposes until such time when a new Library building be provided for the University Library.

Mr. Henderson read carefully the action of the Board of Regents, which Mr. Williams delivered to him, but he did not sign it or signify his approval of it. The following is Mr. Henderson's

Letter to Mr. George H. Taylor, dated at San Francisco, January 4th:

My Dear Mr. Taylor:

I enclose herein the minutes of a meeting of the Regents, held in Reno on January 2nd, given to me by Regent Williams this morning. Upon first reading I have the following suggestions to make relative to this matter:

First, in justice not only to the Historical Society, but also to the Regents and University, I feel that the question as to whether or not the Regents have the power to make such a lease as is contemplated in these minutes with the Historical Society should be carefully looked into and the question properly decided before any lease is executed. While it would be all right with the present Board, if such a lease was executed, still if the Regents had no authority under the law to execute the lease, a future Board might cause the Society some trouble. I spoke to Mr. Lewers the evening I was leaving Reno and he questioned the right of the Board of Regents to make such a lease, and I think we should know in advance whether or not we have such power.

I also believe that the Board of Regents should have some say as to the plans and specifications and kind of building, particularly with reference to the exterior, the Society expects to build. While I feel that they would erect a building in keeping with the other buildings on the Campus, and also in keeping with such buildings as we hope to be able to erect, still I feel that the Regents should not allow a building to be erected on the Campus without some say as to the kind of building to be erected. In view of the fact that we expect, in time, to have the quadrangle surrounded by University buildings, I think that the Regents should always hold and retain the right to say what kind of buildings should enclose it, so that we can work to a definite end and have buildings erected there in harmony with one another.

This letter is for use at the next meeting of the Board of Regents, as I will not be there when they meet again to discuss this matter.

I told Mr. Williams that I would return the enclosed minutes to you.

With kind regards, I am

Very cordially yours,

Charles B. Henderson

On Tuesday, January 18th, I met Mr. Henderson in New York and he said to me the more he thought about this proposition made to the Board of Regents the less he favored it, and his views in part are contained in the letter of January 18th which he wrote to Mr. Charles R. Lewers:

January 18, 1911

Mr. Charles R. Lewers
Gazette Building
Reno, Nevada

Dear Charlie:

You will recall my speaking to you about the Regents leasing a small tract of land on the Campus to the Historical Society and you questioned our right to lease any part of the Campus. I was talking to Dr. Stubbs about the matter today and I feel that before anything is done at the next meeting, which is set for the 14th of February, this point should be looked up and I suggested to him that the Regents at this meeting call on you for an opinion as to whether or not they can lease any part of the Campus. I wish you would try to find time to look the matter up and be ready to advise them definitely whether they can make such a lease. The Doctor says that he would also like to know. He will be in Reno about the 10th of February.

I received the letter you sent me and the more I think of the proposition, the less I favor it, for even if we have the power there is always a chance of complications arising when another corporation is on the Campus.

Yours cordially,

Charles B. Henderson

You will observe that Mr. Henderson doubts whether the Regents have the power to make any lease or contract to any other body or corporation or society, and suggested that before the matter is finally decided by the Regents that you should invite Mr. Charles R. Lewers before the Board and hear his views regarding the constitutionality of the proposed act allowing the Historical

Society, as a State organization entirely separate from the University, to place a building upon any portion of the grounds of the University.

It is to be carefully noted by the Board that there is no relation between any State University and any State Historical Society. The State Historical Societies in all cases, whether they are incorporated by the State, or are private organizations, or whether they receive State aid, or are supported by private benefactors, have absolutely no connection between their work and organizations and the work and organizations of State Universities.

Mention has been made of the so-called "Wisconsin Plan", leaving the impression that the State Historical Society of Wisconsin was affiliated with the University of Wisconsin and had its building upon the University Campus. This is entirely a mistake. Wisconsin has a beautiful Historical building upon State land and it is supported entirely by the State, and has no connection with the University whatever. In a letter from R. G. Thwaites, Secretary and Superintendent of the State Historical Society, he said, "It (the State Historical Society of Wisconsin) has a building of its own on State land (not University land) opposite the Campus of the State University. It has no connection whatever with the State University. It is an independent State institution. The State Historical Society is incorporated by the State, but it is the Trustee of the State and holds all of its property for the State. The Legislature makes annual appropriations for the conduct of its affairs, and the payment of the salaried staff, the purchases of books, etc."

Now the Nevada State Historical Society is modeled somewhat after the plan of the organization of the Historical Society of Wisconsin. It is a State institution, and, being such, it has properly applied to the State to make biennial appropriations for its support.

In its efforts to build up the Society its objects are: first, to establish a museum for its relics; second, to establish a library of books and manuscripts; and, third, to gather in from all parts of the State such material, that if the Society did not preserve it, would be lost or destroyed beyond recall. The worthy purpose of preserving forever the historical relics and books of the State is dear to the hearts of every right minded person who takes a deep interest in the welfare of the State. But we should bear constantly in mind in this discussion that it is, like every other historical society, public or private, an independent organization.

The safest way and the best way for the University would be to assist the Society in getting a location on a desirable lot opposite the University grounds; for example - the home of Miss Wier, the building adjoining it and the one on the corner would make an admirable site, and would allow for a fine building to be placed upon it.

But, on account of the poverty of the State, it may be desirable to make an arrangement that shall place the building of the Nevada Historical Society upon the grounds and, if upon the grounds, then it should be in a good location. But if we do that, then we should amend the Resolution adopted tentatively by the Board of Regents in substance as follows:

That the Board of Regents will set aside a plot of ground for the erection of a Historical building, providing the Historical Society gets an appropriation from the State for it. The Regents will not lease the ground, and will have the right to pass upon the plans for the exterior of the building, so that the building shall harmonize with the other buildings upon the grounds. The Historical Society of course shall own the building and shall maintain it, but if at any time the Regents of the University find that they need the room or the building, upon the payment of the amount which the Legislature has appropriated, and which the Historical Society has put into the building, by the Regents, the building shall belong to the University.

The Regents may, according to the Resolution, agree to make a contract for the use of the ground for 10 years, subject to successive renewals for 10 years each, provided the Regents of the University do not, at some time in the future, need the building. This safeguards, I think, the rights of the Regents in this matter, and leaves the property subject to their control.

Another suggestion. In putting up the new Library and Administration building, I think it could be so arranged as to provide in an excellent way for housing the library, museum and administrative offices of the Historical Society. It was mentioned on one or two occasions that this might be desirable by the members of the Society. The Council of the Historical Society may have full control of the internal affairs of the Society, but, if they come upon the grounds, whether they have a building of their own, or are given a part of this new Library and Administration building, they are subject entirely to the action of the Board of Regents. This, I think, is not only the legal way, but it is the future. There can be no divided authority; the Regents must

have absolute control at all times.

Now I want, as do the members of this Board, to do everything that we can do for the Nevada State Historical Society. It has done a valuable work in the collection of historical relics and old books and manuscripts. For myself, I have contributed of my slender means to its support by paying my dues and, during the last two years, a small amount that I could spare toward giving it additional support in its time of need. I advised Mr. Mackay that money given to this Society at this time would be money well spent. This interview was had when he was present in October, 1909. I want to see the Society prosper, but I want, also, no possible chance for any complications to arise in the future by reason of the Society having a habitat upon the grounds unless the Regents of the University have the control.

Very truly yours,

J. E. Stubbs, President

The President stated that the Speaker of the House and President of the Senate had promised to arrange a joint meeting of the two Houses, before whom he and the Board would appear on Wednesday afternoon, and it was the unanimous sense of the Board that they go to Carson on Wednesday morning to avail themselves of the opportunity to present the University requirements.

A communication from State Senator Dix Smith was read, wherein he stated that ex-President Theodore Roosevelt would be in Reno on April 3rd next, and expressed the hope that the University would arrange to have the President meet the students.

On motion of Regent O'Brien it was resolved to send a communication to Mr. Roosevelt inviting him to address the students, faculty, and Board of Regents of the University at any hour which might best suit his convenience.

After a statement by Regent Williams relative to the probable income of the State for the coming two years, and what the Board might reasonably expect therefrom to meet the University's needs.

No further business appearing, the Board adjourned, subject to the call of the Chair.

A. A. Codd
Chairman

Geo. H. Taylor

Secretary