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Minutes, January 21, 1920

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Hartford, Conn.,

January 21, 1920.

The meeting of the Trustees of the Connecticut Agricultural College was called to order at the Heublein at 12 o'clock by Vice-President Manchester.

Those also present were Messrs. Hall, Brown, Scoville, Stoddard, Hubbard, Alsop, President Beach, Treasurer Longley and King.

The minutes of the previous meeting were approved.

President Beach presented the following reports:-

" The present enrollment of male students is 261 of which number 23 will graduate in June. Allowing for an additional 15% withdrawal, the estimated number of old students to return in the fall of 1921 is 202. The dormitory capacity for men is 270, which will permit the enrolling of 68 new (male) students.

One Hundred first year men were admitted in year 1920-21. The faculty are unanimous in the belief that it would be a serious error to permit the freshman enrollment to drop much below 70 students, since a weak spot in the student body would be produced which would remain for a period of four years.

To admit even twenty to the School of Agriculture would reduce the College Freshman enrollment to 50 students or 50%. The faculty recommend, therefore, that the first year of the two year course "School of Agriculture" be suspended for the year 1920-21. "

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" State Support for Connecticut Agricultural College

40 years - 10 years periods.

Period	Buildings & Improvements Total	College	Average Annual Maintenance Exp. Sta.	Exten. Div.
1881-1890	\$60,000	\$6,350		
1891-1900	22,801	19,110	\$1,800 (8 yrs)	
1901-1910	183,601	20,667	1,840	
1911-1920	772,477	46,300	6,700	\$25,430

\$1,038,879

State Support for College

10 years - 2 year periods

	Buildings	Maintenance College	Average Annual Exp. Sta.	Exten. Div.
1911-1912	\$131,236	\$25,000	\$4,500	\$5,000
1913-1914	107,286	30,000	4,500	10,000
1915-1917	107,500	40,000	4,500	15,000 (3)
1918-1919	100,000	54,500 (2)	7,500	30,000 (4)
1920-1921	161,455 (1)	82,000	12,500	67,150

(1) Additional Appropriation for water (2) Additional \$30,000 deficiency (3) \$10,000 Special (4) 35,000 Deficiency Bd. of Cont. 15,000 Council of Defense

1. The activities of an Agricultural College fall naturally into three divisions; (1) Research and investigation, the work of the Experiment Station; (2) Training youngmen and women for leadership, the teaching of resident students at the college; (3) The teaching of farmer and home-maker on their own farms and in their own homes, the work of the Extension Division. These three activities supplement each other and are closely coordinated. Little consideration has been given to the question of what portion of each \$100 appropriated to the College should be expended in the improvement of the plant, for investigation, for resident teaching and for extension activities.

2. As a result of the loss of Grove Cottage by fire, the Trustees are unable to provide dormitory accommodations and adequate facilities for instruction in Home Economics for young women.

3. On account of the large increase in student enrollment (1) it has been necessary to discontinue the Short Winter Courses in Agriculture; (2) It will be necessary to suspend the School of Agriculture in 1920-21; (3) The men's dormitories are over-crowded; twice as many students being assigned to them as the buildings were designed to accommodate; (4) A Science Building is needed to provide laboratories and class rooms to accommodate the increased number of students.

Before petitioning the next General Assembly for an appropriation for the College, would it not be desirable for the Trustees to ascertain, if possible, what the people of the state want the College to accomplish for them and what additional buildings, equipment, funds, and other facilities should the College have in order to satisfy a reasonable demand of the farmers and other citizens of the state?

It is suggested that the following organizations be solicited to nominate or suggest the names of persons to be invited by the Board of Trustees to visit the College and after a study of the plant and work of the institution to formulate with recommendations as to such changes as seem necessary and financial support needed to enable the College to best serve its purpose.

State Federation of Farm Bureaus	Number of Nominations
	8 men
	8 women
State Manufacturer's Association	8
State Banker's " "	8
State Editorial " "	8
State Grange	8
State Chamber of Commerce	8
School Master's Association	8
Alumni Association	8
State Home Economics Association	8
Representative Women	8
Agricultural Associations, eight from each Society:	
State Poultry Association	8
State Dairy " "	8
State Pomology " "	8
Vegetable Grower's Association	8
Beekeeper's " "	8
Swine Grower's " "	8
Sheep Husbandry	8
Board of Agriculture	8

VOTED: That the following, Messrs. Hall, Stoddard, Scoville and President Beach, be appointed to appear before the Civil Administrative Code regarding the needs of the College.

VOTED: That in case any members of the above committee are unable to be present the other two members be empowered to fill the vacancy.

VOTED: That the Secretary be requested to write a letter in reply to Mr. Jarvis's communication.

The following letters from the Attorney General were offered for record:-

"December 23, 1919

Charles L. Beach, Esq.,
President Connecticut Agricultural
College.

Dear Sir:-

I have received from you a tentative form of contract in which it is proposed that the Trustees of the Connecticut Agricultural College shall lease for a period of twenty years, a piece of land situated on the campus of said college to a member of its faculty who shall erect a house thereon, with an option in said lease that it may be terminated at the expiration of ten years by either party to the same. It further provides for the sale of the house erected on said land to the state, either by mutual agreement or by arbitration at the expiration of the lease.

The trustees of the Connecticut Agricultural College

have only those powers which are expressly conferred upon them by statute, and these powers are enumerated in Section 2126 of the General Statutes.

As it is the general rule that statutes granting authority to ministerial officers are to be strictly construed, and will be held to include those powers only which are expressly conferred or are necessarily to be implied, I am unable in construing the language of said section to find any language that by any possible construction would include the power of the trustees to lease any land belonging to the state, nor can I find any language used in the statute from which such a power can be implied.

Even if the statute gave the trustees the power to lease land belonging to the state, the trustees manifestly could not give a lease for a longer period than their own term of office which is limited by law to four years.

Badger vs. United States, 93 U. S. 599

Having decided that the Board of Trustees have no authority to execute the lease in question, it seems hardly necessary to discuss at any length the power of the Board of Trustees to make a contract beyond their term of office for the future purchase of a building erected and paid for by another on state property.

The trustees of state institutions have no power other than such as the law attaches to their office. Their sole duty is to manage such institutions during their terms of office, and

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that is their sole duty. They should not enter into the realm of speculation as to the future action of the General Assembly in ratifying unauthorized contracts or in assuming that it will make extra appropriations to carry out the terms of such contracts.

In my opinion the trustees of your institution have no legal authority to execute the lease submitted to me.

Respectfully submitted,

(Signed)

Frank E. Healy

Attorney-General,

"January 8, 1920.

Charles L. Beach, Esq.,
President Connecticut Agricultural
College.

Dear Sir:-

You ask for my interpretation of the provisions of Chapter 326 of the Public Acts of 1919, being an act making State and County appropriations to certain agricultural societies upon a certificate signed by the trustees of your institution that such association receives part of the national appropriation under the "Smith-Lever Bill", and that it has raised from other sources and expended in its work at least one thousand dollars during the period stipulated.

It is a fundamental principle of law that where powers are delegated to an administrative body requiring the judgment of its members of the existence or non-existence of a certain state of facts, that such body must be the sole judge of the

facts upon which their judgment is based, and any powers delegated to it cannot be delegated to anybody else.

In State ex rel Morris vs. Bulkeley, 61 Conn. 367, the court says:

"Thus a statute which provides that a thing shall be done in a certain way carries with it an implied prohibition against doing that thing in any other way. An enumeration of powers in a statute is uniformly held to prohibit the things not enumerated."

Respectfully submitted,

(Signed)

Frank E. Healy

ATTORNEY-GENERAL.

VOTED: That the following memoranda be placed on record:-

"Section 61 of the General Statutes provides that:-

'Whenever estimates shall be made for the erection of any new building, the person preparing the estimates shall furnish the treasurer with plans and specifications of the same. No appropriation shall be made for the erection of any building in which the state is to own or control any part until complete architectural working plans and specifications have been delivered to the state treasurer, and not until said treasurer has advertised for bids or proposals to construct the same and not until such plans and specifications together with all bids and proposals have been received by the treasurer, have been considered by the appropriation committee."

"Section 64 of the General Statutes provides that:-

'When any building is to be erected by the state in the designing or construction of which the services of an architect shall be required, the Comptroller shall give public notice that such public building is to be erected, together with a statement of the amount appropriated therefor and other details and that any and all architects who may see fit, may submit plans and specifications and estimates of the cost of construction of such building".

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These two sections of the General Statutes are conflicting. The Attorney-General states that they are not observed, and in a way are obsolete. Mr. Healy's oral and unofficial advice is that the Board of Trustees select an architect and instruct him to prepare plans and specifications for proposed buildings and secure estimates of cost of construction, said information to be presented to the appropriation committee of the General Assembly in connection with requests for appropriations for said buildings."

VOTED: That the matter of the financial condition of the Town of Mansfield and the question of their being reimbursed by the State of Connecticut be brought up at the next meeting at the college when the Town Officers of Mansfield are to be invited to a joint meeting of the Trustees of the College and the Trustees of the Mansfield Training School.

VOTED: That President Beach be authorized to advise the students of the fact that there is a deficit in the boarding department and there will have to be an increased charge of approximately 7¢ a day after the first of March.

VOTED: To authorize President Beach to go before the State Board of Finance to explain the needs of the College and that the Executive Committee be authorized to take such steps as are necessary to provide plans in advance for a new building in case the finance committee approve.

The meeting adjourned.

Attest:

O. F. King,

Secretary.