

Mesilla Park, N.M., May 13, 1901.

To the Board of Regents,

New Mexico College of Agriculture and Mechanic Arts.

Gentlemen, -

I present the following statement in accordance with your request that I should put in writing what I have to say in reference to the recent attempt to make what practically amounts to a political assessment upon the members of the college staff, or, to put the matter in other and more exact terms, the urgent request to members of the college staff to make "voluntary" contributions to the campaign fund of the Republican party, together with a strong intimation that compliance would insure the retention on the college staff of the person approached and that noncompliance would lead to dismissal.

At your May meeting I called attention to the fact that the evidence that what I refer to was not merely a legitimate attempt on the part of the managers of a political party to get assistance from private citizens who were adherents of that party, but was instead an attempt to extort a contribution from those who were employed in a public institution *on the ground that their continued employment was in a measure dependent* on the payment of such contribution, - was to be found in the fact that these urgent requests for "voluntary" contributions to the Republican campaign fund were made of notorious Democrats; and I further stated that in the case of such a well-known Democrat a declination to contribute had not been accepted as final, and a second earnest request for a "voluntary" contribution to the campaign fund of the party opposed to his own was made. Upon further inquiry of the Democrats concerned, I have not found that in any case a distinct refusal was in terms made on two different occasions.

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To the Board of Regents,

Wesley Park, N.M., May 13, 1901.

The facts in the case of Assistant Professor Hare, well known to be a Democrat, are as follows. The first time he was approached by a representative of the Republican party, he was urged to support the ticket of that party, and consented to listen to the arguments of its advocate, Professor Hadley, who proceeded to urge the usefulness to the college of Republican success, and then to declare the utter unfitness of one after another of the candidates on the joint Citizens and Democratic ticket, in such a manner as to exhaust the patience of Mr. Hare, who interrupted him to declare that he would not listen to any further denunciation of the Anti-Republican candidates, that he was a Democrat and believed that the Democratic ticket had just as good men as the Republican, and that their candidates would work for the best interests of the college just as much as Republican candidates would. This put an end to the conversation before Professor Hadley had asked Mr. Hare for a contribution. I have not the exact date of this interview. Notwithstanding this failure to move Mr. Hare, however, some days later, on the Saturday preceding the election, Mr. Herbert B. Holt, a member of the Republican executive committee for Doña Ana County and a candidate for a seat in the Territorial council (Mr. Holt was not then a member of the Board of Regents), accompanied by Mr. José Gonzales, a candidate for re-election as County Superintendent of Schools, came to the college and asked Mr. Hare to contribute to the Republican campaign fund. Mr. Hare refused, and Mr. Holt accepted the refusal. He then, however, told Mr. Hare and the other gentlemen present, Professors Goss and Tinsley, that it had been said to him in the committee meeting that he should demand the contribution and tell those of whom he made the demand that they would lose their jobs if they did not pay; but he had refused to deliver any such message and had said that

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he would ask for the contribution but would not make the threat; if that was to be made, some one else must do it. Professor Tinsley, who is well known to be a Democrat, was also asked to make the contribution at this interview. Professor Goss, the third person of whom the request was made at this time, is understood to be a Republican. All, I believe, refused.

The matter had previously been discussed between the other members of the faculty and myself. I had heard much of the insistence with which political contributions were demanded from members of the college staff, women as well as men, and had gathered the impression that if an officer of the college were sufficiently popular in the community, and had such a backing of friends as to make his position reasonably secure, he did not have to pay; but that if he had gained the ill will of any one in the community who might have any influence, or if he had not been long enough in the community to acquire a backing of friends, it would be necessary for him to pay. I know that some members of the staff, who for one reason or another had been strong enough to do so, had repeatedly refused to pay these political contributions. On the other hand, others had told me that they had paid them because they thought it safer to do so. I will give you the names of these persons if you insist upon it. My immediate predecessor, Mr. Jordan, who had been a Democratic officeholder before entering upon the presidency, told me that after a majority of the board of regents had become Republican he had been asked for a contribution to the Republican campaign fund, and after his first refusal, upon the ground that he was a Democrat and could not conscientiously contribute to the opposite party's success, he was again requested to contribute, it being plainly intimated to him that he could not expect to hold his position upon any other terms. In view of all this, I urged

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upon the faculty that the college could never command the public confidence it should have, so long as this scandal continued. I announced that (while I was ready to help in every legitimate means of advancing the interests of the college, — and I had contributed many hundreds of dollars to different purposes that seemed beneficial to the college, such as to the loan fund to pay the Morrill deficit, to the athletic association, to the Collegian's commencement number, etc.), I myself would not give one cent to the campaign fund ^{of} the party in power, and I strongly urged the faculty to act as a unit in refusing such contributions; telling them that, no matter how much pressure might be brought to bear upon the board of regents by the political managers, they would not turn out a whole faculty, and the political managers themselves would realize the impossibility of facing the scandal that such action would cause. I argued further that, in view of the recent active assistance of Democrats in raising the subscription loan to pay the deficit in the Morrill fund, and thus keep the college open, and the pledges, then made, it would be especially improper for us to contribute to the Republican campaign fund. I said that I felt certain that if the faculty would act together in refusing to pay political contributions, only the ringleader could be punished, and as such ringleader I was perfectly willing to stand the consequences. I further stated, for what it might be worth, that the Governor had informed me that he wished the institution to be kept out of politics. As a result of this discussion of the matter, I believe that this year fewer of the college staff than ever before paid any political contributions. Of course I do not know exactly who paid and who did not. I have the voluntary statement of some, but not of all the staff. There was no impropriety in Professor Hadley's contribution, as he had always taken an

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active interest in politics, and was also a candidate for the office of Territorial Superintendent of Instruction before he became known as a candidate for the presidency of this college for the coming year, — which position, it may be remarked in passing, also appears to be regarded by the politicians as a political prize.

I have spoken above of the contributions sought from pronounced Democrats. I have now to speak of the cases of others, either Republicans or those whose political convictions are not generally known with certainty. While most of the staff were asked to contribute, I have been given to understand that one or two escaped by some lucky chance. I shall only speak of those cases that have some special interest.

Professor Brady was asked for a contribution to the Republican campaign fund by Mr. John R. De Mier, who told him that a number of the men in the college would lose their jobs and that it would be best for him to pay; that he himself would be the next regent; that the president of the college would certainly be put out, and there would be several other changes. Professor Brady did not respond at once to this polite invitation to make a purely voluntary contribution, and then Professor Hadley approached him, more circumspectly, with arguments in support of the Republican ticket. After some argument Professor Hadley withdrew after making another appointment with Professor Brady. When Professor Hadley came the second time Professor Brady happened or contrived to be out. Later, when Mr. Holt came to collect contributions to the campaign fund, he asked for Professor Brady, but did not succeed in seeing him. [It should be said that, owing to the animity of Mr. Bascom, a close personal friend of Regent Curran, and to the lack of cordiality between himself and his first assistant, Mr. Mills, another close personal friend of

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Regent Curran, Professor Brady's position was in danger at this time; and it was confidently asserted in the community that he would not be re-appointed. And it should further be said that, while Mr. De Mier's statement that he was to be the new Regent did not come true, Governor Otero himself informed me some time before the appointment was made that Mr. De Mier was one of the three who had been recommended to him for appointment.]

Professor Barker (an Englishman by birth, who had not at that time taken out his final papers as a citizen) was asked for a contribution by Mr. Holt, accompanied by Mr. Gonzales. Mr. Holt argued that as he (Barker) had many friends in the Republican party who had helped him, to whom indeed he owed his position, he ought now to help the party. He added that he had been told to say something to him that he did not care to tell him. [Professor Barker did not inquire what this was, but supposes that it was the threat from members of the executive committee, of which he learned from the gentlemen to whom Mr. Holt repeated it whilst disavowing it. It is to be observed that Mr. Holt seems always to have referred to this threat (except in his interview with me) although in terms he declined to make it his own.] Mr. Holt represented further that it was especially important that Professor Barker should, by making this contribution, put himself right with the Republican party now, and not seem to be deserting his friends, in view of the fact that Professor Barker's father was the leader in the Citizen's party movement, which was antagonizing the regular Republican party; if Professor Barker should not contribute, it would naturally be said that he was in sympathy with his father, and he could not expect that his former Republican friends would stand by him. Mr. Holt reminded Professor Barker that he had contributed

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to a former Republican campaign fund, and asked his reasons for not contributing now. Professor Barker replied politely that he admitted that the friendly offices of influential Republicans had played a part in getting him his position in the College, but that he thought that he had demonstrated his fitness for the place by his work since he had been connected with the college, and that he thought it undesirable for an employee of a public institution of this kind to seem to identify himself actively with the party in power by contributing to its campaign fund in such circumstances as then existed. Mr. Holt had also urged that the Republicans could and would do more for the college than the Democrats, and to this Professor Barker had answered that the college had friends on both sides, as shown by the recent part taken by Democrats in raising the loan fund to pay off the Morrill deficit.

I would further state, as bearing upon the relation of politics to Professor Barker's appointment, that Mr. F. C. Barker went to Mr. Holt and said that he understood that he (Holt) proposed to vote against the reappointment of Mr. Barker's son to his professorship in the college because of his (Mr. Barker Sr.'s) activity in the recent campaign in opposition to the Republican party, and desired to know if it were so. To which Mr. Holt replied by arguing how much better it would have been for the college if Republicans had been elected to the Legislature, and he finally added that that was not the only reason for his opposition to Professor Barker, that there were other reasons. Mr. Barker answered to the effect that he was not there to discuss other than political reasons, but that if his son were removed for political reasons he would fight the matter to the bitter end. [The only other reason of which I have been able to learn is that some years ago Professor Barker gave

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public expression to views on Sunday observance that were opposed to those of the church of which Mr. Holt is a pillar.] Mr. Holt further said that he did not like Professor Barker's manner towardd himself when he (Holt) asked Professor Barker for a contribution to the campaign fund. At the close of the interview, Mr. Holt declined to commit himself as to whether or not he would insist upon his opposition to Professor Barker, and said he would see Mr. Barker Sr. again about the matter. But he never did so.

Professor Barker himself went to Mr. Curran and asked if it were true that he was going to vote against his re-election. Mr. Curran said that he did propose to vote against him, and gave as his reason that he had been insulted by Professor Barker's father, when the latter had written (or allowed it to be published that he proposed to write) to the United States Secretary of Agriculture asking if it were with his knowledge and approval that political contributions were demanded of the employees of the agricultural college. Mr. Curran regarded this as a charge against himself as regent, reasoning, as he later explained at the meeting of your honorable body on the morning of May 7th, in my presence, that to charge that political contributions were levied was to charge that it had the approval and connivance of the majority of the board of regents, since the politicians could not enforce their demands effectively without the support of the Board. [The argument seems to be not entirely without merit.] Professor Barker argued the question of his reappointment with Mr. Curran, and the latter finally said that he would think about it and he might change his mind. He later stated to Professor Barker, as the latter informed me, that he had changed his program. Still later, during the session of the board on the morning of May 7th, Mr. Curran said to me

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x Now for my own experience. A week or two before the election Captain Brannigan came to my office in the college, announced himself as chairman of the executive committee of the Republican party, and said that he had come for a contribution to the Republican campaign fund. I declined to contribute, and he proceeded to argue the matter, saying how important it was for the college that Republicans should be in the legislature, etc. x I maintained my refusal, telling him that I thought it a bad practice as a matter of general principle for the employees of a public institution to contribute to the campaign fund of the party in power, and that just after a leading Democrat (Judge Fall) had been asked to coöperate with the board in raising a popular subscription loan to repay the deficit in the Morrill fund, and after Judge Fall and other Democrats had coöperated actively with the Republicans of the community in raising this money for the college, and after Judge Fall had pledged himself to work against any Democrat who would not work for the college, it would be especially improper and ungrateful for us to contribute to the Republican campaign fund; and that I had not only decided not to do so myself, but had advised the faculty not to do so. I further stated that I was not, and never had been, a party man; and I believe I added that I was an independent in politics, generally voting a scratched ticket, and that while I intended to vote for the Republican candidates for the legislature, not because they were Republicans but because they were with one exception Doña Ana County men, and so would be more likely to feel an active interest in the welfare of the college than would those from other parts of the district, still I would not contribute to the campaign fund.

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I gave as an additional reason that I had been informed, by one who should know, that the resources of the party from other sources should be sufficient to meet the legitimate expenses of the election; and that under no circumstances would I be ⁻⁻⁻⁻⁻willing to contribute to a corruption fund with which to buy votes. He expressed the hope that I would come to see the matter differently. I told him that it was humanly possible that I ⁻⁻⁻⁻⁻should, but it seemed to me extremely improbable that any amount of thought on the subject would bring me to a different conclusion. He then left me, expressing a desire to see other members of the faculty; and, if I remember aright, I referred to our schedule of hours and informed him which professors were then disengaged. Later, — I think it was in the afternoon of the Saturday before the election, — when I got to the agricultural building to attend a chrysanthemum show there, Mr. Holt accosted me just inside the doorway and asked me to step out with him. He then introduced Mr. Gonzales and told me that they had come from the executive committee to urge me to reconsider my refusal to contribute; that they needed the money very much. I repeated my refusal, telling him that I hoped he would be elected, that I should vote for him, but that I would not contribute to the campaign fund.

In concluding this matter I would say that while of course I can only speak at first hand of what took place when I myself was present, the other statements made are upon the authority of one of the parties to each interview, and in the case of the interview between Messrs. Holt, Gonzales, Hare, Tinsley, and Goss, I have compared the statements of Professors Tinsley and Hare and have been over the matter several times with each of them, and the statement about the threat was I believe confirmed by Mr. Holt in the presence of all of you. I have gone over all

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or a part of the matter at least twice with every person whose testimony I have given, and so I believe there is little chance for error, however slight. I do not, of course, profess to give the exact words used in any case.

If after reading this statement a man can question that political and personal considerations seriously enter into the determination of who shall be employed in the college, and for how long, I must doubt either that man's candor or his intelligence. It is unquestionably true that the representative of the party in power did not come to the members of the college staff and say in so many words: "Democrat or Republican, no matter how efficient you may be, you must pay a good round sum into the Republican campaign fund or, as a majority of the board of regents have assured us, you will be turned out of your position." Such bald methods are of course impossible here and now. But, expressed or implied, the threat was suggested, and the confidence on the part of the local politicians that the board would support them was evident. Are pronounced Democrats in private life visited by Republican managers and coolly asked to make "voluntary" contributions to the Republican campaign fund? Again, it is true that Mr. Barker was not turned out of his position; but does or does not it appear from the conduct and utterances of Messrs. Curran and Holt that they contemplated turning him out? And can it be candidly said that the reasons alleged by Messrs. Curran and Holt had nothing to do with politics? And even supposing one could shut his eyes to the suggestion of politics in the reason given by Mr. Curran in your presence and mine for opposing Professor Barker's re-election, was it not an even worse reason, if possible, than a purely political one? Does it not show that petty local considerations (it matters not whether they be po-

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litical or personal), rather than competency and efficiency, are of the greatest importance in determining a man's tenure of office?

I have declined to serve you longer unless you would abandon the pernicious system of annual elections, and have urged you to give this system up for a number of reasons; because, among other things, it almost inevitably lends itself to the control of the pettiest of personal and local and political influence, and makes a permanent policy impossible; but especially because it makes possible the removal of able and faithful employees for reasons that will not bear the light. Under any system, — that of a term of years or that of indefinite appointments (either of which would be acceptable to me), — you can remove a man for cause; but under this evil system of annual elections it is often possible to remove him for no cause at all, or at least for no cause that could be avowed without a blush. The disgrace of removing Professor Barker you were saved from this time, partly by the good sense and greater breadth of view of the non-local members of the board, and partly by the returning sanity of the local members when they came to look the matter plainly in the face. But how much effort on the part of Professor Barker's personal friends and on my part had to be expended in getting the facts of the case before the non-local members and convincing the local members of the bad policy of carrying out their first intentions! A great part of the time of your president that ought to be better employed has necessarily been spent, on the one hand, in fighting for the retention of faithful and competent employees who had happened to get the ill will of local people or of politicians, for reasons unrelated to their work in the college, and, on the other hand, in trying to get rid of such as were incompetent, insubordinate, inefficient, or useless.

I am quite confident that on the whole your effort at the last

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petent, insubordinate, inefficient, or useless.

I am quite confident that on the whole your effort at the last

meeting was to improve the college, and most of your action has my hearty approval, yet as a result of excluding from your confidence your constitutional adviser (if I may so designate the president), and disregarding his advice, while listening without inquiry to the recommendations of townspeople made upon purely personal grounds, you have subjected yourself to the derision of most within the college and of those outside of it who understand the situation, by giving an uneducated shop-foreman the title of Assistant Professor of Mechanical Engineering, and a seat in the faculty, and increasing his already large salary from \$ 1200 to \$ 1400, when the place could be filled without the least difficulty for \$ 1000, and when his conduct is not wholly satisfactory to his superior, — the true reason for his advancement being that he is a very close personal friend of one if not of both of the local regents, and that he is a fellow Mason. And this at a time when the salary of a competent and efficient full professor, a graduate of a famous English university, was cut down from \$ 1500 to \$ 1400; and when the vice-director of the Experiment Station, who is expected to have in effect the direction of and responsibility for the work of the whole experiment station, and who is a man of scientific education and considerable experience, is paid only \$ 1400!

I am, with all possible respect,

Sincerely yours,

[Signed]

Frederic W. Sanders.

P. S. - I add a statement of a matter which I think may have a bearing upon the question whether or not politics have anything to do with the appointment of officers of this institution, leaving you to judge whether there is anything in my view of the matter.

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The report that I was to be removed from the presidency was current in Santa Fe before I had written to the Board that I would not accept re-election unless the system of annual elections should be abandoned. It seems to have originated there, and I have some reason to believe that it arose in the personal hostility of the Governor, owing to my refusal to be coerced into assenting to a measure which he desired to have passed by the Territorial board of education, of which we were both members. The facts are as follows.

I spent a week's vacation with my sister in Santa Fe last summer, and while there I was asked by Mr. De Baca, Superintendent of Public Instruction, to attend a special meeting of the territorial board of education, to be held within an hour or so of my notification. I had previously been visited at my hotel by the agent of the Diamond Litho-Publishing Company of Minneapolis, Minnesota, in the interest of a set of charts for presenting the subject-matter of instruction in the elementary schools, consisting of a score or so of charts on a stand, the price of which was, if I remember aright, \$ 45.00; which series of charts he wished ^{had} ~~had~~ to have adopted for the schools of the Territory by our board. Some of the devices in the charts seemed to me helpful, others quite faulty; and I thought that while the good features in them might have justified a school in spending a few dollars for them, their value bore no proportion to the price asked. If I remember aright, the gentleman intimated that he had already seen Messrs. Otero and De Baca, and that they were favorable to the adoption, and he offered to give me a set for the preparatory department of the college (I may say that the college has not received the charts). Mr. De Baca had also previously mentioned the matter to me, and seemed desirous that the charts should be adopted.

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The territorial board of education consists of the Governor, the Superintendent of Public Instruction, the President of St. Michael's college, the President of the University of New Mexico, and myself. It seemed that the President of St. Michael's was on a picnic and could not be reached on the very short notice given, and I subsequently learned from the President of the University that he had never been notified of this special meeting at all. The meeting was, therefore, not a legal one, but I had no official information of this when I was summoned, and I treated the meeting as legal. At the meeting one or more Rand Mc Nally maps of recent date were adopted in lieu of the older editions, and sets of school charts and maps from two publishing houses were discussed. Of one ^{of} these I disapproved, because the maps were much behind the times, and it was not adopted. The other was that of the Diamond Litho-Publ.-Company, in regard to which I said that if it were competent for us to permit such rich school districts as could afford to pay the high price for the few good things in the set, to do so, without our so adopting the charts as to stamp them as a whole with our official approval, or to make their use compulsory in the schools of the Territory, I would be willing to take such action. Solicitor General Bartlett was called in to give an opinion on our powers, and I understoot him to find no fault with my idea. The Governor then suggested that I formulate a resolution in accordance with the views I expressed, and we would adopt it; Mr. De Baca assented; and the Governor then asked to be excused, as all of our business had been substantially finished except the writing out and signing the minutes. I wrote out a resolution and left it with Mr. de Baca.

The next day Mr. De Baca sent to me by a messenger the resolution given below (as an enclosure in his first letter), curtly asking me to sign it, and stating that the resolution drawn by me was illegal. I wrote

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The next day Mr. De Baca sent to me by a messenger the resolution given below (as an enclosure in his first letter), curtly asking me to sign it, and stating that the resolution drawn by me was illegal. I wrote

below his note that I would not sign his minute, and also expressed the opinion that my resolution was not illegal. I left Santa Fe a day or two afterward, and the following correspondence took place.

|COPY|

Santa Fe, N.M., Aug. 13, 1900.

Prof. F. W. Sanders,
Mesilla Park, N.M.

Dear Sir:--

By request of the Governor I herewith send you the form of proceedings to be entered for record, to be signed by you. We submitted your resolution to the Solicitor-General for approval as to its legal form, and he decided that it was not in accordance with law, but suggested the present one as the proper and legal form as you will see by his endorsement.

The Governor also wishes you to understand that the Solicitor-General is our legal adviser and that we must follow his opinion.

The Governor requests me to state that if you do not sign it he will be compelled to call a new meeting.

Yours Respectfully,

[Signed] M.C. De Baca
Supt. Public Ed.

The minute sent for signature was as follows.

"Pursuant to the call of the Governor, the Territorial Board of Education met and had a special meeting in the city of Santa Fe in the office of the Superintendent of Public Instruction. There were present His Excellency M. A. Otero, Governor, Manuel C. De Baca, Superintendent of Public Instruction and F. W. Sanders, President of the Agricultural College. There being a quorum present. On motion of F. W. Sanders the "New Education Series" of Kindergarten maps published by the Diamond Litho-Publishing Co. of Minneapolis, Minn., was readopted in improved form; and upon motion of the same gentleman the Rand McNally latest maps were also adopted and authorized for use in the Public Schools of New Mexico, pursuant to the statutes and regulations made and provided.

There being no further business before the Board, the meeting was adjourned sine die."

At the bottom was an endorsement of the minute by Mr. Bartlett, declaring its legality (as to which there was no question), in the following words:

"This is the resolution as I understood it to be adopted, and is to the full extent the board could go under the law unless it wishes to contract for the purchase of the charts and maps under Sec. 1593 C.L. 97.

"Respectfully

"Edward L. Bartlett,
"Solicitor-General".

below his note that I would not sign his minute, and also expressed the opinion that my resolution was not illegal. I left Santa Fe a day or two afterwards, and the following correspondence took place.

Santa Fe, N.M., Aug. 18, 1900.

[COPY]

Prof. W. W. Sanders,
Mesilla Park, N.M.

Dear Sir:--

By request of the Governor I herewith send you the form of proceedings to be entered for record, to be signed by you. We submitted your resolution to the Solicitor-General for approval as to its legal form, and he decided that it was not in accordance with law, but suggested the present one as the proper and legal form as you will see by his endorsement.

The Governor also wishes you to understand that the Solicitor-General is our legal adviser and that we must follow his opinion. The Governor requests me to state that if you do not sign it he will be compelled to call a new meeting.

Yours Respectfully,
[Signed] M.C. De Rosa
Supt. Public Ed.

The minute sent for signature was as follows.

"Pursuant to the call of the Governor, the Territorial Board of Education met and had a special meeting in the city of Santa Fe in the office of the Superintendent of Public Instruction. There were present His Excellency M. A. Otero, Governor, Manuel G. De Rosa, Superintendent of Public Instruction and T. W. Sanders, President of the Agricultural College. There being a quorum present. On motion of T. W. Sanders the 'New Education Series' of Kindergarten maps published by the Diamond Litho-Publishing Co. of Minneapolis, Minn., was readopted in improved form and upon motion of the same gentleman the Rand McNally latest maps were also adopted and authorized for use in the Public Schools of New Mexico, pursuant to the statutes and regulations made and provided. There being no further business before the Board, the meeting was adjourned sine die."

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Respectfully
Edward L. Bartlett,
Solicitor-General."

[COPY]

Mesilla Park, N.M., August 15th, 1900.

Hon. M. C. De Baca,
Superintendent of Public Instruction,
Santa Fe, New Mexico.

Dear Sir, —

Your letter of the 13th inst., with its enclosure, has just reached me; and I return the enclosure unsigned, for the reason that the motion therein recorded as made by me was not made by me and does not correctly represent the action of the Board as I understood it.

I know nothing of any "Series of Kindergarten Maps" being submitted for readoption or for adoption. It is quite probable that the Diamond Litho. Publishing Company has such a series, but the "New Education" charts submitted to us by that company's representative could not properly be called a series of Kindergarten maps, and if I am correct in my recollection of the title sheet they were not so called.

I have no disposition to question the legal opinion of the Solicitor General endorsed upon the paper, and indeed my own opinion coincided with his precisely, — although as I have not practiced law for a number of years, I do not myself consider that my legal opinion should have much weight. As Mr. Bartlett says, the resolution drafted by you "is to the full extent the board could go under the law unless it wishes to contract for the purchase of the charts and maps". I believe, however, that the Solicitor General would agree with me that the greater power includes the lesser; and that if we have the power to adopt a book, chart or map, and make its use compulsory and exclusive in all of the public schools of the Territory (as appears to be the case), we have also the lesser power of authorizing the use of such a book, chart, or map, without making its use compulsory or exclusive. That is what we all agreed to do in the case of the "New Education" charts; and that we were doing no more than that, was what I sought to make explicit in the resolution drawn by me. As you know, it was written out very hastily, and it may have contained some unnecessary verbiage; but while it may have contained some superfluous matter, I do not believe that there was anything in it contrary to the law.

I am sorry if my insistence upon the point explained above may seem to any one to be making a mountain of a mole hill; but I value my reputation as an educator too highly to go on record as favoring the adoption as a whole of an educational device, which has some good features, but which has many serious faults, and does not commend itself to me as having a value to a school in the least corresponding to the price asked for it. As the one trained professional educator present at the meeting of the board, I feel my responsibility in this matter the more keenly; and much as I enjoy my work in New Mexico, with its many pleasant associations, I would rather leave the board and the Territory to-morrow than to consent to that which does not seem to me to be right or endorse that which seems to me pedagogically wrong.

In view of the unfortunate misapprehension which seems to prevail, I am inclined to agree with his Excellency that it may be best to have another meeting of the board to act upon the matter.

I am,

Sincerely yours,

[Dict.H.M.M.]

[Signed] Frederic W. Sanders.

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Sincerely yours,
[Signed] Frederic W. Sanders.

[Dict. H.M.M.]

[COPY]

Santa Fe, N.M., September 27, 1900.

Frederick W. Sanders Ph. D.
President of the Agricultural College.
Mesilla Park N.M.

Dear Sir:-

Your letter of the 15th. of August has just reached me, on my return from an extended absence from my official duties. I do not consider the matter, to which you refer, of sufficient importance to call another meeting of the board, to act upon it, especially as there was no doubt about the action of the board at the time, and your only point being that you not make or favor the resolution. That is of very little importance, it seems to me, therefore, I have stricken out your name, where it appears as the author of the motion, and I trust that this will relieve your mind of the pedagogical responsibility, which weighs so heavily upon it, and that you will not feel constrained on this account to leave the board and the Territory, as I can assure you that neither the board nor any member thereof has any desire that you should do wrong "pedagogical" or otherwise.

Very truly yours,

[Signed] M. C. De Baca
Supt. P. Inst.

dictated.

I have one further statement to make. I was informed by Mr. Curran on the 14th of May, 1901, that Governor Otero had written to Mr. Holt, urging him if possible to retain Miss Thornton. When the chief officer of the commonwealth thus interests himself in the administration of the college to request his recent appointee to take certain action, without concerning himself about or inquiring into the merits of the case, it shows that the custom of bringing personal and political pressure to bear upon the board exists. Mr. Holt's courage in voting against Miss Thornton under these circumstances is certainly highly commendable, even though it be said that he secured her place, at an increased salary, for his sister-in-law.

[Signed]

F. W. S.

Santa Fe, N.M., September 27, 1900.

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F. W. R.

[Signed]

June 3, 1901.

To the Board of Regents,

New Mexico College of Agriculture and Mechanic Arts.

Gentlemen;

I present my second annual report at this time, instead of waiting until the formal end of the year on the 30th of this month, because there will not be another regular meeting of your body until the reopening of the college in September, at which time my term of office will have expired, and I shall probably be in Europe.

As therefore, this is not only an annual report, but presumably the last report I shall make to you, I desire to introduce it by a brief review of the conditions existing when I was called to the presidency of this institution two years ago, and of the work accomplished during the two years.

Review^{of} the Work of the Two Years.

Among the unsatisfactory conditions confronting us then were the following:

1. An unduly large amount of the total income of the institution was paid out for personal services, in salaries and wages.
2. There was an entirely insufficient equipment for the Agricultural department of the college and station, there not having been a head of stock on the farm (except the work horses and, for a brief period, a few hogs) during the ten years of the institution's existence, although this was founded as an agricultural college and New Mexico is a stock-raising community.
3. Partly as a result of the last mentioned fact, there was no sufficient instruction in agriculture. There was a four-year college course called the "Agricultural Course", but there was little in it speci-

June 5, 1901.

To the Board of Regents,

New Mexico College of Agriculture and Mechanical Arts.

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following:

1. An unduly large amount of the total income of the institution was paid out for personal services, in salaries and wages.
2. There was an entirely insufficient equipment for the Agricultural department of the college and station, there not having been a head of stock on the farm (except the work horses and, for a brief period, a few hogs) during the ten years of the institution's existence, although this was founded as an agricultural college and New Mexico is a stock-raising community.
3. Partly as a result of the last mentioned fact, there was no sufficient instruction in agriculture. There was a four-year college course called the "Agricultural Course", but there was little in it except-

fically agricultural; and the most diligent student by pursuing it most assiduously could not have learned either the theory or the practice of farming. (At the same time the salary list of the department amounted to nearly four thousand dollars, in addition to which large sums were expended annually for adult labor and for student labor.)

4. There was no irrigation or civil engineer in the college or station and no specific instructions in irrigation, although irrigation is the almost exclusive method of agriculture in New Mexico, and although a four years' course in civil engineering was advertised by the college.

5. The library was unclassified, was arranged only in the order in which the books happened to have been purchased, was meagre, and was in charge of an ignorant, untrained girl.

6. The course of study laid down was too heavy to be carried out properly; as a matter of fact the students were not following it, and almost every student was pursuing a course of his own, the result being a confusion which only the small numbers in attendance and the minute labor of the chairman of the course of study committee rendered tolerable.

7. The general tone of scholarship was low, the pupils seeming to have no ideals of scholarship and to be here primarily for a "good time".

8. There was a lack of discipline; the students generally seeming to believe that they were conferring a favour upon the college authorities by remaining here, and expecting to do just as they liked.

9. The payment of fees and fines was not enforced, lest the students or their parents should be displeased, and the students withdrawn. And at the same time there were too many student employees overpaid for doing poorly things that should have been done by the regular staff or by competent hired labor.

10. The Experiment station work was lacking in organization, coör-

rically agricultural; and the most diligent student by pursuing it most assiduously could not have learned either the theory or the practice of farming. (At the same time the salary list of the department amounted to nearly four thousand dollars, in addition to which large sums were expended annually for adult labor and for student labor.)

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10. The Experiment station work was lacking in organization, coor-

dination and coöperation, and displayed little or no initiative; and there was no sufficient effort made to get into touch with the agriculturists of the territory.

11. There was no manual training provided below the subfreshman class.

12. The records of the students were loosely kept in accordance with a poor and antiquated system.

13. About \$ 8,000.00 had been misappropriated from the Morrill fund to purposes for which the territorial fund alone was applicable, and the institution was in danger of being closed by the refusal of the United States government to appropriate any more money to its support unless this was restored on or before the 30th of June, 1900.

As the appointments, salaries and appropriations for the year 1899-1900 had been settled upon in the main before I came to you, I could do little to alter a number of these conditions during the first year of my administration; but when the year 1900-1901 opened the conditions were much more favorable, and in accordance with my advice and partly as a result of my methods of administration the following changes have been brought about.

1. Some reduction of the salary list in proportion to the total expenditure.

2. A thoroughly trained scientific agriculturist has been put at the head of the agricultural department, and its equipment has been greatly increased, a few head of well selected cattle being among the additions.

3. A carefully planned and thorough course in scientific agriculture (including, of course, instruction in animal husbandry and in scientific irrigation), a course that is excelled in hardly any of the best

distinction and cooperation, and displayed little or no initiative; and there was no sufficient effort made to get into touch with the agriculturalists of the territory.

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entific irrigation), a course that is excelled in hardly any of the best

and richest colleges in the United States, has been provided for the students. In addition, short courses have been planned, to begin next year.

4. A chair of civil and irrigation engineering has been established.

5. The library has been much increased and has been put in charge of a trained librarian, who is engaged in classifying it in accordance with the Dewey system, and whose services in arranging and attending the library have greatly increased its serviceableness both to students and to teachers.

6. The course of study has been revised and systematized, and the amount of work nominally required reduced; a larger freedom is given the students in selecting their advanced work, while a certain necessary groundwork is insisted upon for all. It is now possible to follow the outlines of work laid down, and the students are more carefully classified and their work is brought into line with the program.

7. The tone of scholarship has been greatly raised; with hardly an exception the students this year have displayed the spirit of work and scholarly ambition. This I regard as by far the most important reform of my administration, and it may be worth while to say a word as to the two means by which in the main it was accomplished. One was to get rid of the few hopelessly idle and dissolute members of the college, whose influence upon the general tone of the institution was especially bad (and to do this it was necessary to formally expel but one student, although others were induced to withdraw); and the other was to offer some incentives toward good scholarship, so that student sentiment might come to look upon an honorable record in scholarship as almost as desirable as a place on the football team or to be elected manager of some student enterprise. The latter was in part accomplished by the prizes

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offered by the board and by myself, with its permission, to the members of the regular college classes. Another influence in this direction was the lightening of the course of study above referred to, which, by making it possible to do the work nominally required, encouraged and stimulated the students.

8. The standard of conduct averages considerably higher than it had previously done, and the discipline has been so greatly improved that we have rarely had to resort to discipline at all. On the one hand, the students understood that discipline would be enforced if there were any necessity for it; and, on the other, by inviting them to coöperate with us in matters of college concern, we had aroused in them a spirit of co-operation which made our work lighter.

9. Fees and fines have been paid as never before, and the income of the institution from this source has been considerably increased, notwithstanding that the total enrollment has been slightly diminished.

10. The experiment station work has been more carefully planned; there has been somewhat more of coördination and cooperation displayed in it; and some concessions from the railroads to our station workers traveling on public business, have been secured by my efforts. Professor Tinsley has been appointed Vice Director for next year, ^[in accordance with my advice] with the understanding that he is to be in effect the active administrator of the work of the station; thus separating the directorship more fully than in the past from the presidency, and putting the work of the station under the supervision of an executive trained in agricultural science who can devote the greater part of his time and thought to this work.

11. An admirable and truly educative system of manual training (drawing, modeling and wood carving) has been introduced into the Preparatory Department, upon Principal Larkin's initiative, instead of leaving all manual training to the sub-freshman and higher classes, when the young

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men have lost the ready adaptability of early youth and become stiff and awkward.

12. A system of card and cabinet records for the college has been introduced, which is a great improvement upon the old system, or lack of system.

13. By the most rigid economy several thousand dollars were saved toward the repayment of the Morrill deficit, and the remainder raised by a popular subscription loan (to which, I may remark, I was with one exception much the largest contributor).

14. The stenography department of the college, which has long been one of the most efficient and useful departments, has been improved by the addition of a course in Spanish stenography (without any additional expense).

15. The department of domestic economy (projected before I became president) has been put into successful operation for the benefit of the young women students, and is being steadily enlarged and improved.

A proper report of the work of the present administration, however, must not be confined to a record of successes and improvements; it must also take account of the less pleasant and satisfactory conditions.

The Enrollment.—For one thing, there has been a slight falling off in attendance. It appears from the catalogues that in 1897-98, the second year of Prof. Jordan's administration, the maximum total enrollment (215) was reached. This was a great increase beyond the enrollment of the preceeding year, which was 153; but it could not be maintained, and in 1898-99, Professor Jordan's last year, it fell to 212. In my first year it was 204, and for the year just ending it ^{has been} was 191.

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This, at first blush, may look a little as though we were going backward instead of forward; but a careful examination of the facts, will, I think, show the candid inquirer, that at present the condition of the college is stronger and fuller of promise than it has ever been before. In the first place, the great increase in attendance reached in 1898 seems to have been a forced and unhealthy growth, attained by tolerating a very low standard of scholarship and conduct, allowing little children[↑] of any age and the most elementary degree of advancement to be enrolled, refusing no one admittance but allowing anyone to come and study as little as he chose, and in large measure allowing all to do about as they liked. The catalogue itself shows that of the 32 students registered as members of the junior, sophomore and freshman classes, 27 were conditioned. What underlay these conditions is indicated by the following facts. One of the alleged freshmen of that year (1897-98) is now (1900-1901) taking freshman mathematics, although it is true she has enough advanced work to her credit to be properly rated as a sophomore! At least four¹ of the alleged sub-freshman students of that year were members of our sub-freshman class at the beginning of this year, although the nominal standard has hardly been changed at all during these three years. Several of the brighter of these students have been out of school a number of months in the intervening time, it is true, but the chief explanation of this apparentlysm strange situation is that we now actually require the work laid down in our course, and at that time it was not required. One of the alleged sub-freshmen of that time (three years ago) who, I believe, has been in attendance part of every year since, was not by any means far enough advanced to be rated by us as a sub-freshman this year. This was not because we set her a severe examination; it was simply because she had not the first idea of the subjects taught in the sub-freshman class,

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or, for that matter, in the lower preparatory classes. The same slipshod, disingenuous, and pretentious system prevailed throughout at that time. Although the lowest year's work of the Preparatory department, that was given in 1898-99, was, in accordance with my advice, abandoned at the beginning of 1899-1900, you would imagine from a comparison of the catalogues of the last three years that the work did not run as low under President Jordan's administration as it does now!

Let us now consider seriatim the reasons for the slight apparent decrease in attendance during my administration, a decrease slightly less than 10%.

1. Instead of straining every effort to canvass for students and increase the enrollment, as had been done under President Jordan, the necessity for economizing, by reason of the deficit in the Morrill fund to which my administration fell heir, prevented us from doing the ordinary amount of canvassing and advertising. (One little advertisement, acquainting the people of the Territory with the general purpose of the College, carried for a short time in a Santa Fe paper, was paid for half out of my own pocket and half out of the pocket of the former president of the board. In view of the financial situation I could not approve of the bill for this advertising, but as I understood that it had been promised, I offered to pay half of it myself).

2. Just at this time, when we could not advertise at all, two new schools had been ^Sestablished by the Territory, with abundant means to advertise, the Las Vegas "Normal University" and the Roswell Military Institute, and the latter especially (situated in the southern part of the Territory like ourselves) entered upon a most active canvass and was perhaps the best advertised educational institution in the southwest, thus offering a new and serious competition for us.

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3. Just at this time also we discontinued our lowest class (which naturally tended to decrease our enrollment much more than the cutting off of a high class would have done). We not only did this in name, but we did it in fact, and refused admission to a number of young students who could not pass the examination for admission to our lowest class. ^[present]

4. We have outgrown our accommodations for boys and young men in the neighborhood of the College; and at the beginning of this year the rates for rooms and for board in the private houses were considerably raised. This to my knowledge prevented several parents from having their children here. I also felt obliged to discourage a number of parents from sending little boys to us, because we had no proper means to care for them, even though they might be precocious enough intellectually to enter our lowest class.

5. Finally, the effort to somewhat raise the standard of scholarship and of conduct and to insist upon some degree of punctuality and regularity in the matter of fees, fines, etc., has resulted in the withdrawal from the institution of a few incorrigible students. And while the college is unquestionably greatly benefitted by these withdrawals; and it is pretty sure to gain at least two good students for every one thus withdrawn, still the attendance is temporarily decreased by this small number of incorrigibles; and in some cases their parents and friends have been rendered temporarily hostile toward the present administration of the college on their account.

On the whole, however, while there has been an apparent total decrease of a little less than 10% in the enrollment since I became president, I maintain confidently that when the facts above discussed are considered, it will be apparent, not only that the institution is in a much healthier condition than in the past, and sure to show a growth in

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numbers, when we shall have the means to canvass again (and when the public can have some confidence in the stability of any policy in an institution that has had four presidents in ten years and will probably soon be able to boast of five in a period of twelve years); but also that now the number of students actually doing the grade of work here that an industrial educational institution of collegiate rank is supposed to do, is probably considerably greater than ever before. We have not a larger nominal enrollment of college students than ever before; but those now enrolled as college students are actually doing the work the curriculum professes to do; and we have more students doing high grade work in the preparatory department. We have lost the contingent doing primary work, and we have lost the loafers. That is all.

Evils still existing -- Annual appointments etc.

There is one important respect, however, in which I have not succeeded in making as great an improvement in the condition of the college as I should like to have effected. I refer to the strenuous effort I have made to have the institution serve the whole territory, rather than the personal interests of a few, especially of the people of the immediate neighborhood and the managers of the political party which happens to be in power, and to have no one employed or paid by the institution except by reason of his or her unquestionable fitness for the work required. I regret to say that this effort had not been wholly successful. There has been an improvement in the matters referred to; but there is still room for improvement. For instance, while no unquestionably incompetent person has been employed, applicants whose fitness was subject to some question have been preferred to those whose recommendations gave

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promise of the most satisfactory results, because the former ^{had} and influential friends, and salaries have been fixed by reason of personal favor rather than the value of the work performed.

This leads me to speak of a matter upon which I have already touched in oral reports, — the evil influence upon the welfare of the institution of the system of annual elections, under which no member of the staff of the institution is chosen for more than a year, — a system that may have its place in a district school, but that is very much out of place in an institution of collegiate rank having a large permanent income, and requiring some permanence in policy if it is to be well served by its employees and is to serve the public as well as it should. This system, it is true, still prevails in a number of inferior institutions besides our own; it is characteristic of such politics-ridden public institutions as the Kansas Agricultural College; but the better institutions, public and private, have either never had it or ^{have} abandoned it.

Some of the objections to a system of annual appointments, and conversely, the arguments in favor of the system of indefinite appointments or appointments for a term of years, for the heads of departments and employees whose fitness has been proven by one or more years of trial, are:

1. Under the system of annual appointments altogether too much time must be spent in considering them.

a. The public (especially the local public) is led to expect changes every year, and to besiege the regents to vote for the election of some friend or against someone toward whom hostility is felt. For the sake of getting some friend in, therefore, a large number of people are prone to "scare up" some baseless or frivolous complaint against someone in the college ^{in order to} ~~for the sake of creating~~ a vacancy.

b. As almost everyone, in small communities like ours, has some friend whom he would like to see get some sort of position connected with the college, almost all welcome the prospect of some change in the personnel of the institution each year, and, the wish being father to the thought, they are on the look-out to see if some fault cannot be found with things as they are, and, seizing with avidity every word of adverse

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criticism they hear, however unfounded or ill-considered it may have been, they echo and re-echo it until there comes to be a chorus of criticism and an apparent unanimity of disapproval, all of which might be traced to ill-considered remarks of two or three irresponsible and uninformed persons. Thus, without intending to do so, the people of the community in which the institution is located, come to be its worst enemies, and the outside public concludes that things must be bad there, when the home people whose interests are most closely dependent upon its welfare find so much ground for complaint. To illustrate this point, one may compare the loyalty of the Las Vegas community to the Normal school (where the appointments are under control of the president, who has a contract for a term of years, and the local people are not looking forward to an immediate change), resulting in its good reputation throughout the Territory, with the ill-considered fault-finding of so many in the Las Cruces community with the College (prompted largely by the prospect of personal advantage to some friend from a change in the personnel), resulting in an undeservedly bad reputation for the college throughout the Territory.

c. Annual appointments under these conditions make it necessary for the employees to be thinking about their prospects for the next year, and sometimes to take time from their legitimate business to insure their re-appointment. The temptation to purchase the favor of influential people by various illegitimate means is there, even though it is generally resisted. They cannot give their undivided attention to their work because they must have out "an anchor to windward"; and however little actual time they give to providing for the next year, the mental unrest which pervades the minds of the employees of the college each spring cannot but be unfortunate for the work of the college. A few each year feel reasonably secure; a large number (especially each alternate year, following a political campaign) are uneasy. That this is no fancy picture I know from the number of letters of recommendation I have been asked to write for members of our staff and from the conversations I have had with them about the matter.

d. An unduly large amount of the time of the board and of the president is consumed in considering the matter of appointments, and the trifling complaints and other matters which come up in relation thereto, when only a very small fraction of their time would have to be given to this matter if the board would commit itself unmistakably to a permanent policy.

e. The action of the board upon important matters, the formation and perfecting of its plans for the future, the publications of catalogues and announcements, are continually being delayed and postponed until the annual appointments can be agreed upon.

2. A system of indefinite appointments or of appointments for a term of years would leave the control of the board as absolute (for all legitimate purposes) as it can be under the system of annual appointments. The president, faculty, and other employees must still do the board's bidding, carry out its policy, or go. They can be easily discharged at

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any time for cause.

3. A proper, consistent policy for the upbuilding of an institution requires time. A president whose term of office expires annually is almost forced to sacrifice true progress to apparent success (unless he have a most unusual degree of confidence in the farseeing wisdom of the board and of the public, or unless he be absolutely determined to start things in the right direction even though he should certainly lose his position as a result of doing so). Methods most favorable to immediate, apparent, spectacular success, are generally hostile to true progress and permanent success. Administrators understand these methods of cheap success, and the temptation to use them, where the term is short, is often almost irresistible. Get a large enrollment at any cost, however idle, vicious, unprepared to profit by ^{the} advantages offered by the school or otherwise unfit the alleged students may be. Get Professor A's good word by indulging him in this pet weakness, Instructor B's by recommending that his salary be raised, and Assistant C's by winking at her unpunctuality. Win the parents' gratitude by promoting a young person unfit to take advanced work or by not insisting upon payment of fees. Let neighbor M's cattle graze in the station's fields; and give neighbor N the use of the station equipment: the expense of purchasing feed for the institution's stock may be much increased, and you may have to renew your equipment twice as often as if you did not do these things; but the extra expense does not come out of your pocket, and your neighbors will say you are a good fellow and ought to be retained in your position. Finally, put your name down for a subscription of one or two hundred dollars to the campaign fund of whichever political party happens to be in power, and do not authorize but wink at the leveying of assessments upon your

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subordinates, - if the party is likely to remain in power; if not, quietly do a favor or two for one of the leaders of the other party, - and you have won the favor of the politicians. And lo! you are the best president the institution ever had; on all sides people are singing your praises! But if you are desirous above all things that the institution shall make the very most of its resources, serve the whole territory to the greatest extent possible, and turn out well trained young men and women, - you must be somewhat strict about a number of things, and must refuse to grant favors at the institution's expense. You must have the courage to risk making a personal enemy rather than give way in a matter vital to the wellbeing of the institution. You must sacrifice numbers to quality, and in various ways you must so act that at first your administration may not seem to be strikingly prosperous. In the course of several years you will be able to show the fruits of progress and success, but meanwhile people may shake their heads.

4. As the board's personnel is continually changing (in the two years that I have known the college there have been four new appointments and one re-appointment, one death and three resignations), no permanence of policy or consistent growth can be possible if the president and faculty are also appointed for a year only and are continually changed. Within ten years the institution has had four presidents, and it seems likely to continue at the same rate.

5. As applied to the president and heads of departments, the system of annual appointments leads subordinates to feel that they can disregard the wishes of their superiors, since, having no permanency of tenure, the latter will not be likely to insist upon carrying out their own ideas; and, if it should come to a contest, their chances of in-

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fluencing the board through personal friends is as great as is that of their superiors.

6. The system of annual appointments makes possible removals without cause, or for illegitimate, personal and political causes which would not bear the light.

One thing more I have to say on the subject of appointments. However made, they should be subject to the approval of the president. If they were, the board would still have the final word, but it would be relieved of a great care, which probably makes every member more enemies among the friends of the many unsuccessful candidates than it makes friends for them from the backers of the one successful candidate. If the members could say, "Take your recommendations to the president; we pay him for the special service of giving expert judgement in such matters; if he reports your competence and fitness, you will have my vote",— they would be saved from a great deal of embarrassment and shuffling, and appointments would be much more likely to be made on their merits. The president, if fit for his position, is by his training and experience naturally much more competent to judge of the fitness of a candidate than the members of the board are; and he can sift out the competent names for the board to choose from. If the members of the board be relieved of what almost amounts in some cases to the necessity of pledging themselves before all the candidates have been considered, the institution could be much better administered, and the president and the faculty would be freed from interference in the one matter in which members of the board are often driven by outside pressure to override the judgement of their president and faculty, often even against their own best judgement.

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to my letter declining to be a candidate for re-appointment unless the system of annual appointments should be given up, and to my later letter, dated May 13, 1901, in which I set forth some of the specific cases of political and local and personal interference in the matter of appointments, made possible and encouraged by this pernicious and unnecessary system.

Civil and Irrigation Engineer and Modern Language Teacher.

As most ^{of} the appointments for next year have already been made, and the salaries fixed, it is useless for me to resubmit my proposal as to the distribution of our income for the next year, of which I submitted a written memorandum at your last meeting. I would, however, urge upon you most strongly, that you do not abandon the idea of having a civil and irrigation engineer on the staff. It is not perhaps so ~~unfortunate~~ ^{unfortunate} as it at first seemed, that last year the U. S. irrigation expert failed to appropriate to us for irrigation work the sum that ~~he~~ ^{he} had promised. Had he done so at that time, we should have begun by employing an engineer who could only afford to give us a small part of his time, and it might have been difficult to change the practice. As it is, we are free to enter upon another arrangement. I am confident that it will be better for the institution to employ a younger man, of less experience, but who could afford to give his whole time to us for the small sum we could afford to pay, rather than to employ an engineer of experience and reputation, who could not afford to give up his private practice for us. The U. S. Irrigation Expert, Professor Elwood Mead, and Director Carpenter, of the Colorado station, are in a position to make recommendations to us from among a number of young men who have been in training for this sort of work for some little time, and whose services could be obtained for a salary ranging from \$ 1000 to \$ 1500. There is not only great need

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for an irrigation expert on the staff in a station situated as ours is in a country wholly dependent upon irrigation; but there is also a demand, which we could well afford to encourage, for instruction in civil engineering. With the facilities we already have, an additional expenditure of \$ 1000 to \$ 1600 would enable us to have a well equipped department of civil and irrigation engineering in both college and station, which would add greatly to our serviceableness to the Territory.

I would call your attention to the fact that the distribution of our income recommended by me would make possible this department of engineering without abandoning any of the work we now carry on. And it would also make possible instruction in modern language (German and French, or at any rate the former), which we so much need. German has come to be a necessary tool for the ^cscientifically educated man, and we have had frequent demands for French, and would have a larger attendance if we offered it. Our College is at a disadvantage in comparison with other institutions of similar purpose, and even in comparison with the other Territorial institutions, though of lower grade than our own, by reason of the lack of this instruction in modern language, which we could probably have for an additional expenditure of \$ 800 or \$ 900 per annum. This work in engineering and modern language could not, it is true, be carried on if the staff should remain exactly as at present; but we do not need three expert chemists; the work now done by Mr. Bennett could be done by one or more other members of the staff; and a saving could be effected by redistribution of the work of Professor Hadley's department and my own.

The Authorization of Dispositions of Property.

In concluding this report I would say that there is a little matter in regard to which it may be well to ask for a specific ruling,

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although I am not sure that it is not as well to leave it to the good judgement and common sense of those concerned. I refer to the matter of disposing of property of the institution that is not wanted and for which a ready sale may offer when the board is not in session. In strictness, I take it, nothing can legally be disposed of without the authorization of the board. On the other hand, I should not suppose that a specific and express authorization would be required in every case. The sensible custom was established at the time that I came here, of allowing farm products (such as vegetables and fruits and flowers), for which there was a demand, to be sold at the discretion of the head of the agricultural and horticultural department. Of course, if any question should arise as to the general conditions governing these sales, the board would be appealed to for instructions. But just how far should the practice be carried? Should the head of the department also be at liberty to buy and sell live stock (horses, colts, adult cattle, calves, pigs, etc.) or his damaged equipment, at his discretion? I think myself that he should, so long as he reports his actions in the matter, since if competent to hold his position he is presumably much better qualified to judge of the expediency of such action than either the board or the president; and the institution might lose a very desirable trade if he had to wait two or three months for the express authorization of the board. Of course, this is upon the presumption that the head of the department has good judgement and exercises it. It is to be presumed that if he were in some doubt as to the propriety of a certain disposition of property under his care, he would consult the president, if he could not consult the board; and it is reasonable to suppose that if these two agreed that a certain action was desirable, the board would not be likely to disapprove. It seems to me that the general principle governing such

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matters should be that common sense should be used; and that while it should be clearly understood that no officer of the institution has any right to dispose of its property without the approval (express or implied) of the board of regents, on the other hand, wooden formalism and red tape should not be allowed to stand in the way of the substantial interests of the institution, and a head of department and the president should be at liberty to dispose of an item of property during the recess of the board, if it were clearly to the advantage of the institution, even though there were no express authorization from the board covering this case.

One of the circumstances that leads me to speak of this matter at this time, is that the institution now has a small herd of cattle (which it has never had before), and the question has already arisen as to whether an offer for a pedigreed calf should be accepted in the absence of any instructions from the board. Perhaps a general order covering such cases in future might be made. Another reason which has lead me to speak of this matter at this time is that, while the board has never expressed to me any criticism upon my action in such matters, an individual member of the board criticised me for making an unauthorised sale. We had for a number of years an abandoned pulsometer for pumping water from an unused well, which was considered a sort of white elephant; and an opportunity offering to sell it at once for cash, on the advice of the mechanical engineer of the college I let it go for \$ 150.00. About the same time I sold, for fifty cents a foot, a quantity of iron pipe lying in the ground, running from this abandoned well, the purchaser to take it up and remove it at his own expense. This seems to me to have been a remarkably good bargain for the college, as the pipe was somewhat the

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worse for having lain in the ground for a number of years and was steadily deteriorating; and if we should ever have occasion to use it we should probably have to dig it up and relay it somewhere else; whereas pipe having been temporarily high when we made the sale, we could now get new pipe for a price very close to that for which we sold our old pipe. I felt no doubt, therefore, that my action would be heartily approved by the board and as we had to sell at once or not at all, I sold the pipe. As, however, I was criticised by one or more members of the board, I think it might be well for the board to express itself for the guidance of my successor.

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Respectfully yours,

[Signed]

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Report
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