

Minutes of the
Meeting of the State Board of Agriculture
November 21, 1932

1030-A

Present: Messrs. Berkey, Brody, Daane, McColl, McPherson, Mrs. Wilson; Superintendent Pearce;
President Shaw and Secretary Halladay

Absent: No one

The meeting was called to order at 1:00 o'clock.

The minutes of the previous meeting were approved, having been in the hands of the Board members.

RESIGNATIONS AND APPOINTMENTS

1. Resignation of Dr. E. E. Hamann, Department of Bacteriology, effective October 1st.
2. Appointment of H. Windfield-Hansen, replacing Mr. E. E. Hamann, effective October 1, at \$1200 (same salary received by Dr. Hamann), Assistant in Bacteriology.
3. Appointment of Virginia Turner as Secretary to the Dean of Women effective November 7th at \$1165.00. This is a replacement of Miss Atkinson, temporary help being used in the meantime.

Resignation

Appointment

On motion of Mr. Berkey, it was voted to approve the two appointments and to accept the resignation of Dr. Hamann.

TRAVEL REQUESTS

Travel

International Live Stock Show at Chicago.

1. Dean J. F. Cox to attend International Grain and Hay Show and Live Stock Exposition, and the World's Fair Grounds - December 2nd and 3rd, expenses charged to office of the Dean of Agric.
2. R. W. Tenny, International Show to supervise the tour arranged for Short Course students, with travel expenses and living expenses for three days paid from Short Course funds.
3. R. C. Heydrick to Chicago International to accompany the Michigan State College exhibit, and to assist Mr. Morrish in setting up the exhibit; travel and three days' living expenses paid from exhibit fund of Short Course.
4. The following to attend National 4-H Club Congress in Chicago and take charge of the Michigan delegation of fifty 4-H club members, November 23rd to December 3rd; all expenses for A. G. Kettunen, G. A. Thorpe, Lola B. Green, and Olga Bird, and all expenses except transportation for C. A. Rood, to be charged to Extension.
5. D. H. LaVoi and H. F. Moxley, to attend International Exhibits, and take charge of the Michigan Wool Exhibit and also exhibit a carload of lambs for the Michigan Sheep Breeders' Association. Transportation charges only, to be paid by Extension Maintenance expenses of Mr. LaVoi will be paid by the Sheep Breeders' Association.
6. G. A. Branaman to accompany Judging Team to the International Live Stock Exposition November 24th to 27th, with all expenses paid from Animal Husbandry Department. Also authorization for the expenses of six members of the team to the extent of \$25.00 each, charged to Animal Husbandry Department.
7. Following three men to Chicago November 22nd to December 3rd for the purpose of exhibiting cattle sheep and swine respectively, Charles Walker, M.H. Thornton, and Richard Maples, all expenses to be charged to Animal Husbandry.
8. V. A. Freeman to assist with livestock show, and to attend American Society of Animal Production expenses charged to Animal Husbandry.
9. G. A. Brown to assist with livestock show and to attend American Society of Animal Production, expenses to be charged to Animal Husbandry.
10. R. S. Hudson to attend the International Livestock Exposition, November 24th to December 4th, accompanied by John MacAllen and Andrew Quirrie for the purpose of exhibiting horses. All expenses to be charged to Farm and Horse Department.
11. H. R. Pettigrove, to Chicago November 24th to 28th, to accompany the Farm Crops Judging team, with expenses paid from Judging team funds raised by student activities, for this purpose.
12. C. R. Megee, November 24th to 30th, to the International to act on judging committee, with expenses paid by the International Grain and Hay Show.
13. G. F. Wenner, November 24th to 3rd December to take charge of Michigan Competitive Exhibits, expenses paid by Michigan Crop Improvement Association.
14. H. C. Rather, November 29th to December 1st to attend International Grain and Hay Show and meeting of International Crop Improvement Association, with railroad fare and living expenses paid from Farm Crops Department funds.
15. R. H. Morrish, November 24th to erect and attend College Educational Exhibit. Expenses to be paid by the Farm Crops Department.

16. R. E. Decker to attend the meetings of the Crop Improvement Association and the Extension Agronomists in Chicago, November 30th to December 2nd with railroad fare only, paid from Extension funds.
17. C. R. Oviatt to attend the Extension Agronomists' meeting to speak on the work with sugar beets in Michigan at the request of Mr. Fisher of the Federal Office of Extension work, and to aid in packing and shipping the exhibit materials to the college after the exhibition. Railroad fare and travel to be paid from Extension.
18. J. A. Hannah, to attend the Coliseum Poultry Show in Chicago, November 21st and the Poultry Council November 23rd to 25th. Railroad fare only paid from Extension. (Mr. Hannah is a member of the National Poultry Council).
19. A. M. Berridge to drive to Chicago from Lake City Experiment Station in college Ford Pick-up for the International Turkey Show, leaving on November 21st. Expense of gas, oil and storage to be paid by budget of Experiment Station. He plans to exhibit six turkeys.
20. Following students to Chicago, November 24th to 30th to represent Michigan State as the Farm Crops Judging Team, expenses to be paid from special fund raised by the students for this purpose; Lyle W. Buxton, Arland E. Gillis, Basil D. McKenzie, and Eldon H. Pfahler.

On motion of Mr. Berkey, it was voted to approve the 20 travel items listed above.

21. R. J. Baldwin to attend the meeting of Extension Directors and Farm Bureau Officials in Chicago on December 3rd, all expenses from Extension funds.
22. Ward Giltner to Chicago, November 28th to December 2nd to attend the Conference of State and Federal Experiment Station Workers in Animal Diseases, and to present a paper to the U.S. Live-stock Sanitary Associations, all expenses to be paid by Veterinary Science.

Misc. Travel Miscellaneous Travel

1. J. L. VanCamp to attend two day conference of Forest Nurserymen at Syracuse November 29th and 30th, all expenses from Forestry Department.
2. B. A. Walpole to attend the American Vocational Association meeting in Kansas City, December 7th, 8th and 9th all expenses charged to vocational funds.
3. C. W. Chapman, mileage of one car to transport several members of Physics Department to the American Physical Society, Chicago, November 25th and 28th, expenses estimated at approximately \$10.61 to be charged to Physics Department.
4. Jackson E. Towne to annual meeting of the Eastern College Librarians November 25th to 27th at Columbia, transportation charged to library budget.
5. M. D. Byers to the American Vocational Association, Kansas City, Missouri, December 7th to 10th, transportation expenses charged to vocational Home Economic Teacher Training funds.
6. Mr. M.D. Pirnie, of the Kellogg Bird Sanctuary to attend the American Game Conference held in New York City, November 28th to 30th. Expenses estimated at approximately \$60.00, Sanctuary fund.

On motion of Mr. Daane, it was voted to approve travel items #21, 22, 1, 3, 4, and 6, provided the folks concerned will wait until January 1st before presenting their expense accounts if necessary.

On motion of Mrs. Wilson, it was voted to refer items 2 and 5 to the Advisory Committee and President with power to act.

7. Professor E. L. Anthony of the Dairy Department to attend the annual meeting of the National Dairy Council, November 30th, at Chicago, Illinois, travel expenses to come from the current expense fund of the Dairy Department.

Cert. Seed
Potatoes to be
tested by Ever-
glades at Fla.

8. Request from Professor Rather of the Farm Crops Department that an arrangement be authorized to have certified seed potatoes tested by the Everglades Experiment Station at Florida to determine whether or not the yellow dwarf is present in these seed lots before they are distributed. The expense to be as follows:

Freight on 180 bushels of potatoes	\$180.00
R.R. fare of H.C. Moore to Belle Grade, Florida and return at planting time	68.95
Same, in Feb. to make disease readings	68.95
Subsistence for both trips @ \$30.00	60.00
	<u>\$377.90</u>

To be financed as per suggestion of Dean Cox, - Farm Crops Department to pay for travel of Mr. Moore and it is suggested that a cooperative arrangement be entered into with the Certified Seed Potato Growers of the Crop Improvement Association to share other expenses.

On motion of Mr. Brody, it was voted to approve items 7 and 8.

MISCELLANEOUS

Lv. of abs.
for Mrs.
Nelson in Lib.

1. Leave of absence without pay during Winter and Spring Terms 1933 for Mrs. Roscelia Nelson, Assistant Cataloger in the Library.

- 2. Request of Mr. R. W. Tenny that the \$1.00 Short Course fee be disposed of for the three day or one week Short Courses. These courses are outgrowths of our Farmers' Week programs.

\$100 short cs. fee to be dispensed with

On motion of Mr. Daane, it was voted to approve items 1 and 2.

- 3. Question of members of the College staff acting on the Board of Directors of the East Lansing State Bank.

No action on question of staff members acting on Bd. of Direc. of Bank

No action.

- 4. Request from Athletic Department that certain members of the staff be paid for their services in taking tickets, etc. at football games during the past season,- total amount - \$287.50, to be paid from Athletic Association funds.

Member of staff to be pd. for taking ticket, etc. at football games.

On motion of Mr. Daane, it was voted to approve the above request from the Athletic Department.

- 5. Request from Health Service that the College finance an operation for Mr. M. S. Holcombe, a student in the physical education department, who injured his foot while hurdling in a race. Amount - \$76.86.

College to finance operation for M.S. Holcombe.

On motion of Mr. McColl, it was voted to approve the request from the Health Service and that this amount be paid out of Athletic funds.

REPORTS OF THE PRESIDENT

- 1. Authorization for travel for Dr. Austin to meeting of Land Grant Colleges in Washington, November 14th to 16th with mileage and pullman.
- 2. Authorization for travel for Dean Dirks to meeting of Land Grant Colleges in Washington, November 14th to 16th, with expenses, charged to Engineering.
- 3. Letter received from Commonwealth Fund in which Mr. Wickman states that he wishes to have the staff members working under that fund reimbursed for the 7% deduction from their salaries.
- 4. Report on the request by the Board for President Shaw to invite the Special Committee on Inquiry to meet with the State Board, to the effect that this has not been possible up to date for the reason that the Board has not been in session for several weeks.

Dr. Austin travel to Wash.

Dean Dirks travel to Wash.

People on Commonwealth Fund to be reimb. the 7%

Rep. of Pres. on inviting Spec. Comm. out to College

On motion of Mr. McPherson, it was voted to approve the reports on items made by the President.

REPORT OF FINANCE COMMITTEE

Question of the revolving fund for Publications Department to take care of the expense of Mr. Laycock.

Revolving fund of \$500 set up to take care of expense of Mr. Laycock.

On motion of Mr. McPherson, it was voted that a revolving fund of \$500.00 be set up from Publications Department funds to take care of expenses of Mr. Laycock.

REPORT OF THE SPECIAL MEETING OF THE BOARD - Held November 7, 1932.

- 1. President, Secretary and Finance Committee to be authorized to borrow money for college.

Finance Com. authorized to borrow sum not to exceed \$25,000 to meet payrolls and pay some bills.

On motion of Mr. Daane, it was voted that the Finance Committee, together with the President and Secretary, be authorized to borrow such amounts, not exceeding a total of \$25,000, as may be necessary from time to time, for the purpose of meeting payrolls and paying such bills as are absolutely necessary; and that the amount borrowed will be paid out of the Mill Tax appropriations, or any other monies made available at the time the notes may become due.

REPORT OF THE COMMITTEE ON INVESTIGATION OF THE BOARD - Meeting held November 7, 1932

- 1. President Shaw and Mr. Baldwin, attorney conducting special investigation of the Board authorized to release to the press information relative to the audits.

Pres. Shaw & Mr. Baldwin authorized to release information to press re: audits.

On motion of Mr. Brody, seconded by Mrs. Wilson, it was voted that the President and Mr. Baldwin be authorized to release to the press information relative to the audits, such as they deemed proper.

ITEMS FROM SECRETARY'S OFFICE

- 1. Consideration by the Board of policy relating to loaning loud speakers and bleacher seats, and other equipment.

Loud speakers & bleacher seats to be loaned only to functions connected with State, only

On motion of Mr. McPherson, it was voted that the Board adopt a policy of loaning the loud speakers to functions concerning and connected with the State Only, and that bleacher seats be not taken off the Campus. This ruling applies to all college equipment.

- 2. The special building appropriation has a credit of \$145,498.15. \$100,000 of this has not been drawn from the State Treasury but has been turned against the Stadium Account.

\$100,000 of Bldg. appro. turned agins. Stadium Acct.

On motion of Mr. McPherson, it was voted to approve the above transaction.

- 3. A correction in the balance due on the Stadium debt was reported by W. G. Stevenson, Chief, Accountant. Still balance due of \$2,369.63.

Balance of \$2,369.63 due on Stadium debt.

Bal. of \$2,369.63 on Stadium to be pd. from Ath. Ass. funds.

On motion of Mr. Daane, it was voted that payment of the balance of \$2,369.63 be authorized to be paid out of Athletic Association funds.

No report on bus for Educ.

4. Report on school bus for Education Department.

Deferred.

Request from Geo. Shaver re: tract of 240 acres in Bath Township and offer.

5. Request from George C. Shaver, Laingsburg, Michigan regarding a tract of land of 240 acres in Bath Township and offer for same.

On motion of Mr. Daane, it was voted to refer the request of Mr. Shaver to the Soils Department of the College for investigation and report back to the Board.

Requests for \$10.00 forfeit fees.

6. Requests as follows for refunds of student fees: (\$10.00 forfeit fee)

a. Mr. B. A. Stickle financed student's tuition and fees this fall. The boy was dropped from school. Mr. Stickle asks that refund be made to him.

Stickle Butler.

b. Frank Butler, an out of state resident, claims residence in Michigan now on the grounds that he is 25 years old and that he was employed in Michigan for eight months previous to his registration in school. He asks exemption of the out of state fee.

On motion of Mr. McColl, it was voted that item a, be referred to the President with power to act, and that the request in item b. be granted, provided it is found, upon investigation, that Mr. Butler is a resident of Michigan.

Req. from Soils for service Cons. Power to Muck tract. Request for locating well on Muck exp. field.

7. Request from Dr. Millar of Soils Department for service from Consumers Power to muck tract. (Deferred at last meeting for further information to be secured by Secretary.)

8. Request from Dean Cox and Dr. Millar of Soils Department relative to locating well on muck experiment field along Mt. Hope Road. (Deferred at last meeting for further information to be secured by Secretary).

On motion of Mr. McPherson, it was voted to refer items 7 and 8 to the Secretary for the purpose of securing an estimate of cost on the entire projects.

Report on requisition from Soils for 1 gal. nicotine.

9. Report on requisition from Soils Department for one gallon nicotine sulphate. Item was purchased for \$8.00 instead of \$105.00 as estimated on requisition.

No reply from Co. Rd. Comm.

10. Request was made to the County Road Commission to see if they would be willing to take over Farm Lane as far as paved road in front of Dairy Building as per authorization of Board at last meeting. No reply has been received from the Road Commission as yet.

No report.

Report of Att. General on authority of St. Bd. to borrow money.

11. Report of Attorney General on authority of State Board of Agriculture to borrow money.

On motion of Mr. Daane, it was voted to refer the report of the Attorney General to the Chairman of the Finance Committee.

COMMITTEE REPORT

No report re: lease for Monroe

1. Report from Mr. Brody, on leasing the Monroe Farm for another three years. (Referred to Committee at last Board meeting).

No action.

R. S. Shaw

President

H. H. Halladay

Secretary

this special

In explanation of the Minutes of the Meeting of November 25, 1932, regarding the resignations of Mr. Joseph F. Cox and Mr. James B. Hasselman, and the abolishing of the position of Historian held by Mr. Frank Kedzie, it may be said that on August 12, 1932 a petition was filed with the Circuit Court of Ingham County for Grand Jury investigation of charges which were made against certain administrative officers and faculty members of the Michigan State College.

At the September Board meeting, see page 1025, the Board voted to establish a Committee of Investigation of its own, consisting of members of the Board other than those named in the petition, in which case the membership was to be: Messrs. Berkey, Daane, McPherson, Mrs. Wilson.

On September 23, 1932, the following resolution was passed by this Special Committee:

Present: Messrs. Berkey, Daane, McPherson, President Shaw.
Absent: Mrs. Wilson.

That the Attorney General, Mr. Paul Voorhies, acting through his assistant, Mr. Joseph A. Baldwin, is hereby authorized to conduct a complete investigation of the complaints made relative to the activities of the members of the Board, officials, and the Departments in question, and other matters which may properly come to his attention.

All members of the staff and employees of the College are instructed to cooperate in every way.

On or about the first of November 1932, Judge L. W. Carr filed the following decision, after having completed the Grand Jury Investigation:

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF INGHAM

In re: Petition of Prosecuting
Attorney into certain alleged
violations of law in said County.

#11131

This is a proceeding held in accordance with Chapter 7 of the criminal code. On the 12th of August, 1932, certain residents of this county presented to the Prosecuting Attorney a petition relating to the affairs of the Michigan State College of Agriculture and Applied Science, and asserting, in general terms, on information and belief, irregular conduct on the part of certain officers, agents, and employees of said institution. Thereafter the Prosecutor filed his petition in this Court, incorporating therein the allegations of the petition presented to him and requesting an investigation under the statute. Such investigation has accordingly been had. Many witnesses have been called and examined, the primary object being to determine whether any violations of the penal statutes of the State have been committed in connection with any of the matters set forth in the petition.

Grand Jury
Decision of
Judge L. W.
Carr.

Ordinarily a statement of the general conclusion reached after an investigation of this nature would undoubtedly be sufficient. In the present case, however, in view of the nature of the charges made, the publicity that has been given to them, and the possible effect on an important state institution, I believe that the claims as to irregular conduct should be specifically considered and a finding indicated as to the merits of each specific charge.

The petition calls attention to the fact that J. R. McColl and Clark L. Brody are members of the State Board of Agriculture; that Herman H. Halladay is secretary of the said Board and of the College; that Jacob Schepers is treasurer; and that L. C. Emmons is a member of the faculty. Mention is also made of the Michigan State Institute of Music and Allied Arts, a private corporation. Following such preliminary recitals, the petition sets forth, in six paragraphs specific claims and charges. For the sake of convenience and also of clarity, these charges will be numbered, quoted, and discussed in the order in which they appear in the petition.

(1) "That the Legislature of the State of Michigan in 1927 passed a special appropriation bill, which was approved by the Governor and became law, providing fifty thousand dollars (\$50,000) to be spent for improvement of the grounds of the college, that direction of the work was placed in the hands of T. G. Phillips, landscape architect, of Detroit and associate of Halladay in the Irish Hills Farms, that this work has not been under the supervision of the landscape department of the college which has a capable staff of landscape architects, and that the \$50,000 had not been accounted for in the manner provided by law".

The reference is to Act 402 of the Public Acts of 1927 by which the legislature, among other items, provided for an appropriation of \$100,000.00 for the improvement of the college grounds. Said item was reduced by the Governor to \$50,000.00 and, as so reduced was approved.

Under Section 8 of Article 11 of the State Constitution, the State Board of Agriculture has: "the general supervision of the college and the direction and control of all Agriculture College

funds". Acting pursuant to the authority so granted, the Board entered into an arrangement with Mr. Phillips, an experienced landscape architect, contemplating the carrying on of the work of improvement under his direction. Such arrangement has been carried out. Numerous and carefully detailed plans for the improvements contemplated by the act of the Legislature have been prepared by Mr. Phillips and his employees. All questions of policy concerning the various things done rested entirely with the Board. The employment of Mr. Phillips was obviously a matter of policy and was presumably based on the theory that more desirable results could be accomplished than by committing the immediate supervision of the improvements to the landscape department of the College.

The investigation has not disclosed any irregularity in connection with the expenditure of the money appropriated by the Legislature. The account has been audited in detail and apparently in a very careful manner by a firm of competent accountants. It may be noted in passing that the association of Mr. Halladay and Mr. Phillips in the ownership of certain land in Jackson County, referred to in the charge as quoted, came about some years after the employment of Mr. Phillips by the State Board of Agriculture. It does not appear that such association has in any way affected the actual carrying on of work on the college campus or the expenditure of any college funds.

It is a fair deduction that much of the criticism that seems to have been indulged in with reference to work carried on under the supervision of Mr. Phillips has been due to a difference of opinion as to the expediency of specific changes. By way of illustration, it appears that a certain tree that had been on the campus for many years was removed because it was believed that it was not feasible to attempt to preserve it longer, and because it was interfering with the development of other trees thought to be more desirable. The propriety of such removal was challenged and some feeling of bitterness created, due in large measure to the interest in this tree because of campus traditions and associations growing up during the long period of time that it had been on the grounds. Critical remarks, directed at this and other changes that were purely matters of policy, have been circulated about the College and through the community until finally they have culminated in rumors, the general purport of which is indicated in the claim as above quoted. In so far as such rumors involve any claim of misappropriation of funds or misfeasance or malfeasance on the part of any official of the State Board of Agriculture or of the College, they are without foundation.

(2) "That Halladay, Schepers, Lewis Richards, head of the music department of the college, and others have organized the music institute which has obtained from the college the use of buildings, office equipment, teaching forces, musical instruments and supplies belonging to the college, and that the music institute has charged students of the college rentals for use of these college buildings and musical instruments, and that the music institute has been the cause of the expenditure of approximately \$200,000. of college funds during the past four years, only a small part of said expenditure being properly chargeable to services rendered the college or its students".

The organization of the Michigan State Institute of Music and Allied Arts was brought about primarily by the efforts of certain citizens of the City of Lansing not connected in any way with the college or with its management. It was the successor of a corporation known as the Lansing Conservatory of Music, which carried on the work of instruction along the lines suggested by its title for several years. Apparently the State Board of Agriculture and many members of the faculty of the college came to the conclusion that it was expedient to add to the musical facilities of the institution. A music department, somewhat limited in its scope, had been maintained and various courses, primarily along the line of public school music, had been offered. It was considered that changes were desirable to the end that the college might afford better opportunities for musical education thereby benefiting the student body and increasing the prestige of the institution.

Under the broad powers granted to it by the constitution, the determination as to the means to be employed to accomplish the end desired rested with the State Board of Agriculture. After a consideration of the problem, extending over a period of many months, it was decided that an arrangement similar to the one obtaining at the Michigan State Normal College and at the University of Michigan, should be adopted. Such arrangement is commonly referred to as the Ypsilanti plan. It involved the employment of musical artists of ability and recognized standing, who should be members of the college faculty and who, in connection with their work as such, would be privileged to give private lessons to advanced students in music. Professor Lewis Richards, who was the head of the music department of the college, accordingly sought the services of artists of the standing desired and arrangements were made with Professors Graveure, Press, and others. It was then agreed between the State Board of Agriculture, on the one hand, and the Michigan Institute of Music on the other, that these artists and other members of the college faculty might also serve as instructors in the institute. The fees paid for lessons were divided in the proportion of two-thirds to the instructor and one-third to the institute.

At the inception of the arrangement the college paid for such lessons given to regularly enrolled students in the music department. This has been changed, and beginning with the current school year, the fees are paid by the students directly to the institute. It is claimed that this arrangement enabled the college to obtain the services, for the benefit of its student body, of men of national reputation in musical circles, and that such services could not have been otherwise obtained except by the payment of salaries that the board considered would be out of line with the compensation of members of the faculty serving in other departments. By way of additional compensation to it, the institute was allowed the use of certain college buildings and college facilities. Light, heat, and janitor service have been, and are being, furnished without charge.

The arrangement referred to has resulted in criticism emanating from various sources. However, the adoption of the Ypsilanti plan and the incidental arrangements made in putting the theory of such plan into practical operation was a matter of administrative policy resting entirely

with the State Board of Agriculture, subject to legislative appropriations. With the wisdom of the plan we are not concerned in this investigation. Doubtless the criticism referred to has detracted to a certain extent from the success of its operation.

The accounts covering the expenditure of college monies for musical purposes have been audited in a thorough and painstaking manner and the expenditures tabulated and classified. There may be, and apparently there is, some difference of opinion as to whether the results attained have justified the expenditures incurred, reference to which is made in the charges set forth in the petition. However, that may be, the investigation has not disclosed that there has been a violation of any statute of the state in connection with the matter, nor any misconduct on the part of any officer or other representative of the college.

(3) "That McColl, through his firm or employees of his firm, has prepared plans for heating and ventilating buildings constructed on the campus of the college and has received payment therefore, the payment being made to him or his firm or its employees by architects having the general architectural work on such buildings and receiving payment, in turn, out of State funds".

This charge, as worded, implies that Mr. McColl, as a member of the State Board of Agriculture, has profited financially as a result of work done by him, or by his firm, in connection with the construction of buildings erected by public funds. Section 483 of the Compiled Laws of 1929 provides, in substance, that no officer or agent of any State institution shall be interested in any contract with such institution. The purpose of the statute is obvious. It was designed to prevent any officer or agent having authority to in any way represent an institution of the State in the making of a contract from deriving financial gain therefrom.

It appears, however, that neither Mr. McColl nor his firm have prepared heating or ventilating plans for any building constructed out of public funds. The only buildings on the campus, in the erection of which Mr. McColl or his firm have been so concerned, are the Alumni Memorial Building, otherwise known as the Union Building, and the Beaumont Clock Tower. These were both erected out of private donations. Such being the case the furnishing of heating and ventilating plans therefore by Mr. McColl's firm was not in violation of the Statute.

(4) "That Brody, in his capacity as member of the Board, passes upon agreements and appropriations affecting the employment of county agricultural agents who are paid by the State and Federal Governments, while many of these agents are also employees of the Michigan State Farm Bureau of which he is manager".

The proofs taken in this inquiry indicate that there are no employees of the Michigan State Farm Bureau who are acting as county agricultural agents. The origin of this charge against Mr. Brody cannot be definitely determined. Apparently the signers of the petition presented to the Prosecuting Attorney were under a misapprehension as to the existing facts.

(5) "That Emmons and others, many of whom are members of the College faculty, purchased certain lands near the college, Emmons being made trustee for the joint owners, and sought to sell these lands to the Board for use as part of the college farms at a price to yield a large return to themselves individually".

This allegation is based on the fact that eight or nine men, some of whom are members of the faculty of Michigan State College, and the remainder are business men in East Lansing, purchased, some years ago, a farm known as the Nickerson farm. The title thereto was taken in the name of Mr. Emmons, as trustee for the owners collectively. It does not appear that any one authorized to make sale of this farm ever offered it for purchase by the college; nor that any suggestion was ever made by any one to any representative of the college having authority to purchase, that the farm should be acquired for college purposes. It does appear that on one occasion, one of the owners, a faculty member, but who had no authority to make a sale, suggested to another member of the faculty, who had no authority to represent the college in any purchase, that the farm might be obtained. Quite possibly that suggestion was ill-advised. However, it falls far short of constituting a violation of the statute, or an actual attempt to violate it.

(6) "That Schepers and Halladay have obtained large deposits of college funds for the bank in which they are officers, the bank paying no interest on these deposits, and have devised a plan under which employees of the college receive their payments of wages and salaries in the form of deposits in this bank, Schepers making out college checks to the employees and taking them to the bank and depositing them in the accounts of the employees".

By written order filed with him by members of the faculty or other employees of the college, the treasurer has deposited salary checks in the East Lansing State Bank to the credit of the payees making such requests. It is claimed that this has been done purely as an accomodation to officers or employees and that the deposit is made in such bank as is designated thereby. It does not appear that any pressure has been exerted to induce the recipients of such checks to file such requests or, when filed, to designate the East Lansing State Bank as the depository. Neither does it appear that the secretary, Mr. Halladay, has anything whatever to do with the matter. Irrespective of the wisdom of the practice referred to, I find nothing reprehensible or illegal therein as it has actually been conducted.

Certain charges have been made, although not referred to in the petition as filed, with reference to military equipment used by students of the college. Under an arrangement that has been in operation for many year, such equipment required by first and second year students is

supplied to the college by the Federal Government, the college being held responsible therefor. This equipment is then distributed through the office of the assistant custodian. Articles that are lost or destroyed by the students or that are not returned, are required to be paid for by the college in periodical settlements. Rumors that have been circulated have carried with them the implication that a former assistant custodian of military supplies has converted such property to his own use. It does not appear, however, that there has been any such misappropriation, but rather that the so-called shortage has been brought about in the manner indicated, that is, by the failure of students to return equipment issued to them.

It further appears that in many instances after the college has settled with the Government the students concerned have paid the college for the equipment, thus adjusting the account. During the past fiscal year such a shortage in the sum of approximately \$400.00 has been practically all returned to the college by the students concerned. Apparently there has been a misunderstanding as to the nature of the item in question and as to the manner of its creation.

It further appears that some students taking the first and second year's work in military training purchase various articles of equipment not furnished by the Government. The former assistant custodian, who resigned some time prior to this investigation, acted as agent for students in making such purchases, receiving a commission from the firms making the sales. Third and fourth year students are required to buy their equipment, much of which has apparently been acquired in like manner. This situation has led to rumors to the effect that the assistant custodian was receiving large remuneration by way of these commissions. On the basis of the total amount of equipment so purchased it develops that these rumors have been greatly exaggerated and that the aggregate of commissions received have not exceeded in any year, the sum of \$400.00. However, the situation was obviously one lending itself to misunderstanding and false impressions. It has been discontinued and neither the assistant custodian nor any other officer or employee of the college is at the present time permitted to act as agent for students in the purchase of the character of articles in question. However, the conduct of the former assistant custodian engaging in what was essentially private business did not constitute a violation of any statute of the state nor was it otherwise unlawful.

In addition to the specific matters above discussed, the inquiry has extended to certain other claims of questionable conduct concerning which rumors have been circulated about the campus. Without discussing these matters in detail it is sufficient to say that in no instance has there been discovered evidence of the commission of any criminal offense nor of misfeasance or malfeasance on the part of any official of the college. Critical remarks, magnified and distorted by repetition, have apparently supplied the basis for such rumors. In most instances such remarks have been directed to matters of policy and were doubtless made without any intent of charging actual misconduct. Quite probably the charges set forth in the petition originated in a similar manner. Their formal expression has brought about this inquiry with the conclusion indicated as to the merits of each charge.

(Signed) Leland W. Carr
Circuit Judge

On November 7, 1932, Mr. Joseph A. Baldwin, the special Assistant Attorney General filed the following report with the Special Committee of the State Board of Agriculture:

To the Special Committee of the State Board of Agriculture:

Judge Carr, in his Grand Jury opinion, completely exonerated members of the State Board of Agriculture of charges of illegal activity.

The independent investigation authorized by the Board has proceeded to the point where it is evident that no member of the Board is chargeable with misconduct by way of statutory violation or otherwise.

The two members of the Board named in the Grand Jury petition voluntarily withdrew from official participation in State College affairs, except as to routine matters, after the petition was filed. There now being no reason for a maintenance of this status, it is my recommendation that the Board immediately resume functioning as a unit.

(Signed) Joseph A. Baldwin
Special Assistant Attorney
General

R. S. Shaw
President

H. S. Halladay
Secretary

Report of
Mr. Baldwin
re: Board
members
named in
petition.