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THE MUNICIPAL
UNIVERSITY *of* AKRON

A HISTORY *of its*
ESTABLISHMENT

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of the
ESTABLISHMENT
of the
MUNICIPAL
UNIVERSITY *of* AKRON

Compiled by P. R. KOLBE

ISSUED BY
THE MUNICIPAL UNIVERSITY *of* AKRON, OHIO
1914

A History of the Establishment of the Municipal University of Akron

The nucleus for the Municipal University of Akron which began its official existence on January 1, 1914, was Buchtel College, an institution of higher learning founded under the joint auspices of an Akron citizen, John R. Buchtel, and of the Ohio Universalist Convention in the year 1870 (chartered May 31, 1870). The foundation of Buchtel College is described in the catalogue of that institution as follows:

"Buchtel College was founded in 1870 by the Ohio Universalist Convention and took its name from its most generous benefactor, Hon. J. R. Buchtel, who consecrated his life and wealth to its support. It was chartered by the Ohio Legislature in the same year as a College of Liberal Arts and letters, and first opened its doors for the admission of students, in September, 1872."

Statistics given in the catalogs of earlier years show that Buchtel at first drew her students largely from denominational sources. For example, the catalog of 1883 shows that out of a total of 314 students (including college and preparatory school), 120 professed to come from Universalist families. From a total of 246 in College and Academy, only 88 students—36% came from Akron. The rapid multiplication of educational institutions in all parts of the country gradually brought about at Buchtel, as well as elsewhere, a falling off in the number of foreign students and a corresponding increase in local attendance. This progressed to such a degree that the catalog of 1912-1913 shows the following figures (college exclusive of academy): total attendance, 175; from Akron 109=62%. A count of de-

nomination preference taken during the year 1913 shows the following:

No choice given	57	Disciple	8
Methodist	22	Presbyterian	6
Universalist	16	Baptist	3
Congregational	15	Christian	3
Episcopal	13	Jewish	2
Catholic	12	United Brethren	2
Reformed	11	Christian Science	1
Lutheran	9		
Total			180

While the character of the student body was thus gradually changing from a denominational to a local predominance, the financial condition of the institution was far from encouraging. Denominational support had almost entirely ceased during the last decade. At the same time the people of Akron had never come to look upon the college as entirely theirs, hence ample support from local sources was also denied. Meanwhile, the constant and steady increase in the number of local students rendered the necessary financing of the college budget a more and more difficult problem for the Trustees and the President to solve. A local campaign inaugurated by President Church in 1910 netted a total of about \$90,000 in cash and pledges. It was, however, a significant fact that the greater part of this amount was made up of nearly 2000 pledges and gifts of small sums from the wage earners of the city. This, together with an analysis of the student body, proved conclusively that Buchtel had become a largely local institution of a democratic nature furnishing for the average citizen of Akron the only means within his power for the education of his children.

The death of President Church on November 16, 1912, was a sad blow to the hopes which were still entertained of raising an endowment fund of \$300,000—hopes which were still further shattered by the depressed business and financial

conditions in the city following upon the strike and floods of 1913. In view of all these things the newly elected President, Dr. P. R. Kolbe, felt that the time had come for the city at large to assume the responsibility of maintaining an institution which was being conducted largely for the welfare of her own citizens. The provisions of the State Code sections 7902-7922 made such an undertaking possible and although the city was at that time badly hampered by the interior limitations of the Smith one per cent law, yet another recently enacted law exempted the municipal university tax (not to exceed 55 one-hundredths of a mill) from said restrictions and made the project feasible. At the same time, the splendid success of the University of Cincinnati proved beyond doubt the advantages to be gained from a municipally supported institution, offering free higher education to all citizens alike.

At a meeting of the Buchtel Trustees, held on April 14, 1913, President Kolbe laid before the Board a proposition to turn over to the City of Akron the entire plant and endowment of the college under certain conditions which had already been defined by the Executive Committee and which were submitted to the Board for its approval. The Board of Trustees consisted of the following men (those starred being present): *George W. Crouse, Jr., Akron; Arthur J. Saalfield, Akron; *Hon. Joseph Hidy, Cleveland; James Ford, Washington C. H.; Andrew H. Noah, Akron; *Wallace L. Carlton, Akron; F. H. Adams, Akron; *H. S. Firestone, Akron; *Rev. E. G. Mason, Muncie, Ind.; Rev. Lee S. McCollester, Boston, Mass.; *F. M. Cooke, Akron; *John R. Smith, Akron; *Dr. A. A. Kohler, Akron; A. H. Marks, Akron; *F. A. Seiberling, Akron; J. P. Loomis, Akron; Hermon A. Kelley, Cleveland; *Charles B. Raymond, Akron; R. A. Clark, Pittsburgh; Will Christy, Akron; Judge D. A. Doyle, Akron; *W. B. Baldwin, Akron; Dr. M. D. Stevenson, Akron; *F. W. Albrecht, Akron; *P. R. Kolbe, Akron.

Since the citizens of Akron had a short time previously selected a Commission for the purpose of writing a city

charter to be submitted to the electors of the city for approval or rejection, the offer of the Buchtel Trustees was addressed to the Charter Commission with the idea that it should be incorporated as a part of the new city charter. After considerable discussion on the part of the Board, a motion was made by F. A. Seiberling and seconded by Rev. E. G. Mason to the effect that the following offer be made to the City of Akron through its Charter Commission :

“To the Charter Commission of the City of Akron :

“Gentlemen:—During its existence of more than forty years, Buchtel College has performed a most important work in this community, and it should be looked upon as an institution to be permanently maintained among us. As an evidence that the college has a rightful and permanent place among our municipal institutions, we call attention to the fact that the attendance has trebled during the last decade, and that this increase is due largely to the increased attendance of local students. Unfortunately, the increase in our endowment has not kept pace with the increase in the attendance with the result that the present sources of income are insufficient to enable the college to carry on its work satisfactorily.

“Therefore, we, the Board of Trustees of Buchtel College, representing the corporation in its corporate capacity, do offer and propose hereby, to transfer, turn over and convey to the City of Akron, Ohio, the entire plant and endowment of Buchtel College and Academy on the terms and conditions hereinafter set forth. We will first pay and discharge all the present indebtedness of the college; and the residue set over to the city will have a value of about \$400,000, of which about \$150,000 will be in interest producing endowment, but subject to a few small annuities not exceeding the sum of \$1,845.65 per year, payable to certain donors during their lives, and further subject to the granting of certain free scholarship privileges as requested by the original donors of scholarship funds or their descendants. The college is now and has been for some years wholly free from all denomina-

tional or sectarian control and influence, and will be so turned over to the City of Akron.

"This offer is conditioned as follows :

"1. That the City of Akron will devote perpetually the plant and funds thus turned over to it, to the uses of a municipal college or university, to be called the College (or University) of the City of Akron, with the provision that in case of the development of several colleges, schools, or departments, the department of Liberal Arts shall retain the name of 'Buchtel College of Liberal Arts,' thus forming a department of a university in the same manner as Adelbert College forms a part of Western Reserve University, or as McMicken College forms a part of the University of Cincinnati.

"2. That the endowment fund turned over to the city shall be maintained as an endowment and not diverted from that purpose, and that only the income thereof shall be used for the support of the college or university.

"3. That if a Charter be adopted for the City of Akron, it will provide in adequate terms, for the maintenance of the college or university. The present laws on the subject relating to municipal colleges and universities as provided in section 7902 to 7922 of the General Code (as already successfully embodied and carried out by the University of Cincinnati) will be deemed adequate.

"4. The charter of the city shall provide for the government of the institution by a separate Board of Trustees to be chosen and perpetuated under city control in a manner to be determined by you, with a provision, however, that fitting representation on the Board of Trustees be assured to the present organization of the Alumni of the College.

"It may not be amiss to direct your attention to the following matters in the consideration of the foregoing proposition :

"1. As a municipal institution, and with very slight addition to the money which the city now expends for educational purposes, the college or university would offer to all qualified students of the City of Akron a college education with free tuition.

"2. The adoption of Buchtel College as a municipal institution will insure, on a permanent basis, the continuance of one of Akron's oldest and worthiest semi-public institutions.

"3. The identification of college with city interests can be turned directly to practical use for the city. A bureau of

city tests for the examination of all materials used by the city; a bureau of municipal reference for collecting and filing information required by municipal officers,—these and many other functions can be established and exercised by a municipal institution at great saving to the city.

"4. The natural growth of the city will soon inevitably demand a school where her young people can be trained at small expense in technical branches and in the learned professions;—the establishment of a municipal college or university upon the foundation of an already tested and recognized institution will provide a most excellent beginning for the development of a greater municipal university.

"The matter of the formation and adoption of a municipal charter being now before the people, we earnestly urge a serious consideration of this offer. We make it in the full belief that this very favorable opportunity for the foundation of a municipal university should not be neglected."

The motion was discussed and the following legal opinion rendered by Attorney J. C. Frank (extract from minutes of meeting):

"Attorney J. C. Frank stated that he has gone over in detail the conditions of the various gifts of the funds now in the possession of the college and that he finds nothing in any of them to prevent the college trustees from carrying into effect the terms of the foregoing proposal, nor is there anything in any deeds of real estate given to the college to prevent such action—further, the laws of the state give the trustees power to make such a transfer of its trust and empower the city to receive it." Mr. Seiberling's motion, being now brought to vote, was unanimously carried.

The offer of the Buchtel Trustees was immediately made public through the press of the city and on April 15, 1913, was formally presented to the Charter Commission. The members of the Commission were: R. A. Myers, Walter Kirn, Louis Loeb, George P. Atwater, John W. Gauthier, E. E. Zesiger, George Maag, S. G. Rogers, Judge Doyle, I. S. Myers, C. F. Beery, M. O'Neil, D. S. Bowman, D. C. Rybolt and O. E. Olin.

The commission, while almost unanimously favorable to the acceptance of the offer, was somewhat in doubt regarding the following points :

(a) Had the Charter Commission the right to incorporate a specific proposal of this nature in the Charter or only the right to provide organic law for the government of a municipal university, if one were established?

(b) In how far was it desirable to unite two such separate issues as the acceptance of a city charter and the establishment of a municipal university?

(c) Had the commission the right to make any provisions for the government of a municipal university other than those of the State Code?

After a consideration of the matter which extended over a period of several weeks, it was finally deemed best to refer the matter with a favorable recommendation to the Akron City Council. Accordingly the committee of the Charter Commission (Olin, Doyle, I. S. Myers) on May 14 were instructed to communicate with the Council. The following letter resulted :

"We, the Charter Commission of the City of Akron, do most heartily endorse the project of a municipal university and recommend to our fellow citizens the acceptance of the offer of the Trustees of Buchtel College. We feel that the passage of a measure of such importance should not be dependent on the passage of the proposed city charter and that two such widely divergent subjects should be separately approved or rejected by the people. Since we are not empowered by law to propose any measure to be voted on separately and independently of the charter, we do, therefore, in order to secure immediate consideration for the offer of the Buchtel Trustees, recommend to the Council of the City of Akron either :

1. That they accept the offer of the Trustees of Buchtel College by ordinance as provided by the State Code and provide at once for the support of the municipal university (the citizens having, of course, the right of referendum on this action) or

2. That they provide for the submitting of the Buchtel offer to the vote of the people."

Meanwhile, in order to provide for the future of the municipal university in case of the acceptance of the charter, the following provision was introduced into said charter* as section 64.

"Section 64. Municipal College or University. The power to establish, govern, conduct and control a municipal college or university may be exercised in the manner provided in this section. Such institution may be established by ordinance passed by the council, or by ordinance proposed by initiative petition as provided in this charter and approved by a majority of the electors of the city voting upon the same. If such institution shall be established, the ordinance establishing the same shall provide that the same shall be governed, conducted and controlled by a board of nine directors, consisting of the president of the institution, who shall be ex-officio a director thereof, and eight electors of the city appointed by the mayor, two thereof for a term of two years, two thereof for a term of four years, two thereof for a term of six years, and two thereof for a term of eight years. Thereafter, as the terms of directors expire, the mayor shall appoint successors to such directors for terms of eight years each, and shall fill all vacancies in said board. Such directors shall serve without compensation, and shall have all the powers and perform all the duties conferred or required by law in the government of such institution and the execution of any trust with respect thereto imposed upon such institution. The ordinance establishing such institution shall prescribe the terms and conditions of acceptance of any gift or grant of buildings, lands, securities, endowment funds, and other property of whatsoever nature that may be made to the city or to the board of directors of such institution for the purpose of establishing, supporting and equipping such institution. Any ordinance of the nature mentioned in this

*The charter was defeated on August 28 by the close margin of 91 votes.

section that may be passed by the council shall be subject to the referendum provided in this charter."

In order to show continued interest in the municipal university project and to aid the work of the city council, the chairman of the Charter Commission on May 21, at the instruction of the Commissioners appointed a committee of six citizens to answer four questions regarding the establishment of a municipal university. These citizens who were chosen for their experience in municipal affairs were: James Shaw, Chairman Finance Committee of the City Council; Albert C. Esch, Socialist member of City Council; James McCausland, City Auditor; J. Edward Good, President Akron Chamber of Commerce; John C. Moore, County Auditor; Ed. S. Shatzer, member Central Labor Union.

The following are the four questions which the Citizens' Committee was asked to consider:

1. Can the proposed levy for the municipal university be incorporated in the tax duplicate under present tax laws (beginning in 1914) without taking needed funds from the city departments or the Board of Education?

2. Is the expense of maintaining a municipal university likely to prove a burden to the city in coming years?

3. What will be the maximum cost to the taxpayer of maintaining a city university?

4. What advantages can the city hope to receive from a municipal university in the matter of co-operation with the city departments?

The Citizens' Committee, who felt that the final decision of the whole matter would probably be made in accordance with their report, spent two months in careful consideration of the whole situation. Numerous meetings were held and the entire condition of the city's finances was reviewed. The result showed that while the municipality was carrying a heavy bonded indebtedness and would have great difficulty in raising sufficient money by taxation for the running expenses of 1914, yet this condition was due solely to the internal limitation of the Smith one per cent tax law, which made the maximum sum of all taxes, which could be raised within the city, so small as seriously to hamper every depart-

ment. However, by a recent enactment of the State Legislature, the Gregory law allowed the university levy to be over and above the interior limitations of the Smith law, hence, money might be levied for university purposes, and for university purposes alone, in excess of the regular levy without any effect whatsoever on other city departments. Therefore, the committee, after due deliberation, returned the following answer to the Charter Commission, the Council having meanwhile delayed action, awaiting the report of the committee:

To the Akron Charter Commission:

Gentlemen:—In your letter of May 22d to Mr. James Shaw, chairman of the Finance Committee of the City Council, you stated that, by resolution, you had authorized the appointment of a committee of six citizens to investigate and report on certain questions relating to the establishment and maintenance of a municipal university. The following are the questions:

1. Can the proposed levy for the municipal university be incorporated in the tax duplicate under the present tax laws (beginning in 1914) without taking needed funds from the city departments or the Board of Education?
2. Is the expense of maintaining a municipal university likely to prove a burden to the city in coming years?
3. What will be the maximum cost to the taxpayer of maintaining a city university?
4. What advantages can the city hope to receive from a municipal university in the matter of co-operation with the city departments?

After mature and careful investigation and deliberation, we are pleased to report to you as follows:

1. There is a state law which permits a levy of fifty-five one-hundredths of a mill for municipal university purposes only. Money thus raised cannot be used for any other purposes. Therefore, the proposed levy can be incorporated.
2. We believe that money expended for education is the best investment which any community can make—therefore should not be considered a burden.
3. The maximum cost to the taxpayer of maintaining a city university cannot exceed fifty-five one-hundredths of a

mill—which means fifty-five cents for a thousand dollars appraised property valuation.

4. The advantages which a city can hope to derive from a municipal university are almost unlimited. Based on the experience of the University of Cincinnati, we cite a few advantages as follows:

a. The University professors do all the chemical and microscopic work for the City Hospital, having charge of its laboratory.

b. The University does all the analyzing and testing for the Engineering, the Purchasing and other departments of the city.

c. The University co-operates with the City Engineers Department. The students serve there as assistants under the co-operative system, working part of the time on city work and studying part of the time at the University.

d. The professors in the Engineering College serve as experts in connection with Water Works problems, Street Car problems, and Telephone problems. The Dean of the College was recently appointed chairman of the Board of Arbitration between the Street Car men and the Company.

e. The Academic Department trains new teachers for the city schools and gives classes afternoons and Saturdays for the present teachers. In six years the University has supplied 189 new teachers and taught 643 old ones. The Faculty of the Teachers' College acts as an expert Board of Advisors for the Board of Education whenever called upon.

f. The Department of Psychology spends much time in testing backward and defective pupils in the City Public Schools. This has led to the establishment of a small special school for defectives—a kind of educational hospital—which does splendid work in saving children from being turned down as idiots and incompetents.

g. The Department of Political Science maintains a Municipal Reference Library, an office conducted by the University at the City Hall, to collect information about all sorts of municipal affairs and city problems and supply that information to the committees of the council or city officials.

h. Other departments co-operate in matters of taxation, census taking, collection of historical information, civil service examinations, etc.

As a result of our investigation, extending over two months' time, we unanimously recommend that the Akron City Council be requested to accept Buchtel College as the

nucleus for a Municipal University, for the benefit of Akron, or provide for submitting the question of accepting this offer to the electors of the City of Akron.

JAMES SHAW, *Chairman*.
ALBERT C. ESCH,
JAMES MCCAUSLAND,
J. EDWARD GOOD,
JOHN C. MOORE,
ED. S. SHATZER.

The effect of this report was to remove the last shreds of doubt which might still have existed in the City Council concerning the possibility of accepting the offer. Two courses now apparently lay open: either to accept the offer of the Buchtel Trustees by ordinance and establish a municipal university, or to ask for an expression from the voters of the city at the coming primary election. The Council deemed it prudent to follow the latter course and accordingly on July 28, 1913, under suspension of rules, passed the following ordinance:

Resolution No. 3995 to provide for the submission to the vote of the electors of the question, "Shall Buchtel College be accepted by the City of Akron?"

Whereas, The Board of Trustees of Buchtel College, representing the corporation in its corporate capacity, has offered to transfer, turn over and convey to the City of Akron for use as a municipal college or university the entire plant and endowment of Buchtel College and the Academy, and

Whereas, The Council of the City of Akron desires to be advised by the electors of the city as to their wishes in the matter of accepting said gift for such use, and

Whereas, It is the intention of the Council to accept said property for such use provided a majority of the electors voting thereon are in favor thereof*, now therefore,

*Objection was raised to this paragraph by Mr. Whittemore on the ground that the council should not yet so definitely commit itself to any line of action. The paragraph was therefore stricken out.

Be it Resolved, By the Council of the City of Akron, State of Ohio.

SECTION 1. That the question, "Shall Buchtel College be accepted by the City of Akron?" be and it is hereby ordered to be submitted to the vote of the qualified electors of the City of Akron, at the primary election to be held on Tuesday, September 2, 1913, at the regular places of voting at general elections of said City, between the hours of 5:30 A. M. and 5:30 P. M.

SEC. 2. That the question provided by Section 1 of this resolution to be submitted, shall be printed upon ballots and shall be submitted in the following form, "Shall Buchtel College be accepted by the City of Akron?" that immediately below the said question the word "Yes" and the word "No" shall be printed in separate spaces upon said ballot with enclosed blank spaces to the left of each word "Yes" and "No," and those who are in favor of the acceptance of the said College shall place a cross mark before the word "Yes" and those who are opposed to the acceptance of the said College shall place a cross mark before the word "No."

SEC. 3. The ballots and ballot boxes for the said election shall be provided and the votes counted and returned and the election conducted in the manner provided by law for the conduct and control of general municipal elections.

SEC. 4. That the clerk of the council be and he is hereby ordered to transmit to the Board of Deputy State Supervisors of Elections of Summit County within three days after the passage thereof a certified copy of this resolution.

SEC. 5. This resolution shall take effect and be in force from and after its passage.

Passed July 28, 1913.

IRA A. PRIEST,
Clerk of Council.

GEORGE C. JACKSON,
President of Council.

Approved July 29, 1913.

FRANK W. ROCKWELL, Mayor.

The Board of Elections, upon passage of the above ordinance, immediately questioned its legality and referred the matter to Secretary of State Graves at Columbus for decision. Secretary Graves within a short time rendered an adverse decision, holding that the ordinance was illegal, since it would necessitate expenditure of money by the Board of Elections. Such expenditure, he pointed out, could be

legally made only on initiative petition of a sufficient number of voters of the city.

The City Council now found itself face to face with the necessity either of accepting the Buchtel offer by ordinance or of finally rejecting it. The Council at this time was composed of the following members: President George Jackson, Councilmen Vance, Shaw, Stauffer, Hower, Esch, Moewe, Akers, Weld, Whittemore, Jeffers and Cranz. At a regular meeting held on August 25, 1913, Councilman Cranz presented the following ordinance: (This ordinance contains the text of the new offer to the City Council authorized by the Executive Committee of the Buchtel Trustees on August 15, 1913.)

Ordinance No. 4050, accepting the offer of the Trustees of Buchtel College to transfer and convey the entire property, assets and endowments of said college to the City of Akron for a municipal university.

Whereas, the Board of Trustees of Buchtel College has made an offer to the Council of the City of Akron to transfer, turn over and convey to the City of Akron the entire property and plant and endowment of Buchtel College and Academy for the purposes and upon the conditions named in said offer, which is as follows:

To the City Council of the City of Akron:

Gentlemen:—The Board of Trustees of Buchtel College, representing the corporation in its corporate capacity, does hereby offer and propose to transfer, turn over and convey to the City of Akron, the entire property, plant and endowment of Buchtel College and Academy, for the purposes and on the conditions following, viz:

First. That the City of Akron will devote perpetually the funds and plant thus turned over to it, to the uses of a municipal college or university to be called the College (or University) of Akron, with the understanding, that in case of the development of several colleges, schools or departments, the department of Liberal Arts shall retain the name of "Buchtel College of Liberal Arts."

Second. That the city will provide for the maintenance and growth of the institution within such limits as may be provided for by law.

Third. That the government of the institution shall be under the control of a separate board of trustees to be chosen and perpetuated by municipal authority in such manner as may be now or hereafter provided by law, with a provision, however, if the law permit, that fitting representation on the board of trustees be assured to the alumni.

A detailed schedule of the present property and assets of Buchtel College is herewith submitted. It will be observed that the property is subject to certain annuities aggregating the sum of \$1,845.65 annually, as shown in Schedule H; and that the College has certain outstanding Scholarships as shown in Schedule I. All other encumbrances, and all outstanding obligations of the College will be discharged by the present Board of Trustees from such of the personal property scheduled as may be first available, so that the net residue will come to the City free of debt and unencumbered save as to the annuities and scholarships aforesaid.

Akron, Ohio, August 20, 1913.

THE BOARD OF TRUSTEES OF BUCHTEL COLLEGE,

by Parke R. Kolbe, President.

And Whereas, said Board of Trustees of Buchtel College has submitted with the aforesaid offer a detailed schedule of the property and assets of Buchtel College, and

Whereas, Council of the City of Akron is desirous of accepting the said offer upon the terms and conditions named therein for the purpose of establishing and maintaining a municipal university to be known by the name of the University of Akron, now therefore,

Be it ordained by the Council of the City of Akron, State of Ohio, two-thirds of all the members elected thereto concurring:

SECTION 1. That the said offer of the Trustees of Buchtel College to transfer, turn over and convey to the City of Akron the entire property, plant and endowment of Buchtel College as shown by the schedule attached to and made a part of said offer, be and the same hereby is accepted upon the terms and conditions named in the said offer.

