

Irregularities

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University of Kentucky,
April , 1919.

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Minutes Of Board Of Trustees

April 1, 1919

Minutes of the Meeting of the Board of Trustees,
University of Kentucky, for the regular quarterly meeting,
April 1, 1919.

The Board of Trustees of the University of Kentucky met in regular quarterly session in the President's office at the University at 11:00 o'clock, a. m., Tuesday, April 1, 1919. The following members were present: Richard C. Stoll, V. O. Gilbert, J. M. Elliston, A. G. Gordon, P. P. Johnston, Jr. and Frank McKee. President Frank L. McVey and Wellington Patrick, Secretary of the Board, were also present. The meeting was called to order by Mr. Stoll. The minutes of the meeting of the Board of Trustees for the December meeting were read and adopted after a few minor corrections. The minutes of the Executive Committee since the last meeting of the Board were read and adopted as corrected.

(1) The following communication was read from Honorable Wood G. Dunlap, Commissioner of Public Property of the City of Lexington, with reference to Scovell Park:

City of Lexington, Kentucky.
Board of Commissioners.

March 17, 1919.

President F. L. McVey,
University of Kentucky,
Lexington, Kentucky.

Dear Sir:

I hand you herewith a copy of a resolution passed by the Board of Commissioners last Friday.

The verbiage is somewhat confusing, as I seriously question our authority to give away city property, but the idea we meant to convey was our willingness to cooperate with you at any and all times and we will gladly turn the use of this property over to you so that Mr. Olmsted may proceed to beautify it whenever he so desires. In other words let him include it in his landscape scheme, just as though it was a part of the campus.

With kindest regards and best wishes from all of us, I beg leave to subscribe myself.

Very sincerely,

Wood G. Dunlap,

Commissioner of Public Property.

The resolution referred to in the above communication reads as follows:

"The question of whether or not Scovell Park should be sold and the proceeds invested in other and more desirable park property has been thoroly threshed out during the past six weeks.

"Petitions, pro and con, have been filed, public hearings, pro and con, have been held. The press has aired the matter from every viewpoint.

"There is no difference of opinion that, from a purely business viewpoint the park should be sold, but recognizing the splendid work that has been and is being done by President McVey and his associates in building up the great educational institution known as the University of Kentucky, and realizing further, for the first time that this park has been taken into consideration in the landscape plans for the future, I cannot recommend its sale.

"In order to show our good feeling toward the University, with the approval of the Board of Commissioners, I will also recommend that the City of Lexington donate this park, in perpetuity to the University, to do with as they may choose, beautify in any way they may desire, as soon as they please, reserving the right to put in playground apparatus for the children when the park is completed to such an extent that it would be practical so to do.

"If these recommendations meet with the approval of the commissioners, and if the University agrees to accept this gift, the city reserves the right to continue to use the park as a dumping ground at no expense to the University and will fill it as rapidly as possible."

After discussion, a motion was made, seconded, and unanimously adopted, authorizing President McVey to send the following communication to Commissioner Dunlap, accepting the property on behalf of the University, and leaving the details of the transfer to the disposal of the Executive Committee at future meetings:

April 1, 1919

Honorable Wood G. Dunlap,
Lexington, Kentucky.

My dear Mr. Dunlap:

I have been requested by the Board of Trustees to acknowledge receipt of your letter regarding Scovell Park and to express at the same time the appreciation of that body for the courtesy and kindness of the City Commission of Lexington. The Board of Trustees further feels that in making the suggestion, which your honorable body did regarding Scovell Park, they were acting in a high minded way on a rather difficult problem, and the solution of it as suggested in your letter meets with their approval. I am, therefore, instructed to say that the University of Kentucky will be pleased to accept the gift of Scovell Park in perpetuity, or, if there is any doubt upon the ability of the

Commission to make a transfer by gift, to purchase the property at a nominal price. This price would mean the payment of a small sum of money and the increased responsibility of the University of Kentucky to continue its work and organization in the City of Lexington.

May I further state that the appreciation of your body for the growing importance of the University and the added value of its existence in the city as a factor in its development are looked upon by the Board with pleasure and appreciation. If the arrangement to transfer this property to the University by gift, purchase or lease is satisfactory to your honorable body, the University will be glad to take up the details with your Board relative to the transfer of the property and the conditions upon which the transfer is to be made.

With best wishes and appreciation of your work, I remain

Sincerely yours,

Frank L. McVey,

President.

(2) President McVey reported to the Board that he had considered the matter of a school of pharmacy and wished to defer the matter until next year when he would know better about the available funds for the purpose and also know more definitely the part which the University will take in health matters of the State.

(3) The matter of a memorial building discussed at a previous meeting of the Executive Committee was presented and discussed at length by members of the Board. The idea of a State memorial building was advanced and discussed by members of the Board, the point being made that the University would be an appropriate place for such a building. It was suggested by Mr. Frank McKee that the various counties might contribute to a fund and have placed in the building tablets bearing the names of the men who have lost their lives in the Great War, with a separate tablet for each county in the State. The Board received the proposition favorably, and directed the President to prepare data and plans and report at some future meeting.

(4) The matter of fraternity houses on the University campus considered at a previous meeting was taken up and discussed. President McVey suggested to the Board that it would be necessary to impose certain restrictions. He stated that such houses, if located on the campus, should be properly sponsored; should have the endorsement of their grand chapters; and should abide by the regulations laid down by the University with respect to care of property, management of houses, type of architecture in buildings, financial relationships with banking institutions, and such other conditions as the University might see fit to impose. A motion was made, seconded, and unanimously adopted authorizing the President to inform fraternities that might apply for building sites on the campus that the University will provide suitable sites under such regulations as the Board may impose.

(5) The rules for the nomination of Alumni members of the Board of Trustees discussed at a meeting of the Executive Committee on March 26, were presented, and with a few changes, adopted as follows:

Under the provisions of the act of the General Assembly of Kentucky known as House Bill No. 173, January 24, 1918, three members of the Board of Trustees shall be appointed by the Governor from the Alumni of the University, the term of office being for six (6) years. One of these is to be appointed biennially and from three Alumni members nominated to the Governor by the Alumni of the University.

The act further provides that the Board of Trustees of the University shall prescribe the method by which the Alumni of the University shall make the nomination to the Governor of the three persons from whom the Alumni members of the Board of Trustees shall be appointed. The following are the rules prescribed by the Board of Trustees:

(1) Nominating ballots shall be mailed to each person entitled to vote not later than July 1. Each person entitled to vote shall have the right to nominate three persons for members of the Board of Trustees.

(2) The ballots shall be mailed to the Secretary of the Board in an envelope furnished for such purpose.

(3) No person shall receive a duplicate nomination or election ballot unless upon satisfactory representation to the Secretary of the Board that his ballot has either been lost or destroyed. No person shall be permitted to vote otherwise than by ballot.

(4) All nominating ballots shall be cast by noon of the day previous to the regular meeting of the Board of Trustees, but not in any case later than noon of September 15, and at noon said date the said ballot shall be opened by the Secretary in the presence of the Executive Committee and of such other persons as desire to be present at the opening of said ballots, and the ballots shall be opened in the room at the University set apart for the use of the Board of Trustees of the University.

(5) The names of six persons receiving the highest number of votes for nomination shall be placed upon the election ballots, and no other persons shall be voted for. In case two or more persons shall receive an equality of votes, the Secretary of the Board shall determine by lot the person who shall be the nominee.

(6) The election ballot shall be mailed to each person entitled to vote on or before October 1.

(7) The names of the candidates shall be arranged on said ballots alphabetically, and opposite the name of each candidate shall be a square, and the vote shall be cast by making a cross in the square opposite the names of the persons to be voted for, and shall be placed in the proper envelopes and mailed or delivered to the Secretary of the Board.

(8) With the election ballot, the Secretary of the Board shall mail a short biography of each candidate, which biography shall contain, among other things, the date of the candidate's birth, the date of his graduation, the degree which he has received, his present and past occupations, and any public service which he has rendered.

(9) Other than the short biography above mentioned, and these rules mentioned in paragraph 16, no other matter shall be mailed by the University to those entitled to a vote except the nomination and election ballots and the envelopes in which the ballots are to be returned to the Secretary of the Board.

(10) No person shall be permitted to vote in the election except by ballot.

(11) The election ballots shall be cast by noon of the day preceding the December meeting of the Board of Trustees, and no ballot cast after noon of said date shall be counted.

(12) The election ballots shall be publicly opened at the University in the room set apart for the Board of Trustees, by the Secretary of the Board in the presence of the Executive Committee of the University and such other persons as may desire to be present.

(13) The three persons receiving the highest number of votes shall be nominated.

(14) The Secretary of the Board shall certify to the Governor of the Commonwealth of Kentucky, the names of those who have been so nominated from which the Governor may make appointment in accordance with the law.

(15) All ballots shall be mailed to those entitled to vote to their address as appears from the books of the University and with said ballots there shall be mailed envelopes upon which shall be printed "Ballots for Nomination of Alumni Members to the Board of Trustees", or "Ballot for Election of Alumni Members to the Board of Trustees" as the case may be, which said envelopes, shall be placed in another envelope, on the outside of which shall appear the name of the person casting the ballot with the date of receiving his degree.

(16) These rules and regulations shall be printed and a copy sent to each person entitled to a vote when his ballots are mailed to him.

(6) The question of uniforms considered in paragraph 13 of the minutes of the Executive Committee of March 26, 1919 was taken up and discussed and a motion was passed directing the Business Agent to reimburse students for receipts held on such uniforms.

(7) President McVey was then called upon for whatever report he might have to make and the following brief report was presented:

Gentlemen of the Board of Trustees: I have to present to you to-day only a brief statement touching a few points, as follows:

Financial situation. The University will have a deficit of approximately \$65,000 below what was estimated in the budget adopted last July. This is due to the failure to receive taxes on the estimated assessment suggested by the chairman of the Tax Commission a year ago. Next year we shall probably receive the full amount as the assessment will probably run to two billion dollars. We have received from the State Treasury \$265,000, leaving us \$75,000 short of the amount set forth in the budget. We shall probably get \$15,000 more. In any event, we shall not receive all told more than \$290,000 thus leaving the deficit at \$55,000. We have liquidated the indebtedness of the University existing at the beginning of the scholastic year, but at the end of the year we shall have this new deficit of \$55,000 to \$65,000 in addition to the amount the University owes to the George Peabody Fund. In making up the budget for next year, we shall probably be able to take care of the deficit and have perhaps \$45,000 for repairs of buildings. In general, this is all that I have to say regarding the financial situation at the present time.

Attendance. The Attendance at the University is now about 800. The attendance for the year up to the present time has been about 1,400. It is difficult to say, but had we not been confronted with the war situation, it is probable that the attendance for the year would have been considerably higher.

Changes in the Experiment Station. Since the last meeting of the Board three persons have resigned from the staff of the Experiment Station. Mrs. Helen B. Wolcott, State Home Demonstration Agent has resigned. Dr. R.L. Pontius recently resigned to accept a position with a Philadelphia firm. Dr. Fred Mutchler resigned to accept a position as state agent in Kentucky for D. C. Heath and Company of New York and Chicago. The resignations were accepted by the Executive Committee. The work done by Dr. Mutchler was arranged for by designating Dean Thomas P. Cooper, director of extension, and by making Mr. Thompson Bryant and Mr. Geoffrey Morgan assistant directors.

Disabled soldiers. The University has entered into contracts with the Federal Board for Vocational Education for the training of a number of disabled soldiers. So far we have signed contracts for seven men, and it is possible that by the opening of school next September we shall have sixty or seventy men with us. Contracts are signed with the Government for the payment of their tuition to the University, the men taking care of themselves and the Government reimbursing them for their expenses.

Building. Building matters are practically completed with the exception of work on the Old Dormitory on which we expect to begin in June. Work on this building was suspended when the funds ran short. The reconstruction of roads and walks will be taken up soon and the campus again put into condition.

Dean of Women. After careful investigation, I have to recommend to the Board the name of Miss Josephine P. Simrall for appointment as Dean of Women, at a salary of \$2,000 a year -- the same salary as has been paid to the dean of women -- Miss Simrall to report for duty at the beginning of next semester in September. As a matter of record, I may make the following statement as to her qualifications:

Miss Simrall is at present dean of women at Sweet Briar College, Sweet Briar, Virginia, and also head of the department of psychology there. She is a graduate of Wellesley, and has done graduate work at the University of Cincinnati and at Johns Hopkins University. She is a native of Kentucky and has lived in Kentucky all her life until the last few years. She is widely related in Lexington.

In recommending Miss Simrall to President McVey, President Emilie W. McVea of Sweet Briar College said, "Miss Simrall is an excellent teacher, has unusual executive and administrative ability, and much social accustomness. I consider her in every way qualified to fill the position, but I am not going to tell you anything more about her because I don't want you to have her".

Chancellor Frank W. Chandler of the University of Cincinnati, in speaking of Miss Simrall said, "Miss Simrall is possessed of marked literary talent. She was active in this community in the work of women's organizations as well as socially, and during her residence at Sweet Briar she has done much in an executive way to assist the president in developing that college. She is sympathetic and gentle in manner, but by no means lacking in force."

A motion was made, seconded and unanimously adopted approving the recommendation of the President.

(8) The matter of a bond for the trustee of the George Peabody Fund was taken up and discussed and the following action taken with respect thereto: The Chairman of the Executive Committee and the Secretary of the Board of Trustees were authorized to sign a new agreement with the trustee of the George Peabody Fund (namely, the Phoenix and Third Trust Company of Lexington, Kentucky,) as of November 1, 1918, omitting from the agreement that paragraph which requires it to furnish a separate bond, the said agreement to be in the following form:

¹ THIS AGREEMENT made and entered into this 1st day of November, 1918, by and between the University of Kentucky (hereinafter sometimes called "the University"), party of the first part, and the Phoenix and Third Trust Company as Trustee, of Lexington, Kentucky, (hereinafter sometimes called "Trustee",) party of the second part,

WITNESSETH: That, whereas, the Trustees of the Peabody Fund gave to the University of Kentucky the sum of Forty Thousand (\$40,000) dollars as an endowment, to be known as the George Peabody Endowment, the income of which is to be used by the University for the maintenance of the school of education; and whereas the Phoenix and Third Trust Company has been elected by the University as Trustee of such fund,

NOW THEREFORE THIS AGREEMENT WITNESSETH:

I. The Trustee has, with the approval of the University of Kentucky, invested the George Peabody Endowment, amounting to forty thousand (\$40,000) dollars, in Liberty Bonds of the Fourth Loan of the United States, and the Trustee now holds said bonds.

II. The Trustee agrees to register these bonds in its name as Trustee of the George Peabody Endowment to the University of Kentucky.

III. The Trustee agrees to pay to the University the income from this trust fund, when and as received, for the use of the University in maintaining its school of education, and the University agrees annually so to supplement the said income from said trust fund that the aggregate amount expended upon the school of education shall be at least ten thousand (\$10,000) dollars.

IV. The Trustee shall, at the direction of the University of Kentucky, change the investment of said trust fund from time to time, and such reinvestment or reinvestments shall be held by the Trustee upon the same terms and conditions as herein provided.

V. The University of Kentucky shall have the right at any time to change the Trustee hereunder, and if it should select a new Trustee of the George Peabody Endowment, the Trustee hereunder agrees to turn over said fund and any accumulations thereof, upon demand, to such new Trustee.

VI. This agreement is executed in duplicate, each copy to have the force and effect of an original.

IN WITNESS WHEREOF, the University of Kentucky has hereunto set its hand by Richard C. Stoll, Chairman of the Executive Committee, and has caused his act to be attested and its corporate seal to be affixed by Wellington Patrick, its Secretary, and the Phoenix and Third Trust Company has hereunto set its hand by W. A. McDowell, its President, and has caused his act to be attested and its corporate seal to be affixed by John R. Downing, its Secretary, at Lexington,

Kentucky, the day and date first above written.

UNIVERSITY OF KENTUCKY

Seal

by Richard C. Stoll,

Attest

Chairman, Executive Committee.

Wellington Patrick,

Secretary.

PHOENIX AND THIRD TRUST COMPANY

Seal

By W. A. McDowell,

Attest

President.

John R. Downing.

(9) An opinion of A. H. Morris, Attorney General for the State of Kentucky, in the matter of the annuity of Dr. James K. Patterson, which has heretofore been made a part of the minutes of the Executive Committee, (see report of minutes of the Executive Committee for February 19, 1919) was read and discussed by the Board and the following motion was offered, seconded, and unanimously adopted: That the University of Kentucky shall pay to Dr. James K. Patterson the sum of \$2,700 as advised by the Attorney General in his opinion of January 30, 1919, which opinion has heretofore been made a matter of record in these minutes; that before any such payment shall be made, Doctor Patterson shall sign and deliver in full a receipt to the University, the receipt to be prepared by the Business Agent of the University in conformity with the motion herein set forth; that this payment shall liquidate all indebtedness that Doctor Patterson has against the University arising out of the contract referred to in the aforesaid opinion with the exception of permitting him to remain as a tenant in the house which he now occupies on the University campus.

There being no other business to come before the Board after motion duly made, the chairman declared the Board adjourned.

Respectfully submitted,

Wellington Patrick

Secretary of the Board.