A special meeting of the Board of Trustees of the University of Wyoming was called to order by President Bond at 9 o'clock a.m., Thursday, August 24th, 1939. Those present included Mrs. Harriett T. Grieve, Mr. D.P.B. Marshall, Mrs. Evelyn S. Plummer, Mr. Victor J. Facinelli, Mr. Ralph S. Linn, Mr. Frank Barrett, Mr. Peter Sill, Mr. Milward L. Simpson, and Dr. A.G. Crane.

The Trustees first received a list of candidates for graduation recommended by the faculty and the President. Mr. Marshall moved that the following degrees and diplomas be awarded. The motion was seconded by Mr. Linn and carried.

COLLEGE OF LIBERAL ARTS
Division of Letters and Sciences
Bachelor of Arts—With Honor
Jack Weiss

Bachelor of Arts
John Milton Brokaw, Jr. 
Geraldine M. Francisco
Donald D. Ryan

Grace W. Gilman
Rena H. McClanehan

Bachelor of Science
Alfred A. Bertagnolli
William E. Haines

Richard E. Robinson
James E. Sims

Ferne R. DeWitt

COLLEGE OF AGRICULTURE
Division of Agriculture
Bachelor of Science
James L. Bourret
Oscar J. Deveraux
Andrew W. Olson

COLLEGE OF ENGINEERING
Division of Mechanical Engineering
Bachelor of Science
Don E. Burkholder

COLLEGE OF EDUCATION
Bachelor of Arts—With Honor
Louise A. Cox
**Bachelor of Arts**

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<th>Name</th>
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<tr>
<td>Eleanor A. Calberg</td>
<td>Marian C. English</td>
<td>Viola L. Soth</td>
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<td>Frances Lucile Cauley</td>
<td>Carol F. Kramer</td>
<td>Gladys Lucille Staufer</td>
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<td>Marie R. Daley</td>
<td>Clay L. LaChapelle</td>
<td>Ada C. Stephens</td>
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<td>Eva E. Davis</td>
<td>Frances B. Lake</td>
<td>Harold J. Swanson</td>
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<td>June Green</td>
<td>Darrell E. Potter</td>
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<td>Lily E. Hawkes</td>
<td>Neva B. Rhiner</td>
<td>Katherine Vehar</td>
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<td>Grace A. Hinrichs</td>
<td>Edna M. Rogers</td>
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<td>Theresa R. Hardeman</td>
<td>Winifred M. Rudeen</td>
<td>Martha Rose White</td>
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<td>Richard E. Hufsmith</td>
<td>Helen C. Schmoldt</td>
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<td>Eunice M. Hutton</td>
<td>Katherine Marie B. Slott</td>
<td>Billie Wright</td>
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<td>M. Beryl Morten</td>
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<tr>
<td>Camille Brown</td>
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<td>Claudia Clark</td>
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**UNIVERSITY**

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**ADVANCED DEGREES**

**COLLEGE OF LIBERAL ARTS**

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<td>Mary Gentry</td>
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<td>Harold F. Schreiber</td>
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<td>Virginia M. Speich</td>
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**Division of Commerce**

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<th>Master of Science</th>
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**COLLEGE OF EDUCATION**

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**Master of Science**

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**Master of Arts**

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The Trustees then recessed to enter the academic procession and attend the
commencement exercises.

The board reconvened at 1:45 p.m. The Secretary read the minutes.
Mr. Sill moved to amend the minutes of the board meeting held June 5th,
1939, to include the following resolution which had been omitted: "It was
moved by Mr. Sill, seconded by Mr. Barrett and carried, that the Markley
appointment be deferred until the July board meeting".

The minutes of the meeting held June 5, 1939, were then declared ap-
proved as amended. The Secretary read the minutes of the Executive Com-
mittee meetings held June 29 and July 22nd. It was then moved by Mr. Simp-
son, seconded by Mr. Barrett and carried, that the payment of bills allowed
by the Executive Committee on those dates be approved.

Mr. Barrett moved, seconded by Mr. Simpson and carried, that the ac-
tion of the Executive Committee in awarding the contract for the drilling
of the water well be approved.

Mr. Simpson then moved that all appointments and other actions made
by the Executive Committee on June 29 and July 22nd, 1939, be approved with
the exception of the appointment of R.L. Markley as Head of the Department
of Physical Education, and the appointment of Gregory S. Powell as Manager
of the Bookstore. This motion was seconded by Mr. Barrett and carried.

It was moved by Mr. Barrett, seconded by Mr. Simpson, that the appoint-
ment of R.L. Markley as Head of the Department of Physical Education be not
approved. This motion failed to pass.

It was then moved by Mr. Marshall, seconded by Mrs. Plummer and carried,
that R.L. Markley be appointed Acting Head of the Department of Physical
Education.

Mr. Barrett moved, seconded by Mr. Simpson and carried, that the Secre-
tary be instructed to get an original copy of the Attorney General's opinion with regard to the by-laws of the Trustees and that this opinion be incorporated as a part of the minutes of this meeting.

Honorable Nels H. Smith
Governor of Wyoming
Capitol Building

My dear Governor Smith:

Yesterday you made a verbal request for an official opinion from this office as to the duties and authority of the Executive Committee of the University of Wyoming.

I direct your attention to Section 108-506, Wyoming Revised Statutes, 1931, which provides in part as follows:

"... a majority of the board shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time, and all routine business may be entrusted to an executive committee of three members, subject to such conditions as the by-laws of the board shall prescribe."

I have this day obtained a copy of the by-laws of the Board of Trustees. Chapter II of said by-laws provides:

"EXECUTIVE COMMITTEE. The Executive Committee shall consist of three members of the Board who shall be elected by the Board for a term of one year at the annual June meeting of the Board. The executive committee shall have authority to transact such routine business as may be brought up during the recess of the Board; to audit all bills against the University and to transact such urgent business as will not admit of being held over until the regular meeting of the Board. All matters determined by the Executive Committee, however, shall be referred to the Board for final approval."

Chapter V of said by-laws provides:

"APPOINTMENTS AND DISMISSALS. Appointments to University and Board positions shall be made as follows:

Sec. 1 Offices and appointees of the Board, by the Board.

Sec. 2 University officers by the Board upon the recommendation of the President of the University.

Sec. 3 To other positions, except where provided for elsewhere in these by-laws, by the Board upon recommendation of the Proper Chief Officer or appointee enumerated in Chapter I and III, and the President of
the University. The President of the University, after consultation with the head of the department, may refer to the Committee Advisory to the President, all appointments in the teaching staff, and he shall refer to that committee, when practicable, all appointments above the grade of Assistant Professor.

Sec. 4 Student help, emergency help, day labor, cooks and assistants at the Commons, except the Manager, may be employed by the Chief Executive or Administrative Officers without Board action; provided that no expense of the salaries or wages of such help may be incurred without prior appropriation of the Board out of proper funds.

Sec. 5 All applications for positions in the departments shall be referred to the proper Chief Executive or Administrative Officer for such investigation as he may care to make with reference to the applicant.

Sec. 6 Dismissals from the service of the University shall be only for cause and then only under such conditions as are stipulated in the duly enacted rules of the Committee Advisory to the President of the University. This clause shall apply to all faculty members of the rank of instructor or higher. The Administrative Officers mentioned in Chapter III, Section I, hereof, except the President of the University, may also appeal to the Committee Advisory to the President, if they are under charges for dismissal.

We interpret routine business, referred to in Chapter II, to include such matters as would not be necessary to bring before the entire membership of the Board of Trustees, viz; Approving vouchers, student help, emergency help, day labor, cooks, and assistants at the Commons, etc.

However, it will be noted that all acts of the Executive Committee must be presented to the Board of Trustees for final approval or rejection.

We come now to the second proposition as to the authority of the Executive Committee to employ and discharge instructors. After a careful reading of Chapter V, supra, I believe it is clear that the appointment of professors, assistant professors, instructors and other major appointments should be made by the Board of Trustees, except in case of emergency, then it is possible that the executive committee can make an appointment, subject to approval of the Board of Trustees at the next regular meeting.

It would also seem that the statute contemplated, and I believe these by-laws strongly indicate, that matters important as the employment of professors, assistant professors and instructors should be referred to the Board of Trustees at one of their regular meetings, or special meeting if so called, before employment or dismissal is made. Much confusion doubtless can be avoided by following this procedure.
I am not unmindful that in operating an institution the size of the University of Wyoming that it is frequently necessary for the Executive Committee, or other administrative officers of the University, to make slight changes in the usual course of business; however, when it comes to the point of employing or discharging professors, assistant professors and instructors, it would seem that this matter is of sufficient importance that the Board of Trustees should be consulted in the action to be taken.

Yours very truly,

/s/ Ewing T. Kerr
Attorney General

Mr. Simpson moved that the appointment of Gregory Powell as Manager of the Bookstore be not approved. The motion was seconded by Mr. Sill and carried.

It was moved by Mr. Linn, seconded by Mr. Simpson and carried, that any appointment contracts issued to new staff members during the recess of the Board shall bear the words "subject to the approval of the Board of Trustees".

Mr. Barrett then moved that Gregory S. Powell be retained as a member of the staff until he secures other employment, but not later than November 1, 1939. This motion was seconded by Mr. Marshall and carried.

Mr. Simpson moved that Clarence Morris, Professor of Law, be granted a leave of absence without pay for the period beginning September 1, 1939 and ending August 31, 1940. Motion seconded by Mr. Sill and carried.

Mr. Facinelli moved that Glen Hartman, Associate Professor of Agronomy and Associate Station Agronomist, be granted leave without pay for one year beginning August 21, 1939. This motion was seconded by Mrs. Plummer and carried.

Mr. Facinelli then moved that the following appointments be approved and that President Crane be commended for his efforts in securing such fine talent. The motion was seconded by Mrs. Grieve and carried.

Mr. John B. Smith, Assistant Professor of Art and Chairman of the Art Department, at a salary of $2,544.00 per year, effective September 1, 1939. Mr. Smith will succeed Mr. Lowry, resigned.
Mr. Daniel M. Reaugh, Assistant Professor of Law, at a salary of $3,000.00 per year, and an allowance of $100.00 for moving expense, effective September 1, 1939. Mr. Reaugh will supply for Mr. Morris who has been granted a year's leave of absence.

Mr. Bruce L. Hicks, Instructor in Physics, at a salary of $2,000.00 per year, effective September 1, 1939.

Mr. Hermann Rahn, Instructor in Zoology, at a salary of $1,800.00 per year, effective September 1, 1939. Mr. Rahn will succeed Mr. Wilde, resigned.

Mr. George A. Peterson, Instructor in Mechanical Engineering, at a salary of $1,800.00 per year, effective September 1, 1939.

Miss Ione Williams, Library Assistant in charge of Periodicals, at a salary of $1,600.00 per year, effective September 15, 1939. Miss Williams will succeed Miss Mae Dilts, resigned.

Miss Marjorie Nye, Assistant Home Demonstration-Agent-At-Large, at a salary of $1,700.00 per year, effective September 1, 1939. Miss Nye will succeed Miss Allene Loomis, resigned.

Mr. Palmer Steen, Supply Instructor in Mathematics in the College of Education, for the fall quarter of the year 1939-40, at a salary of $432.00 per quarter. Mr. Steen will supply for Miss Bacon who will be on sabbatical leave for the quarter.

Mr. August Molzer, Associate Professor of Violin and Director of the Division of Music, at a salary of $3,000.00 for an eleven months period, effective September 1, 1939.

Mr. Elias G. Trustman, Part-time Instructor in 'Cello, at a salary of $100.00 per month for the regular school year of nine months, effective September 15, 1939.

Mr. Facinelli then moved approval of the following appropriations.

This motion was seconded by Mr. Simpson and carried.

Mr. Molzer's moving expense. $150.00
Mr. Trustman. 900.00
Increase for Mr. Willman from $2,340 to $2,544. 204.00
Increase for Mr. King from $2,244 to $2,400. 156.00
Fellowship for wood-winds instructor. 600.00
$2,010.00

It was then moved by Mr. Simpson that President Crane have architect Dubois prepare plans and specifications for a new Women's Dormitory to cost approximately $275,000.00, the building to contain a dining room and kitchen. These plans are to be given to the Trustees at a board meeting to be called for October 27th. The motion was seconded by Mrs. Plummer and carried.

Mr. Marshall moved that President Crane be authorized to open the
quarry and start stone cutting for the new dormitory. This expense is to be carried by the state appropriation for this building. Motion seconded by Mr. Simpson and carried.

Dr. Schwiering, Faculty Chairman of the Retirement Committee, then appeared before the Board. Mr. Marshall presented the report. After discussion, Mr. Barrett moved the following change on page 2 of the "Brief of the Proposed Deferred Salary Retirement System".

Paragraph B, Item 1. Not over $1,200.00 per year; provided however if the payments by the member and the University shall earn an amount in excess of $1,200.00, then the member shall be entitled to that deferred insurance annuity not exceeding $1,800.00; provided further that, in case of members serving 25 years, the minimum annuity shall be no less than $900.00. This motion was seconded by Mr. Sill and carried.

Mr. Marshall then moved adoption of the following resolution. This motion was seconded by Mr. Simpson and carried.

IT IS HEREBY RESOLVED BY THE TRUSTEES OF THE UNIVERSITY OF WYOMING:

That the retirement program, presented by the Retirement Committee of the faculty and Trustees, to the Trustees at the special meeting of said Trustees held August 24, 1939, entitled, "A Brief of the Proposed Deferred Salary Retirement System for the University of Wyoming, August 23, 1939", as amended, a copy of which is attached hereto, is hereby adopted.

That the Trustees defer the installation of said program until a later meeting.

That the Trustee-Faculty Retirement Committee be continued and directed to obtain confirmation of the proposals submitted by Northwestern National-Minnesota Mutual, Sun Life of Canada, Bankers Life, Occidental and such other companies as may care to bid and to have ready for the Board at such later meeting, binding bids, contracts, and such other papers as may be necessary to enable the Trustees to take final action installing the retirement program as presented by said Retirement Committee at this meeting.

A BRIEF OF THE PROPOSED DEFERRED SALARY RETIREMENT SYSTEM
for the
University of Wyoming
August 23, 1939
A. Retirement Age. Retirement age is made mandatory at 70, optional at 60 as may be determined by the Trustees and the individual through mutual agreement.

B. Participants. This plan includes all full-time employees of the University (administrative, instructional, research, clerical, extension, janitorial, and engineering) who are 35 years of age and over, or employees of such classifications as may be named by the University administration, and subject to such waiting period as may be determined by the University.

Participation of the above-named groups shall be optional with each individual now in service and compulsory on all employees subsequently engaged.

Refusal of present eligible employees to participate in this plan automatically bars them from receipt of deferred salary retirement allowances upon reaching retirement age.

C. Employee Groups.

Class A. This class includes all employees 70 years of age and over, who will be immediately retired and whose retirement allowances will be financed entirely by the University through deferred salary payments.

Class B. This class includes those employees from 60 to 69 years of age whose deferred salary allowances will be partially financed through the purchase of annuity contracts from an insurance company, paid for jointly by the University and the individual.

Class C. This class includes all employees from 35 to 59 years or age, or who have served the necessary waiting period for their classification, whose deferred salary allowances will be partially financed through the purchase of deferred annuity contracts from an insurance company, paid for jointly by the individual and the University. This group will be
eligible to group insurance in amounts to be determined by the University, and to elective endowment policies rather than annuity contracts.

The excess cost of endowment policies over annuity contracts shall be borne entirely by the individual employee. The group insurance shall be paid for at the rate of 75 cents per month per thousand by the individual employees and the balance by the University.

D. Service Required. The period beyond 70 shall be regarded as a period of continuing service and members of the staff shall be continued on pay for such duties as may be determined by the Trustees of the University. The pay of members of the staff will be 50% of the average base for full-time service during the ten years next preceding age 70 subject to the following maximals per year:

1. Not over $1,200.00 per year; provided however if the payments by the member and the University shall earn an amount in excess of $1,200.00, then the member shall be entitled to that deferred insurance annuity not exceeding $1,800.00; provided further that, in case of members serving 25 years, the minimum annuity shall be no less than $900.00.

2. Two per cent of base pay as designated above for each year of service prior to retirement.

E. Employee Contribution. All present employees electing to enter the retirement plan in Groups B and C will pay 5% of their salaries beginning with the date the system is adopted. Such payment shall be by salary deduction through the financial office of the University. Five per cent of $3600.00 shall be the maximum required contribution for the individual employee. Members shall have the privilege of contributing 5% of salary in excess of $3600.00 which privilege shall be optional with the employee.
F. University Deferred Salary Contribution. At the inception of the plan the University will contribute 1% of pay of each individual employee up to the maximum salary of $3600.00, toward the purchase of deferred annuity contracts.

It is the intention of the University to equal the contribution of the employee up to a maximum of 5% of $3600.00 salary as soon as possible.

It is the intention of the University to augment deferred salary payments furnished through deferred insurance annuity contracts up to the maximum deferred salary payment to which each individual employee is entitled.

The amounts of deferred salary paid by the University above that furnished by deferred annuity contracts are not contractual and will be paid from year to year only as funds permit. This addition paid by the University is to be paid to the faculty member, only, during his lifetime and will not be subject to the various options available under insurance annuity contracts.

G. Cash Values, Settlement Options, and Death Benefits. The control of all cash values, settlement options at maturity, or death benefits in case of death while a member of the University staff and before retirement provided by annuity insurance contracts or endowment policies shall rest with the University through a master contract. The above options are available to the individual faculty member or his beneficiary at his death but only with the consent of the University.

H. Termination of Employment Before Retirement. All rights in individual annuity contracts or insurance policies issued at the direction of the University under the above deferred salary retirement system shall enure to the individual faculty member on termination of employment prior to retirement.
I. Disability. Disability insurance may be purchased in the amount of 
$5.00 per month for each $1,000.00 of accrued value at age 70 of annuity 
contracts, or $1,000.00 face value of endowment policies, at an extra 
premium, if it is desired, to be paid for by the individual employee. 
In lieu of income disability as above, waiver of premium, only, is 
available if desired.

J. Group Insurance Schedule. For group insurance purposes the employees 
of the University have been divided into three groups as follows:

Group 1. This group includes all employees, whether included in the 
retirement program or not, receiving yearly compensation of $1500.00 
or less.

Group 2. This group includes all employees, whether included in re- 
tirement program or not, receiving yearly compensation of from $1501.00 
to $3000.00.

Group 3. This group includes all employees, whether included in retire- 
ment program or not, receiving yearly compensation of from $3001.00 or 
more.

Group 1 is eligible to $1000.00 group insurance.

Group 2 is eligible to $2500.00 group insurance, until age 55, at which 
time group insurance will be reduced to $1500.00 until retirement.

Group 3 is eligible to $5000.00 group insurance, until age 55, at which 
time group insurance will be reduced to $2500.00 until retirement.

K. Special Cases. If in the opinion of the Board, a case of any employee 
shall present unusual features—special features of service, salary 
rates, disability, or other features which merit a special contract— 
the Board shall have the authority to make a special contract.
Record of Minutes of Board of Trustees

Meeting
August 24, 1939

Attorney General to give an opinion on Retirement plan

Thanks extended to Retirement Committee

Albany Nat'l Bank requests funds

Archaeological project to receive money from University

Board to approve selection of Alumni Secretary

R.A. Frazer- salary increase

Dean Soule ill

Mr. Ambrose Mr. Fuller's offices

Mrs. Grieve then moved that, before the final installation of the proposed retirement system, the Secretary forthwith communicate with the Attorney General giving him copy of all papers with complete information and request an opinion as to the legality of the plan. Motion seconded by Mr. Sill and carried.

Mr. Marshall then moved that a vote of thanks be extended to Dr. Schwiering and the faculty members who served on the Retirement Committee. Motion seconded by Mr. Barrett and carried.

The Board then received Mr. Murphy from the Albany National Bank who came in to request that a larger share of University funds be deposited in that bank. The Secretary was instructed to effect such transfer.

Mr. Sowers, representing the federal archaeological project now underway in Wyoming, appeared before the Board to request that the University co-operate with an appropriation of $100.00 monthly. It was moved by Mr. Barrett, seconded by Mrs. Grieve and carried, that $600.00 be appropriated to carry this work for six months.

Mrs. Plummer moved that this board empower and will approve the selection of an Alumni Secretary when made by the joint Trustee-Alumni Committee. This motion was seconded by Mr. Barrett and carried.

Mr. Barrett then moved that the salary of R.A. Frazer be increased $200.00 per year. Motion seconded by Mr. Simpson and carried.

Mrs. Plummer moved that President Crane be requested to send a letter of sympathy in the name of the Trustees to Dean Soule who is ill. Motion seconded by Mr. Simpson and carried.

Mr. Simpson moved that President Crane be requested to bring a plan for the re-organization of the offices of Mr. Fuller and Mr. Ambrose to the Trustees at the October meeting. This motion was seconded by Mr. Barrett and carried.
It was moved by Mr. Barrett, seconded by Mr. Simpson and carried, that the President be authorized to make application to the Civil Aeronautics Authority requesting the location of a federal air school on this campus. The board reserves the right to accept or reject the proposal when the terms of the contract are known.

Mr. Barrett moved that $1,250.00 be appropriated for the Wyoming Trades School for the coming year; $1,500.00 will be allocated from present appropriations. Motion seconded by Mr. Simpson and carried.

Mr. Simpson moved that the $500.00 deposits, made by certain fraternities that joined in the application to PWA for the construction of houses in Fraternity Park be refunded. This was seconded by Mr. Facinelli and carried.

Mr. Simpson moved that $950.00 be appropriated to carry Student Labor through October. This motion was seconded by Mr. Barrett and carried.

Mr. Barrett moved that $375.00 be appropriated to carry the WPA projects through to the October meeting. Seconded by Mrs. Grieve and carried.

Mr. Sill moved that $1,500.00 be appropriated for Emergency Teaching for the fall quarter. Motion seconded by Mr. Barrett and carried.

Mr. Barrett moved that, subject to the approval of Dr. Crane, $250.00 be appropriated for either lockers or baskets for the Athletic Department. Motion seconded by Mr. Simpson and carried.

It was moved by Mr. Simpson, seconded by Mrs. Plummer and carried, that the President be authorized to proceed immediately with the construction of a greenhouse of three glass units at a cost of $14,210.00, as detailed on page 21 of the President's report, utilizing WPA and NYA labor. Authority is granted to draw on the State Appropriation for this purpose as needed.

Mr. Linn then moved approval of recommendations of the President as shown in his report on pages 21-22 concerning the enlargement of the
electric power plant. University officers are authorized to prepare plans and call for bids to be received at the October meeting. Authority is granted to draw upon the state appropriation for this purpose. Motion seconded by Mr. Facinelli and carried.

Mr. Facinelli moved that University officers be authorized to proceed with all preliminary steps necessary to secure the purchase of bonds from University funds by the State Finance Board covering the issues of the Dormitory, Greenhouse, and Power Plant. This motion was seconded by Mr. Linn and carried.

Mr. Simpson moved that bills payable to Dean Arnold, $500.00; and Professor Hall, $350.00, for extra time outside of instruction, be held for action at the October meeting. Motion seconded by Mr. Sill and carried.

Mrs. Grieve moved that Mr. Simpson and Mr. Barrett continue indefinitely as members of the Athletic Committee. Motion seconded by Mr. Sill and carried.

The Trustees adjourned at 5:00 o'clock p.m., August 25th.

Fay E. Smith
Secretary