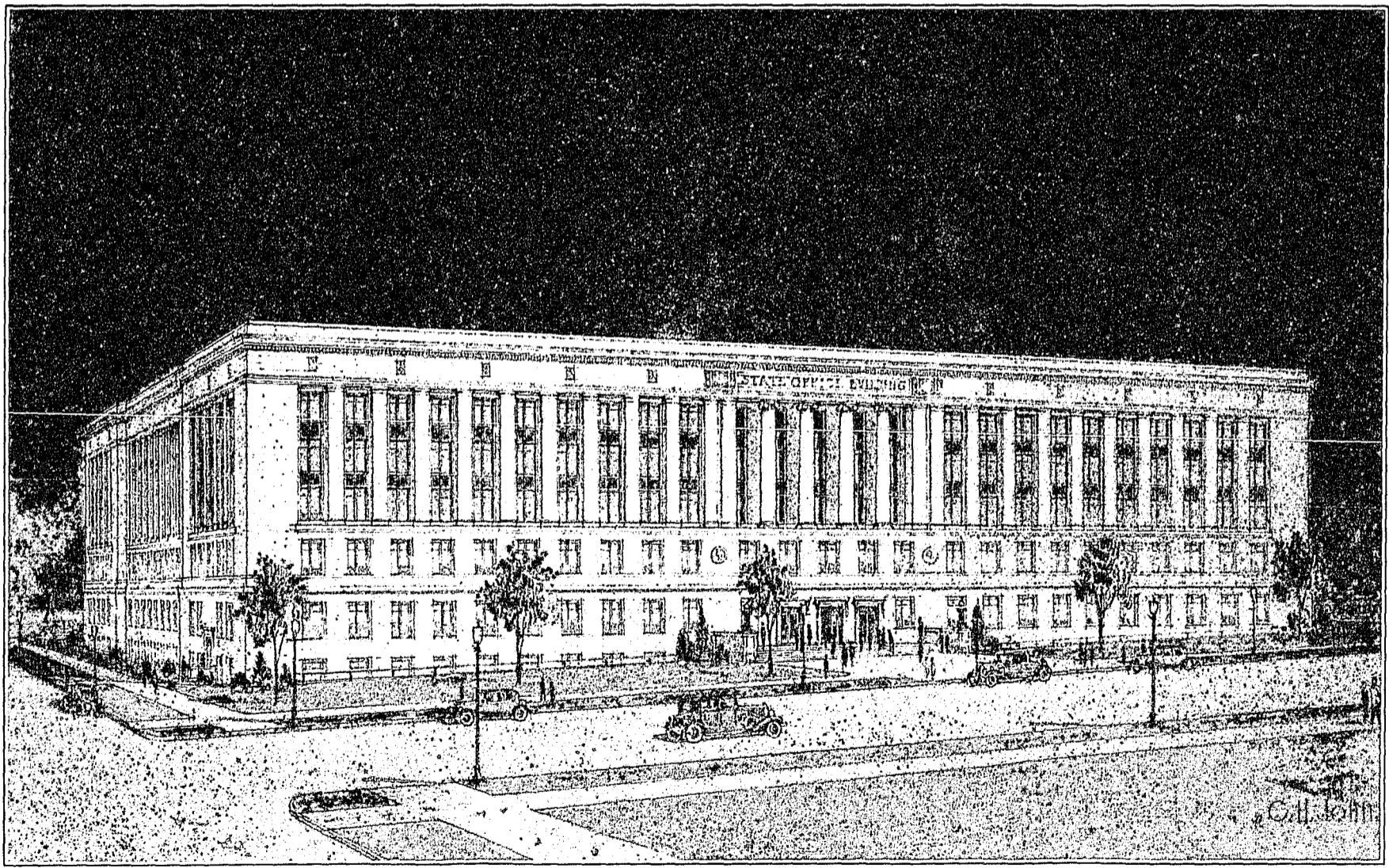


STATE OF MINNESOTA

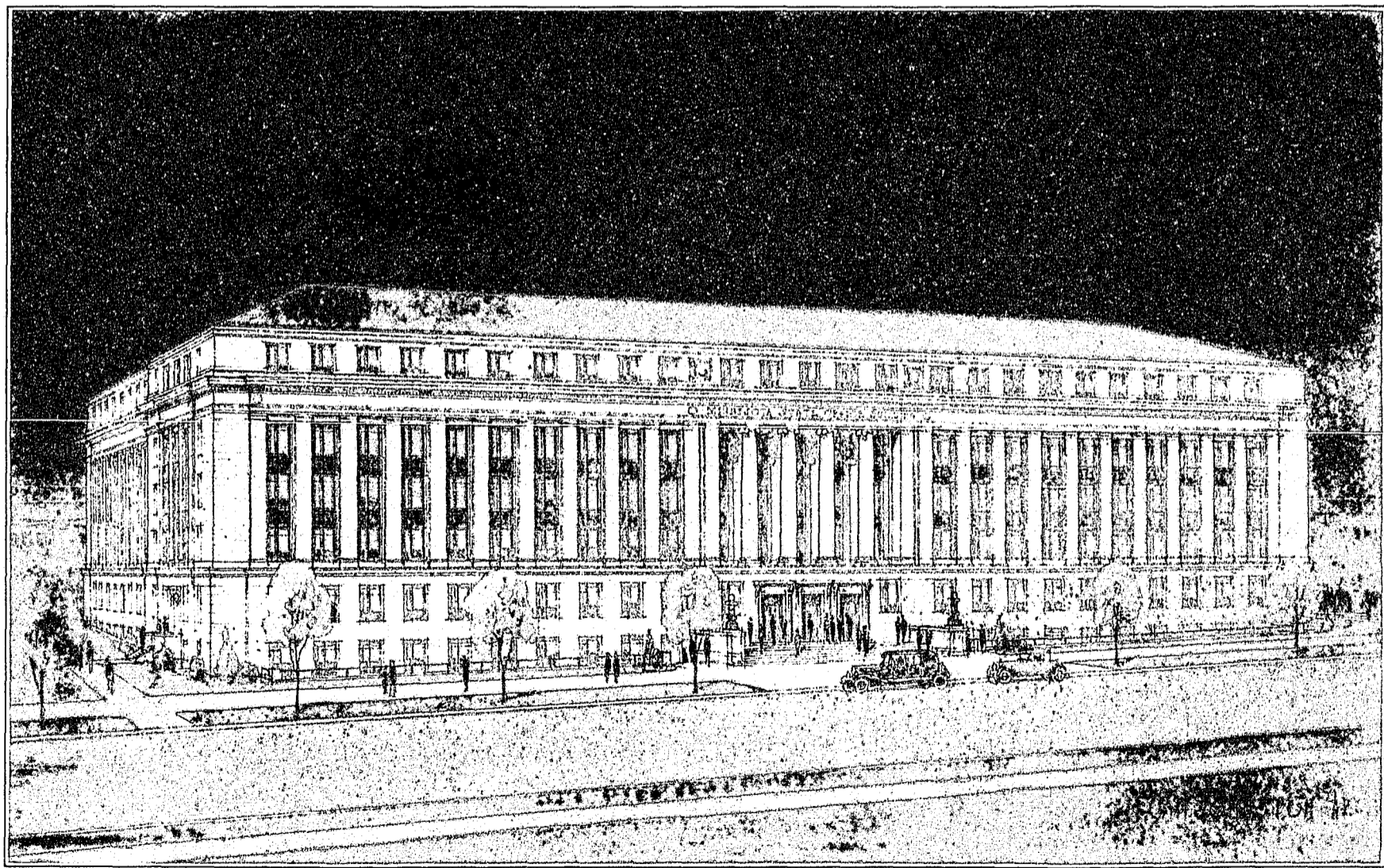
Report
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State Building Commission
to
Forty Seventh Session
of
The Legislature

1931

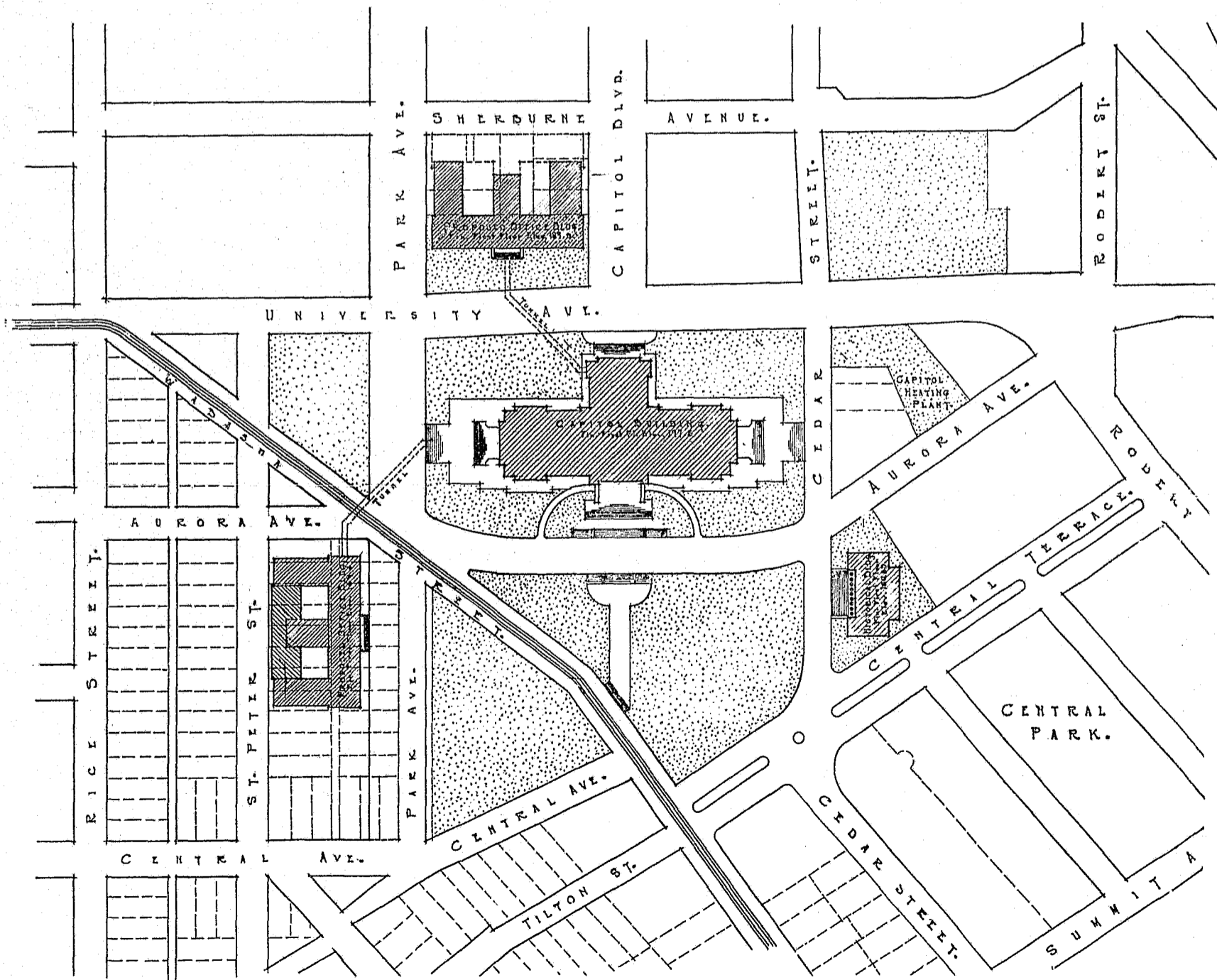
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Proposed Office Building. University Avenue Site



Proposed Office Building, Wabasha Street Site



MINNESOTA STATE CAPITOL AND ENVIRONS.

Act Creating State Building Commission

CHAPTER 309—H. F. No. 685.

AN ACT authorizing the erection and equipment of a state office building, and providing funds for the payment of the cost thereof.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. A commission to be known as State Building Commission is hereby created to be composed of seven members appointed by the governor and to serve until the office building herein directed to be built is erected, and equipped. Any vacancy in the membership of the commission shall be filled by appointment by the governor. The commission from its own membership shall elect a chairman and a secretary to perform the duties usually incident to these offices, respectively. A majority of the members of the commission shall constitute a quorum for the transaction of business. The members shall serve without compensation but shall be reimbursed for expenses necessarily incurred in the performance of duty. The commission shall forthwith proceed to erect, furnish and equip upon lands owned by the state and forming a part of the state capitol grounds and such adjoining lands immediately contiguous thereto as the commission shall find to be necessary therefor, if any, a suitable state office building, at a cost, including additional lands for site if found necessary, of not more than one million five hundred thousand dollars.

Sec. 2. If the commission shall decide to locate such building on lands in whole or in part not owned by the state and constituting a part of the state capitol grounds but wholly or in part upon lands adjacent or contiguous thereto, as herein authorized, the commission is hereby authorized to acquire such needed lands at a cost not to exceed one hundred fifty thousand dollars by purchase, if such required lands can be acquired by purchase at a fair price satisfactory to the commission, but otherwise by right of eminent domain.

Sec. 3. The commission may employ such architects, engineers, inspectors, agents, and other employes as in its judgment are necessary, and shall design and construct such a building as shall be best suited and adapted to provide necessary and proper space and office facilities in connection with the state capitol building for all offices, boards, commissions and agencies of the state government, with needful passageways connecting with the capitol building and provided with suitable laboratories and experimental rooms for the use of such departments and agencies of the state as may require such facilities, the building to be of such size and character as may be necessary to meet the present and reasonably anticipated future needs of the state, due regard being given to harmonizing the style, structure and architecture of said building with the

capitol building and other state buildings in the vicinity thereof.

Sec. 4. For the purpose of providing funds for the construction of the building as directed herein, and the purchase of additional land, if required, the commission is hereby authorized to issue and sell, or to authorize the state auditor and the state treasurer to sell in its behalf, certificates of indebtedness of the state in an amount not in excess of the total expenditure authorized by this act, which certificates shall bear interest at such rate, payable semi-annually, as the commission shall determine, not exceeding five per cent per annum, and shall mature at such time or times as the commission shall specify, not later, however, than five years from the date of issue thereof, but such certificates shall not be sold for less than par and accrued interest thereon at the time of sale. Except as herein otherwise provided, such certificates shall be in such form and shall be sold upon such terms and conditions as the commission shall specify. The certificates so issued and sold shall be signed by the chairman of the commission and attested by the state auditor under the seal of his office; and the auditor shall keep a record thereof showing the number, amount, date of issue and date of maturity of each thereof.

The proceeds of the certificates as sold shall be paid into the state treasury and shall be credited to a special fund to be known as the state building fund, and all moneys paid into the fund, under the provisions of this act, are hereby appropriated for the purposes hereof.

Sec. 5. Upon the sale of any certificates of indebtedness of the state, as herein provided, the state auditor shall cause to be levied upon all the taxable property of the state, in the manner in which other state taxes are levied, an annual tax sufficient to pay the principal and interest of said certificates as they mature. Any interest, which may become due upon certificates so issued before the proceeds of such tax can be levied and collected to meet such interest, shall be paid out of the general revenue fund, and the amount necessary for such purpose is hereby appropriated.

Sec. 6. The governor shall determine the particular departments, officers and agents of the state government to be assigned to the building to be erected hereunder, and in the order of such assignment may prescribe the reasonable rental charge to be paid for the space assigned therein to any department, the cost of maintenance of which is payable from the receipts of such department or agency, the amount of such rental to be applied toward the cost of maintenance of the building to be erected hereunder.

Sec. 7. This act shall take effect and be in force from and after its passage.

Approved April 23, 1929.

The State Building Commission

Appointed by the Hon. Theodore Christianson, Governor.
April 27, 1929.

HON. R. W. HITCHCOCK, *Hibbing, Chairman*

HENRY RINES, *Mora, Secretary*

HON. GUSTAF WIDELL, *Mankato*

HON. SUMNER T. MCKNIGHT, *Minneapolis*

WALTER BUTLER, *St. Paul*

H. W. AUSTIN, *St. Paul*

A. J. PETERSON, *Dawson*

Report of the State Building Commission

TO THE MINNESOTA LEGISLATURE, FORTY-SEVENTH SESSION:

Because of certain complications which arose in connection with the selection of a site for the office building authorized by the Legislature two years ago, the Commission appointed by the Governor to have charge of the erection of the building has not completed its task. A majority of the Commission favored what has become known as the "University Avenue site," for the reasons hereinafter set forth. Certain citizens of the City of St. Paul protested against the selection and urged another site on the corner of Wabasha Street and Park Avenue, which has been designated the "Wabasha Street site." Those interested in the Wabasha site attempted to get an expression from the members of the 1929 Legislative bodies relative to their choice of site. While the response was not general, and only approximately one-third of the Legislative membership indicated a preference for the Wabasha Street site, a majority of the Commission felt that the sentiment expressed in favor of the latter site was sufficient to justify referring the matter to the next Legislature to decide, even though the office building act specifically authorized the Commission to select a site. In this connection it should be stated that a majority of the Commission was of the opinion that a suitable building could not have been erected on the Wabasha Street site with the funds available. Subsequent developments have demonstrated the correctness of this opinion. Within the past year the Highway Department has found it necessary to enlarge its present quarters. This expansion will make it necessary to add at least 10,000 square feet to the space originally allotted to that department. It would have been impossible to give the Highway Department this additional space in a building located on the Wabasha Street site, and keep within the appropriation.

The law creating this Commission directed that it should forthwith proceed to erect, furnish and equip a suitable state office building, at a cost not exceeding \$1,500,000. The 1929 Departmental Appropriations Bill (Chapter 426, Section 18, Item 18 $\frac{1}{2}$) authorized the expenditure of \$15,000 out of the above appropriation to remodel offices and elevators in the new State Capitol. This left the Commission \$1,485,000 available for the erection of the office building, including the purchase of land for a site, and the Com-

mission's expenses. Another act of the 1929 Legislature, which has some relation to the office building problem, is Chapter 350 which provides: "Upon the erection of the state office building the Commission of Administration and Finance shall cause to be established a central mailing station in the State Capitol, or in such office building."

Under the terms of the office building act the Commission was required to locate the building on lands in whole or in part already owned by the state, or upon land adjacent or contiguous thereto, the entire cost of land not to exceed \$150,000.00. The Commission was required under the provision of Section 3 of the act "to provide necessary and proper space and office facilities in connection with the State Capitol building for all offices, boards, commissions and agencies of the state government, with needful passage ways connecting with the Capitol building * * * the building to be of such size and character as may be necessary to meet the present and reasonably anticipated future needs of the state."

A complete survey was made of the office space requirements of all the departments and other agencies of the state which, under the law, are to be supplied with office quarters. As a result of this survey it was found advantageous to assign to the office building some of the departments which are now in the Capitol Building. Consideration was given to the probable growth of departments in allotting space. The limited appropriation restricted the Commission to some extent in this respect but the plan of the proposed building is designed so as to permit enlargement from time to time as conditions may require.

The Commission has devoted a great deal of time to gathering data and in making a study of the office building problem, in order that its members might act intelligently. Such of this data as will be useful to the Legislature in passing on the question of a site is embraced in this report. The Commission's architect has prepared drawings showing the exterior of the proposed building on each of the sites, which are reproduced herein. Another drawing of the Capitol and the surrounding area is also presented.

In order that the Legislature may be fully advised regarding the doings of the Commission the following synopsis of its proceedings is presented herewith.

Synopsis of Proceedings of Commission

Following the appointment of the Commission the Governor called its first meeting to be held at the Governor's office May 3, 1929, at 2 o'clock P. M. The Commission organized by electing R. W. Hitchcock, Chairman, and Henry Rines, Secretary. At this meeting it was decided to borrow \$25,000.00 through the issuance of certificates of indebtedness to provide funds for preliminary expenses. The certificates were sold to the State Board of Investment for the state trust funds. This obligation matures August 1, 1932, and bears four per cent interest.

At this meeting the Secretary was directed to secure data relative to the several sites proposed for the new office building; also to make a survey and an estimate of the floor space required by the departments which were likely to be assigned to the new office building and to make his report to the Commission at the next meeting.

The next meeting of the Commission was held June 18, 1929. At this meeting George H. Herrold, representing the St. Paul Planning Commission, and other St. Paul citizens representing the St. Paul Association appeared and were heard in support of the location of the office building upon Block Ten, Ewing and Choates Addition. This is the block upon which the Peterson Monument Works are located (Wabasha Street site). In conjunction with the erection of the building on this site a plan was presented for a rearrangement of the front of the Capitol grounds into a semi-circle and changing the route of Wabasha Street between Central and Park Avenues so that it would run around the proposed semi-circle. The street would then run along the East boundary of the North half of Block 10, upon which the Wabasha Street site is located, and directly in front of the office building, if erected there. The changing of the present Wabasha Street location would, of course, require the removal of the street car tracks to the new Wabasha Street location. As a part of this plan Mr. Herrold proposed a mall to run south from the center of the rearranged grounds to Seven Corners, or some other point in that vicinity.

Mr. W. W. Price appeared and offered as a proposed site the property in front of the Capitol heating plant.

At this meeting Clarence H. Johnston of St. Paul and the Pillsbury Engineering Company of Minneapolis were employed as architects and

engineers, respectively, for the office building; the architect to receive three per cent on general construction and one per cent on mechanical equipment; the engineers to receive four per cent on mechanical equipment. Mr. Johnston and the Pillsbury Engineering Company are now employed on all other state work and the above named rates are the same as they are now paid on other state projects. The architect was directed to prepare tentative designs and estimates of the cost of a building to contain approximately 200,000 gross square feet of floor space, including basement, for the Wabasha Street site; also similar data for a building on Block 3, Brewster's Addition (University Avenue site). The state already owns half of this block.

At a number of meetings held during July the architect's sketches and estimates were considered. Representatives of the St. Paul Association attended three of these meetings and submitted data and other information relative to the Wabasha Street site. An estimate of the cost of the property embraced in each of the proposed sites was obtained. These estimates were based on options secured on most of the tracts and where options could not be secured at reasonable figures appraisals were made. Using this method the estimated cost of the Wabasha Street site, excluding the six south lots, was \$157,500.00; University Avenue site \$77,500.00 for the North half of the block, the south half already being owned by the State.

At the meeting of July 29th, after careful study of the several plans submitted by the architect and after hearing all persons who desired to be heard upon the relative merits of the proposed sites, the Commission adopted a motion selecting the University Avenue site. The formal vote upon the motion was five to two. Messrs. Peterson, Austin, Rines, Widell and Hitchcock voted in favor of the University Avenue site, while Messrs. McKnight and Butler favored the Wabasha Street site. The Secretary was thereupon directed to negotiate with the owners for the purchase of the North half of Block 3, Brewster's Addition. A subsequent appraisal of this property was made by the St. Paul Real Estate Board, which fixed a total value of \$65,500.00. Inasmuch as the Wabasha Street site was rejected by the Commission no official appraisal was made thereof.

Following the formal designation of a site representatives of the St. Paul Association and other citizens of that city asked for a public hearing on the site question, which was granted on August 19th. Another meeting was held September 10th, following the public hearing, but no attempt was made by any member of the Commission to secure a reconsideration of its action in the selection of a site. At this meeting a communication was received from Governor Theodore Christianson, accompanied by an opinion from the Attor-

ney General, defining the duties of the Commission in certain respects. In his letter the Governor, among other things, called attention to the fact that Cass Gilbert, architect for the State Capitol, had many years ago prepared a plan for a Capitol Approach and suggested that Mr. Gilbert be consulted in order to get the benefit of his judgment before proceeding further. The communication was referred to the Chairman with instructions to communicate with Mr. Gilbert as to his views on the office site question and report to the next meeting of the Commission. The Governor's letter and the Attorney General's opinion accompany this report as Exhibits C and D.

The next meeting of the Commission was not held until November 29th, due to the delay in receiving Mr. Gilbert's report. (See Exhibit B.) At this meeting the architect was directed to make careful estimates of the cost of erecting an office building of uniform size and material on each of the two sites, with only such variation in architecture as may be appropriate for the respective sites. At the meeting held December 10th, the architect submitted two plans for the Wabasha Street site, one plan calling for a 240-foot frontage and the other a 278-foot frontage. From the data furnished by the architect the following estimates were compiled of a building on each of the two sites with a frontage of 278 feet, the center wing to be three stories and the outside wings full height: Wabasha Street site, allowing \$150,000.00 for cost of land, which is the maximum permitted by the Office Building Act, \$1,466,963.00; University Avenue site, \$1,334,944.00, the land being figured at the appraised price of \$65,500.00. The total amount available for land and building under the law is \$1,485,000.00, the sum of \$15,000.00 having been reserved for alterations in the Capitol building made necessary on account of a rearrangement of departments. According to the above figures there would be a margin of \$18,307.00 on the Wabasha Street site and \$150,056.00 on the University Avenue site. Both plans contemplated granite facing. If the rear of the University Avenue site was not faced with granite it was estimated that there would be a deduction of \$33,000.00, thus reducing the total cost to \$1,301,944.00 and increasing the margin to \$183,056.00. Inasmuch as more office space would be required than was first estimated, especially for the highway department, it was obvious that the Commission did not have sufficient funds to erect a building such as the law required on the Wabasha site. At this meeting a motion was made to postpone the erection of the office building until the Legislature had an opportunity to fix the location of the building. The motion received the support of three members of the Commission, viz., Messrs. Peterson, McKnight and Butler. Adjournment was had until December 23rd, when the motion to postpone was renewed. The vote stood three to three with

Mr. Austin absent. A telegram from him stated that inasmuch as a majority of the Legislators who had expressed themselves appeared anxious to select the site for the office building he was in favor of permitting them to do so. For that reason he desired to be recorded as voting for postponement.

A majority of the Commission having agreed to submit the question of site, further proceedings in connection with the erection of the building were postponed pending action on that question by the next Legislature.

Discription of Proposed Office Building

The Commission, in cooperation with its architect, has worked out a plan for a State Office Building designed to amply house the various state departments, as contemplated by the State Office Building Act. The building has been planned so as to permit additions to be made from time to time as required. The architect's estimates show that the building can be erected upon the University Avenue site well within the appropriation provided.

As for the Wabasha Street site, a majority of the Commission are of the opinion that it cannot be erected within the appropriation if the requirements of the departments are to be properly taken care of. The architect has prepared sketches of a building adapted to each of the proposed sites, which are reproduced elsewhere in this report. The only substantial variation in the two plans is in the front design and in the roofs. Otherwise the buildings are of the same size and shape.

After the Commission had made its survey of the space required by the several departments and approved tentative plans, the Highway Department enlarged its present quarters considerably to take care of the expanding highway program. The proposed building as originally planned did not provide for this additional space and the plans will have to be revised somewhat to meet this changed condition. If the building is placed on the University Avenue site ample additional space can be provided for the Highway Department with some space to spare and the total cost still kept within the appropriation.

The building has a frontage of 278 feet. The side wings are 100 feet long and the center wing 75 feet. The front section is 61 feet in width, and the wings 51 feet. The building as projected is six stories in height, including the ground story, and has in addition a sub-basement nine feet in depth for storage purposes and service piping. Tentative plans called for only two stories for the center wing, but it was considered likely that on University Avenue it would be necessary either to add another story to the center wing, or provide additional space in the west wing for two or three of the smaller departments which had not been definitely assigned space when the activities of the Commission terminated. On the Wabasha site the additional space would have to be provided either by adding stories to the center wing or in a rear section along St. Peter Street between the side wings. The building as tentatively planned has a superficial floor area of 30,958 square feet, a total gross floor area of 170,548 square feet, and a net occupied area of 137,484 square feet, not including the sub-basement. The height of the several stories is:

ground floor 12 feet; first or main floor 13 feet; remaining four floors 11 feet. These measurements are from floor to floor. Additional height for the auditorium is provided by dropping the floor into the sub-basement space.

The main entrance is through a triple doorway into a generous vestibule which, in turn, leads into the main lobby on the first floor. Four elevators in this lobby, one of which is designed for freight service, give direct communication to the upper floors, as well as the ground floor and basement. The interior of the building is to be finished throughout in conformity with modern office building practice. An auditorium, seating approximately 425 persons, is located in the center wing on the north and is entered directly from the ground floor elevator lobby. A cafeteria and dining room occupying 6,400 square feet has been provided for in the southeast corner of the ground floor. If the building is located on University Avenue the existing cafeteria in the Capitol Building would be discontinued.

The Highway Department has been assigned to the lower four floors of the west wing and to portions of the front section of the ground and first floors. The Highway section of the building has, in addition to the main entrance from the first floor, a separate side entrance to be used by employes. Except for the main entrance it is proposed to close off the Highway Department from other portions of the building. A separate employes' departmental elevator is to be provided. The Highway Department is now using part of its rented space for automobile storage. No provision is made for this purpose in the office building as the space is considered too valuable for such use. It is contemplated that the Highway Department would construct a building out of its own funds on some adjoining property to be used for garage and storage purposes.

The building is to be of skeleton concrete construction with reinforced concrete floor slabs. It is designed in the style of the Roman Renaissance with Minnesota granite facing. In the courts and in the rear where additions are contemplated in the future, the facing would be of brick. The treatment of the exterior is characterized with a severity of line and an absence of ornate detail, depending for its effect on disposition of masses and general proportion, with restrained treatment of detail.

Because of the type of building designed, it has been possible to reduce to less than twenty per cent the space taken up by hallways, elevators, stairs and walls. In most office buildings the space available for offices runs about seventy per cent. In the proposed building it would be over eighty per cent.

UNIVERSITY AVENUE SITE

The building on this site would set back seventy feet from the property line and would have a frontage of 278 feet on University Avenue, 161 feet on Park Avenue and the same on Capitol Boulevard. The two light courts between the wings are 60 by 100 feet, and accessible by a driveway from Sherburne Avenue to accommodate the shipping and receiving of freight, package and mail deliveries incidental to the building. Future enlargement by adding stories to the center wing and by building a unit along the north side of the block would increase the gross area 110,595 square feet and net occupied area 90,135 square feet. If the west wing is extended at this time to provide additional space for the Highway Department, and possible additions for other departments, the net occupied area would be increased by 16,524 square feet, which would reduce the possible expansion to 94,071 square feet. The sketch of the building for the University Avenue site, as drawn by the architect, shows the west, or Park Avenue side of the building, extended the full length of the block, as it would appear with the additional space added. The tunnel to the Capitol building would have its entrance directly opposite the auditorium entrance on the ground floor. The height of the building would correspond with that of the main portion of the Capitol building.

The architect's estimate of cost of the building on University Avenue as originally planned and with the Highway addition is as follows:

	As proposed	If west wing is extended
Building	\$1,231,670	\$1,349,350
Land	75,000	75,000
Tunnel	44,076	44,076
	1,350,746	1,468,426

WABASHA STREET

The building for this site has a frontage of 278 feet on Park Avenue and 161 feet on Aurora Avenue. The two end wings extend back to St. Peter Street. The light courts between the wings are sixty feet wide. The building would have a superficial floor space of 170,548 square feet, and a net occupied area of 137,484 square feet, not including the sub-basement. Total possible expansion is 64,420 square feet gross area and 52,580 square feet net occupied area. The main entrance is on Park Avenue fifteen feet back from what would be the westerly line of Park Avenue, if widened to correspond with the width of this street opposite the State Capitol. The tunnel from the Capitol Building would have its entrance at the northerly end of the

front section of the ground floor. Additional space for the Highway Department and other possible expansion would be provided by building one or two stories of a rear section along St. Peter Street, which would fill in the gap between the two outside wings. The courts would then be 50x60 feet. The proposed addition is shown on the sketch of the Capitol grounds. The architect's estimate of the cost of this building, as originally planned and with one story added in the rear, is as follows:

	As proposed	If Extended for Highway
Building	\$1,241,400	\$1,348,500
Land	150,000	150,000
Tunnel	56,353	56,353
	<hr/>	<hr/>
	1,447,753	1,554,853

If a second story is added to the rear section the total cost would be \$1,650,000.00.

The addition of two stories to the rear section would increase the net occupied area 18,140 square feet and the possible future expansion would be reduced to 34,680 square feet of net occupied area.

The above estimates vary somewhat from those of December 10, 1929 (hereinbefore referred to) for the reason that the estimates of that date included three stories for the center wing instead of two. The architect's estimates are based on contractors' prices and the current cost of material.

Analysis of Space Requirements

In making assignments of certain departments and other state agencies to the state office building, with the approval of the Governor, consideration was given to grouping related departments as much as possible. The Department of Agriculture and Dairy and Food and the Rural Credit Bureau were assigned to the same floor; the Game and Fish and Forestry Departments would be neighbors; the three divisions of the Department of Commerce were given adjoining space; the Railroad and Warehouse Commission were allotted space in the office building, with its approval, as it would thereby have more convenient quarters for its various divisions; the Board of Control likewise would be moved to provide additional quarters for the Secretary of State's Motor Vehicle Division. The present quarters of the Railroad and Warehouse Commission were assigned to the Commission of Administration and Finance and the Examining Division of the Comptroller. Under this arrangement the three departments which have to deal with the financial transactions of the state, the Auditor, the Treasurer and the Commission would have adjoining offices. Because of the crowded condition of the Historical Society the Educational Department was placed in the new building. The 1929 Legislature directed that the state furnish office space for the various Veteran Organizations. It is planned to house these in the Historical Building. The Highway Department and the Commissioner of Purchases requires a large room for public lettings. Other departments at times also require quarters for important hearings. At present these hearings are held in the Legislative Chambers, but this cannot be done during sessions. There is also a valid objection to the use of the Legislative quarters for such purposes. For these reasons the Commission decided it was advisable to provide an assembly room of appropriate size, located on the ground floor, where it can be reached without the use of elevators. All the Executive Offices would, of course, remain in the Capitol Building. The crowded condition of the Attorney General's Department would be relieved by taking over the offices now occupied by the Commissioner of Insurance.

The Commission used as a basis for its survey and analysis of departmental requirements an old survey made by the Commission of Administration and Finance in the fall of 1925. While this survey was not made with a view to giving departments permanent quarters in a new office building, the data assembled at that time was of material assistance to the Building

Commission. The estimates furnished the 1927 Legislature were based upon the 1925 survey. These estimates did not provide for expansion of departments, nor did it include the cost of a site. Since that time there have been material changes in departmental needs. Additional activities have been created by the Legislature, the most important being the Bureau of Criminal Apprehension. Among the departments which have been obliged to expand materially is the Rural Credit Bureau, which in the last few years has increased its office space more than fifty per cent. While the present estimate of space requirements exceeds to a considerable extent the tentative estimate of 1927, the Commission feels that the allotment of the additional space is justified if departmental requirements are to be provided for, having due regard to the probable continued growth of some of the departments. We are satisfied that the allotment of space made by the Commission will solve the State's housing problem for several years to come.

Argument for University Avenue Site

Three fundamental considerations are involved in the location of the proposed state office building. Two of these may be classed as of minor importance and one as of major importance.

The element of utility, convenience and practicality and the element of the total funds available may be classed as minor considerations. The proper grouping of the Capitol buildings, the harmonious arrangement of the various structures, the beauty of the entire ensemble is the major consideration.

Consider the two minor elements. Every consideration of utility, convenience and practicability, in the opinion of the Commission after protracted study, places the building on University Avenue. Various studies made by the architect have convinced the Commission that the building, even enough larger than the original plans to accommodate the additional space required by the highway department, can be erected within the appropriation on University Avenue and that it cannot be erected within the appropriation on Wabasha.

But, important as they are, these are admittedly minor considerations. Weighty as these considerations are, it may be admitted that the major consideration, the beauty of the entire Capitol ensemble, should be the determining factor in the location of the building.

The Commission has considered this matter of the Capitol ensemble most carefully. It has studied the Capitol environs. It has examined the arrangement of Capitol buildings in other states. It has thought of the size and the proportions of the building to be erected and has debated how such a building will fit in with the Capitol. It has considered what must be the final lay-out of Capitol grounds to secure the most attractive and most beautiful Capitol setting for the most beautiful Capitol building in America. It has studied the numerous so-called Cass Gilbert plans for a Capitol approach and has pondered the ambitious proposals of St. Paul for a many-million dollar mall.

Anyone who will make a detailed bird's-eye study of the State Capitol and its environs will not hastily assume that any state building that is erected must be placed in front of the Capitol. He will see that University Avenue is the main thoroughfare between Minneapolis and St. Paul and that the lay-out of grounds to the rear of the Capitol deserves consideration as well as

the grounds in front of the Capitol. He will discover that the two city blocks immediately in the rear of the Capitol are vital to a proper setting for the Capitol and that they must either be utilized for state buildings or kept vacant as Capitol open spaces. He will see that if state buildings are properly placed on these two blocks at the rear of the Capitol a symmetrical setting will be secured; he will find that such buildings, well back from the great main thoroughfare between the two cities, and opposite the Capitol, will provide a beautiful approach over the Twin Cities' greatest artery and will strikingly contribute to the symmetrical and harmonious Capitol grouping.

Those who have advocated the Wabasha Street site have argued that the office building would be hidden if placed behind the Capitol. A count of the traffic on both Wabasha Street and University Avenue showed that more than three times as many vehicles used University Avenue at a given time. St. Paul recognizes this avenue as one of the principal thoroughfares of the city and is proposing to widen the street from the Capitol to Dale Street, a distance of one mile. This improvement includes the removal of the existing old buildings between the Capitol and Rice Street. When this improvement is completed those coming east down University Avenue will be afforded a fine view of the State Capitol and surrounding grounds, as well as of the office building, if this is erected on University Avenue. If located on Wabasha Street it would not, of course, be visible from that point. St. Paul also proposes to route the Anoka cutoff so as to intersect University Avenue at Park Avenue, thus passing on two sides of the block where it is proposed that the office building be erected.

In considering the Capitol ensemble the Commission is compelled to take account of the State Historical Building now standing in front and to the east of the Capitol and to determine how the State Office Building will look in front and to the west of the Capitol facing the State Historical Building. The proposed office building will be a large structure, much larger than the Historical Building which it must balance. The front of the office building will be nearly twice the length of the Historical Building. Such a building, the Commission finally concluded, would be out of proportion and would mar the beauty of the Capitol mall and destroy the Cass Gilbert plan. The very principle of harmony which St. Paul is urging for the Wabasha site is the vital principle which bars that site.

So much for the major factor in determining the location of the office building. Returning now to the minor considerations of cost and utility, what is the primary purpose of the erection of an office building by the State?

Is it not to provide a convenient, accessible, practical place in which the every-day working details of the state government may be carried on under conditions which will make possible the maximum of efficiency? The office building is the State's workshop; the primary principle in its construction should be utility.

The University Avenue site is the most convenient site. If the office building is located on University, traffic between the Capitol and the office building will be via a short, direct, easily accessible tunnel. If the building is located on Wabasha, the tunnel will be difficult of access, must be built on a heavy grade, and will be tortuous. In the one case, everybody will use it, in the other its use will be limited principally to freight.

The legislature in providing that the new office building should have "needful passageways" must have intended that there be easy underground access to the building from the State Capitol, so that those who found it necessary to pass from one building to the other might avoid the hazards and inconvenience of crossing streets, as well as inclement weather. A tunnel to the University Avenue site will furnish a passageway which will serve the purposes which the Legislature no doubt had in mind. The members of the Commission who favor the University Avenue site propose to have the tunnel start from the present cafeteria in the State Capitol and run on the same level as the cafeteria floor to the basement elevator entrance of the office building. The cafeteria stairway would be widened to give sufficient room for traffic. A larger cafeteria would be provided in the office building to replace the old one.

The Wabasha Street site on the other hand does not lend itself to a practical tunnel connection. The site is on a much lower grade than the capitol, which prevents a direct connection. The connecting tunnel would have to start from the elevator shaft in the sub-basement of the Capitol and run west through the sub-basement half the length of the building, as shown on the accompanying diagram. The distance would be much greater, and there would be a heavy grade between the office building and the State Capitol. Such a tunnel would also of necessity be winding. Because of its inconvenience it would in all probability be little used for passenger traffic. A heavy grade in the connecting tunnel would be a handicap in moving mail and supplies between the two buildings. The tunnel to either site would be used extensively for that purpose. The central mailing station provided by Chapter 350, Laws 1929, will add materially to the use of the tunnel.

The Wabasha Street site is considerably below the grade of the Capitol heating plant, which will make it necessary to pump the return to the plant.

Wherever possible buildings supplied from a central heating plant are located above the grade of the plant in order that the return may be by force of gravity.

The noise nuisance is an annoying inconvenience and a real menace to efficiency in office work. If the office building is located on University Avenue there will be a minimum of outside noises; if located on Wabasha Street the noise nuisance will be at its maximum on account of the street car traffic. If the proposed plan of re-routing the street car lines so as to run on Park Avenue in front of the proposed building, as well as on Wabasha Street to the north, is carried out the noises from this source will be still greater. To attempt to make light of this matter is a serious mistake. One may get used to noises, it is true, but no matter how inured we may be to them, they inevitably wear upon the nervous force of every individual and decrease his efficiency in increasing measure. The sensibility of the nervous organization varies with the individual, but with many it is exceeding delicate. To deliberately locate a great office building so that its hundreds of workers are constantly distracted by the maximum of outside noises, is to deliberately produce human discomfort and to deliberately insure a decrease in efficiency to the State.

The parking problem is an increasingly serious one. Today the House and Senate both complain that there is insufficient parking space at the Capitol grounds. Bring to the Capitol area hundreds of State employees now scattered in offices in various parts of the city, and the congestion will be multiplied. Slowly but surely the number of those employed by the State grows, and the number of citizens who have business with the State grows still more rapidly. The parking problem is acute now; it will grow more acute; no state office building should be erected without working out a plan for its solution.

Erection of the office building on Wabasha will complicate the problem. It can be solved completely in that location only by increasing the cost of the building to provide for parking within the building itself. On the other hand, the State has ample parking space on University Avenue ready and waiting. The second block east of the site chosen by the Commission on University is now owned by the State. It is, and has long been, vacant, and it is adequate and convenient for parking space for two office buildings.

The shape of the Wabasha site is awkward. It is long and narrow, being but 235 feet in width. From this must be subtracted 40 feet if the widening of Park Avenue as proposed is accomplished. This would reduce the site to the narrow limits of 195 feet. The difficulty and embarrassment of this

handicap is strikingly illustrated by the remarkable proposal of Cass Gilbert to erect there, opposite the Historical Building, an elongated office building stretching back across St. Peter Street. One may well wonder how such a building would look from the Capitol, and from University Avenue, to say nothing of the difficulty and cost of vacating St. Peter Street.

The cost of erecting an office building on Wabasha will be more than on University. The land will cost more; the building will cost more. A plain but handsome building can be erected at University well within the amount appropriated. If the structure is located on Wabasha, because of its conspicuous position, it must be somewhat more monumental in character, which means that its cost will materially increase. The cost is not a vital item, but it is one that the Commission was compelled to consider, for the building, in its opinion, could not be erected on the Wabasha site within the appropriation.

The Wabasha site has just about everything to condemn it for a State Office building. It destroys the Capitol setting and the Cass Gilbert plan. It is expensive. It is of an awkward shape. It is difficult of access from the Capitol. Street cars screech up and down Wabasha Hill in front of it. It is lower than the Capitol, multiplying engineering problems. It has no convenient vacant land, multiplying parking problems.

The University site, on the contrary is convenient, accessible, practical, and will contribute to a symmetrical Capitol ensemble.

The vision of the State Building Commission is the vision of a granite faced office building on the west block at the rear of the Capitol and some 300 feet from the main line of the Capitol; another granite faced office building at some future date to be constructed on the east block at the rear of the Capitol by the highway department; a memorial building on Wabasha at some future date harmonizing in size and architecture with the State Historical Building—a central great Capitol of noble proportions, two convenient and beautiful office buildings at its rear and two harmonious State buildings flanking it in front. Behind it, its workshops, convenient and practical, before it on either side, two other stately structures forming its mall, the whole a beautiful, harmonious and complete altogether.

The Commission visualizes, not a many-million dollar mall constructed by the State for the gratification of St. Paul, but a harmonious grouping of buildings that shall be both useful and beautiful and in which the idea of a mall shall not be lacking, albeit a somewhat more modest mall than the far-flung Capitol-to-River mall which St. Paul would fain have the State build for it.

Office Buildings in Other States

The state of West Virginia has recently built two office buildings and is now erecting the main Capitol building. Cass Gilbert is the architect of the three buildings; both office buildings have been placed behind the ornamental building.

Pennsylvania is now building a group of four office buildings, all located directly behind the main Capitol building.

New York state is just completing a new thirty-two story office building placed in the rear of the Capitol.

The state of Massachusetts when it needed more office space went across the street, back of the Capitol, to put its office building, and connected it with the main capitol by means of a viaduct over the street.

The new state office building in the state of Ohio, now being erected, is located directly behind the state Capitol, as is also a building for the Supreme Court.

It appears to be the policy of the states generally to place their office buildings to the rear of their capitols, in order that there may be no buildings of plain architecture in front of the Capitol to detract from the beauty of the main building, which is invariably ornamental in character.

Minority Report

Because of the failure of the Commission to unanimously agree upon the report to be submitted to the Legislature, it seemed necessary to present the record of the Commission's work in the form of a Majority and Minority report.

The undersigned, having in mind a resolution adopted at one of the Commission's meetings, which in part read:

“***to postpone the erection of the office building until the Legislature had an opportunity to fix the location of the building.”

assume that it will be the duty of the 1931 Legislature to select the site. Therefore, we do not wish to urge our opinion too strongly, nor do we choose to go into a lengthy and detailed discussion of the sites in question, believing that this report would be much more concise and in better form were it confined solely to an account of the Commission's actions together with figures obtained by it regarding costs of buildings and sites, which figures were necessarily of a tentative nature. However, after reading and analyzing printers proofs submitted to us of the foregoing report, made by a majority of the Commission, viz.:

Hitchcock, Widell, Peterson, Austin and Rines.

We find that we are not in accord with many of the statements made in such report, and desire to call the attention of the Legislature to certain features of this report.

The Majority report states that the building cannot be built on the Wabasha Street site within the limits of the appropriation. We believe that a careful analysis of the report in regard to the cost of the Wabasha Street site, and the construction of the building, which they state to be \$1,466,963.00,—will show that a building can be completed within the appropriation and leave more than \$18,000 to spare, and will furnish a building with floor space in excess of the required number of square feet of office space, i. e., 137,000 square feet. The square footage was determined by the Architects employed to design the structure after a careful survey of the requirements for office space. Certain members of the Commission assisted the Architect in making the survey. The excess number of square feet in an office building on the Wabasha Street site is approximately thirty three thousand.

In considering the site upon which to locate the building, the Majority has always favored the so-called "University Avenue Site," and contends that it possesses more merit and is more suitable in every respect than the Wabasha Street site, and determines the cost of that site and building to be \$1,334,944.00, which includes a stated value of \$65,502.00 of additional lands to be purchased, but they do not include in the aggregate cost of land and building the value of the tract of land facing University Avenue, which is owned by the State, and which has a reasonable value of \$100,000.00. When this is added to the cost of additional land and the cost of the building, the total cost of the State will amount to \$1,434,944.00. This cost is \$32,019.00 less than the cost of building on the Wabasha Street site, and of course, it within the appropriation.

It is our opinion that the Wabasha Street site is most desirable, and the difference in cost of site and building over that of the University Avenue site and building, is insignificant, all things being considered. This opinion is vigorously supported by the City Planning Board of Saint Paul; by the Capitol Approach Commission's plans; by the Minnesota Federation of Women's Clubs; by the Minnesota Federation of Architects and Engineering Societies; by the Association of Commerce of the City of Saint Paul; by Mr. Cass Gilbert, the architect of the State Capitol. Mr. Cass Gilbert is an internationally known Architect, and is without doubt the undisputed head of the Architectural profession in the United States. Thirty years ago he considered the approach plans to the Capitol, and said plans are in existence and were submitted to the Commission for its consideration before selecting a site, and upon request of the Commission, Mr. Gilbert unqualifiedly stated in a telegram dated November 21, 1929, which telegram is made Exhibit "B" to these reports, that the Wabasha Street site was the best site for the building, and disapproved of the so-called "University Avenue Site." Mr. Gilbert has recently been employed by the City of Saint Paul and County of Ramsey to make a study of the problem, and has made a special report and design which we understand is now in the hands of the Legislature.

In considering this project, all elements are important. With respect to such items as parking facilities, noise, convenience to pedestrians, etc., we recognize little or no difference in the two sites, nor do we attach any weight to the fact that in some other states it has seemed best to place buildings to the North, South, East or West of their respective Capitols. Obviously each state capitol location and situation is different, and must be treated in a manner peculiar to itself.

One of the Saint Paul newspapers conducted a poll of the members of the Legislature of 1929, and reported many of the members of that Legislature in favor of the Wabasha Street site.

The members making this report do not know of anyone who has any serious objection to the Wabasha Street site, except the majority of the Commission.

After the Commission had, by majority vote, selected the University Avenue site, many of the leading citizens of the City of St. Paul were courteously granted a hearing, and a meeting was held in the House Chamber of the Capitol. All members of the Commission were present and a large number of representative citizens of St. Paul and of other localities throughout the State, made protest upon the location of the building on the so-called "University Avenue site." There were present some of the leading professional men, such as Lawyers, Architects, Engineers, and citizens who had some ideas about the location of the building. The meeting continued for many hours, there being two sessions, one in the forenoon and one in the afternoon. Opinions were freely expressed, and there was not one definitely against the Wabasha Street site.

After the meeting was held, and the request for reconsideration made by the citizens, the Commission failed to heed this request, having in mind apparently that the site had been decided upon, but proceeded with routine work until late in the year, probably during the month of December,—when it occurred to a majority of the members who had selected the University Avenue site, that out of deference or respect for the persons favoring the Wabasha Street site, or for some other reasons best known to themselves, they decided to postpone erection of the building and submit the question of selecting the site to the 1931 Legislature, and are now making their Majority report to that Honorable body. Upon its reading, it will be observed that a large portion of this report is devoted exclusively to the merits of the so-called "University Avenue site."

Notwithstanding the decision to submit the selection of a site to the 1931 Legislature, the members making this minority report desire that the Legislature inform themselves of the respective merits of the two sites, and select a site which in their judgment they believe will be most satisfactory, all things considered.

The Commission possesses a good deal of data that is readily obtainable, that may be of value in making the selection, and the same can be made available to members of the Legislature.

The Capitol Grounds may be considered as a State Civic Center and should at this critical time be treated in such manner as to insure a proper future development, and thereby reflect credit upon those whose task it may be to plan its future.

Respectfully submitted,

WALTER BUTLER

SUMNER T. McKNIGHT

Statement of W. G. Dorr, President of Minnesota Chapter
of American Institute of Architects at a Public
Hearing Held August 19, 1929

EXHIBIT A

I represent the Minnesota Chapter of the American Institute of Architects comprising the architects of Minnesota, except St. Paul, and I represent only the Minneapolis members which is the majority of the chapter. First the architects are very much interested in what is primarily an architectural problem, we are interested in the State Capitol site and the Washington plan but are reluctant to enter into a controversy and would have kept out except that we were invited by St. Paul interests, proponents of the Wabasha site and University site and the newspapers to take part in it, so we felt we were almost obliged to do so. To be brief and concise I have a short written statement which I beg to leave with you: The Minnesota Chapter of the American Institute of Architects believe that either site would be satisfactorily treated in an architectural manner and believe that the building for the Wabasha Street site as presented to the Minnesota Chapter fails to materialize all the necessary qualifications; that before a decision is reached sketch models should be prepared for the entire scheme showing the different locations of the proposed building. Therefore the Minnesota Chapter suggests that these sketch models be made and no decisions be reached until such time as they are studied by all interested parties. This question of models for the development of buildings, particularly grouping the buildings is most practical and a sure way of visualizing the problem and is quite common in studies of this kind. The architects of Minnesota are vitally interested in having our Capitol group beautifully developed. We wish to avoid such mistakes as are made in our national Capitol and although we would like to have this improvement take place as soon as possible it should be deferred until these models can be furnished. A soldiers' memorial would ideally carry out the Cass Gilbert plan. A proper solution cannot be made by anyone with insufficient data. The University site is logical for an office building whereas the Wabasha Street site would seem to make necessary the acquisition of another block in the rear to prevent the front from being so long as to compete with the Capitol itself. The fronts could then be no higher than the Historical Building with the two connected in the rear to make a U-shaped building. I might say that the

architects are anxious to be of help in the problem. I don't think there is a controversy at all. I think all interested and concerned are vitally interested in seeing the Cass Gilbert plan worked out. I think that either site is practicable if the building is designed to suit it. The difference of opinion seems to be as to whether this building is necessary to carry out the plan or whether some future building would not be more suitable. It would seem from the result of our deliberations that there isn't enough time to make a proper decision but it does seem as though, with all due respects to them, the St. Paul interests are considering too strongly the element of immediate development of that site as against the possible future developments with another building later which would better carry out the Cass Gilbert plan than this. The buildings on the University site should be built back far enough so as to give an adequate setting for the building on that site and that both blocks should eventually be used on the University site for buildings, which would make a harmonious group and carry the Cass Gilbert plan a little further than originally contemplated. If a building is erected on Wabasha it seems almost necessary to acquire more ground, to close St. Peter Street which is of little value, and run the buildings back from Wabasha so as to present a narrow frontage and would balance the Historical Society Building and that would leave adequate room for two buildings on that side. In other words it seems a problem of how best to work out either site, but the proposed building with a frontage that would be required with the widening of the street at Wabasha would compete with the Capitol in length and would not balance the Historical Building and do more harm to the Cass Gilbert plan than to wait for more time.

SUPPLEMENTARY STATEMENT FROM THE MINNESOTA CHAPTER,
AMERICAN INSTITUTE OF ARCHITECTS

The architects of Minnesota are vitally interested in having our Capitol group beautifully developed, and urge that nothing be done to jeopardize this eventual result. That we wish to avoid making such mistakes as were made at our national Capitol and are now spending millions to rectify.

That although we would like to have this improvement take place as soon as possible, we would prefer to have it deferred than that the final result be compromised. A courts building or soldiers' memorial building would ideally carry out the Cass Gilbert plan. (On Wabasha Street site.)

That a decision such as we face now is complicated by many considerations, and cannot be made by anyone without sufficient data and mature consideration.

The the University site is the logical one for an eventual group of office buildings, which can be made to count greatly in the whole scheme.

That an office building on the Wabasha site would be an exceedingly difficult type of building to make monumental and at the same time practical. It would seem necessary to acquire another block at the rear, to prevent the front from being so long as to compete with the Capitol itself. The front could then be made no wider than the Historical Society Building, with harmonious arrangement of openings, at a minimum sacrifice of convenience. A future extension could be built further down the block, with similar frontage, the two connected at the rear in U shape.

Telegrams From Cass Gilbert

EXHIBIT B

New York, N. Y., November 21, 1929.

R. W. HITCHCOCK, CHAIRMAN STATE BUILDING COMMISSION:

Care Governor Christianson, State Capitol, St. Paul, Minn.

It is apparent that all parties agree that buildings in vicinity of Capitol should be of such character and so located as to enhance and not detract from the beauty and symmetry of the Capitol building and its environment and that they should be sufficiently distant to provide ample space around it. I find that the University Avenue site would not be conducive to this result. The two blocks north of University Avenue between Park and Cedar Street should be reserved as public ground and not used as building sites. I originally recommended their acquisition by the state for such purpose and especially to prevent buildings being placed thereon. I recommend against use of University Avenue site for state office building. I recommend that state office building be located on the so-called Wabasha Street site with proviso that building be made so that its easterly front will correspond in width, height and design with Minnesota Historical Society Building and it should be built of same material and be located so that it will be symmetrical therewith. The major axis of this building should extend east and west instead of north and south and cross St. Peter Street if necessary to obtain required area as shown in a provisional plan prepared by me in 1909, copy of which I will send by mail. I see no serious objection to closing St. Peter Street for this purpose as it terminates at University Avenue anyway. There is much precedent for buildings crossing such streets, as for example, New York Municipal Building, New York Central Railway Building, proposed new government buildings in Washington, and others. The symmetrical arrangement of permanent buildings around the capitol is more important than the preservation of St. Peter Street at this location. I advise that the building construction be postponed, if necessary, until it can be done properly. I would be pleased to confer here with state architect concerning these matters if desired.

CASS GILBERT.

New York, N. Y., Nov. 23, 1929

R. W. HITCHCOCK, Chairman,
State Building Commission.

Have just received long telegram from Editor St. Paul Dispatch from which I quote the following paragraph: "Minnesota State Office Building Commission in meeting today interprets your telegram as favoring Wabasha Street site only on condition that your very definite proviso as to type of building be strictly adhered to without modification." I wish to be distinctly understood as recommending against University Avenue site and as in favor of Wabasha Street site; the proviso in my telegram to you November twenty-first was intended to suggest one method by which office building could be made to balance architecturally with Historical Society building. There are several other methods by which this might be done and the proviso is not intended to annul my definite recommendation in favor of Wabasha Street

CASS GILBERT.

Governor Christianson's Letter to Building Commission

EXHIBIT C

St. Paul, Minn., September 10, 1929.

HON. R. W. HITCHCOCK, Chairman,
State Building Commission,
Hibbing, Minnesota.

My dear Mr. Hitchcock:

When the bill providing for the erection of a State office building passed both Houses of the Legislature and came to me for approval, I expressed objection to it on two grounds:

1. The bill did not provide the character of building to be erected, whether it should be monumental or merely utilitarian.
2. The bill did not designate the location on which the building should be built, although two different locations had been discussed during the legislative session, the so-called University Avenue site, and the so-called Wabasha Street site.

I stated these objections to representatives of the St. Paul Association and others who came to urge me to sign the bill, and suggested that the bill be recalled for amendment. I was told that all these men, and the interests and groups they represented, were interested in was the erection of utilitarian building in convenient proximity to the Capitol, in which the business of the State could be transacted conveniently and properly.

Thereupon, I immediately signed the bill and it became a law. In due time I appointed the Commission of which you are Chairman. Relying upon the statements and promises which had induced me to give approval to the bill, I did not attempt to influence the Commission or communicate to it any expression of individual preference either as to the character of the building to be erected or the site thereof, having full faith and confidence in the ability of your Commission to make a wise and proper choice.

After giving all persons interested full opportunity to be heard, your Commission decided that the building should be erected on land owned by the State on University Avenue and constituting a part of the State Capitol grounds, and certain adjoining lands contiguous thereto. It is quite evident that this was the site which the Legislature intended should be used, for otherwise it would not have used the following language:

"The Commission shall forthwith proceed to erect, furnish and equip upon lands owned by the State and forming a part of the State Capitol grounds and such adjoining lands immediately contiguous thereto as the Commission shall find necessary therefor, if any, a suitable State office building, at a cost, including additional lands for site if found necessary, of not more than \$1,500,000.00."

The site which you selected is the only one of the two considered that these words could describe.

When the decision to use the University Avenue site was announced, representatives of the St. Paul Association and other citizens came to my office and asked (1) that your Commission be requested to state in writing its reasons for selecting the University Avenue site; (2) that a further hearing be given; (3) that pending such hearing and possible reconsideration, proceedings to acquire that part of the University Avenue site not already owned by the State be suspended. All of these requests were promptly granted and another hearing was held.

You now have before you the transcript of testimony given and opinions expressed at said hearing. Upon said record you have been asked to reconsider your former decision.

In connection with such recommendations, I offer the following suggestions:

1. There is no question of "economy" involved, as that word is ordinarily used and understood. The sum of \$1,500,000.00 has been appropriated, and that sum will be spent whether the building is erected on University Avenue or on Wabasha Street. Conversely, you have no authority to spend, or to commit the State to an expenditure of, more than \$1,500,000.00.

2. The building to be erected for said sum must be large enough to house adequately all agencies of the State government that cannot be properly accommodated in the Capitol. You cannot lawfully spend the money to erect a building which shall provide space for some of the State departments, leaving other departments to be cared for in future buildings or in future additions to the proposed building. I call your attention to an opinion of the Attorney General, a copy of which is attached hereto.

3. If you should decide not to locate the building on the so-called University Avenue site, you have the power under Section 2 of the act to acquire the Wabasha Street site. Said section provides:

"If the Commission shall decide to locate such building on lands in whole or in part not owned by the State and constituting a part of the State Capitol grounds but wholly or in part upon lands adjacent or contiguous thereto, as herein authorized, the Commission is hereby authorized to acquire such needed lands at a cost not to exceed \$150,000."

This section, following the provisions in Section 1, which I have heretofore quoted, amplifies the powers given in said Section 1, and authorizes your Commission, in the event that it should decide not to locate the building upon the University Avenue site, to acquire some other ground.

4. In locating the building you should, I feel, consider esthetics as well as utility. While from the standpoint of convenience and economy of operation, the weight of argument seems to be in favor of the University Avenue location, I am impelled to say that you would be justified in sacrificing in some measure the utilitarian values in order to secure a beautiful grouping of buildings in the Capitol ensemble.

5. I believe that every consideration should be shown the people of St. Paul in deciding the question of the location of this building. Although it is to be built by the State, with State money, for a State purpose, it should not be forgotten that the building is to be a part of St. Paul. The people of S. Paul have undertaken a program of public improvement with a purpose of beautifying the city, and their commendable civic pride should be encouraged by the State.

6. Many years ago, Cass Gilbert proposed a plan for a Capitol approach, which has won wide approval. Although the plan will perhaps not be carried out in its entirety unless the City of St. Paul shall undertake to build a mall which is to constitute a part thereof, it should be the policy of the State so to plan its Capitol surroundings as to fit into the Cass Gilbert plan when, and if, the city proceeds with its part of the plan.

The St. Paul Association and other organizations which have appeared before your body urge that if the office building were erected on Wabasha Street opposite the Historical Society Building, it would help to carry out the Cass Gilbert plan. Your Commission, on the other hand, has taken the position that such a building, erected within the appropriation and large enough to meet the requirements, would be of such size and character as to disturb the symmetry of the Capitol grouping.

Therefore, it seems to me that it would be well for your Commission at this time to consult Cass Gilbert, in order to get the benefit of his judgment as to whether for the erection of such an office building as the Legislature has provided for, the Wabasha Street site would be suitable.

Respectfully yours,

THEODORE CHRISTIANSON."

Attorney General's Opinion

EXHIBIT D

"September 4, 1929.

HON. THEODORE CHRISTIANSON, Governor.

Dear Sir:

You call attention to Laws 1929, chapter 309, relating to the erection of a state office building, and ask for an interpretation of it in two particulars, viz.:

May you as governor determine the size of the office building by limiting the number of departments to be quartered in it?

May the state building commission erect a building which, together with the state capitol, is inadequate to house all offices, boards, commissions and agencies of the state government?

Section 3 of the act reads in part as follows:

'The commission * * * shall design and construct such a building as shall be best suited and adapted to provide *necessary and proper space* and office facilities *in connection with the state capitol building* for all offices, boards, commissions and agencies of the state government, with needful passageways connecting with the capitol building, * * * the building to be of such size and character as may be necessary to meet the present and reasonably anticipated future needs of the state * * *.'

Section 6 imposes on the governor the duty to 'determine the particular departments, officers and agents of the state government to be assigned to the building to be erected hereunder.'

At the present time the departments and agencies of the state government are housed in the state capitol offices, in its halls and legislative rooms, in the old capitol building, and in several offices distant from the capitol. The requirement that the commission erect a building that will supply future as well present needs for the necessary and proper space, in connection with the state capitol, for *all* offices, boards, commissions and agencies of the state government, and to connect that building with the capitol by passageways, manifests a legislative intent that all state activities, other than those located elsewhere by statutory direction, shall be gathered together under one roof as it were.

Of course the commission will exercise its discretion how large a structure is needed for that purpose. It may not, however, arbitrarily restrict the size so as to preclude accommodating in the combined space afforded by the capitol and the office building any state agency or department, as for instance the department of rural credits or the department of labor and industries, now quartered in downtown office buildings.

Read in connection with section 3, the authority granted you by section 6 goes no farther than to permit you to determine which offices shall be housed in the capitol and which in the office building.

I am of the opinion that both your inquiries should be answered in the negative.

Yours respectfully,

G. A. YOUNGQUIST,

Attorney General."

Governor Christianson's Statement to Ramsey County Legislative Delegation

EXHIBIT E

As I am informed, you are here to urge upon me the location of the proposed office building on the so-called Wabasha Street site, instead of on the University Avenue site, upon which the Commission has decided to build it. In order that the issue may be clearly defined before we proceed to consider it, I want to make a statement at this time.

You are members of the Legislature which enacted the law which provides for the erection of this building. As such it was your duty and prerogative to determine by whom the site should be chosen. You might have placed the determination of the site in my hands. You did not do so.

You might have taken the responsibility of selecting the site yourself, by providing in the bill for its definite location. You did not choose to do so. When the bill came to me for my signature, I urged that it be recalled and amended so as to name the site. I stated that determining the location was a legislative function. The fact that you are here today as members of the Legislature to urge the location of the building on Wabasha Street is an acknowledgment that my contention was right.

When I objected to the bill on the two grounds, that it did not fix the location and did not set forth the character of building to be erected, whether it should be monumental or merely utilitarian, a group of citizens, which included members of the Ramsey County delegation of the Legislature and representatives of the St. Paul Association, informed me that all that St. Paul wanted was the erection of a building adequate for the proper conduct of the State's business and in convenient proximity to the State Capitol. Upon that representation and promise, and in reliance thereon, I signed the bill and it became a law.

Under the terms of the law it became my duty to appoint a commission of seven persons, who were by you given the sole power not only to erect the building but to fix the site thereof. You gave me no right either to review the decisions of the Commission or to veto them. My authority and responsibility ended absolutely when the members of the commission had been appointed. One function only was intrusted to me, namely, to determine which departments now located in the Capitol should remain there and which should be assigned place in the new office building. If you had intended that I should

have any further authority or responsibility you should have so provided in the law which you framed and passed.

I might have, notwithstanding the limitation on my authority, influenced the determination of the site of a building and its character, in one way, and in one way only. I might have ascertained in advance the attitude of the men whom I had under consideration for appointment on the question of location. This I did not do, as should be sufficiently evidenced by the fact that the men whom I appointed do not even now agree. I did not do it for three reasons:

1. It has always been my policy to appoint men in whom I had confidence and then leave them free to administer the duties of their respective offices according to their best judgment.

2. It would have been illogical to have required the members of the commission to have stated their decision with regard to the site before they had an opportunity to meet to consider the merits and demerits of the different possible sites.

3. I did not think it necessary to exact any promises as to the character and location of the building, because I had full faith in the pledge that the issue would not be raised.

When the Commission had after lengthy consideration decided to erect the building on University Avenue, it appeared the decision was not pleasing to certain organizations and individuals, among them some of those who had assured me that no issue would be raised. Nevertheless, after a hearing, I promised to ask the members of the Commission to give a further opportunity for those who opposed the site selected to be heard, and pending such a hearing, not to purchase any land or take any other step which would make it impossible to change the location which might be ultimately decided upon. The Commission acceded to any request and gave a rehearing and another opportunity was accorded for the presentation of facts and arguments offered in support of the Wabasha Street site.

In order further to make sure that the Commission would have the benefit of all proper and necessary advice, I urged that the opinion of Cass Gilbert be sought. This request was granted and the opinion of Cass Gilbert was secured.

It will be noted that I have taken every step to insure that the Commission gave everyone an opportunity to be heard, and that it avail itself of the advice and opinion of experts. I know that you will agree with me that I have gone as far as my jurisdiction extends. The decision must rest with the Commission, in whom and in whom alone, you have vested the power to act.

THEODORE CHRISTIANSON.

Estimates of Cost of Lands Adjoining Capitol Grounds

EXHIBIT F

For the information of the Legislature the Commission has secured estimates of the value of the following lands adjoining the Capitol grounds:

Tract 1—North half of block embracing University Avenue site (official appraisal \$65,500.00).....	\$ 75,000.00
Tract 2—Wabasha Street site—Whole of block including south six lots.....	215,000.00
Tract 3—Block 4 Brewster's Addition (Merriam Property) .	55,000.00
Tract 4—Valentine's Subdivision—Property in front of heating plant	80,750.00
Tract 5—Central Avenue Extension—Part of block between Central Avenue and Tilton Street.....	100,000.00
Tract 6—Block 4, Ewing and Choate's Addition South of Wabasha Street (Laundry).....	26,000.00
Tract 7—E $\frac{1}{2}$ Block 1, Whitney's Subdivision—On Park Ave. opposite University Avenue site.....	243,600.00

Expenses of Commission

SCHEDULE G

The following are the disbursements of the Commission to January 1, 1931:

Personal Service:

Draftsman and Reporter	\$264.00	
Making Survey of University Avenue Site Block	200.00	\$464.00

Miscellaneous Office Expense		100.44
Blue Prints and Abstracts		94.16
Expenses Cass Gilbert		89.99
Appraisal of half block, University Ave. site		175.00

Traveling Expenses:

Gustaf Widell	138.50	
R. W. Hitchcock	593.70	
S. T. McKnight	12.80	
Henry Rines	161.48	906.48

		1,830.07
Proceeds from sale of Certificates of Indebtedness	25,000.00	
Balance on hand		23,169.93

No payments have yet been made to the architect or engineers.

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