

THE UNIVERSITY OF WYOMING
MINUTES OF THE TRUSTEES

June 12-13, 1917

For the confidential information
of the Board of Trustee

The annual meeting of the Board of Trustees of the University of Wyoming was held this date pursuant to call. The entire membership of the Board was present, with the exception of Dr. Hamilton, who came in later. Those who answered roll-call were Judge T. F. Burke in the chair, Mrs. Mary B. David, Mrs. Mary N. Brooks, Miss Edith K. O. Clark, Mr. Charles S. Beach, Judge J. M. Carey, Mr. C. D. Spalding, Mr. Lyman H. Brooks and President Duniway.

The minutes of the semi-annual meeting of the Board held December 12th and 13th were first read, and upon motion approved, with the instruction that there be incorporated therein the messages that Mr. Brooks and Mrs. Brooks had sent with reference to their position on the matter of oil lands. The royalties of the fifteen-year leases which had been stated as being 10, 12-1/2 and 15 percent for the three five-year periods were incorrect and changed to read, 10, 15 and 20 percent.

The Secretary then read the minutes of the special meeting of the Board held February 13th and 14th, and upon motion these were also approved.

The Secretary next proceeded to read the minutes of the Executive Committee. Mr. Burke suggested that the Board approve these minutes, except the action relating to the Wood and Walker leases, in order that these two matters might come before the Board for discussion unprejudiced. There was a great deal of discussion of this question.

The hour of noon having arrived, the Board adjourned to meet again at 1:30 P. M.

The Board re-convened at 1:45 o'clock with the complete membership present, and again resumed the discussion of the adoption of the minutes of the Executive Committee.

Judge Carey addressed the Board, criticizing the Executive Committee. He stated that he approved in general the actions of that Committee, but there were two or three big things which they had undertaken to dispose of, which must be straightened out. He was followed by Mr. Brooks, who said he wished to make a motion that the entire Board of Trustees of the University of Wyoming, at its annual meeting, hereby endorse absolutely and unqualifiedly the policy enunciated by the Executive Committee of from now on leasing oil lands at public auction to the highest bidder. The discussion continued, and finally, upon motion of Mrs. Brooks, seconded by Mrs. David, the minutes were approved up to the meeting of March 13th, 1917, and action with reference to the following meetings withheld until the Board had disposed of the Wood and Walker leases. This motion was carried, Judge Burke voting "No".

Mr. Brooks moved that the Board hear the Wood and Walker interests, giving them adequate time to present their cases. This motion was seconded by Mrs. Brooks and carried. Mr. Ingham moved that Mr. Corthell be present, and Mr. Corthell came in.

At this point President Duniway asked that the Board give its attention to the matter of the granting of degrees and diplomas, as this must be done at Commencement the following morning and he desired action before the Board got too deep in the discussion of oil lands and policies connected therewith. Upon recommendation of the President and Faculty, degrees and diplomas were, by unanimous motion of the Board, granted to the following persons:-

THE COLLEGE OF LIBERAL ARTS

Bachelor of Arts

Robert Marshall Anderson.	Edwin Niles Hitchcock.
* Clarence Hyacinth Bastian.	Rameri Constantin Lauk.
Zelma Ellison Berry.	Tracy Stephenson McCracken.
Irving Eugene Corthell.	*Edwin Blake Payson.
Harry John Craig.	John Thomas Peterson.
* Esther Irene Downey.	* Olive May Rathbun.
* Serafina Facinelli.	* Morgan Vardry Spicer.
* Charles Stanley Greenbaum.	* Horace North Wilcox.

THE COLLEGE OF AGRICULTURE

Bachelor of Science in Agriculture

Potter Bowman.	Albert Richard Mau.
Elwood E. Davis.	Charles Wendell Skinner.

THE COLLEGE OF ENGINEERING

Bachelor of Science in Mechanical Engineering

Harold John Miller.

Bachelor of Science in Electrical Engineering

Robert Hanesworth.

Bachelor of Science in Civil Engineering

Clyde Potter Matteson.

THE DEPARTMENT OF HOME ECONOMICS

Bachelor of Science in Home Economics

Clara Elizabeth Bastian.	Mabel Frieda Knight.
Nellie Evelyn Huff.	Millicent A. Paulsen.
Mary Orlena Spafford.	

THE COLLEGE OF EDUCATION
Bachelor of Arts in Education

*Clara Bowman.

*Elsie Menter.

The Normal School
Diploma

Lois Coons.

Margaret F. Coughlin.

Charlotte Stanton.

Susan Ethel Cutter.

Margaret Joyce Sullivan.

Ellen Greenbaum.

Alberta Katherine Warlaumont.

Marguerite L. Kennedy.

Elizabeth Marjorie Wood.

Mary Fletcher Kendrick.

Harriette Blakeslee Lewis.

* As of the Class of 1916.

* *With Honor.*

The Secretary reported that Mr. John W. Hay wished to have the privilege of appearing before the Board. Upon motion of Mr. Brooks, duly seconded and carried, this privilege was granted.

The door of the Board room was then thrown open and representatives of the Wood and Walker leases were asked in to the meeting. Representing the Wood lease and its assignee, the Dakota-Wyoming Oil, Gas and Refining Company, were Mr. Ben M. Wood, Mr. E. B. Harkin and Dr. H. J. Rock; and in the interests of the Walker lease were Mr. George S. Walker and Mr. H. S. Ridgely. Mr. S. G. Hopkins, former Commissioner of Public Lands, was also in attendance.

Mr. Wood spoke first, giving a history of his lease. He was questioned by Mr. Brooks, Judge Burke and Judge Carey. Mr. Walker came next and was also questioned by Judge Carey. The next speaker was Mr. Ellison of the Midwest interests, who are doing

the drilling on the Wood and Walker leases. He was followed by Mr. Hagens of the Elkhorn lease. Mr. Hagens substantiated in large measure the statements of the preceding speakers. Judge Burke then asked if there were any others who had anything to say, but there being no response, the gentlemen withdrew from the room and the Board resumed its business.

The hour of three o'clock having arrived, Mrs. Brooks moved that the consideration of the sale of leases on the parcels of land in Sections Five and Six advertised to be considered at three o'clock be postponed until eight o'clock in the evening. This was seconded by Judge Carey and carried.

At this point a communication was brought in from Messrs. John W. Hay, P. J. Quealy and T. S. Talliaferro, which was read to the Board, and on motion of Judge Carey, seconded by Mrs. Brooks, the Board voted that with reference to this petition the action taken at the February meeting stands and the Board refuses hereby to rescind such action. The Secretary was instructed to incorporate the petition of Mr. Hay, et. al. in the minutes, and it was further stated by Judge Carey that he would introduce later in the meeting another motion confirming the one just passed, but which should be more specific and detailed.

It being after six o'clock, the Board adjourned to meet again at 7:30.

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Shortly after 7:30 o'clock the Board came together with the entire membership present, and Mr. Brooks moved that the Board proceed at once to the consideration of the Wood and Walker leases. This motion was seconded by Mrs. Brooks and carried.

Judge Carey moved that these two lessees, which are as follows:-

Ben M. Wood (Dakota-Wyoming Oil, Gas and Refining Company, assignee) --
NW4: N2SW4 of Section 5: E2NE4: NE4SE4 of Section 6, Township
33 North, Range 76 West, and

H. A. England (George S. Walker, assignee) -- W2E2: E2W2: SW4SW4 of
Section 6, Township 33 North, Range 76 West,

be given until January 1st, 1918, to carry out the terms of their prospector's leases.

This motion was seconded by Mr. Beach.

Judge Burke asked that there be added to this motion the following words:-

"That the extension of time be granted with the provision that unless oil or gas in commercial quantities be discovered by this time, all rights whatsoever under this lease shall be absolutely terminated, with the further provision that no operating lease under this motion be granted for longer than five years". This amendment was seconded by Dr. Hamilton and carried.

Dr. Hamilton moved to amend the original motion to read that each one of the lessees be given an extension of time to January 1st, 1918, to 160 acres each, the said 160 acres in each instance to include the wells now being drilled, and with the further provision that the royalty be 15 percent. This amendment was seconded by Mr. Ingham, but being put to a vote, was lost.

After discussion, a further amendment was introduced that the royalty in the operating lease be changed from 10 to 12-1/2 percent. This was carried.

The original motion, as amended, is as follows:-

RESOLVED: That the lessees, as follows:-

Ben M. Wood (Dakota-Wyoming Oil, Gas and Refining Co., assignee) -- NW4: N2SW4 of Section 5: E2NE4: NE4SE4 of Section 6, Township 33 North, Range 76 West, and

H. A. England (George S. Walker, assignee) -- W2E2: E2W2: SW4SW4 of Section 6, Township 33 North, Range 76 West,

be given an extension of time until January 1st, 1918, with the provision that if oil and gas in commercial quantities be not discovered by that time, all rights whatsoever under these leases shall be absolutely terminated.

AND BE IT FURTHER RESOLVED: That no operating lease under the terms of these prospector's leases shall be granted for longer than five years, and that the royalty in such operating leases be changed from 10 to 12-1/2 percent.

On this motion, there was a very lengthy discussion among the members, Mr. Corthell presenting the legal aspects of the case. The vote on the original motion was as follows:-

Ayes: Mr. Burke; Mrs. Brooks; Mr. Beach; Mr. Brooks; Judge Carey.
Nos: Mr. Ingham; Dr. Hamilton; Mrs. David; Mr. Spalding.

The motion was therefore declared carried.

following
The Board then adopted the general resolution with reference to the disposition of oil lands:-

RESOLVED: That in the matter of the disposal of oil and other minerals on lands subject to their control and management, the Trustees of the University Wyoming will hereafter follow the policy of disposing of such oil and other minerals only after due public notice and public sale.

The motion for adopting this resolution was made by Judge Carey and seconded by Mrs. Brooks.

The Board then returned to the final disposition of the minutes of the Executive Committee, and upon motion of Mr. Brooks, the meetings of March, April and May were approved, with the exception of the action taken by the Committee with reference to the Wood and Walker leases, and also the general policy as announced by the resolution in the minutes of May 29th. This was seconded by Mr. Burke and carried, Judge Burke voting "No".

Upon motion of Judge Carey, Mr. Corthell was asked to give the Board a written opinion as to the powers of the Executive Committee. This was seconded and carried.

It being past midnight, the Board adjourned to meet the following morning at eight o'clock.

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The Board sat at 8:10 o'clock on the morning of June 13th with the entire membership present. Mrs. Brooks moved that Mr. Corthell be asked to give the Board a written opinion as to what uses could be made of the funds derived from the disposal of oil and other minerals on lands subject to the Board's control and management. This motion was seconded by Mr. Ingham and carried.

Mr. Ingham moved that such funds be allowed to accumulate in the hands of the State Treasurer until the Board shall decide on the proper use of the same. This motion was seconded and carried.

WHEREAS, This Board of Trustees of the University did at a meeting held in February, 1917, approve certain oil leases which had been issued by the state land board on university lands, said leases being particularly described in the minutes of the meeting referred to, and

WHEREAS, It is currently reported throughout the state that this Board intends to repudiate the said action and that it is about to commence an action in the courts to set aside said leases, or that it is aiding and abetting others to do so,

NOW THEREFORE, In order to refute such false and malicious reports, and that the people of the state may understand the attitude of this board,

BE IT RESOLVED, That this board has not had, and has not now any intention of repudiating its action of last February in approving said leases; that it has no intention of instituting any proceeding in court, and that it has not and will not countenance aid or abet the instituting of any proceeding in court to set aside those leases, and that it is the sense of the Board that any litigation attacking the outstanding operating leases will be detrimental to the interests of the University and the important oil business of the state.

The Board then took up the question of granting an operating lease on the S2: S2NE4: SE4NW4 of Section 1, Township 33 North, Range 76 West. The Secretary presented from the Commissioner of Public Lands an affidavit in which the lessees of that section stated that they had brought in a well which produced oil in commercial quantities, its capacity being forty barrels or better per day, and also a request from them for an operating lease in compliance with the terms of their prospector's lease. These papers were further accompanied by a log of the well and the original lease and assignments. Attorney W. A. Riner of Cheyenne appeared before the Board representing this lease, and Mr. Pennif Casper was also present. Judge Carey moved that an operating lease on the land above be granted. The motion was seconded by Dr. Hamilton and carried.

Judge Carey then introduced the resolution which he had said he would read the preceding day, and upon motion this was adopted and the Secretary was instructed to send a copy of it to every paper in the state.

It being time for Commencement exercises, the Board adjourned for that function, to meet again at 1:30 o'clock.

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The Board re-assembled at 1:30 o'clock with the entire membership present with the exception of Mr. Brooks, who was called away to Sheridan on the noon train because of the illness of Mrs. Brooks.

The Board, in conference with Mr. Corthell, then began the consideration

of a form of lease for oil lands. Upon motion of Mr. Ingham, Mr. Corthell was requested to read the proposed form, paragraph by paragraph. After a very lengthy discussion, Mrs. David moved that this form of lease as submitted by Mr. Corthell be adopted, with the changes as suggested by him and also such changes as should be necessary to make it a straight five-year lease. This motion was seconded by Mr. Spalding and carried.

Upon motion of Mr. Ingham, the Secretary was instructed to write each applicant under the advertisements inserted in the various papers with reference to leases of parcels of land on Sections 5 and 6 the action of the Board in extending the Wood and Walker leases, thereby making inoperative the terms of the advertisements, and also to state the future policy of the Board, with copies of the resolution of the Board relative thereto. This motion was seconded by Mrs. Brooks and carried.

The Secretary was instructed to send a copy of the resolutions as to the future policy of the Board in the manner of leasing oil lands to all applicants and to ask them if they wanted to proceed under these conditions, and if so, to send ten dollars to cover the cost of the necessary advertisement, with the understanding that should they be granted a lease, this ten dollars should be credited to their payment for the same.

The Secretary called to the attention of the Board the question in dispute about the SW4NE4 of Section 32, Township 40 North, Range 79 West, and upon motion it was decided that at this time this parcel be not advertised for lease and that Mr. Hjorth be notified that this land is University land and that the University holds a patent for the same and that he refrain from entering thereon.

The Secretary presented a letter from Commissioner Lee with reference to the

request of William Hines and J. F. Leeper for the cancellation of their lease No. 22083 on the S2 of Section 2, Township 33 North, Range 79 West. The Secretary was intructed to ascertain whether they had complied with the conditions of their lease, and if they had not, to find out if the \$100 which they asked to be returned should not be forfeited by them and credited to the University. The Secretary was further instructed to say that if they had complied with the terms of their lease, as far as this Board was concerned, it was perfectly willing that the \$100 be returned to them.

The Secretary presented a letter from the Commissioner of Public Lands stating that the grazing lease on the S2: S2NE4: SE4NW4 of Section 1, Township 33 North, Range 76 West, would expire on August 31st, and that he had been asked for a renewal. The Commissioner said that it had not been the custom of the State Land Board to grant such renewals when in the meantime on such land, oil wells of commercial value had been discovered, since the amount of money received from the grazing lease was so small that it did not seem worth while to accept the possibilities of conflicts which might more than offset the small sum of money realized from the grazing lease. The Board concurred in this opinion, and the Secretary was instructed to write the Commissioner not to re-lease this parcel of land for grazing.

At four o'clock the Board took a ten-minute recess and then re-assembled, when President Dunway read his annual report. Upon motion of Mrs. David, this report was accepted and placed on file, and authority was given to print two thousand copies for the usual distribution.

President Dunway then recommended that the matter of a University Nurses' Training School be allowed to lie on the table, and on motion of Mr. Beach, seconded by

Mrs. David, this recommendation was adopted.

The President also made the same recommendation with reference to the affiliation of Jireh College with the University as a Junior College, stating that at the present Jireh College was not ready to be considered in this connection. This recommendation, on motion of Mrs. Brooks, seconded by Mr. Ingham, was adopted.

The President next spoke of Dean Creager's election as Commissioner of Education and the necessity arising therefrom of his retiring from the University as Dean of the College of Education. He spoke of Dean Creager's splendid work at the University and of the regard in which he was held by his colleagues and the student-body. Upon motion of Judge Carey, seconded by Mr. Beach, the following resolutions were adopted, and the Secretary was instructed to send a copy to Dean Creager, accompanied by the proper letter:-

WHEREAS, John Oscar Creager, Dean of the College of Education, is resigning from his position as a member of the University Faculty in order to enter the direct service of the State as Commissioner of Education,

BE IT RESOLVED: That we, the Trustees, extend to Mr. Creager our good wishes for full professional success in his new duties, recording at the same time our appreciation of the scholarly service which he has rendered in the University of Wyoming for the past seven years.

Upon the recommendation of the President, incident to the increased cost of living, the Board authorized an increase of board and room at the women's dormitories of \$1.00 per month, and 25c per week on the board at the Men's Commons, these rates to be effective at the beginning of the next semester. It was also understood that notice should be given of this in advance to all prospective students.

Mr. Corthell again appeared before the Board with the revised copy of the lease form, and Mr. Spalding moved that the same be adopted, with Dr. Hamilton's second. Judge Carey moved to amend that Section 8 of the same be revised by striking out the words:- "By the Executive Committee or by the President of the Board with equal effect". A vote being taken on the amendment, the following people voted

Aye: Mr. Burke, Mr. Beach, Judge Carey, Mrs. Brooks.

No: Mr. Ingham, Mrs. David, Mr. Spalding, Dr. Hamilton.

There being a tie vote, Mr. Burke therefore ruled that the amendment was lost. The original motion being put, it was carried, Messrs. Burke and Carey voting "No".

State Superintendent Clark informed the Board that the State Land Board had adopted a policy in leasing all their lands for grazing and kindred purposes of reserving in these lands to the state all rights other than surface rights. Upon motion, it was unanimously decided that the University should pursue a similar policy and so inform the State Land Board.

At 6:30 the Board adjourned to re-assemble at eight o'clock.

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The Board, on coming together again, took up the discussion of the budget for the fiscal year ending June 30th, 1918. The President explained its details at length. Upon motion of Mrs. David, seconded by Mr. Ingham, it was adopted.

Since the budget provided for a Music Building and a Rural School Building, the Secretary was authorized to advertise for bids for the construction of the same to begin by July 1st. Carried.

Upon motion, the Secretary, in consultation with the President, was authorized to re-appropriate the unexpended balances as appearing upon the Secretary's books at this time.

Upon motion, the Executive Committee was empowered to transact all necessary routine business between the sessions of the Board.

The Board then proceeded to the election of its officers. Judge Carey moved that the present set of officers be placed in nomination. This motion was seconded by Mrs. Brooks. Mr. Burke arose and said that he wished to decline the honor of being President, with thanks -- that he felt that he could not ^{for} account of the state of his health assume the responsibilities of the position. However, Judge Carey insisted that he take the office again, saying that every member would co-operate with him and assist him in the duties incident thereto. Judge Carey then put the motion, and it was carried. Judge Carey further moved that the Secretary be instructed to cast a unanimous ballot of the Board for these officers as nominated by the previous motion. This motion was carried and the Secretary reporting that the ballot had beencast, the following officers were declared elected:-

PRESIDENT Timothy F. Burke.
VICE PRESIDENT Mrs. Mary B. David.
TREASURER C. D. Spalding.
SECRETARY F. S. Burrage.

Mrs. David moved that Mr. Palmer be continued as inspector of oil lands for the two months June 15th to August 15th under the same arrangement as had prevailed for the previous month -- \$50.00 per month and the necessary traveling expenses. This motion was seconded and carried.

Mr. Burke appointed as the Executive Committee himself as ex officio chairman, and Messrs. Hamilton and Ingham, the personnel being the same as the year before.

There being no further business, the Board adjourned sine die.

Secretary.