

THE UNIVERSITY OF WYOMING
MINUTES OF THE TRUSTEES

December 17, 1930

For the confidential information
of the Board of Trustee

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The regular quarterly meeting of the Board of Trustees of the University of Wyoming was called to order at 2 o'clock p.m., by President Lynn. The following members answered roll call: Mr. Elliott, Mr. Geddes, Mr. Holliday, Mrs. Grieve, Mrs. Oviatt, Mr. Bond, Governor Emerson, Mrs. Morton, and Dr. Crane.

Roll Call

The minutes for the special meeting of the Board held in October and the minutes of the October and November committee meetings were approved as read.

Mr. Fuller then presented his report.

Upon the motion of Mr. Holliday, Mr. Fuller was authorized to make application with the State Land Board for the purchase of the NW $\frac{1}{4}$ Section 16, T. 24, R. 106, adjoining the Eden Experimental Farm. Mr. Fuller was also authorized to offer the minimum price of \$10.00 per acre. This motion was seconded by Mr. Geddes and carried.

Land - Eden Experimental Farm

President Lynn then mentioned the death of our honored Board member Mr. Quealy and called upon President Crane to speak. Dr. Crane then delivered the following tribute and upon the motion of Mr. Bond it was voted that an engrossed copy, carrying the signature of Dr. Crane and other members of the Board, be delivered to Mrs. Quealy, that it be spread upon the minutes of the Board and that another copy be given to the press. This motion was seconded by Mr. Elliott and carried.

A PIONEER PASSES

It is with mingled feelings of sorrow and pride that one speaks a tribute to the memory of Patrick J. Quealy, - with sorrow because a friend has gone, a great man has passed

Patrick J. Quealy

beyond; with pride at the record of his deeds. He was the finest type of western pioneer, - true, loyal, honorable, fearless. His spirit was the spirit of the old West. With all these sterling qualities, he had a never-failing, happy, kindly wit and humor which endeared him to everyone, a wit which placed things in their true light and appraised them at their proper values, cutting through the sham and veneer of affectation. His quizzical humor, equal to his integrity, was typical of the best western pioneer.

Born in Ireland and coming to Wyoming at an early age, he threw the vigor of his youth in with the fortunes of Wyoming and the West. His ability was soon recognized. He rose rapidly in power and influence. He dealt in cattle, sheep, land, merchandise, and coal as well as being a successful banker with large and sidely scattered holdings. Known lovingly in Wyoming as "Pat" Quealy, not too proud to meet Wyoming's poorest citizen, he was also a welcome and honored visitor in the highest circles of government and finance.

Those who knew him best loved him for his sterling character and for his unquestioned loyalty in Wyoming. In his last public address in Kemmerer he reaffirmed his life-time loyalty to the town of Kemmerer. He looked upon his position as industrial leader not so much as one for personal aggrandizement but as trusteeship of an industry which provided a useful commodity for the homes and industries of the country and provided means of livelihood for the city of Kemmerer and its environs. The finest testimony in all these overwhelming tokens of esteem and sorrow were the tributes of his miners. No man could have commanded the respect and affection of his employes in the measure accorded Mr. Quealy without he had been four-square in his dealings with them.

The activities of his keen mind were not confined to business alone but included the cultural needs that enriched human life. He loved beauty and cultivated it for his town and its citizens. As a public spirited citizen, he served faithfully and effectively as political leader of his party, declining all proffered personal preferment. As a Trustee of the University of Wyoming his interest in it was keen and untiring. As a member of the Board of Trustees his vision was always clear, his grasp of policies, principles, and details sharp and accurate. Many times after long involved discussions it has been Mr. Quealy who is terse, pungent, humorous epigram has settled the perplexing question clearly and shown the way to unanimous action. He will be sorely missed by the institution as one of its mentors and guides. His wife, equally talented, imbued with the same loyalty to Wyoming, is still with us to carry on Mr. Quealy's work for Wyoming. To her our sympathy goes and to her we are pleased to address this tribute of esteem and affection. May she and her sons long be prominent citizens of Wyoming. In the death of her estimable husband, Wyoming has indeed lost a friend.

Mr. Lynn then called upon Mr. Holliday to speak on the death of Mr. Wilbur A. Hitchcock, who had been engaged by this Board as Architect for the design and construction of various buildings during the past several years. Upon the motion of Mrs. Oviatt, the President and the Secretary of the Board were directed to sign and deliver a copy of this speech to Mrs. Hitchcock, a copy to the press and that it be included in the minutes of this meeting. This motion was duly seconded and carried.

Wilbur A. Hitchcock

It is particularly fitting for the Trustees of the University to pause and pay tribute to the memory of Wilbur A. Hitchcock. For several years his work as architect brought him into close association with the Board and in the history of the University no one has had more intimate contact with so many phases of University life.

Mr. Hitchcock came to the University of Wyoming in 1908 and he graduated in 1921, receiving the degree of Bachelor of Science. After graduation he was a member of our faculty for three years serving as instructor. He then went to the University of Colorado where he continued his studies and received the degree of C.E., at the same time filling the position of instructor. He then returned to Wyoming as Assistant Professor and in 1920 was made Associate Professor. In 1921 he left the University to devote his time to architecture, his chosen profession. As architect Mr. Hitchcock did much fine and valuable work for the University.

From the time of his graduation Mr. Hitchcock was a very active and energetic member of the Alumni Association. He served as President of the Association from 1927 to 1929.

In every field of activity, Mr. Hitchcock demonstrated that he had an unusual amount of ability, energy and determination, and all of this in spite of the handicap of ill health. The extent of this handicap was known only to his most intimate friends. To the world at large he was always cheerful and happy. He did not pass his troubles on to others. From the time Wilbur was only a few months old he suffered severely from asthma. He had to fight and struggle even to breathe and while a small child he must have shown that determination which was so marked a characteristic in his later life. After Wilbur came to Wyoming his health was somewhat better but he was still far from well. While doing work at the University to help pay his way through school he had a fall that severely injured him. From this he never fully recovered.

This added to the handicap he already suffered. He was an exceptionally good student and did excellent work in all his classes although he earned his way through school. And yet he found time to do more than his share in the school activities and interests outside of school. He was manager of the basketball team for a year and he was on the debating team. He was a leading member of the Alpha Tau Omega Fraternity and was largely instrumental in building up the local chapter until it became one of the leading fraternities of the University. In fact it was probably the strongest Fraternity at that time. As a student, as in later life, he was an energetic and forceful leader.

Mr. Hitchcock's success as a teacher is shown by his rapid advancement from instructor to Assistant Professor and then Associate Professor. Had he remained in the teaching profession his advance would have continued. The University lost a valued member of its teaching staff but gained an architect. It was in his capacity of architect that Mr. Hitchcock gave the greatest service to the University. He was chosen as architect for our beautiful library building, in a competition open to architects from all parts of the state. Our fine gymnasium was designed by Mr. Hitchcock and Mr. Dubois, working in partnership, and the Engineering building was designed by Mr. Hitchcock and Mr. Porter. Mr. Hitchcock designed the Men's Residence Hall, the last important building we have erected. He also handled many of the smaller buildings and structures on the campus and other University property.

Mr. Hitchcock was especially capable in planning University buildings. With his untiring energy he went into the subject from every angle and he visited and studied the buildings of all of the more important universities and colleges in the United States. It is unnecessary to dwell upon Mr. Hitchcock's talent as an architect. His buildings tell that far more eloquently than words. His work shows an exceptionally fine sense of proportion and design and he had originality and daring.

Probably the most valuable work Mr. Hitchcock did for the University was his work on general plans and the selection of a type of architecture for our campus. He assisted in the landscape plans to take care of future growth and he added to this with his model of the completed campus, the campus we all hope someday to see. When this time comes and these buildings are erected Mr. Hitchcock's influence will be present even though he is gone.

The many fine buildings designed by Mr. Hitchcock for the University campus and elsewhere in Laramie and in other parts of the state are monuments by which he will long be remembered and our hearts are filled with sorrow that he could not have lived to continue his work. But his greatest monument is the memory of the man himself, his honesty, his courage and determination, his ability and his inspired leadership. From childhood his life was a struggle,

a fight against poor health, a fight to earn his way through school and then to help the other members of his family. He not only made his own way but he helped his sister and his brothers to get a college education. Mr. Hitchcock's father remarked that he did not think of Wilbur as a son but as a brother, one to whom he could go for advice and help. Nor did Wilbur limit his efforts to helping the members of his family. He was keenly interested in the welfare of his fellow citizens, his University and his community. He was always ready to spend his time and energy on any project that would help the University even though there was no possible hope of reward for himself. He gave freely of his time that he might help others. It is wonderful that with all his handicaps, with all his struggle, he still found time to do so much. In his work outside of the University Mr. Hitchcock exhibited the same characteristic of public spiritedness. He was an active leader of the Lions Club, he organized the Jesters Club and he did many other things for the public welfare.

All through Mr. Hitchcock's life there has been a note of tragedy—the fight against ill health, the accident that made his fight still more trying, and the, a few years ago when, in a measure, he seemed to have won his fight, he suffered the loss of his wife, Gladys Cortwell Hitchcock. This was a sad blow and left him with the care of his four small children. His sister came to his assistance but the main burden was on him. This meant the re-ordering of his whole life, but he fought it through as he always fought through the difficulties and disappointments that presented themselves. Then came the final blow, the crowning tragedy. His children had reached an age where they required less of his care and where they were more of a comfort. He had firmly established himself in his profession and he had a host of friends. Life seemed secure and the future bright. He had just married a charming and capable young woman, Verna Johannesen Hitchcock. Then on his wedding trip came the awful accident that took his life. It is impossible for us to understand why such must happen. Why was he stricken down in the height of his usefulness and power? Why was he taken away while still so needed, needed not only by his wife and children but by the community of which he was so valuable a member? These questions have no answer we can fathom.

Having worked with Mr. Hitchcock and having loved and admired him, our hearts are filled with sorrow at his loss. His wife and his children have our deepest and most sincere sympathy. But while we mourn the loss of our friend we should also be thankful for the many years of pleasant association with him. We should be thankful that during his brief life he was enabled to do so much for the University he loved. All of us, and especially his family should be thankful for the fine example of his character; his courage, his honesty, his loyal devotion to those he loved.

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Dr. Crane then presented his report.

Upon the motion of Mr. Elliott a price of \$5.00 was fixed as the official assay price for determining the heating value of coal, such assay will also include the percentage of moisture, ash and sulphur. This motion was seconded by Mr. Bond and carried.

Assay Fees
Coal

Upon the motion of Mr. Bond the construction of an experimental outdoor skating rink, including board fence and some shelter sheds, just north of the Engineering Building was approved. The money for this project is to be furnished by the A. S. U. W. This motion was seconded by Mrs. Oviatt and carried.

Skating Rink

Upon the motion of Mr. Bond, Dr. Crane was authorized to proceed with futher construction in Fraternity Park including the layout of the lots, dirveways, parks, sidewalks, and the planting plan, using members of our own staff including Mr. Ambrose, Dr. Nelson and Mr. Edmondson. Authority is also granted to engage Architect Dubois of Cheyenne as consultant. This motion was seconded by Mr. Geddes and carried.

Fraternity Park
Layout

Upon the motion of Mr. Holliday, seconded by Mr. Bond and carried, the following resolution prepared by attorneys Cortshell and Arnold was adopted:

BE IT RESOLVED That the following be adopted as the Uniform Restrictions relating to the sale, disposal and use of Lots in Fraternity Park Project.

Fraternity Park
Uniform
Restrictions

1. No building except one residence building shall be erected on any lot.

2. No building shall encroach within thirty feet of the north line of the lots situated on the south side of the open space between the lot groups and no building shall encroach within thirty feet of the south line of the lots situated on the north side of the open space between the lot groups in said Park.

3. Exterior walls of all such structures must be of fire proof construction, such as stone, brick, clay, tile, or stucco on brick or clay tile. Stucco on frame construction will not conform to the intent of this provision.

4. Roofing materials must in all cases be of fire resistive materials such as clay, tile, rigid asbestos, slate, metal or concrete.

5. No improvements shall be constructed on any lot until the plans and specifications of such improvements and the location thereof shall have been approved by the trustees of the University or the Executive Committee of the Trustees, or other governing body of the University.

6. The sale or disposal of any and all lots shall be upon the express condition, limitation and restriction that if purchaser or party acquiring any lot or lots shall at any time use or occupy said lot or lots for any other purpose whatsoever than the furnishing of housing, boarding or other accomodation to fraternities, associations or clubs not organized for profit which are subject to the supervision of the Trustees of the University of Wyoming, graduates of said University, members of the faculty or members of the family of the faculty, members of said University, then and in that case the right and title acquired shall be forfeited and shall forthwith cease and determine and the said Trustees, their successors or assigns shall at any time within one year following such breach of said condition have the right to enter and take possession of said property as in its first and former estate upon payment of the amount received by the Trustees for the sale of such lot and also the then value of all improvements placed on said lot according to the appraisal of three appraisers, one to be selected by the Trustees or their successors or assigns, one by the then owner of said lot and the third by the two so selected, the appraisal of the majority of said appraisers to be binding on both parties in the absence of fraud. In case either party shall fail to appoint an appraiser, as hereinabove provided, any judge of a court of record of the State of Wyoming shall have the power to appoint such appraiser; and, in case either of the two appraisers so appointed shall refuse or fail to proceed with the appraisal of the property within five (5) days after their notification of their appointment any such judge shall have the

power to appoint an appraiser to take the place of the appraisers refusing or failing to proceed, and the report of the appraiser so appointed shall be accepted in lieu of and shall have the same force and effect as the appraisal of the three appraisers.

7. Any or all of the above mentioned restrictions, limitations, and conditions may be changed, modified or abolished by a mutual agreement in writing, recorded in the office of the County Clerk of the County of Albany, State of Wyoming, and executed by the Trustees of the University of Wyoming together with a majority of the then owners of lots in said Park.

8. The restrictions and conditions hereinabove set forth shall be embodied in each conveyance to the purchaser or purchasers of said lots.

BE IT FURTHER RESOLVED that the President and Secretary be and they are hereby authorized and directed to execute and deliver to Pi Beta Phi House Corporation a deed embodying the above restrictions and conditions upon receiving from said Corporation the balance of the purchase price for the lot heretofore contracted to be sold to it.

Upon the motion of Mr. Holliday, Dr. Crane was authorized to collect and place in usable form all of the Architectual designs and studies of buildings made by Mr. Hitchcock and secure the services of Architect Dubois to proceed with the work. He was also authorized to secure the services of a consulting architect to work with Mr. Dubois at some future time. This motion was seconded by Mrs. Grieve and carried.

Mr. A. Hitchcock
Architectual
designs, etc,

The Board then adjourned for dinner and to attend the reception given by Dr. and Mrs. Crane for members of the Faculty and Board of Trustees.

Thursday morning at 8 a.m., the board reconvened.

Upon the motion of Mr. Bond the Trustees signified their approval of Adult Education and their willingness to have the University undertake work in this field if and when funds may become available. This motion was seconded by Mr. Geddes and carried.

Adult Education

Declaration of Trust
of the
Student Welfare Foundation

WHEREAS persons associated in the work of the University of Wyoming have undertaken to establish a permanent fund to be composed in whole or in part of gifts of money or other valuable contributions for the purposes hereinafter mentioned, which fund has been designated as the Students' Loan Fund of the Student Welfare Foundation of the University of Wyoming; and

WHEREAS the Trustees of the University of Wyoming have been designated as the Trustee of such fund;

NOW, THEREFORE, in consideration of the gifts so made or to be made hereafter to the said Foundation for the Students' Loan Fund, the Trustees of the University of Wyoming do hereby make and constitute this Declaration of Trust with respect to such fund.

I.

This declaration shall be forthwith recorded in the permanent records of the University of Wyoming, and shall likewise be recorded in the office of the County Clerk and Ex-Officio Register of Deeds of the County of Albany in the State of Wyoming, to remain a part of the permanent and perpetual records of the University and of the office of such Register of Deeds.

II.

The said fund shall consist of any and all moneys, properties or things, whatsoever, of value, which may hereafter be acquired or accrue by devise, gift, or otherwise to or for the use of such fund, and which shall come into the possession or under the control of the Trustee.

III.

The Trustees of the University of Wyoming hereby accept such trust, including all contributions or accretions which may come to the said fund, as hereinbefore mentioned, and which may be accepted by the Trustee to be held and administered by the said Trustee or by its successor or successors, being the person or persons, corporation or agency of whatsoever character which, under any present or future constitution or law, shall have the management and control of the University of Wyoming. The said Trustees may, for any and all of the purposes of this Trust, act as a single person or body, by or through a quorum of the Trustees at any meeting, or through a quorum of the Executive Committee of said Trustees, or through any person or agent or agency which may be authorized by them to exercise their powers and functions under this Trust. Any successor or successors in trust coming into the possession and control of such Fund shall have and exercise any and all powers herein conferred upon the Trustee.

IV.

The beneficiaries of such Fund shall be students enrolled in said

University, to be selected and determined and designated from time to time by the Trustee or by such other agency as may from time to time be designated by the Trustee.

V.

The object and purpose of the said Fund are declared to be to establish a permanent fund, the income only of which shall be used and employed by the Trustee, in such manner and under such regulations as may be determined from time to time by the said Trustee, for the general purpose of assisting and promoting the welfare of students of the University of Wyoming in prosecuting their studies and in attendance upon their work as students as said University.

VI.

All contributions or accretions from whatever source to such Fund shall constitute a permanent fund, the capital of which shall be securely kept and invested by the Trustee from time to time in such forms of investment as may be determined by the Trustee and as may be lawful for the investment of trust funds, with the following exceptions and restrictions:

(a) In the event that any part of such capital fund shall be lost or impaired otherwise than in student loans, as hereinafter provided, all of the income of the remainder of such fund shall be used for the replacement thereof until such loss or impairment shall have been made good. No part of the capital of such fund shall be expended or consumed for the purposes of the Trust, except such portions as shall be expended and consumed in student loans, as hereinafter provided. The net income from such fund shall be used and employed by the Trustee or under its direction for the purposes set out in paragraph V hereof.

(b) The Trustee shall have power, at its discretion, from time to time to dispose of securities or properties in which the capital of such Fund may be invested, and to reinvest the same. The Trustee, in the management of all investments, shall have and exercise any and all powers with respect to the investment, control, disposition, management and representation of such investments as an absolute owner might have or do. The moneys, investments and other properties of such Fund shall, at all times, be kept wholly separate and distinct from any and all other moneys, investments and other properties, and so earmarked and designated as to clearly define and identify the same.

(c) The Trustee may, at its discretion, invest or put out all or any portion of the capital of said Fund in personal loans to students enrolled in said University, without security other than their respective promises to repay the same. Such investments shall be designated as student loans and all sums that shall be repaid to the Trustees shall be treated as a part of the capital of said Fund and may be invested and reinvested, loaned and disposed of in like manner as the original capital of said Fund. In the event that losses shall be sustained through the inability or neglect to repay such student loans, the Trustee shall not be required to suspend the use or disposition of the income of such Fund or to make good the impairment thereof out of income as provided in clause (a) of this paragraph

VII.

The Trustee, in its discretion, may determine to terminate the Trust and dispose of the capital and all remaining funds belonging to the same, in the following manner, viz,:

Any and all capital, income and other constituents of the said Fund may be treated as income and may, in a period of not less than five years from the date of such determination, be used, expended and applied by the Trustee for the purpose of assisting students, of the University in prosecuting their studies and in attendance upon their work as such students, as provided in paragraph V hereof; but not more than one-fifth (1/5) of such Fund at the time of such determination shall be so used or expended in any one calendar year.

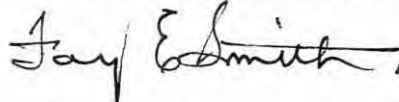
VIII.

"In the administration of such fund, the Trustees shall be accountable for the same degree of care and skill as is applicable to the Directors of an ordinary business corporation."

IX.

No provisions in this declaration of trust shall be construed as violating or superceding any conditions of pledge, contract or gifts made to the Student Welfare Foundation prior to this date.

True copy as adopted December 17, 1930 with section VIII as amended March 26, 1931.



Fay E. Smith
Secretary

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Upon the motion of Mr. Elliott the leave of absence for Professor Goodrich was extended until September 1, 1931, without pay. Authority was granted the President to pay Mr. Nelson, who is substituting for Mr. Goodrich, additional compensation if that should become necessary. This motion was seconded by Mr. Holliday and carried.

Leave of Absence
Prof. Goodrich

Dr. Crane then presented two documents drawn by University attorneys the "Declaration of Trust of the Student Welfare Foundation," and "Regulations of the Student Welfare Foundation of the University of Wyoming." Upon the motion of Mr. Holliday these documents were approved with the exception of clause 8 in the "Declaration of Trust." Action on clause 8 to be withheld until the next meeting of the Trustees. This motion was seconded by Mr. Elliott and carried.

Student Welfare
Foundation

The Trustees then listened to a very excellent and comprehensive report of our administration and finance committee which was rendered by Mrs. Oviatt, chairman. After discussion of this report Mr. Elliott moved that we accept the offer from the Carnegie Foundation for the Advancement of Teaching for a survey of this institution to be prepared by an expert in the employ of the foundation. The expense to the University to be only the traveling and incidental expenses of the person making the survey. This motion was seconded by Mrs. Oviatt and carried.

Administration
and Finance
Committee

At this point the Board again took up consideration of the State Budget. After a lengthy discussion of this problem in an effort to reduce University expenses, Mr. Elliott moved that the Board appoint a committee to study conditions and report at the next meeting of the Board. This motion was seconded by Mrs. Oviatt and carried.

State Budget

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At different times during this meeting considerable time and study was given to our proposed building program, and ways and means for financing this program. Mr. Bond moved that we go on record as advocating a bond issue as outlined in the "Brief for Financing Plans for University Building Budget," provided that such a system is found practicable, also that we endeavor to secure enactment of necessary Legislative authority permitting this bonding system and the legalizing of our vouchers as security covering current loans at banks. This motion was seconded by Mr. Geddes and carried.

There being no further business the Board adjourned sine die.



Fay E. Smith
Secretary

Building Program

Adjournment