

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SEVENTY-THIRD LEGISLATURE

SENATE.

No. 20

STATE OF MAINE.

To the Honorable Senate and House of Representatives:

The special joint committee of the last legislature, charged with the duty of ascertaining and reporting to you what, in the judgment of the committee, are the just obligations of the state to the University of Maine, respectfully submit the following report:

This is the third time when a special study of the institution's work and curriculum has been made. In 1886 an effort was made to remove certain studies from the curriculum which would have resulted in making the institution an agricultural and mechanical school rather than college. (Page 85, Report of the Hearing.) In 1897 the Committee of the Governor's Council reported unfavorably on the continuation of the then policy of the institution. The report was to the effect that if the policy were continued the college would become a university. After receiving this report the Legislature not only voted an appropriation for a term of years, but changed the name from

the Maine State College of Agriculture and Mechanic Arts to the University of Maine.

Your Committee convened at Orono in the spring of 1906, and visited several of the Departments of the University. We found the laboratories occupied to their fullest capacity. We found the work well done, so far as the facilities permitted. We found the chapel, which is the largest room on the campus, not large enough for the whole student body to be seated at one time. We also found that there is but one dormitory for men, which will care for seventy-two students. As there were at that time 611 students enrolled, and we learn six months later that there are 687 students enrolled, we are decidedly of the opinion that the buildings, including laboratories and dormitories, are totally inadequate to care for the number of students now in attendance. If it were not for the fact that nine fraternities occupy houses of their own, it would be absolutely impossible to receive the students who apply for admission. We find that the Agricultural department is compelled to give instruction in six different buildings, and very few of the rooms are properly adapted to the kind of instruction to be given. It is obvious that a building to take care of the agricultural departments is in immediate need.

A subsequent meeting of the Committee was held in Portland on the 23rd of May, and there appeared before the Committee several persons interested in this investigation of the University's affairs. A full stenographic report of this meeting has been published for the benefit of the members of the Legislature.

A great deal of interest was manifested in this public hearing. A number of persons spoke favoring the University and its work. The investigation disclosed but one question upon which all parties interested in the matter differed in opinion. Aside from that there seems to be no uncertainty as to the needs of the University or the duty of the State toward it. This question was as to the continuance of the courses leading to the B. A.

degree. On this point there was disclosed a decided disapproval and opposition to what was called "the University's duplicating at the expense of the State the liberal arts courses of the other Maine colleges and giving the Bachelor of Arts degree." Arguments were presented to support this view. In the opinion of the Committee they were not sufficient to show clearly that the Trustees of the University were wrong in maintaining these courses or to warrant a change. Without considering the question whether the act was wise or in accord with the best interests of the University to establish these courses in the first place, the facts, as your Committee finds them, are: that the Trustees acting fully within the scope of their authority, nine years ago committed the State to that policy and that course of instruction. Many students have in good faith entered the University for the purpose of taking these courses, and many others have entered there with the idea of taking some of the studies in these courses. They are now established, and many students would be affected by a change. Your Committee, then, feel that it would be unwise to recommend any change in this respect.

From a study of the relations of the State University to the educational systems in other states, we are convinced that a liberal support of the State University is a benefit to other educational institutions. As the University of Maine is the State institution, by acceptance of the first Morrill Fund of 1862, and the second Morrill Act of 1890, and the legislative acts on several occasions, it is, in our opinion, entitled to proper support.

Your Committee find, then, that the "just obligations of the State toward the University of Maine" are to care properly for the students who are in attendance, to secure competent faculty, an adequate equipment of apparatus and buildings, with a reasonable view to the present and the future.

As this is a State institution it is the opinion of your Committee that it should be placed upon such a financial basis that it will not be obliged to go to the Legislature each session asking for

maintenance, but should receive such an income at your hands as to place it on a financial standing equivalent to institutions of a similar character in other states, in proportion to their valuation and population.

Respectfully submitted,

HARRY W. DAVIS,
FREDERICK HALE,
LINCOLN H. NEWCOMB,
GEORGE E. THOMPSON.

To the Honorable Senate and House of Representatives:

The undersigned, members of the special joint committee of the last legislature, charged with the duty of ascertaining and reporting to you what, in their judgment, are the just obligations of the state to the University of Maine, respectfully submit the following report.

By Act of Congress, approved July 2, 1862, entitled "An Act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts," and commonly known as the "Morrill Act," there was established, through the sale of the lands apportioned to each state, a perpetual fund, "the interest of which," as the fourth section of the act provided, "shall be inviolably appropriated by each state which may take and claim the benefit of this act, to the endowment, support and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the states may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life." Each state, in order to be entitled to the benefits of the act, was required to "express its acceptance thereof by its legislature within two years from the date of its approval by the President," to establish within five years at least one college of the character above described, to invest the entire fund derived from the sale of lands (excepting not over ten per cent thereof, which the legislature was authorized to expend for the purchase of lands for sites or experimental farms) in safe stocks yielding not less than five per cent on their par value, and to replace, from time to time, all losses to the fund. It was further provided that no portion

of the fund, or of the interest thereon, should be applied directly or indirectly to the purchase, erection, preservation or repair of any building or buildings.

The State of Maine accepted the Morrill Act by a resolve which was approved March 25, 1863, and by Chapter 532 of the Private and Special Laws of 1865, approved February 25, 1865, established "The Trustees of the State College of Agriculture and Mechanic Arts," which corporate name was changed, in 1897, to "The University of Maine."

By act of the legislature, approved March 3, 1885, "The Maine Fertilizer Control and Agricultural Experiment Station" was established. Two years later, Congress passed what is known as the "Hatch Act," establishing agricultural experiment stations in every state, and by act of the legislature, approved March 16, 1887, the provisions of the Hatch Act were accepted by the state, and "The Maine Agricultural Experiment Station" then and thereby became a department of the college, and is now a department of the university.

By its acceptance of the Morrill Act, the state became bound to do five things: (1) to establish a college of the described character within five years, (2) to invest and reinvest the fund as provided in the act, (3) to replace all losses to the fund, (4) to apply the income solely to the endowment and support of the college, and (5) to purchase or erect and preserve and repair all needed buildings not otherwise provided. These, and these only, were the original obligations assumed by the State, and not optional with succeeding legislatures. One of them has been fully performed by the establishment of the college. The remaining four are continuing and perpetual. It does not follow, however, because other obligations than these four are such only as each legislature sees fit to recognize, that no others are "just" within the meaning of the legislative order. The university is the child of the State. What are its reasonable claims upon its parent depends only in part upon legal standards. It

depends primarily upon what it *needs*, perhaps as distinguished from what it *wants*. It depends on the ability of the parent to serve those needs, and it takes into account, also, the needs of the other children and what is just to them. But notwithstanding these qualifications, we should rather expect to find, after forty years of support, on the one hand, and service, on the other, that other obligations than the strictly legal ones assumed at the beginning have fairly devolved upon the state. And we proceed to consider whether such is the case.

The act of 1865 creating the state college contained, with other provisions, the following:

“Sect. 8. The trustees shall appoint such directors, professors, lecturers and teachers in the college, and employ such other persons therein from time to time, as the means at their command may permit for the accomplishment of the objects enumerated and described in the fourth section of the Act of Congress. Every officer and every person employed shall hold his office or employment at the pleasure of the trustees. They shall, as soon as may be, arrange and make known the several courses of instruction which they will undertake at the outset of the college, and shall enlarge and improve the same whenever practicable, subject to the limitations prescribed by Congress. They shall also establish the qualifications for admission, and modify the same, as circumstances may require. * * *”

“Sect. 9. In addition to the instruction which is to be given by classes, text-books, lectures and apparatus, in such branches of learning as are related to agriculture and the mechanic arts, the trustees shall provide, as fully as may be, for practical experiments and demonstrations of scientific principles and rules. They shall encourage, and for due proportions of time, at different seasons of the year, and with reference to other exercises, require all the students to engage in actual labor upon the lands and in the workshops with which the college may be furnished, and shall provide suitable oversight and direction in such labor, so that they may become habituated to skilful and productive industry.”

“Sect. 11. Such other studies are to be taught, within the limitations of the Act of Congress, as the facilities of the college, and the periods of instruction will permit.”

“Sect. 13. No charge shall be made for tuition, to any student who is an inhabitant of this state; [modified in 1897] and the trustees and all persons employed by them shall constantly endeavor, by the adoption of judicious and effective arrangements in all the labor departments of the college, to reduce the cost of subsistence to the students, and to render the institution, as far as possible, self-sustaining.”

“Sect. 18. The legislature shall have the right to grant any further powers, to alter, limit or restrain any of the powers vested in the trustees of the college established by this act, as shall be judged necessary to promote the best interests thereof.”

These extracts are quoted, not for the purpose of supporting any particular theory or conclusion, but for the light they shed on the general question before the committee. The Act of Congress left so much to the states that obviously the act of the legislature should also be resorted to, to ascertain what were to be the character and function of the new college.

Thirty years after the passage of this legislative act, a committee, consisting of three members of the Executive Council, was appointed, to examine into the affairs of the college and the doings of the trustees, to inspect the records and accounts, and the buildings and premises occupied by the college, and to report to the next legislature the reasonable wants of the college, and make such other recommendations as the committee might deem advisable. The committee made an elaborate report in 1897 to the sixty-eighth legislature. The report declared that the “New England idea” in education had meant free public schools and a degree of compulsory attendance, with higher education and professional training at the cost of the individual rather than of the state; that, consequently, public opinion was divided in 1863 as to the expediency of accepting the federal grant under the imposed conditions; that it would not have been accepted but for the belief which was, on the whole, entertained, that the proposed college would give the industrial classes a scientific knowledge which should make farming attractive and profitable, and elevate both agriculture and mechanic arts to the plane of other

pursuits and professions by filling their ranks with educated men; that the college especially owed its existence to an expectation that scientific farming would be promoted by the education of farmers' sons; that that expectation had not been realized; that the college was in its practical workings a school of science and technology; that, notwithstanding the intention to commit the state to a large annual outlay was listinctly disclaimed by those most urgent for the acceptance of the grant, the state had appropriated for its benefit more than \$350,000, a sum relatively in excess of the appropriations of other New England states for their land-grant institutions; and that, although the constitution provides that "*all* academies, colleges, and seminaries of learning within the state" are to be encouraged and suitably endowed "from time to time, as the circumstances of the people may authorize," the grants to the three other Maine colleges combined amounted to less than the appropriation for the state college in a single year. The committee accordingly concluded that the state could not reasonably be asked further to increase its gifts to the college by granting it a large fixed sum annually, or a tax endowment of one-tenth of a mill on the state valuation, as had been suggested.

The sixty-eighth legislature disagreed with the main conclusion of the committee of the Executive Council, and voted to give the college \$20,000 a year for ten years. It also changed the corporate name of the college to "The University of Maine", a change which will be discussed later in this report. The significant fact to which we now call attention is, that, with full knowledge that the institution *was*, in the main, a college of science and technology, the legislature voted to aid it as such with a considerable appropriation for a term of years. The committee of the Council was undoubtedly right in many of its conclusions, but, according to the view we take of the matter, it is unnecessary for us to express an opinion as to whether the former committee or the legislature took the wiser view of the

pecuniary obligation of the state at that time. The fact that the decision was what it was has had results which ought not to be, and cannot now be, ignored. The university has adapted itself to the decision of the sixty-eighth legislature. It has developed as an institution of science and technology until it has nearly, if not quite, 700 students, more than twice as many as when the Council Committee made its report. About two-thirds of these students are in the engineering courses, and the engineering rooms, as the committee saw them, are hives of industry. More than seventy-five persons are under pay at the university, and it is forcibly argued that this number must be increased and the present scale of salaries re-adjusted to a higher plane. The \$20,000 a year voted ten years ago has proven insufficient for the rapidly advancing needs of the university, as conducted during the past decade, and the result is that during that brief period more than a quarter of million dollars has been poured into the treasury of the university from the treasury of the state, so that the entire benefactions of the state now exceed \$600,000. This aggregate is only a portion of the income of the institution from all sources during the forty years of its life. Its annual income now considerably exceeds \$100,000. The significance of these figures, in the present connection, lies in the fact that they are largely due to the growth of the institution as a college of science and technology, with the full approval of the legislature of ten years ago.

Furthermore, the university is unquestionably rendering efficient service in the field of the practical arts—how efficient, we do not precisely know. But the results of our study and observation, the testimony before us, which is uncontradicted, the popularity of the courses in the college of technology, and the responsible positions held by many of its graduates, all attest the fact that the university is meeting a popular demand in that great field. It is true that it is the field of the mechanic arts rather than of agriculture, but it is a field which belongs to the

university under the acts of Congress and of the state legislature, it represents a need previously unserved in Maine, and the occupancy of it has made the university the largest and most popular educational institution in the state, and the popular current is bound to continue to flow strongly in the same direction.

It is exceedingly gratifying to note that this advance in the field of technology is now being accompanied by an advance, also, in the field of agriculture. We endorse with great pleasure the following extract from the 1905 report of the President of the Trustees:—

“As in former years, the larger part of the students attending the University are pursuing engineering courses. Lately, however, there has been a notable increase in the number of students in the agricultural departments. There is at the present time an unusual interest and enthusiasm for the studies pertaining to agriculture. This condition of things is extremely gratifying to many citizens of the State. Its continuance will make necessary in the immediate future larger and better facilities in the agricultural departments.”

It is still true that the university does not return many farmers' boys to the farms, but through its various courses of instruction, its Correspondence School, and the work of the Experiment Station, it is serving the agricultural interests of the state better today than ever before, and we heartily commend President Fellows for his important aid in this progress.

We will not delay further the statement of the conclusions to which these facts irresistibly impel us. Whether or not it was one of the “just obligations” of the state to the university ten years ago to support that institution as, in the main a college of technology and science, it is now. The service now being rendered the state in that field is unquestionably one which the state should continue to aid with a liberal hand. And as to the support, with at least equal liberality, and the continuance and increase, of the agricultural work, for the great leading industry of our state, there is absolutely no room for debate. The

hope of the legislature of 1865 that the institution would eventually be "self-sustaining" is, of course, the hope of the state today. When that time comes, if it does come, not only will the state treasury be relieved, but the university itself will be strengthened by having its support come from within rather than without. The aid of its loyal sons is worth incomparably more to it than the aid of the state, and only in part because, in the nature of things, a state-supported institution cannot be carried on so economically as one which must depend upon its own resources. But the time when state aid can be withdrawn is not yet. The university has not yet reached the stage where it can support itself.

We have said the aggregate benefactions of the state to the university now exceed \$600,000. Neither the state treasurer, nor the treasurer of the university, nor anyone else, knows, however, or can easily ascertain, exactly how much more than \$600,000 the total is. This results from the fact that, in addition to general and special appropriations of fixed amount, the university has had for some years many thousand dollars worth of printing done at the expense of the state, of which no account is anywhere kept. This is obviously improper and unbusiness-like. The people of the state would like to know, and are entitled to know, how much of their money goes to the support of the university. The entire amount it receives should accordingly be included in definite and fixed appropriations, and printing bills and all other bills, for the payment of which the university has a right to look to the state, should come out of such appropriations. If they need to be made larger, to include printing, let that be done, but let the taxpayers know what the university costs. We are accordingly of the opinion that it is not one of the just obligations of the state to the university, to furnish it pecuniary aid in any other form than by definite appropriations.

We pass now to an alleged obligation of a wholly different character from any we have hereinbefore considered. May 23, 1906, a public hearing was given by the committee in Portland, at which the general question raised by the order was elaborately discussed by prominent men within and without the state, including the President of the University. The committee employed a competent stenographer to attend the hearing, and several hundred copies of the proceedings, from the typewritten transcript of the stenographer's notes, accompany this report.

The university is divided into colleges as follows: the college of Agriculture, comprising the departments of agronomy, animal industry, and horticulture, and including courses in nearly all of the natural sciences, agricultural chemistry, biological chemistry, veterinary science, and bacteriology,—the Agricultural Experiment Station being a separate department of the university; the college of Technology, comprising courses in chemistry, chemical engineering, mechanical engineering, civil engineering, electrical engineering, mining engineering and forestry; the college of Pharmacy, comprising long and short courses in pharmacy; the college of Law; and, in addition, the college of Arts and Sciences, comprising the Bachelor of Arts course, the Bachelor of Science course, and the Summer Term. In addition to the bachelor degrees conferred upon students completing undergraduate courses, advanced degrees are given for graduate work.

At the hearing in Portland, the only question as to which a difference of opinion was expressed related to the propriety of the university's duplicating at the expense of the state the liberal arts courses of the other Maine colleges, and giving the Bachelor of Arts degree, but a very sharp difference was developed as to that question. While the President of the University was stating the claims of the University as an agricultural institution, he was reminded that there was no controversy in that respect, but he properly declined to confine himself to the single question in dispute, and considered broadly the general question before the com-

mittee. This report has already, within the limits proper to such a report, followed the President in discussing the general question, and has now reached the particular question above stated. We shall attempt to present the argument upon it from the standpoint of the legislative order. What, then, is the just obligation of the State of Maine in respect to this matter—just to the university, just to the other and older colleges, and just to the taxpayers and citizens of the state?

An attempt seems to be made at the outset to foreclose discussion by denying that the state has any power in the premises. A phrase in the fourth section of the Morrill Act, "without excluding other scientific and classical studies," (a part of the quotation in the second paragraph of this report,) is relied upon to oust the state legislature of jurisdiction. The argument is that, whether or not it is desirable for the state to have liberal arts courses in its land grant institution, the decision of that question rests solely with the trustees of the institution, and not at all with the legislature. In this connection, attention is called to the correspondence between the Interior Department and the chairman of this committee, which may be found on pages 61-67 of the report of the public hearing. It is true that the opinion there expressed by the First Assistant Secretary of the Department, that "it is evident that the instruction to be provided *** is a matter to be decided by the respective states," does not have the force of a judicial determination, but it is believed that no lawyer will differ with that opinion. Congress was legislating for the whole country. It did not itself exclude "other scientific and classical studies." The obvious design was to allow of their introduction where needed, and of their exclusion where not needed, "as the legislatures of the state may respectively prescribe." It appears to us, therefore, that the legislature may lawfully, if it deem it expedient to do so, absolutely restrain the giving of liberal arts courses in the state university. At all events, its right to make it a condition of its grant of money to the university that such

courses shall not be given is absolutely beyond controversy, so that the objection that the legislature has no jurisdiction in the premises appears to be without foundation.

It is contended, however, that the giving by the university of the same courses and the same degrees as are given in the other colleges of the state was involved in the change of name, by which, in 1897, the state college became the University of Maine. This point needs to be carefully examined, because, if well taken, the argument, which this report deems valid, that the endorsement of the institution as a college of science and technology by the same legislature which changed the name, and the subsequent development of the institution in reliance upon that endorsement, impose an obligation upon the state to continue aid thus granted ten years ago—this argument, we say, would also apply to the endorsement of the institution as a college of liberal arts, if it was so endorsed, but with this qualification, however, that if it should appear that the liberal arts courses are yet in their infancy, and that the discontinuance of them would not work an injustice to the university, they might properly be discontinued now even if favored by the legislature of 1897. What then are the facts as to the change of name?

The act making the change was Chap. 551 of the Private and Special Laws of 1897, and was approved March 26, 1897. It reads as follows:

“The name of the corporation known as the Trustees of the State College of Agriculture and Mechanic Arts is hereby changed to The University of Maine, and the said University of Maine shall have all the rights, powers, privileges, property, duties, and responsibilities which belong or have belonged to the said Trustees.”

The statement of facts accompanying the act when it was introduced was as follows:

“The state collegiate institution has the title of University in thirty-three states; it has another title in ten states. Five of the thirty-three states have separate agricultural colleges. Although the Maine college is an institution of the highest grade and gives its students a training

which is equalled by that of very few universities, the name of the state college of Maine puts its graduates at a disadvantage, when, in selling their services, they come into competition with graduates of corresponding courses in state universities. The most popular agricultural work is to be found in state universities."

During the debate in the House of Representatives, March 24, 1897, Mr. Stetson, of Bangor, then and now the treasurer of the institution, repeated the argument of the statement of facts and added: "There is no cat under the meal. The bill is simply to give graduates the better standing which they would have coming from a university." In the Senate the next day, Senator Savage of Androscoggin argued that the bill indicated an intention on the part of the trustees to go on adding departments at the expense of the state, necessitating constantly increasing appropriations. Senator Parsons of Piscataquis, after repeating the argument of the statement of facts, said he thought the fears of the Senator from Androscoggin in regard to future increased demands upon the state for the support of the college were groundless. It is thus true that the fear was expressed that there was an intention to use the change of name to change the character of the institution, but it is also true that such intention was disclaimed. So far as we can learn, nothing was said in either branch of the legislature, by any friend of the change of name, of an intention to add new courses, or grant new degrees, or change in any way the character of the college. If that was the intention, it was not disclosed. Beyond the statement, made by two members of the House, that the bill would make the name conform to the then character of the institution, nothing was asked for but a mere change of name, and that on the ground of the statement of facts. At that time, there was no college of liberal arts, properly so-called, at Orono, and the degree of Bachelor of Arts had never then been given by the university, but the next year after the name was changed the Greek chair was added, and in the same year the degree of Bachelor of Arts was authorized by the Trustees, and was conferred for the first time

in 1899 upon a single member of the graduating class. The legislature of 1897 endorsed the college of science and technology, which then existed, but did not endorse the college of liberal arts, which did not then exist, and those who asked for the change of name are in honor estopped from claiming that anything more was done than was asked for. We see nothing in that change that precludes the legislature from considering the question now on its merits, as it was considered at the hearing in Portland. And the fullness and ability and candor with which the argument on both sides was there presented render it unnecessary for us to do anything more than state briefly our own conclusions upon that issue, and the reasons therefor.

We believe it to be clearly inexpedient for the state to support the duplication at Orono of the liberal arts courses given for so many years, without expense to the state, at Brunswick, Waterville, and Lewiston. But a misapprehension might exist as to our position, without a fuller definition of it. We do not mean that nothing should be taught at the university which is also taught at the other three colleges. On the contrary, many of the branches taught at Bowdoin, Colby and Bates, must, in any view of the matter, continue to be taught at the university. The distinction we would draw is very clear in principle, however difficult in application. Whatever is fairly necessary to up-to-date instruction in the agricultural, mechanical and technical courses of the university should be furnished there, if within its means. Whatever has no such relation to such courses should not be furnished. It follows that the same subject might properly be included in the courses of a practical arts college and a liberal arts college, but with wholly different purposes and methods. Take Latin, for example. If a student in a pharmacy course wants to study Latin for the purpose of being able to read a prescription, there can be no objection to a provision in such a course for that study, for that purpose. But the study of Latin

as literature would be foreign to a pharmacy course, and should find no place in it. Or, looking at the practical application of the principle in neighboring states, none of the land grant colleges of Massachusetts, New Hampshire, Connecticut or Rhode Island give liberal arts courses or confer the degree of Bachelor of Arts, and yet the agricultural colleges both of Massachusetts and Connecticut give elective courses in Latin. We would have the legislature declare the principle, that nothing that is reasonably necessary to the practical courses at Orono shall be barred, and nothing that is unnecessary shall be allowed, and then let the trustees themselves draw the line. Coming now to our reasons, we are opposed to the duplication of liberal arts courses at Orono,

I. *Because it is not needed.* This proposition involves the great fundamental consideration in the case, which must be taken account of unless we have tied our hands in advance, and surely the burden is strongly on him who says we have done that. When we accepted the Morrill Act, we assumed whatever responsibilities came with such acceptance. Were we thereby bound to establish another liberal arts college, whether we needed it or not? We have already shown there was nothing in the Morrill Act which imposed that obligation upon us. And, as showing the more recent policy of Congress, the act of Congress of 1890 gives the university \$25,000 annually, no part of which can be applied to instruction in A. B. courses. Is there anything in the act of acceptance, in 1863, or in the charter of 1865, by which we gratuitously assumed that obligation? Nothing whatever. On the contrary, in the last section of the charter, the legislature expressly reserved full power to itself and its successors. We have attempted to show that the change of name involved no such obligation. Then what prevents our considering now on its merits this great question whether the state needs this duplication at Orono? Nothing at all except the fact that the trustees, since the name was changed, have started such duplication.

And the answer to that is that it is only started. The liberal arts courses at Orono are yet in their infancy. Out of 609 graduates from 1899 to 1906, inclusive, only 24 received the degree of Bachelor of Arts, an average of exactly 3 for each year. And it may be remarked, in passing, that these figures show it is irrelevant to cite statistics of the progress of Bowdoin and Colby and Bates, during the past decade, in spite of the competition at Orono, for there has substantially been no such competition yet in the liberal arts courses. It follows that, if the change is needed, now is the time to make it, when it would cause no revolution in the curriculum, or in the work of the university, and only slight inconvenience to a few individuals. In our opinion, the change should be made.

In 1865 the state had no institution of practical arts. It needed one. It had three institutions of liberal arts. It did not need another, and no one said it did, so far as we can learn. The same thing is true of the need of the state now. The liberal arts field is sufficiently covered, and without expense to the state, by the three institutions which were cultivating that field before their sister institution, which is so outstripping them all in so many ways, was born. We are told that some states have more colleges, according to population, than Maine,—and Louisiana, Colorado, Illinois, Missouri, California, Ohio, and Tennessee, are referred to. Doubtless there are states having a college, so-called, in almost every county, but that is not true of New England. Massachusetts, New Hampshire, Vermont, Rhode Island, and Connecticut,—each of these states has fewer colleges, in proportion to population, than Maine, and yet no one of them has found it necessary to duplicate the work of the older colleges at what we call the land grant institutions. (In Vermont the agricultural college is a department of the University of Vermont, which continues to give the degree of Bachelor of Arts, as it always did.) Harvard and Yale and Brown and Amherst and Dartmouth and Williams and Tufts have their work to do, in

those states, and the colleges of Agriculture and Mechanic Arts and the Institutes of Technology, their other and different work, and no one proposes that the latter add to the great responsibilities already devolving upon them those of the former also. Why should it not be so here? Why should the University of Maine stand alone in New England in entering the field of the older colleges? Are our Maine colleges so crowded that they cannot take more students? We do not so understand it. Do they have so much money that they do not need any more from tuition and rent of dormitory rooms? They are all finding it difficult or impossible to keep expenditure down to income. Then are they doing their work so poorly that the state must pay another institution to do it? It must be so, if the duplication is needed, for the controlling consideration is the need of the state, and not the ambition or desires of any of its institutions, whether of liberal or of practical arts.

2. *Because it is unjust to the other colleges of the state.* These colleges have provided for instruction in the branches representing a liberal in distinction from a technical education. They have done it to the satisfaction of the friends of education in Maine. They have done it by securing the benefactions of self-sacrificing, public-spirited individuals, and they have made it within the power of every earnest Maine student to secure these advantages at a very low cost. When the state duplicates the courses of the colleges of liberal arts, it is directly withdrawing patronage from these older institutions. It is putting burdens upon even the friends and supporters of the colleges, thus requiring them, after they have established institutions in every way adequate, to aid in maintaining in their own field an additional and unnecessary one. If western precedents are cited, the wide divergence in conditions between the west and the east is to be borne in mind. The state universities in many western commonwealths were born with the states, and found no older institutions pre-empting the field of liberal arts.

3. *Because it is expensive.* How much more it costs now to maintain the university with than it would without the courses in liberal arts, we do not know. The difference is small as compared with what it will be if the present policy is encouraged. The courses terminating in the degree of Bachelor of Arts are at present necessarily inferior to those of the other three colleges. The President of the University, with natural loyalty to his institution, denies that this is so, but it must be so, and the fact reflects no discredit upon the university. Bowdoin has been giving the degree for over a hundred years, Colby for nearly a hundred, and Bates for nearly fifty, and it has been their main business to fit young men to receive it. Is it likely that the university, making that business only an incident of its work, has in ten years reached the standard of the other colleges? If Bowdoin were to add two or three engineering courses to its curriculum today, would it be likely to catch up with the university as a college of technology in a single decade? But if the liberal arts courses are continued at Orono, neither the state nor the university will be satisfied to have them *remain* inferior, and when they are brought up to the standard of the other colleges, the cost of carrying them on will be several times what it is now. And, further, the constitution of the state provides, as already quoted, that "*all* academies, colleges and seminaries of learning within the state" ought to be encouraged and suitably endowed "from time to time, as the circumstances of the people may authorize." We hope the time will never come when the other Maine colleges will be asking and receiving regular pecuniary aid from the state. But, excepting that their alumni are better able to support them, they are as much entitled to the benefit of the constitutional provision as the University of Maine is to be supported *as a college of liberal arts*. It is a well known fact, as already intimated herein, that all three of them are finding it difficult to make both ends meet, and indications are not wanting that the temptation to apply for state aid is proving almost too strong for some of them

to resist. If the kind of support of the state university that is here objected to reaches its logical result in the support of the other colleges as well, the propriety of drawing the line where we would draw it will be very clearly perceived, if it is not now. And when we consider the vast field, which, as all concede, belongs to the University of Maine, and how the advance in scholarship and scientific research continually make it necessary to add new facilities for its adequate cultivation, is it really advisable for the university, at the state's expense, to attempt to cover other fields,—to combine, that is, the functions of the Massachusetts Institute of Technology, the Massachusetts Agricultural College, and the Massachusetts liberal arts colleges, too? To do, in other words, what Massachusetts, with her greater population and resources, leaves to privately endowed institutions? For one thing, are the means of the state so unlimited as to permit that?

It may not be inappropriate to call attention, also, to a matter, suggested by the request of the university, which is doubtless reasonable, for higher salaries for some of its teachers. It is said that the teachers of our common schools are paid lower salaries than in any other of the northern states. A very able report of the Committee on Teachers' Salaries to the Maine Teachers Association, for the year 1905, contains this passage:

“It is to be noted that the average monthly salary of men teachers in Maine falls \$11.61 below the average for the nation and \$21.27 lower than for the section of the country in which the State is situated. The average monthly salary for women teachers in Maine is not only \$12.91 lower than that for the entire country and \$11.90 lower than the average for the section, but it falls even lower than the average of the South Atlantic Division, which is the lowest shown by any section.”

It is a matter of common knowledge that a large proportion of our Normal teachers go to Massachusetts to teach, because of the more attractive salaries there. The query thereby suggested is whether it would not be wiser for the state to begin at the foundation, and give of its surplus to the common schools, before turning out more bachelors of arts.

4. *Because it retards the progress of the university itself.* What is the ideal toward which the university should strive? That it should be an agricultural and a technical school of the very highest character, which includes being to Maine what the Institute of Technology is to Massachusetts. How did the Institute reach its present preeminence? By doing with all its might the work it was created to do,—by minding its own business—we do not mean to employ this phrase offensively. These are the days of specialization, and success is achieved by doing one thing well. It is not a question of money so much as of concentration. Harvard and Yale, with all their money, have technical departments which cannot begin to compete with the two Institutes in Massachusetts. The principle is that of intensive farming, of raising a field, not too large in area, to a high state of cultivation. The field of the University of Maine, even from the point of view of this report, is almost too vast for the application of that principle, for no one proposes the divorce of the agricultural and technical departments, and the creation of a separate institution for each, as was done in Massachusetts. Our agricultural college and our institute of technology must continue to be departments of a single institution. What we contend for is merely that a line must be drawn somewhere, that unless it is so drawn as to include only the agricultural, mechanical, technical and professional courses, it will include more than is consistent with the highest success, and that, consequently, *for its own sake*, the university should not attempt to plow and harrow and plant and cultivate the wide and alien field of the liberal arts. That there will be field enough left to absorb all the money and energy of a single Maine institution, and that it will be broad enough to furnish in full measure the kind of education of the industrial classes in the several pursuits and professions of life, which the Morrill Act had for its main object, no one can doubt. We not only acknowledge, but claim, that the university is doing good work now in agricultural and technical lines, but if the farmers

of Maine, and the mechanics and artisans and engineers of Maine, are to have it do the best work that can be done in those lines the entire stream of its energies must flow in that direction. If any part of it is diverted, to turn the wheels of a liberal arts mill, not only will another mill be operated that is not needed, but machinery that *is* needed will be prevented from reaching its highest efficiency. And to apply all the power of the institution to securing that efficiency, means not only to advance its own progress, but to serve the real needs of the state, to avoid injustice to others, and to expend wisely and economically the people's money.

Against these considerations of a public nature, the committee perceives no arguments of equal weight. It is said in behalf of the university point of view (pages 102-103 of the report of the public hearing) that if the people are to be taxed at all for the support of a state institution, every parent in the state has an equal right to demand of the institution that his son or his daughter shall receive instruction in such subjects as he desires to study; that it would be manifestly unfair for the state to support at any considerable expense a technical institution, and then compel the students whose parents pay the taxes to go to some other institution for the liberal and classical studies; and that the person who pays the taxes to the state university has as good a right to demand that his money return come in the form of classics as in mechanics. This position, that the state cannot justify itself in supporting an educational institution without teaching in it everything that any parent in the state would like to have taught there, even if the desired things are well taught elsewhere in the state,—that each can dictate to all what shall be done with the tax he pays,—is wholly new and wholly inadmissible. The true rule is, of course, precisely the reverse, that the state gives the law to the individual and not the individual to the state. The criterion of what a state institution should be is the general welfare, and not the individual caprice. Of a similar character is

the argument that boys who want to teach may need liberal arts courses as a preparation. If so, they can get them at the liberal arts colleges. If an extremely small minority want the opportunity to take either a practical arts course, or a liberal arts course, or both, in the same institution, the state is not bound to give it to them if the general good would not thereby be subserved. And here, we think, appears the fundamental difference between the reasons for and against the retention of the liberal arts courses at Orono. The argument for the new departure of less than ten years ago is one of individual, and not general, convenience. The argument on the other side rests on solid grounds of public policy. These opposing views find concrete illustration in the present practice of our own state, on the one hand, and of the rest of New England, on the other. Which is the rule of efficiency, of justice, of harmony, of economy, of progress? It is for the legislature to decide. Our duty, as we see it, is performed by recommending that the university be liberally and earnestly and unitedly supported in the full breadth of the field of agriculture and the mechanic arts, and that the other colleges be allowed to cover, at their own expense, the other field of the liberal arts.

BARRETT POTTER,

L. C. MORSE,

B. E. COUSINS.

STATE OF MAINE.

IN SENATE, January 22, 1907.

Presented by Mr. HESELTON of Kennebec, and on motion by the same Senator laid on the table and 2,000 copies ordered printed as one document, pending reference.

F. G. FARRINGTON, *Secretary*