

Minutes of Meeting of Board  
of Regents of Morehead State  
Teachers College, Morehead,  
Kentucky, held April 22, 1938.

A meeting of the Board of Regents of Morehead State Teachers College was held at the office of the President on Friday, April 22, 1938, at 1:00 o'clock P. M.

The President presented the following letter from the office of H. W. Peters, Chairman of the Board, and stated that notice of this meeting had been given, by telephone, to and accepted by, each member of the Board of Regents:

"April 21, 1938

President H. A. Babb  
Morehead State Teachers College  
Morehead, Kentucky

Dear President Babb:

As I indicated this morning over the telephone, Superintendent Peters is out of the city and will not return until Monday.

According to promise, I am sending you this letter of authorization to call a meeting of your Board of Regents within the next two or three days for the purpose of attending to certain matters concerning the transfer of real estate, etc., as indicated over the telephone this morning.

Very truly yours,

(Signed) G. Young  
Assistant Superintendent. "

GY:LR

The following Regents were present:

Mrs. A. W. Young, Vice Chairman, Judge W.A. Caskey  
and D. H. Putnam, Secretary

Absent:

H. W. Peters, Chairman  
Dr. A. O. Taylor

Reappointment of Mrs. A. W. Young and Donald H. Putnam,  
as Members of the Board of Regents: Mrs. A. W. Young presented commission from Honorable A. B. Chandler, Governor of Kentucky, of date March 31, 1938, appointing her a member of the Board of Regents of Morehead State Teachers College for a term of four (4) years beginning March 31, 1938.

Donald H. Putnam presented commission from Honorable A. B. Chandler, Governor of Kentucky, of date March 31, 1938, appointing

him a member of the Board of Regents of Morehead State Teachers College for a term of four (4) years beginning March 31, 1938.

The oath of office to the members of the Board of Regents was then administered to Mrs. Young and Mrs. Putnam by Miss Anna B. Carter, Notary Public of Rowan County, Kentucky.

The reappointment of Mrs. Young and Mrs. Putnam as members of the Board of Regents and their qualifications for their respective terms beginning March 31, 1938, is hereby noted in the minutes of the Board.

Minutes read and approved: The minutes of the last previous meeting of the Board of Directors, held February 21, 1938, were read, and on motion, duly seconded and carried, were ordered approved.

Struck Construction Company Claim for Interest: The President reported that, pursuant to action of the Board of Regents at meeting on February 21, 1938, he had advised Struck Construction Company that the Board had declined payment of the amount claimed as interest on their final estimates as the Contractor on the Science Building and Men's Dormitory Building. The President presented letter of date March 3, 1938, from Struck Construction Company stating that they were willing to leave the matter entirely to the Board and to accept the Board's decision with respect to their claim for interest.

Case of Mona Pearl Jones: The President reported that pursuant to action of the Board, he had submitted to the Attorney General's Office request for an opinion with respect to the right of the Board to assume the expense of an operation and treatment of the hand of Miss Jones. The President presented and read the following letter from the Attorney General's Office:

"March 30, 1938

President H. A. Babb  
Morehead State Teachers College  
Morehead, Kentucky

Dear President Babb:

In a letter sometime ago, addressed to this office, you requested an opinion as to the authority of the Board of Regents for employing a surgeon to perform an operation on the hand of a young lady, who was injured in your cafeteria while working there.

I have been unable to find any manner of method whereby this payment might be authorized by the Board of Regents.

Very truly yours,

(Signed) Hubert Meredith  
Attorney General

By: W. Owen Keller  
Asst. Atty. General."

WOK:MK

Settlement of Norman Bowling Case: The President reported that the case of Norman Bowling against Morehead State Teachers College on account of alleged damages to the land of Norman Bowling, alleged by Mr. Bowling to have been caused by over-flow of water from the dam, had been called for trial in the Rowan Circuit Court on March 14, 1938; that the case was not tried but counsel for the plaintiff, Norman Bowling, and Mr. W. Owen Keller, Assistant Attorney General, and Mr. James Clay, attorneys for the Board of Regents, had agreed to a compromise settlement whereby the plaintiff, Norman Bowling, in consideration whereby the plaintiff, Norman Bowling, in consideration of the payment to him of Seven Hundred and Fifty (\$750.00) Dollars, was to convey to the Board of Regents a certain tract of land containing approximately three-fourths ( $\frac{3}{4}$ ) of an acre lying between the proposed roadway mentioned in the contract of date June 10, 1935, between Norman Bowling and wife, and the Commonwealth of Kentucky, and Triplett Creek, and adjoining the abutment of the bridge mentioned in the said contract, such payment also to cover all damages claimed.

The President presented and read two letters of date March 18, 1938, and March 19, 1938, from Mr. W. Owen Keller, Assistant Attorney General, recommending to the Board of Regents the approval and acceptance of the compromise settlement. The amount of damages claimed in suit of Norman Bowling was Four Thousand Eight Hundred and Fifty (4,850.00) Dollars.

The judgment agreed upon between the attorneys for the plaintiff and the attorneys for the Board of Regents was also presented to the Board.

On motion of Mrs. Young, seconded by Judge Caskey, all voting aye on call of the roll, it is ordered that the compromise settlement, as set out in the agreed judgment recommended by the attorneys, be approved and accepted by the Board of Regents. It is further ordered that the deed from Norman Bowling and wife to the Board of Regents for the tract of land containing approximately three-fourths ( $\frac{3}{4}$ ) of an acre, above referred to, be accepted and the sum of Seven Hundred and Fifty (\$750.00) Dollars be paid to Norman Bowling in satisfaction of the agreed judgement. It is further ordered that the bill for costs in the case, amounting to \$101.31, for which the plaintiff was given judgment, be paid to the Clerk of the Rowan Circuit Court.

Fee of James Clay, Attorney in Normal Bowling Case: The bill of James Clay, dated April 19, 1938, in the amount of \$250.00, for service rendered in the case of Norman Bowling vs. Morehead State Teachers College, was presented, together with the following letter from W. Owen Keller, Assistant Attorney General:

"April 20, 1938

Mr. James C. Clay  
Attorney-at-Law  
Morehead, Kentucky

Dear Mr. Clay:

I am returning your claim against Morehead State Teachers College for the sum of \$250.00, with approval.

I think that this is a very modest fee, in view of the services performed by you in this matter.

I trust that Dr. Babb will see fit to follow the recommendations of yourself and this office, and that he will not permit further trouble regarding this lawsuit, since both of us have submitted to him written approval of the agreement.

Very truly yours,

(Signed) Hubert Meredith  
Attorney General

By: O. Owen Keller  
Asst. Attorney General."

WOK:MK  
Enc.

On motion of Mrs. Young, seconded by Judge Caskey, all voting aye on call of the roll, it was ordered that the aforesaid fee of James Clay, in the amount of Two Hundred and Fifty (\$250.00) Dollars be approved and paid.

Request of M. S. Bowne to Connect to Sewer: On motion of Mrs. Young, seconded by Judge Caskey, all voting aye, request submitted by Mr. M. S. Bowne to make a connection to the sewer system of the College, was referred to President Babb and W. H. Rice, with power to act. X

Payment in full by Citizens Bank: President Babb reported that the amount due from the Citizens Bank, Morehead, Kentucky, on account of a claim against S. M. Bradley, former Treasurer of the College, had now been paid in full and the lien held by the College on the real estate of the Bank under mortgage securing the Bank's indebtedness, to the College, had been released. ✓

Request of Morehead Ice and Coal Company for the Purchase of Steam: The matter of the sale of the Morehead Ice and Coal Company of exhaust steam from the Heating Plant was discussed, and on motion duly made and seconded, the Secretary was directed to develop the matter further with the office of the Attorney General and secure an opinion with respect to the legal right of the College to sell the exhaust steam for use other than for college purposes.

Appointment of Instructors: The President reported that due to the increased enrollment for the Spring Term, it would be necessary to appoint three additional instructors.

On motion of Mrs. Young, seconded by Judge Caskey, all voting aye on call of the roll, the following appointments, each for a period of two (2) months, beginning April 4, 1938, were confirmed:

<u>Instructor</u>	<u>Subject</u>	<u>Monthly Salary</u>
Grayden Pritchett	Economics	\$150.00
C. R. Rader	History	180.00
D. E. Sollberger	Science	180.00

On motion, duly seconded and carried, the meeting adjourned.

Chairman

*Mrs Allie Young*

Secretary