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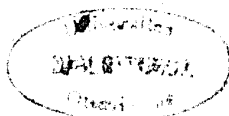


BIRTH AND DEVELOPMENT OF THE
SALMON P. CHASE COLLEGE, SCHOOL OF LAW
~~AND THE STRUCTURAL ORGANIZATION OF THE CHCA~~

by Raymond Paul Hutchens

Thesis presented to the School of
Psychology and Education of the
University of Ottawa as partial
fulfillment of the requirements for
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Cincinnati, Ohio, 1960



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CURRICULUM STUDIORUM

Raymond Paul Hutchens was born January 29, 1913, in Warren County, Ohio. He received the degree of Bachelor of Science in Education from Wilmington College, Wilmington, Ohio, in 1936. He received the degree of Master of Arts from Miami University, Oxford, Ohio, in 1942. He received the degree of Bachelor of Laws from the Salmon P. Chase College, School of Law in 1948. The title of his Master's thesis was: Kentuckians in Hamilton: A Study of Southern Migrants in an Industrial City.

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INTRODUCTION

This study will point out the problems encountered in the establishment and operation of a law school under the auspices of the Cincinnati and Hamilton County Young Men's Christian Association. Five distinct phases of the school's development may be seen in the years from 1893 to 1951. These phases are found to bear a marked relationship to the shifting structural organization and administration of the YMCA during this period.

The facts, as reported here, will support the contention that the incompatibility of attitude and purpose existing between persons charged with the responsibility of operating the YMCA, and those engaged in the educational work sponsored by the Association, has affected the evolution of the law school.

This study will reveal that much of the conflict between personalities concerned with the school and those of the sponsoring organization stems from the fact that the educational endeavors were considered primarily as a business venture operated by the YMCA to provide financial subsidy for other activities of the Association. It will further disclose the fact that the YMCA officials were reluctant to grant sufficient authority to those directly charged with the responsibility of administering the

educational program to comply with accepted educational standards. Furthermore, it is evident that the YMCA officials refused to permit the law school to retain and apply the financial surpluses, which it acquired, for the purpose of improving the educational objectives of the school.

A careful selection of sources of information has been made by the author from the official minutes and documents of the YMCA Board of Directors, college bulletins, catalogues, yearbooks, announcements, minutes of committees, and official correspondence. Financial records from the Office of the YMCA Controller and the College Business Office have been cited in this work. Rules and Regulations of those agencies and organizations concerned with educational standards, such as the State Department of Education, the Department of State, the Ohio Supreme Court, the League of Ohio Law Schools, the State and National Bar Associations, have been of importance in this study. Unpublished manuscripts prepared by professional YMCA Secretaries and published writings prepared under the direction of the local YMCA Board of Directors also serve as references. The memoirs of Robert M. Ochiltree, The YMCA Night Law School, provided much valuable information recorded in no other source.

In most instances, controversial problems were resolved in informal meetings. The author believes that

these unrecorded events contributed greatly to a meaningful understanding of the factors affecting the establishment and development of the law school. Personal interviews were arranged with those individuals who were directly associated with the YMCA and its educational program and who actively participated in many of these meetings. Tape recordings were made during these interviews and have been placed in the Chase College vault for safekeeping.

In crediting the gracious assistance of so many, the author particularly notes those persons who have given so much of their time and energy in recorded interviews. Without the cooperation and contributions of the following named men, this study would have been impossible.

Ralph E. Clark has continuously served the YMCA and its educational program in many capacities since 1933. All of his service has been gratis and at the solicitation of the President of the YMCA Board of Directors during the period included in this study. He has participated in many of the informal and unrecorded meetings, involving problems of the school. He served for many years as a member, and as Chairman of the Committee of Management of the YMCA Schools. Although considerably past the age of 80, he is presently serving as an active member of the Chase College Board of Regents.

W. E. Ferris was employed by the YMCA in 1903 and served as a professional secretary until 1941, with a single brief interruption between 1916 and 1918. All of Ferris' service related directly to the educational program; however, in addition to this responsibility he was frequently assigned to other activities sponsored by the Association. Because of his many years of service in the educational program and his familiarity with other YMCA activities, Ferris' contributions have been invaluable.

Judge Stanley Matthews has been actively associated with the law school for more than one-half century. It is the author's opinion that no individual has contributed more to the success and prestige of the school than Judge Matthews. His reputation for scholarly legal opinion has received national acclaim from members of the Bench and Bar. He was appointed to the law school faculty in 1901 and was Dean of the school from 1936 to 1952. He also served as a member of the Committee of Management for the YMCA Schools. He is presently Dean Emeritus of the School of Law and a member of the Chase College Board of Regents. Recorded interviews with Judge Matthews have provided the author with a reservoir of previously undocumented information essential to this study.

C. H. Rouster served the YMCA as a professional secretary from 1912 to 1924. It is notable that Rouster's tenure covered the period of Ferris' absence. Rouster was first employed as an assistant to Ferris, who was then serving as Educational Director. Later, Rouster became Executive Secretary of the Central Branch of the YMCA. In this position he became responsible for all YMCA activities sponsored by this Branch, which at that time included the YMCA educational program. On occasions, Rouster performed the administrative functions of the General Secretary of the Cincinnati Association. Rouster's diverse and intimate experience with the YMCA was most helpful.

Bryce L. Schurman first became associated with the YMCA educational program in 1929 as a teacher in the evening School of Commerce. Later, Schurman was appointed Dean of the School of Commerce and also served as a member of the Committee of Management for the YMCA Schools. He is presently Dean Emeritus of the School of Commerce and a member of the Chase College Board of Regents. Schurman's tenure of service covered the stormy period when an attempt was made to close the School of Commerce, which event had a direct bearing on the continued existence of the law school. In addition to numerous interviews, Mr. Schurman has provided the author with several documents and other material most useful to this study.

Five progressive phases of the law school development, as influenced by the shifting structural organization and administration of the Cincinnati and Hamilton County YMCA, are found between the years of 1893 and 1951. In this report each phase will be developed chronologically in a separate chapter.

CHAPTER I

THE BIRTH OF A LAW SCHOOL, 1893-1916

In the beginning there was a man attempting to organize within the structure of the YMCA educational endeavor, a faculty and curriculum of law.

I. Origin of the Law School.

The founder of the law school tells his own story in the initial pages of The YMCA Night Law School. In this account, Robert M. Ochiltree notes the motivating factors which led to the establishment of one of the first evening law schools in America. The highlights of this story will serve to introduce the regime of the first Dean.

In 1892 a young man, Robert M. Ochiltree, graduated from the Cincinnati Law School. Deferring immediate practice, he returned to his father's Indiana farm, harvesting wheat and teaching school to pay debts incurred while in law school. A year later, he returned to Cincinnati and called on various law firms in an effort to begin practice. In the course of his visits, he found a lawyer's son reading law preparatory to seeking admission to a law school in the fall. Such preparation gained the student advanced standing in a law school after passing a special examination.

Ochiltree was struck with an idea: why not form a summer class for law students and tutor them for these special examinations?

From Jacob D. Cox, former governor of Ohio and a Civil War General but then Dean of the Cincinnati Law School, he obtained a letter of recommendation and a list of prospective students. He was successful in obtaining several students for his summer program. Looking ahead, he realized that fall would bring this work and his income to an end. This caused him to consider the possibility of an evening law course for young men who were employed in the daytime. Knowing that the Young Men's Christian Association held evening classes, Ochiltree contacted the YMCA's General Secretary and offered to conduct an evening law course. With some reluctance, the Secretary agreed to refer the matter to the Association's Board of Directors. Indirectly, Ochiltree learned that the YMCA would approve his offer provided he made no charge to the students who might enroll. Ochiltree agreed and on October 17, 1893, the first roll was called with seventeen students present.

The first official reference to the establishment of a law school under the auspices of the Young Men's Christian Association of Cincinnati appeared in the minutes of a meeting of the Board of Directors of this Association under

date of September 7, 1893, as follows:

Mr. Shattuck on behalf of the Educational Committee presented a written report containing valuable suggestions as to studies. Among other innovations was that of a night law school¹.

This beginning, quiet and uncompensated, was the antecedent of an educational program destined to produce, or at least process, legal and civic notables for Cincinnati and the nation.

2. Organization and Administration.

One might foresee little difficulty in fitting the law school into the organizational pattern and administrative procedure of the YMCA; however, there is evidence of numerous controversies concerning this problem. This fact is noticeable on occasions when attempts were made to force the law school into the operational plan generally applicable to the overall YMCA program, including other educational activities sponsored by the Association.

In describing the educational program of the law school during the Ochiltree regime, the author has relied chiefly on Ochiltree's own treatment of this subject in

¹ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, September 7, 1893, Cincinnati and Hamilton County, (no page number).

The YMCA Night Law School. Occasional references were discovered in the minutes of the YMCA Board of Directors.

Recorded interviews with those persons intimately related to the law school and the YMCA during this period have been used to supplement and support these two sources.

YMCA Educational Endeavors.---Classes and lectures of an educational nature under YMCA auspices were begun in 1866, according to Senger.² The first official mention of the Association sponsoring formal classes "of a business character for clerks and mechanics" was noted in the minutes of the Board of Directors, April 17, 1887.³

There is evidence indicating that the law school was considered to be separate from other educational endeavors and that Ochiltree dealt directly with the Board of Directors

2 Harry L. Senger, The Story of the Young Men's Christian Association of Cincinnati and Hamilton County, Nashville, The Parthenon Press, 1953, p. 74.

3 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, April 17, 1887, Cincinnati and Hamilton County, (no page number).

from 1893 to 1916^{4, 5, 6}. The extent of the relationship which developed between Ochiltree and the Board may be judged in the events recorded in connection with the early years of the law school. Dean Ochiltree was permitted to hold law classes in the YMCA Building provided he made no charge to the students⁷. This limitation was dropped six months after the school was opened, when the YMCA required each law student to pay a \$10 fee to the Association for the privilege of attending school⁸. As the new school approached

4 W. B. Ferris, Interview with Author, June 12, 1957, Reel #1, Track #1, Cincinnati, Salmon P. Chase College, Vault #1. W. B. Ferris was appointed to succeed A. C. Fry, (Y.M.C.A. Board Minutes, June 18, 1903), as Director of Educational Work. His service in the YMCA educational work, in one capacity or another, continued through the remainder of Ochiltree's tenure and until 1941, except for a two year interval between 1916 and 1918, (Y.M.C.A. Board Minutes, December 18, 1940).

5 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

6 Judge Stanley Matthews, Interview with Author, July 8, 1957, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1. Judge Matthews has been associated with the School of Law as a teacher, Dean and advisor since 1901.

7 Robert M. Ochiltree, The YMCA Night Law School, (no place), (no publisher), 1943, p. 7.

8 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, April 5, 1894, Cincinnati and Hamilton County, (no page number).

its second year, on July 5, 1894, the Board made the provision "that Mr. Ochiltree be allowed one-half the membership fee of each student in the law classes from September 17th for eight months following"⁹.

The school's first Dean was also allowed to devise the curriculum and to select all law school faculty members, subject to Board approval¹⁰. Salary arrangements for each member of his faculty were negotiated by Ochiltree¹¹. From its beginning and until the end of the Ochiltree regime, it is evident that the law school's affiliation with the sponsor was based on a contractual agreement between the YMCA

9 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, July 5, 1894, Cincinnati and Hamilton County, (no page number).

10 Ibid., June 14, 1900. A recitation of a contract, negotiated directly by the YMCA Board of Directors with Ochiltree.

11 Ibid., July 5, 1894. The YMCA insisted that Ochiltree assume all financial obligations to faculty members.

12, 13, 14, 15, 16
Board of Directors and Robert M. Ochiltree .

In contrast to this arrangement, all educational classes sponsored by the YMCA, other than those in the law school, were under the administration of the General Secretary or one of his assistants. The faculty concerned with this phase of educational activity was employed in the same way as other YMCA personnel and paid directly by the Association .

17, 18, 19

No records which would be meaningful to an accurate understanding of the financial status of the law school during the Ochiltree regime, are available. In one instance, however, Ochiltree quoted from an official report of the

12 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, July 5, 1894, Cincinnati and Hamilton County, (no page number).

13 Ibid., February 8, 1900.

14 Ibid., January 20, 1910.

15 Ibid., June 3, 1913.

16 Ibid., June 20, 1916. Ochiltree cooperated with the Educational Director and General Secretary regarding routine matters such as commencement ceremonies, classroom furnishings and publicity announcements.

17 Ibid., October 9, 1894.

18 Ibid., May 8, 1902.

19 Ibid., June 18, 1903.

YMCA Board of Directors dated March 15, 1906, that "up to the present school year the Association received an aggregate of \$12,589.00 free of cost of instruction and in addition to the contributions made to the library and advertising accounts"²⁰. This report covered thirteen of the twenty-three years included in this period. Based on enrollment data covering the entire period of Ochiltree's tenure²¹, one may conservatively estimate that the YMCA received in excess of \$25,000 profit from operating the law school from 1893 to 1916. Recorded interviews with Ferris and Rouster have provided support to this assumption^{22, 23, 24}. It is obvious that during the Ochiltree regime, the law school justified its existence to those who measured success in terms of financial contributions.

²⁰ Robert M. Ochiltree, The YMCA Night Law School, (no place), (no publisher), 1943, p. 29.

²¹ Ibid., p. 38-52.

²² W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

²³ C. H. Rouster, Interview with Author, June 28, 1957, Reel #1, Track #1, Cincinnati, Salmon P. Chase College, Vault #1. C. H. Rouster was continuously employed by the YMCA and served in various capacities directly associated with the educational work from 1912 until 1924.

²⁴ Ibid., Reel #1, Track #1 and Reel #2, Track #1, March 14, 1958.

YMCA Articles of Incorporation.---A consideration of the formal structure of the YMCA will be helpful in relating the law school and the educational program to the organizational framework of the Association.

The original Articles of Incorporation of the Young Men's Christian Association of Cincinnati, were filed in the Recorder's Office of Hamilton County, Ohio, December 16, 1870²⁵, and defined the purpose of the Association as follows:

The object of the Association shall be the improvement of the spiritual mental moral social and physical condition of young men by the support and maintenance of Lectures Libraries Reading Rooms Social and religious Meetings and such other means as may conduce to the accomplishment of these objectives not contrary to the teaching of the Bible²⁶.

It was further noted in the Articles of Incorporation that all active and/or voting members of the Association must be a member in good standing of a Protestant Evangelical Church. This instrument included a provision for the election from the membership of the Association of a Board of

²⁵ Office of Hamilton County Recorder, Act of Incorporation of the Young Men's Christian Association of Cincinnati, Church Record Book #2, p. 551, December 16, 1870, Court House, Cincinnati, Ohio, p. 1-3. The name was later changed to the Young Men's Christian Association of Cincinnati and Hamilton County and is frequently referred to as the Cincinnati and/or Cincinnati and Hamilton County YMCA.

²⁶ Ibid.

Directors of not more than fifteen in number to manage the corporation, to adopt a constitution and by-laws for the Association, and to elect officers²⁷.

Except for one amendment or resolution in 1900 authorizing degree-granting authority for educational work under the auspices of the Association and establishing a formal name [The McDonald Educational Institute of the Young Men's Christian Association of Cincinnati²⁸] for the Educational Department of the YMCA²⁹, these Articles remained unchanged during the remainder of Ochiltree's regime.

²⁷ Office of Hamilton County Recorder, Act of Incorporation of the Young Men's Christian Association of Cincinnati, Church Record Book #2, p. 551, December 16, 1870, Court House, Cincinnati, Ohio, p. 1-2.

²⁸ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, January 12, 1899, Cincinnati and Hamilton County, (no page number). Name officially changed from YMCA Educational Department to The McDonald Educational Institute of the Young Men's Christian Association of Cincinnati, honoring Alexander McDonald, President of the YMCA Board of Directors from 1896 to 1899. The term "McDonald Institute" never became popular and was gradually dropped from official use and after 1916 the law school became officially known as the YMCA Law School and/or the YMCA Night Law School as a result of the common usage of these names.

²⁹ Office of Hamilton County Recorder, Act of Incorporation of the Young Men's Christian Association of Cincinnati, Church Record Book #2, p. 551, December 16, 1870, Court House, Cincinnati, Ohio, p. 5.

YMCA Board By-Laws.---On December 19, 1870, at a meeting of the YMCA Board of Directors, By-Laws were adopted which, among other things, provided for the appointment of a Superintendent of the Association "who shall be designated by the Executive Committee, and whose duties and salary shall be defined and fixed by the same Committee"³⁰. The title of General Secretary was later substituted for that of Superintendent by the following amendment:

The Amendment to Article V, Section II, of the By-Laws of the Board of Directors as proposed Jan'y 31 1881 substituting for the word "superintendent" the word "General Secretary", so that the section shall read as follows:

The Board shall appoint a General Secretary of the Association, who shall be designated by the Executive Committee, and whose duties and salary shall be defined and fixed by the same Committee³¹.

Records clearly reveal that from the very beginning, the formal organizational structure of the YMCA provided for the employment of a Superintendent or General Secretary who served as the Chief Administrative and Supervisory Agent for the Association. Equally significant is the fact that

³⁰ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, December 19, 1870, Cincinnati and Hamilton County, (no page number). There was no substantial change in either By-Laws or Constitution between 1893 and 1916. [Constitution adopted December 12, 1870, which in effect repeated purpose and objectives of Articles of Incorporation.]

³¹ Ibid.

the General Secretary was appointed by the YMCA Board of Directors after being selected by the Executive Committee, which included only the officers of the Board. The Board as a whole had no voice in selecting its employed agent and the membership-at-large had no vote on this matter. Furthermore, it was the Executive Committee of the YMCA Board of Directors who had the sole responsibility of fixing the duties and salary of the General Secretary. This kind of arrangement could, and did on occasions, lend itself to a concentration of power and authority in the General Secretary and a few members of the YMCA Board of Directors^{32, 33}
34, 35, 36

. During certain periods in the history of this Association, it is clearly evident that all authority rested

32 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

33 C. H. Rouster, Interview with Author, March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

34 B. L. Schurman, Interview with Author, March 15, 1958, Reel #1, Track #1, Reel #2, Track #1, Reel #3, Track #1, and Reel #4, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

35 B. L. Schurman, Letter to Author, July 8, 1957, Cincinnati, Salmon P. Chase College, Vault #1.

36 H. E. Clark, Interview with Author, March 15, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

on one or two persons, either the General Secretary or the President of the YMCA Board of Directors³⁷. This particular type of organizational structure is not restricted to the Cincinnati Association. Many similarities appear on a national scale. This has created problems relating to formal educational programs sponsored by other YMCA's^{38, 39}. The By-Laws also established specific committees, provided for the establishment of additional committees, and, except for the Executive Committee, authorized the President of the Board to make individual appointments of membership to all committees⁴⁰.

YMCA Board Committees.---Committees are essential and traditional to the basic organizational structure and administrative pattern of the YMCA. Theoretically, these

37 Op. cit., footnotes 32, 33, 34, 35, and 36.

38 Paul Edgar Williams, The YMCA College, unpublished manuscript, St. Louis, Educational Council of the Young Men's Christian Association, 1938, p. 47-60.

39 Robert W. Lindberg, Administrative and Supervision Responsibilities in the Young Men's Christian Association of Cincinnati and Hamilton County, unpublished manuscript for Master's thesis, University of Cincinnati, Ohio, 1941, p. 48-85.

40 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, December 19, 1870, Cincinnati and Hamilton County, (no page number).

lay committees are responsible for the operation and management of the various organizational units or phases of activity sponsored by the Association. Some committees were permitted limited policy-making powers. All committees functioned primarily in an advisory capacity to the President of the Board. Members are selected from among the outstanding civic leaders and citizens of the local community. Persons appointed to these committees are required to be a member of the YMCA but need not be a member of the YMCA Board of Directors. Of these committees only two, the Legal Committee and the Educational Committee, are significant to this study between the years 1893 and 1916.

It is evident, from the minutes of the YMCA Board, that the Legal Committee was originally established to advise the President of the Board concerning legal problems affecting the Association; and that the Educational Committee was specifically charged with all responsibilities relating to the educational program sponsored by the Association. The functions of these two Committees began to overlap in 1899⁴¹. At that time, the Board sought the advice of the Legal Committee relative to obtaining degree-granting authority for

⁴¹ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, July 13, 1899, Cincinnati and Hamilton County, (no page number).

the law school⁴². Shortly thereafter, the Legal Committee became, for all practical purposes, entirely responsible for all problems concerning the law school⁴³. The Educational Committee confined its responsibilities primarily to the educational work sponsored by the YMCA other than that involving the law school during the remainder of Ochiltree's tenure. There were, however, instances when this committee made routine reports concerning the Educational Department which included references to the law school^{44, 45}.

The most significant responsibilities assigned to the Legal Committee were: (1) the negotiation of Dean Ochiltree's employment contract which occurred at periodic

⁴² Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, June 5, 1900, Cincinnati and Hamilton County, (no page number). First note of Bachelor of Laws degree being conferred as authorized by the Ohio State Department of Education.

⁴³ Ibid., February 14, 1901.

⁴⁴ Ibid., June 5, 1900.

⁴⁵ Ibid., October 10, 1901.

intervals and, (2) the approval of the law school faculty members^{46, 47, 48, 49, 50}. In most instances the Legal Committee was required to submit all recommendations to the President of the YMCA Board of Directors or, at the suggestion of the President, to the Board as a whole for final and official decision.

3. Curriculum and Faculty.

With the beginning of the first class session on the evening of October 17, 1893, Ochiltree proposed two plans for programming the course of study to be followed⁵¹. One of the suggested plans called for a course of lectures on commercial law involving legal concepts of general interest to those persons concerned with business problems or those

⁴⁶ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, June 20, 1902, Cincinnati and Hamilton County, (no page number).

⁴⁷ Ibid., February 19, 1903.

⁴⁸ Ibid., March 15, 1906.

⁴⁹ Ibid., May 20, 1909.

⁵⁰ Ibid., June 25, 1913.

⁵¹ Robert M. Ochiltree, The YMCA Night Law School, (no place), (no publisher), 1943, p. 8-9.

contemplating a career in business⁵². The other plan, which the students elected to adopt, called for a program of courses sufficiently adequate for admission to a legal career and was patterned as nearly as possible after the degree program of the Cincinnati Law School⁵³.

The books which were adopted for study included: Blackstone's Commentaries, the American edition by Thomas M. Cooley of Ann Arbor Law School; Kent's Commentaries, the Oliver W. Holmes edition; and Angon on Contracts, the American edition by Dean Knowlton of the Ann Arbor Law School⁵⁴. Ochiltree noted in his memoirs the following:

We stuck strictly to the study and discussion of the above learned writers on the Common Law of England and America, and some leading cases, and laid the foundation of a course of study to be extended to include all subjects taught in standard law schools⁵⁵.

52 Robert M. Ochiltree, The YMCA Night Law School, (no place), (no publisher), 1943, p. 9.

53 Ibid., p. 8-9. The Cincinnati Law School was founded in 1833 and merged with the University of Cincinnati College of Law in 1918. It enjoyed an excellent reputation and great prestige among the day law schools in America at this time.

54 Ibid., p. 9.

55 Ibid.

Initially, the entire law school program was designed to cover a three year period including the same course of study covered in two years in the day law schools⁵⁶.

Classes began in October and continued for approximately eight months each academic year ending in the latter part of May⁵⁷. Individual class sessions were held four nights each week for the first two years, after which classes met on Monday, Wednesday and Friday of each week⁵⁸.

The minutes of the YMCA Board of Directors reveals the fact that in December of 1902, Dean Ochiltree sought permission to open a day division of the YMCA Law School⁵⁹. The Board granted this permission in February of 1903 and amended Ochiltree's contract to include a fee schedule for day law students⁶⁰. No further mention of this venture

⁵⁶ Robert M. Ochiltree, The YMCA Night Law School, (no place), (no publisher), 1943, p. 11. The evening law school program was extended to cover a four year period in 1919 to keep pace with expanding curriculum by day law schools and meet state accreditation requirements.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, December 18, 1902, Cincinnati and Hamilton County, (no page number).

⁶⁰ Ibid., February 19, 1903.

occurred in the official minutes of the YMCA Board of Directors except for a very brief note under date of December 19, 1903, to the effect that \$133.20 had been received from the day law school⁶¹. Judge Stanley Matthews, a member of the faculty at this time, stated in an interview that the attempt to establish a day law school was unsuccessful and to the best of his knowledge not more than three or four students ever enrolled in this program which ceased to exist within two years of its beginning.⁶²

Ochiltree taught all classes and constituted the faculty in its entirety from 1893 to 1895 after which date additional instructors were employed⁶³. Each faculty member was carefully selected by Ochiltree from among the most able

61 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, December 12, 1903, Cincinnati and Hamilton County, (no page number).

62 Judge Stanley Matthews, Interview with Author, July 8, 1957, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

63 Robert M. Ochiltree, The YMCA Night Law School, (no place), (no publisher), 1943, P. 11-14.

members of the local bench and bar^{64, 65, 66, 67}. According to Rouster, Ochiltree repeatedly contended that the excellence of the faculty reflected his greatest contribution to the law school⁶⁸.

It seems apparent that from the very beginning, Ochiltree's educational program was patterned after those standards followed by all recognized law schools in America. According to Judge Matthews, the educational program of the YMCA Night Law School could not be distinguished from that of any recognized day law school except as to the time of day classes were scheduled⁶⁹.

64 Robert M. Ochiltree, The YMCA Night Law School, (no place), (no publisher), 1949, p. 11-14.

65 Judge Stanley Matthews, Interview with Author, July 8, 1957, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

66 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

67 C. H. Rouster, Interview with Author, March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

68 Ibid.

69 Judge Stanley Matthews, Interview with Author, July 8, 1957, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

The Oshiltree regime ended when an attempt was made to merge the YMCA Night Law School with the Cincinnati Law School. Much rumor has persisted for many years concerning incidents which led to this event. The author has endeavored to acquire all available information which will be helpful in understanding the circumstances of this merger.

4. Merger Attempt-End of Oshiltree Regime.

The first note of a contemplated merger with the Cincinnati Law School appeared in the minutes of the YMCA Board of Directors, June 27, 1916, as follows:

Mr. Meacham presented a communication regarding the law school, also a communication from the Trustees of the Cincinnati Law School. Remarks on this report were made by Messrs. Ebersole, Edwards, Schell, Atkins, Benedict, Elzner, Fulton and Hutchins. It was moved and seconded that a committee be appointed to confer with the committee from the Cincinnati Law School. Carried. The President appointed Messrs. Fulton, Benedict and Edwards⁷⁰.

On July 11, 1916, the YMCA Board minutes contain the following:

Verbal report was offered by Mr. Fulton Chairman of the special committee on the Law School. Remarks were made by Messrs. Elzner, Taylor and Benedict. It was moved that the report of the committee be received and recommitted to them for further report⁷¹.

⁷⁰ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, June 27, 1916, Cincinnati and Hamilton County, (no page number).

⁷¹ Ibid., July 11, 1916.

The following appears in the catalogue announcement under date of August 1, 1916, and titled "The Evening Department of the Cincinnati Law School":

The Evening Department of The Cincinnati Law School was established by its Board of Trustees in 1916.

On August 1, 1916, the Faculty that formerly conducted the Cincinnati Y.M.C.A. Night Law School became the Faculty of the Evening Department of the Cincinnati Law School, whereby the latter is enabled to offer to students the experience and service of the men who developed the Night Law School courses in Cincinnati to the standard, that students from their school received the highest honors at the Ohio State Bar Examination in June 1915, and in June 1916.

The identical three years' course which has proven so successful in the past will be given by The Cincinnati Law School. [...]

The Cincinnati Law School was founded in May, 1833, by John C. Wright, Timothy Walker and Edward King, and was the first law school established west of the Allegheny Mountains. In 1835 the school was incorporated with the Cincinnati College, under its present name of the "Law School of the Cincinnati College". The Law School has a very substantial endowment and has acquired a large and well-equipped law library⁷².

The YMCA Board of Directors held a meeting August 3, 1916, and noted in the minutes that "a report of the special committee on the Law School was presented by

⁷² Announcement of The Evening Department of the Cincinnati Law School, 1916, (no volume), (no number), Cincinnati, Ohio, p. 4-5. Dean Ochiltree was accompanied by ten of the twelve members of the YMCA Law School faculty in establishing the Evening Department of the Cincinnati Law School. See catalogues 1915 and 1916 for faculty listing.

Chairman Fulton and it was moved that the report be received and the Committee thanked for their work"⁷³.

A meeting of the YMCA Board of Directors was called on August 23, 1916, and the minutes revealed that "owing to the fact that but five members were present, after informal discussion of the Legal Committee in regard to the continuance of the Law School, the Vice President ordered adjournment"⁷⁴.

On August 24, 1916, the YMCA Board of Directors took the following action regarding the future of the YMCA Night Law School:

.....

The Legal Committee presented the following resolution:

"RESOLVED - That we recommend to the Board of Directors the continuance of our Law School; that the faculty be composed of

- (1) Officers of Administration - the Legal Committee acting in this capacity
- (2) Officers of Instruction - to be chosen by the Legal Committee and approved by the Board.

After full discussion and presentation by Mr. Benedict of the considerations which led to the Legal Committee's unanimous recommendation, it was voted on motion of Mr. Elzner that the Board concur in the recommendation of the Legal Committee, that

73 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, August 3, 1916, Cincinnati and Hamilton County, (no page number).

74 Ibid., August 23, 1916.

the Law School be continued and further that the faculty be composed of officers of administration, who shall be the Legal Committee, and officers of Instruction.

It was noted on motion of Mr. Ebersole, that the selection of the faculty and Dean, the financial arrangement with them and the other necessary expenditures connected with the continuation of the School, be left to the Legal Committee, subject to the approval of the Board⁷⁵.

The YMCA Board of Directors concluded all official comment concerning merger, or attempted merger, of the YMCA Law School and the Cincinnati Law School at a meeting held September 8, 1916, at which time the Legal Committee and the General Secretary were given a vote of thanks "for their exceedingly effective work in the re-organization of the Law School"⁷⁶.

The actual details and developments which led to this merger were not formally recorded. According to W. B. Ferris⁷⁷ and C. H. Rouster⁷⁸, YMCA Secretaries associated

⁷⁵ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, August 24, 1916, Cincinnati and Hamilton County, (no page number).

⁷⁶ Ibid., September 8, 1916.

⁷⁷ W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

⁷⁸ C. H. Rouster, Interview with Author, March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

with the Educational Department in 1916, discord arose between Ochiltree and members of the YMCA Board of Directors during the latter part of Ochiltree's regime which precipitated the merger. Both are in substantial agreement that the chief points of friction involved the contractual agreements between Ochiltree and the Board, with specific reference to the division of income from student fees and in operating the law school separate from other elements of the Educational Department^{79, 80}. Substantiating this opinion, minutes of the YMCA Board reveal the objection of at least one member who moved that "no contract be entered with Mr. Ochiltree for the law school until it is brought into the same relation to the Association as the other Departments⁸¹ are". Further instances involving points of contention which were particularly evident at the periodic intervals when contractual agreements between Ochiltree and

79 C. H. Rouster, Interview with Author, March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

80 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

81 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, June 25, 1913, Cincinnati and Hamilton County, (no page number). This is also an obvious admission by the YMCA Board that the law school was considered separate and apart from other Departments.

the Board were negotiated, lend support to the opinion of
 82, 83, 84, 85
 Ferris and Rouster

Ferris maintained that shortly after the Evening Department of the Cincinnati Law School had been abandoned, Ochiltree discussed the merger with him and stated that officials of the Cincinnati Law School were totally unfair in refusing to honor commitments made concerning the merger agreement.⁸⁶ Furthermore, both Ferris and Rouster were conscious of a persistent rumor to the effect that an attempt was made to eliminate the Evening Law School in Cincinnati by maneuvering a merger with the Day Law School then closing the evening division.^{87, 88}

82 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, June 20, 1912, Cincinnati and Hamilton County, (no page number).

83 Ibid., September 19, 1912.

84 Ibid., November 22, 1911.

85 Ibid., May 20, 1901.

86 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

87 Ibid.

88 C. H. Rouster, Interview with Author, March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

Judge Stanley Matthews in his Historical Account of
⁸⁹
Law Schools in Cincinnati, lends credence to the rumor that
 one of the objectives of the merger was to eliminate the
 Evening Law School despite the fact that some officials of
 the Cincinnati Law School were sincerely interested in
 establishing an Evening Department.

Thus we find Ochiltree's regime ending in June 1916,
 followed by an attempted merger with the Cincinnati Law
 School which was abandoned after the first year⁹⁰, while
 the YMCA Night Law School continued its existence under the
 management of Officers of Administration appointed by the
⁹¹
 YMCA Board of Directors.

⁸⁹ Judge Stanley Matthews, Historical Account of
Law Schools in Cincinnati, unpublished manuscript, Chase
 College, Cincinnati, Ohio, 1950, p. 5-7.

⁹⁰ Ibid.

⁹¹ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of
Directors, August 24, 1916, Cincinnati and Hamilton County,
 (no page number).

The fact that the Evening Law School was founded under the auspices of the YMCA was relatively coincidental. Ochiltree, needing a place to assemble his students, sought the use of a classroom in the YMCA Building and the YMCA soon realized that an evening law school could become a profitable business venture.

The relationship existing between the YMCA and Ochiltree was based primarily on a contractual business arrangement. Despite the occasional conflict which arose from this relationship, Ochiltree retained effective control over the academic and administrative responsibilities concerning the law school. Certain members of the YMCA Board of Directors felt that the financial gain to the Association could be increased by bringing the law school directly under the control of the YMCA. Endeavors to force this issue precipitated an attempt to merge the YMCA Night Law School with the Cincinnati Law School. This maneuver resulted in the elimination of Ochiltree and brought the evening law school under the direct control of the YMCA.

With the end of Ochiltree's regime, the law school became an integral part of the structural organization of the YMCA. This shift in the organizational relationship of the law school to its sponsor marks a period in the history of its development which will be discussed in the following chapter.

CHAPTER II

MATURATION, 1916-1926

At the beginning of the period of maturation between 1916 and 1926, the law school had been in existence for twenty-three years; more than five hundred students had graduated with the LL.B. degree. Most of these alumni entered the practice of law in or near Cincinnati. Many became distinguished in the profession and some went on to win acclaim in politics and public service.

Among the alumni, one finds a President of The Texas Company, Colonel Harry T. Klein; a President of the Ohio Bar Association, Gerrit J. Fredericks; a Judge of the Supreme Court of Ohio, Charles S. Bell; a United States District Judge, John H. Druffel; Judges of the Hamilton County Court of Common Pleas, Edward T. Dixon, William Geoghegan, Frank R. Gusweiler, Frederick L. Hoffman, Edward M. Hurley, Robert A. LeBlond, John M. Renner, Louis J. Schneider, and Joseph H. Woeste; and Judges of the Municipal Court of Cincinnati, Samuel W. Bell, Clarence F. Denning, George F. Eyrich, Jr., Arthur C. Fricke, Elmer F. Hunsicker, A. L. Lubers, Edwin S. Morrissey, Charles B. Smith, and Meredith Yeatman.

Many others of the early graduates brought recognition and prestige to the school by serving in the state legislative bodies of Ohio, Indiana and Kentucky. Among these

were two United States Congressmen, Charles H. Elston and A. E. B. Stephens. Despite the apparent serenity of operation between the school and the YMCA, dissatisfaction was inherent in those interested in the growth of the law school and those concerned with the administration of the YMCA. These concerns and interests were emphasized when the Board of Directors in 1916 changed the administrative structure of the YMCA to a branch-type organization. This change reduced the administrative level of the law school to a sub-department of a subdivision of the Central Branch, thereby removing it from direct contact with the YMCA Board of Directors. For the next decade, the law school felt the effects of this disturbing change, particularly in the area of the administrative relationship of the school with the YMCA. This disturbance became most apparent with the administration of the finances and the use of funds that had been accumulated by the law school. Of course, the administrators of the law school wished to use these funds for the betterment of the educational program of the school. However, this conflicted with the administrative procedure of the YMCA under the newly Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, December 21, 1916, Cincinnati and Hamilton County, (no page number).

adopted organizational structure. Finally, in mid-1926, the status of the law school was raised to a subdivision of the Central Branch, heralding a new historical period.

1. YMCA Adopts Branch Type Organization.

In December of 1916, the YMCA Board of Directors in an effort to construct an effective organizational framework for the Association adopted the Branch Type, or Metropolitan, Basis of Organization². This was done in order to unify the departments and branches that had evolved since the founding of the Association³. In reality, the adoption of the Branch Type Organization was no more than a reaffirmation of the structural organization provided for in the By-Laws of 1881⁴.

2 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, December 21, 1916, Cincinnati and Hamilton County, (no page number).

3 Harry L. Senger, The Story of the Young Men's Christian Association of Cincinnati and Hamilton County, Nashville, The Parthenon Press, 1953, p. 13-35. Prior to 1916 the specialized service units, referred to as Departments and Branches, were loosely federated and the Executive Heads were Assistants of the General Secretary with more autonomy over their administrative unit and a more direct relationship to the YMCA Board of Directors. After 1916, the terms Department and Branch were used in a different sense with reference to administrative units and organizational structure in that the Department became a Subdivision of the Branch and the Branch existed as a Division of the Association.

4 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, January 13, 1881, Cincinnati and Hamilton County, (no page number).

It did, however, establish a more formal channel of authority between the executive heads of the specialized service units and the General Secretary. Also, it reduced the autonomy⁵ previously exercised by the departments and branches.

Although the Branch Type Organization was adopted in December of 1916 and while its effects were felt in the law school almost immediately, it was not completely integrated until February 27, 1924⁶. Seven years after the Board adopted the new plan of organization, it approved a resolution which outlined in detail the final organizational structure and administrative policy of the Cincinnati Association^{7, 8}.

During this time the Branch Type Organization was undergoing an evolutionary process marked with much controversy. One good example of this is illustrated by a resolution in the minutes of the YMCA Board of Directors

⁵ Harry L. Senger, The Story of the Young Men's Christian Association of Cincinnati and Hamilton County, Nashville, The Parthenon Press, 1953, p. 34-35.

⁶ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, February 27, 1924, Cincinnati and Hamilton County, (no page number).

⁷ Ibid.

⁸ Paul Edgar Williams, The YMCA College, unpublished manuscript, St. Louis, Educational Council of the Young Men's Christian Association, 1938, p. 47-48. Brief discussion and explanation of Branch Type or Metropolitan Basis of Organization with specific regard to its effect on a formal degree-granting educational program.

dated October 16, 1922⁹. This was substantiated by the author through personal interviews with two of the professional Secretaries employed by the YMCA during this period^{10, 11}.

Since the resolution approved on February 27, 1924, included complete details of the Branch Type Organization, an examination of this new organization is necessary in order to understand the position of the law school and some of the serious problems which developed¹².

9 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, October 16, 1922, Cincinnati and Hamilton County, (no page number). This resolution adopted by the YMCA Board specifically notes disharmony and friction within the Association which is attributed to the lack of a clearly defined plan of operation and method of organization with particular reference to the Central Branch.

10 C. H. Rouster, Interview with Author, March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1. C. H. Rouster was employed as Educational Secretary in 1912 and became Executive Secretary of Central Branch in 1920, but he was also required to assume the duties of Educational Secretary, or Director of the Educational Department, until his resignation in 1924.

11 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1. W. B. Ferris was employed as Educational Director in 1903 and served in this department as an assistant and on other occasions as the Department Head until 1941 except for a two year interval between 1916 and 1918.

12 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, February 27, 1924, Cincinnati and Hamilton County, (no page number).

To summarize briefly, details referred to in the resolution of February 27, 1924, areas of YMCA endeavors were subdivided into functional administrative units based primarily on geographic location in the community or the particular type of work being sponsored by the Association.

The term Branch was given to a major area administered by an Executive Secretary. The Branch was divided into departments, and each department was administered by a Director or an Assistant Secretary. In practice the Board was not consistent in identifying certain administrative heads. For example, when the Educational Department was elevated to the Educational Branch, the administrator kept the title of Director. Also, some department heads were identified as Secretaries; such as the Employment Secretary, Boy's Work Secretary and Educational Secretary. The term Associate Secretary was usually given to a chief assistant to the General Secretary to whom all YMCA paid personnel, including the professional Secretaries, were directly responsible. The General Secretary was the only administrator directly responsible to the Board of Directors. Each Assistant Secretary or Director was directly responsible to his particular Branch Executive Secretary.

2. Committee of Management

Incident to the operation of the Branch Type Organization, a separate committee of lay members, officially referred to as the Committee of Management, was appointed for each Branch by the President of the YMCA Board of Directors from candidates selected by the General Secretary in accordance with the newly adopted organizational plan¹³. The purpose of each committee was to serve its particular Branch in an advisory capacity¹⁴. Each committee was delegated limited policy-making authority for the operation of the Branch it served and, with approval of the General Secretary, a committee had authority to make recommendations to the Board of Directors regarding the selection of Branch Executive Secretaries¹⁵. No action of the Committee of Management became effective until it was fully approved by the YMCA Board of Directors. It is interesting to note that in some instances the Chairman or one or two members of the Committee of Management also served as members of the Board of

13 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, February 27, 1924, Cincinnati and Hamilton County, (no page number).

14 Ibid.

15 Ibid.

16
Directors . . . A communication from a department head was required to channel first through the Branch Executive Secretary for his transmission to the Committee of Management and then to the General Secretary for his approval and presentation to the Board of Directors .¹⁷ Disapproval by any person along this route severed the communication. The time lag involved and the indirect administrative approach made efficient administration of the law school difficult. The Educational Department was affected in 1916 when the Board first approved the Branch Type Organization. Consequently, the law school felt the loss of direct communication with the Board of Directors from the very outset of the Board's decision to change to the Branch Type Organization. Other units were affected later during the process of evolution until the resolution of 1924.

Indirect communication was not the only problem confronting the law school. The new organization also reflected a change in administrative attitude by the Board of Directors toward the school and the operation of the school. This became evident in 1918 when the Board made the law school a subdivision of the Educational Department.

¹⁶ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, February 27, 1924, Cincinnati and Hamilton County, (no page number).

¹⁷ Ibid.

3. Law School Becomes Subdivision of Educational Department.

In August of 1916, the law school was placed under the supervision of three members of the YMCA Board of Directors. This supervisory trio was referred to as the Officers of Administration¹⁸. Beginning with the 1918 fall semester, the law school had lost all direct contact with the Board of Directors and was reduced to a subdivision of the Educational Department of the Central Branch¹⁹.

In June of 1918, the President of the YMCA Board of Directors appointed C. C. Benedict Dean of the School of Law²⁰. Dean Benedict replaced the three Officers of Administration.

¹⁸ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, August 24, 1916, Cincinnati and Hamilton County, (no page number).

¹⁹ Catalogue of the YMCA Night Law School, 1918, (no volume), (no number), Cincinnati, Ohio, p. 4. No mention was made of Officers of Administration but the law school was noted as part of the Educational Department of the Central Branch. The Educational Department was located in the building designated as the Central Branch and was operated as a subdivision of this Branch. Central Branch was also used as general headquarters for the Association where offices were maintained for the General Secretary and his staff. The name of Central Branch was changed to Central Parkway Branch in 1924.

²⁰ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, June 8, 1918, Cincinnati and Hamilton County, (no page number).

The next reference to the law school appears in the minutes of the Board of Directors meeting dated March 6, 1919. At this meeting "the Chairman of the YMCA Education Committee of Central Branch recommended the appointment of Judge Smith Hickenlooper as Dean of the School of Law".²¹

The minutes of a March 20, 1919, meeting include a report from the Committee of Management of the Central Branch recommending the appointment of Gilbert Bettman as Dean of the School of Law.²² The 1919 school catalogue listed Mr. Bettman as the Dean. Apparently Judge Hickenlooper declined the appointment.

One of the obvious examples of change in the administrative attitudes of the YMCA Board of Directors toward the law school at this time as compared to Ochiltree's

21 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, March 6, 1919, Cincinnati and Hamilton County, (no page number). The Education Committee is a sub-committee of the Committee of Management. The Committee of Management is composed of lay members of the YMCA who are appointed by the President of the YMCA Board, usually recommended by the General Secretary to assist and advise the Executive Secretary of a Branch.

22 Ibid., March 20, 1919. Bettman was listed as Dean in the 1919 catalogue. It is assumed that Hickenlooper did not accept the appointment.

regime, appears in the Catalogue of the YMCA Night Law School²³. Officers of Administration were listed in the following sequence: Judson J. McKim, General Secretary; Dr. Carl A. Wilzbach, Executive Secretary (of Central Branch); James Morrison, Chairman of the Educational Committee; William B. Ferris, Educational Director; Gilbert Bettman, Dean; and Charles H. Elston, Assistant Dean. There is little doubt that this order reflected their relative degree of authority in the school's administration.

4. Finance.

In 1917 the Board of Directors established a separate budget for the Central Branch to finance all of the existing units; namely, Physical Department, Membership and Social Department, Religious Department, Education Department, Boy's Division, Dormitory, Cafeteria, Billiard Tables, Bowling Alleys, and Barber Shop²⁴.

²³ Catalogue of the YMCA Night Law School, 1924, (no volume), (no number), Cincinnati, Ohio, p. 4. Officers of Administration in this instance should not be confused with the same term used with reference to the three members of the YMCA Board of Directors appointed in 1916 and abolished in 1918 with the appointment of C. C. Benedict as Dean.

²⁴ Harry L. Senger, The Story of the Young Men's Christian Association of Cincinnati and Hamilton County, Nashville, The Parthenon Press, 1953, p. 67.

Theoretically, the budget of the Central Branch was prepared co-operatively by the Committee of Management, various sub-committees representing units of the Central Branch, the Executive Secretary of the Branch, and the General Secretary with assistance from his staff. In practice both C. H. Rouster, Executive Secretary of Central Branch²⁵, and W. B. Ferris, Educational Director and Assistant to Rouster²⁶, reported that the budget was most frequently prepared in its final form by the General Secretary and adopted by the Board of Directors on his recommendation^{27, 28}. Certain charges, such as those assessed for the facilities occupied by the Central Branch, which also included the offices of the General Secretary, were routinely fixed on recommendation of the General Secretary^{29, 30}. Charges were

²⁵ C. H. Rouster, Interview with Author, March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

²⁶ W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

²⁷ Ibid.

²⁸ C. H. Rouster, Interview with Author, March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

²⁹ Ibid.

³⁰ W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

made against the law school for the facilities that it occupied and for services received.

Budget allocations and charges made to the Branch created friction and controversy among department heads, the Executive Secretary of the Branch and the General Secretary^{31, 32}. Further evidence of this is noted in the Board minutes when a recommendation was made to resolve the friction by establishing the office of Business Manager or Controller under the direct supervision of the General Secretary. This recommendation implied that a professional Secretary employed in this capacity should have definite authority over all matters of finance and that he should rank senior to all other YMCA employees except the General Secretary³³. Soon after, a Controller, frequently referred to as the Business Manager, was employed. This Controller was later given the rank of Assistant General Secretary and finally advanced to the status of Associate General Secretary.

31 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

32 C. H. Rouster, Interview with Author, March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

33 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, January 24, 1924, Cincinnati and Hamilton County, (no page number).

Until 1924, the budget approved by the Board of Directors provided funds to the Branch Executive Secretary for his over-all operation of the Branch for one fiscal year. After the appointment of a Controller, the Executive Secretary administered his budget under the supervision of the Controller who was directly responsible only to the General Secretary^{34, 35}.

The Branch budget, in some instances, provided specific allocations for the individual departments. Primary emphasis was on maintaining a balanced budget; therefore shifting of accounts among the various Branch units was permitted or was granted upon request^{36, 37}. The fixed charges allocated to the Branch and the shuffling of accounts among the departments caused very serious repercussions from time to

34 C. H. Rouster, Interview with Author, March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

35 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

36 Ibid.

37 C. H. Rouster, Interview with Author, March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

time but was most emphatically controverted when it affected
 the Educational Department ^{38, 39} .

A financial study of the Educational Department
 covering the years 1924 to 1947 was made by the Controller in
 1947 ⁴⁰ . The records of this period reveal definite figures
 labeled deficits and surpluses for the operation of the Edu-
 cational Department ⁴¹ . No one doubts the accuracy of these
 figures, however there are critical differences of opinion

38 C. H. Rouster, Interview with Author, March 14,
 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati,
 Salmon P. Chase College, Vault #1.

39 W. B. Ferris, Interview with Author, March 19,
 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati,
 Salmon P. Chase College, Vault #1.

40 E. Otto Bigler, Study of the Financial Operation
 of Chase College, 1924-1946, unpublished report, Control-
 ler's Office, Young Men's Christian Association of Cincin-
 nati and Hamilton County, Ohio, 1947, 11 p. Prior to 1924,
 records concerning the law school and the Educational Depart-
 ment or Branch relating to financial operations are either
 non-existent or lacking any degree of reliability for the
 purpose of this study.

41 Ibid. The figures labeled surpluses were calcu-
 lated by subtracting from the yearly income, which was
 accumulated from the tuition and fees charged to the students,
 the total cost charged to the law school by the YMCA.

regarding the justification of charges made by the Branch^{42, 43}, Both Reuster and Ferris, each of whom served as a professional YMCA Secretary and was directly associated with the Educational Department during the period covered in this chapter, stated emphatically when interviewed by the author, that in their opinions the income from the Educational Department not only covered the expense of the educational program but also provided surpluses to be used to subsidize departments within the Branch as well as to make generous contributions to the Treasury of the Association. According to the YMCA Controller, the law school accumulated surpluses totaling \$20,692.85 during the years of 1924, 1925 and 1926⁴⁴. No figures are available for the years 1917 to 1924; however, it may be assumed that comparable surpluses were accumulated between 1917 and 1924. This assumption would

⁴² C. H. Reuster, Interview with Author, March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

⁴³ W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

⁴⁴ E. Otto Bigler, Study of the Financial Operation of Chase College, 1924-1946, unpublished report, Controller's Office, Young Men's Christian Association of Cincinnati and Hamilton County, Ohio, 1947, p. 9.

justify a conservative estimate of at least \$40,000 for those seven years, bringing the grand total for the entire period covered in this chapter to more than \$60,000 in surpluses⁴⁵. From a financial viewpoint, the wisdom of those who insisted that the law school should become an integral part of the structural organization of the YMCA can not be refuted when the \$25,000 profit during the twenty-three years of Ochiltree's regime is compared to the \$60,000 earned in this ten year period.

5. Curriculum and Faculty.

No substantial changes were made in the curriculum from that in effect during the Ochiltree regime until September of 1919 when the law school program was extended to

⁴⁵ Robert W. Ochiltree, The YMCA Night Law School, (no place), (no publisher), 1943, p. 38-52. Estimated figures are based on the number of students who graduated in those years for which there are no financial records as compared with the number of students who graduated during those years for which the financial records were available. This source lists all graduates for each year from 1895 to 1940. From a study of this same source it would appear that the effects of World War I caused a reduction in law school enrollment in 1917, 1918 and 1919; however, there was a rapid climb in numbers of students immediately following these years which more than counter-balanced losses during the war years thereby reducing the significance of this factor for the entire period covered in this chapter.

encompass a four year period of study^{46, 47}. Several of the day law schools, such as the University of Cincinnati, had extended their two year course of study to a three year program. The YMCA Night Law School, endeavoring to provide the same standard of legal education as that available in the day schools, adjusted its curriculum accordingly:

Keeping abreast of the modern tendency toward a more thorough preparation in the law, the Trustees and Faculty of the School have determined to inaugurate with the coming year a four-year course of study. By so doing, it is felt that the School may take its place as one of the very leading evening law schools of the country and rank well with the best day law schools. Students of the law throughout the country, attending the

⁴⁶ Conclusion arrived at by comparing curriculum listed in following catalogues of the YMCA Night Law School: September 23, 1915, p. 7-11; September 20, 1916, p. 6-8; September 23, 1918, p. 6-7; September 29, 1919, p. 6-7. There was no graduating class in 1922 because of the change from a three year to a four year program affecting all students who entered after the fall term of 1919.

⁴⁷ Catalogue of the YMCA Night Law School, 1919, (no volume), (no number), Cincinnati, Ohio, p. B. New courses were added to the curriculum in 1919, such as Bankruptcy, Conflict of Laws and Insurance Law. Additional material was included in some courses previously taught. The Ohio Supreme Court Rule XIV as amended May 22, 1923, required a three year program for day law schools and four years for evening law schools. The YMCA Night Law School four year program was several years ahead of the Supreme Court's ruling.

better day law schools are now giving three full years to the study of the law, and it is felt that in an evening law school, where of necessity only part time is given by the student, a four-year evening course will make up for this deficiency in time, and thus the student will receive as thorough legal training as those who attend a three-year day law school.

Class sessions continued to be held on Monday, Wednesday and Friday of each week between the hours of 7:15 and 10:00 P.M. The academic year began in September or October and ended in June.⁴⁹ Judge Stanley Matthews, who was graduated from a highly accredited day law school and who has been associated with the YMCA Night Law School in the capacity of teacher, Dean and advisor since 1901, contends that the method of instruction, the subject matter and course material covered in the YMCA Night Law School was in no way different from that available in any good day law school.⁵⁰

When the YMCA officials decided to continue the Night Law School in 1916, a new faculty was employed to replace the former faculty which accompanied Ochiltree in the merger with the Cincinnati Law School. The new faculty

⁴⁸ Catalogue of the YMCA Night Law School, 1919, (no volume), (no number), Cincinnati, Ohio, p. 8.

⁴⁹ Ibid.

⁵⁰ Judge Stanley Matthews, Interview with Author, July 8, 1957, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

members were carefully selected from the most prominent and able members of the local bench and bar. After 1916 the faculty salaries were paid by the YMCA Business Office rather than by the Dean who also received an honorarium from the Association. This procedure differed with that of the Ochiltree regime in that the Dean was no longer responsible for paying the salaries of the faculty from his share of the income from tuition and fees paid by the students^{51, 52, 53}.

The faculty of 1916 was selected by the Officers of Administration and recommended to the YMCA Board of Directors⁵⁴ for final approval.

51 Judge Stanley Matthews, Interview with Author, July 3, 1957, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1. All faculty members, including the Dean, were employed on a part-time basis, which in effect means that no offices were maintained in the law school or YMCA Building for the faculty and each faculty member was expected to devote only such time as was required for classroom instruction in his particular course.

52 C. H. Rouster, Interview with Author, March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

53 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

54 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, September 8, 1916, Cincinnati and Hamilton County, (no page number).

After the Board appointed Dean Benedict in 1918 to replace the Officers of Administration, all faculty appointments and changes in the law school curriculum were recommended by the Dean to the Secretary or Director of the Educational Department of the Central Branch who relayed these recommendations to the Educational Committee of the Central Branch. The Branch Executive Secretary relayed his recommendations on these matters to the General Secretary or in some instances through the Chairman of the Central Branch Committee of Management. Eventually the General Secretary transmitted the Dean's recommendations to the YMCA Board of Directors for their action 55, 56, 57

At the conclusion of its second phase of development, we find the law school completely assimilated into the structural organization of the YMCA and subjected to the same administrative procedure required of all other organizational units of the Association.

55 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, March 6, 1916, Cincinnati and Hamilton County, (no page number).

56 Ibid., March 20, 1919.

57 Ibid., June 20, 1919.

The law school was completely integrated into the organizational structure of the YMCA during the period between 1916 and 1926. As a result of this arrangement, the law school was seriously hampered by procedural handicaps which obstructed the channels of communication leading to the final policy-making authorities.

The budgetary policy of the Association permitted accounts to be "juggled about" in order to show all organizational elements of the YMCA operating within the fiscal budget. The law school was compelled to compete with other units of the Association for the use of its own income and surpluses accumulated by the law school from tuition and fees paid by the students were turned over to the YMCA Treasury at the end of each year.

The reorganizational achievement accomplished during this period severely downgraded the status of the law school compared to the position it enjoyed during the Ochiltree regime; however, it did produce more financial gain for the Treasury of the Association.

As a result of persistent requests, the YMCA Board of Directors granted Branch status to the Educational Department on June 16, 1926. This act gave the law school a greater degree of autonomy and established a new period in the history of its development which will be explored in the next chapter.

CHAPTER III

STRUGGLING FOR STATUS, 1926-1933

During this period officials of the YMCA, instigated primarily by the General Secretary, launched a planned campaign to eliminate all formal educational endeavors under the auspices of the Association. The law school did not receive the full force of the direct attack levied at other educational units. It was apparent, however, that if the plan to destroy particular educational units proved effective, the law school would eventually receive similar treatment. It is evident that in this period the law school was not only struggling for additional status within the structural organization of the YMCA, but also fighting for its very existence. This period began on a note of optimism when it was announced that the YMCA Board of Directors, after ignoring repeated requests, granted Branch status to the Educational Department thereby making the law school a subdivision of the Educational Branch.

1. Law School-Subdivision of Educational Branch.

In a brief statement discovered in the minutes of the YMCA Board of Directors under date of June 16, 1926, it was

mentioned that "John D. Sage was appointed Chairman of the Educational Branch Committee of Management"¹. Minutes of the Board of Directors of January 19, 1927², and those of April 20, 1927³, referred to the Board of Governors of the Educational Branch; however, the minutes of May 18, 1927⁴, referred to the appointment of a Committee of Management for the Educational Branch and thereafter no further reference to a Board of Governors could be found. According to W. B. Ferris⁵, a controversy arose between L. G. Nichols

1 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, June 16, 1926, Cincinnati and Hamilton County, (no page number).

2 Ibid., January 19, 1927.

3 Ibid., April 20, 1927.

4 Ibid., May 18, 1927.

5 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1. Ferris was replaced as Educational Director by Nichols but continued to serve as an assistant to Nichols. Ferris contended that Nichols insisted that the YMCA Board of Directors should adopt a name for the advisory board of the Educational Branch which would be different from that used by other Branches of the Association.

and YMCA Board members over the name to be used for the
 advisory board of the Educational Branch.⁶

The name of the General Secretary was omitted in
 the law school catalogues of 1926 and 1927 but reappeared in
 1928 and was carried thereafter heading the list of Officers
 of Administration named in the following order: Judson J.
 McKim, General Secretary; Leon G. Nichols, Director of
 Cincinnati Y.M.C.A. Schools; Gilbert Bettman, Dean; and
 Roy H. Harris, Supervisor of the Law School.⁷ It will be
 noted that during the period in which the educational activi-
 ties enjoyed Branch status, the list of Administrative
 Officers included no representatives from the Central Parkway
 Branch; however, because of the fact that the Educational

⁶ L. G. Nichols was appointed Educational Director
 May 19, 1926, and resigned June 17, 1931, according to the
 minutes of the YMCA Board of Directors. The author obtained
 a brief personal interview with L. G. Nichols who died
 shortly thereafter and before any permanent record could be
 made of this conversation. Mr. Nichols, in a most forceful
 manner, contended that during his tenure the General Secre-
 tary resorted to underhanded and devious methods in an
 attempt to destroy the Educational Branch; however, Nichols
 stated that the General Secretary was afraid to interfere in
 the affairs of the law school because of the prestige of the
 school, its faculty and its alumni. He also contended that
 there was a constant juggling of budget accounts designed to
 drain off the surpluses accumulated by the law school and
 the Educational Department and divert this money to uses
 other than educational.

⁷ Catalogues of the YMCA Night Law School, 1926-33,
 (no volume), (no number), Cincinnati, Ohio.

Branch occupied space in the same building housing the Central Parkway Branch, controversies between these Branches relating to budgetary allocations and specific changes concerning costs of maintenance and administrative personnel constantly arose^{8, 9}.

By adopting a resolution on March 15, 1933, the YMCA Board of Directors consolidated the Educational Branch with the Central Parkway Branch, thereby reducing the organizational status of the law school to that of a subdivision¹⁰ of a department of a branch. A proposal to this end was

8 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1. The educational Branch, including the law school, was charged for a portion of the salaries of employees in the General Secretary's Office, Controller's Office, Purchasing Office, General Accounting Office, and some employees attached to the Central Parkway Branch.

9 B. L. Schurman, Interview with Author, March 15, 1958, Reel #1, Track #1, Reel #2, Track #1, Reel #3, Track #1, and Reel #4, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

10 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, March 15, 1933, Cincinnati and Hamilton County, (no page number).

made in November of 1932 in the form of a resolution which reads in part as follows:

It was recalled that on the counsel and advice of national leaders in the realm of Association education activity, educational work of our local Association was set up as a separate functional branch. It is felt that by this action, the quality and content of the program and service of the Educational Branch have been strengthened over a period of years. However, it is now the judgment of the Executive and Business Administration Committees, in this imperative need of economy, that savings can be effected in the operation of the Association's educational program services by relating the educational activities directly to the Central Parkway Branch¹¹.

The resolution of March 15, 1933, which eradicated the Educational Branch, was justified by the General Secretary and the YMCA Board of Directors as a necessary measure to eliminate some of the financial strain experienced by the Association during the years of the depression which was seriously affecting the American economy at this time¹². Furthermore, as noted in the minutes of this meeting, it was felt that a consolidation of the Educational Branch with the Central Parkway Branch would increase the membership of

¹¹ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, November 2, 1932, Cincinnati and Hamilton County, (no page number). This resolution was not adopted at this Board meeting.

¹² Ibid., March 15, 1933.

the Central Parkway Branch¹³. It was admitted, however, in the proposed resolution of November 2, 1932, that Branch status which was recommended by national leaders in YMCA education and which provided more autonomy in the academic activities, did strengthen the quality and content of the educational program¹⁴.

The Chairman of the Educational Committee of Management vigorously opposed this maneuver to reduce the organizational status of the Educational Branch because (1) he felt that the overall effectiveness of the educational work being done would be impaired and (2) he had grave doubts that economies which the change was supposed to bring about would be realized¹⁵.

The professional YMCA Secretaries who served in the position of Educational Director between the years 1926 and 1933 were of the definite opinion that the General Secretary and members of the YMCA Board of Directors considered the contributions of the Educational Branch secondary and incidental as compared to other activities sponsored by the Association.

13 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, March 15, 1933, Cincinnati and Hamilton County, (no page number).

14 Ibid., November 2, 1932.

15 Ibid., March 15, 1933.

2. Internal Conflict--Effect on the Law School.

It was the unanimous opinion of W. B. Ferris, L. G. Nichols and C. D. Norton, Educational Directors during this period, that the General Secretary definitely felt that formal education had no place in the realm of YMCA activity and, furthermore, it was his designed intent to abolish the Educational Branch ^{16, 17}. The resolution of March 15, 1933, in addition to abolishing the Educational Branch, closed the School of Commerce and other elements of ¹⁸ the educational program. The Educational Branch was eliminated notwithstanding a very favorable report presented to the YMCA Board of Directors concerning the results of a survey made by the Chairman of the Branch Committee of Management and two Board members of the Association, one of

¹⁶ W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

¹⁷ C. DeWitt Norton, Letter to Author, July 18, 1958, Cincinnati, Salmon P. Chase College, Vault #1. Norton quotes Nichols in support of this statement. Also see Footnote 6.

¹⁸ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, March 15, 1933, Cincinnati and Hamilton County, (no page number).

whom was Frederick C. Hicks, President of the University of Cincinnati.¹⁹ This report reads in part as follows: "a careful study of data gathered through the medium of the questionnaire disclosed the fact that the YMCA is unquestionably justified in carrying on its educational work"²⁰.

In the opinion of those familiar with the events of this occasion, the law school escaped the fate of the School of Commerce only because of its profit-making ability^{21, 22} and the prestige of its alumni and faculty. Furthermore, both Schurman and Ferris were of the definite opinion that closing a part of the educational activity was only the first step in removing the entire program, including

¹⁹ Frederick C. Hicks, James Morrison and Erwin Marx, Summary of Survey Cincinnati YMCA Schools, March 22, 1932, Document #447, Office of General Secretary, Cincinnati and Hamilton County YMCA, Cincinnati, Ohio, 4 p. Presented at a meeting of YMCA Board of Directors, April 20, 1932.

²⁰ Ibid.

²¹ W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

²² B. L. Schurman, Interview with Author, March 15, 1958, Reel #1, Track #1, Reel #2, Track #1, Reel #3, Track #1, and Reel #4, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

the law school^{23, 24}. In their judgment, the plan for bringing about the eventual extinction of the law school was to be accomplished by charging expenses to its budget previously assumed by the School of Commerce as well as losses incurred by the Central Parkway Branch in activities^{25, 26} remotely related to education.

The closing of the School of Commerce, although not appearing to have any recordable effect on the School of Law, evoked severe and sustained repercussions throughout the entire community which did register heavily on the morale of the entire faculty and student body. It is the opinion of the author that the events occasioned by this situation are of substantial importance in understanding the structural organization and administrative procedure of the YMCA relating to the educational work sponsored by the

23 B. L. Schurman, Interview with Author, March 15, 1958, Reel #1, Track #1, Reel #2, Track #1, Reel #3, Track #1, and Reel #4, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

24 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

25 Ibid.

26 B. L. Schurman, Interview with Author, March 15, 1958, Reel #1, Track #1, Reel #2, Track #1, Reel #3, Track #1, and Reel #4, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

Association of which the law school is an integral unit. Several documents concerning this controversy are included in the appendix.

3. Finance.

The generally recognized depression of the late 20's and early 30's was reflected in the overall financial status of the YMCA. According to the judgment of the three Educational Directors, the Association actually sustained no financial loss from the operation of the educational program from 1926 to 1933^{27, 28, 29}. They contended that all divisions of the Educational Branch except the law school showed losses only because the YMCA Controller by an intricate accounting system had included unjustifiable charges to the Educational Branch. These charges, they believed, were

27 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

28 The author obtained a brief personal interview with L. G. Nichols who died shortly thereafter and before any permanent record could be made of this conversation.

29 C. DeWitt Norton, Letter to Author, July 18, 1958, Cincinnati, Salmon P. Chase College, Vault #1.

designed to reduce actual losses in other areas of Association activity^{30, 31, 32}.

Budgetary procedure conformed to the same general pattern established in the preceding period and discussed in Chapter II. These procedures were accompanied by similar instances of controversy and agitation.

The law school, according to the YMCA Controller's report, showed a total surplus of \$26,009.97 which was accumulated during the years of 1926-1933 inclusive³³. According to the YMCA Controller's record, the law school operated at a substantial profit each year during this period except for one³⁴. In 1930, a loss of \$765.08 was charged against the operation of the law school³⁵.

30 C. DeWitt Norton, Letter to Author, July 18, 1958, Cincinnati, Salmon P. Chase College, Vault #1.

31 The author obtained a brief personal interview with Mr. Nichols who died shortly thereafter and before any permanent record could be made of this conversation.

32 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

33 E. Otto Bigler, Study of the Financial Operation of Chase College, 1924-1946, unpublished report, Controller's Office, Young Men's Christian Association of Cincinnati and Hamilton County, Ohio, 1947, p. 9.

34 Ibid.

35 Ibid.

4. Curriculum and Faculty.

From an examination of the law school catalogues published annually from 1926 to 1933, the author can discover no substantial change in curriculum from that adopted in 1919³⁶.

The General Secretary and the Educational Director were administratively superior in rank to the Dean; however there is no evidence of any serious problem or controversy arising over curricular content or academic procedures^{37, 38}.

The Dean and the faculty were responsible for scholarship standards and were permitted freedom to select subject-matter areas to be taught³⁹.

The faculty included twenty-five members in 1926⁴⁰. Upon an examination of the law school catalogues between the years 1926 and 1933, it is evident that the number remained

³⁶ Catalogues of the YMCA Night Law School, 1926-33, (no volume), (no number), Cincinnati, Ohio.

³⁷ W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

³⁸ Judge Stanley Matthews, Interview with Author, July 8, 1957, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

³⁹ Ibid. All professionally recognized law schools maintain relatively uniform curriculum.

⁴⁰ Catalogue of the YMCA Night Law School, 1926-27, (no volume), (no number), Cincinnati, Ohio, p. 5-8.

relatively constant and it was further noted that there were few resignations each year⁴¹. Among the outstanding members of the bench and bar who served on the law school faculty during this period were Joseph O'Meara, who presently is the Dean of Notre Dame University School of Law; James Garfield Stewart who served on the Ohio Supreme Court until his death in 1959; and Bert H. Long and Stanley Matthews,⁴² who are now members of the Ohio Court of Appeals. Gilbert Bettman, having been elected Attorney General of the State of Ohio, resigned as Dean of the School of Law on October 16, 1929⁴³, and was succeeded by Floyd C. Williams⁴⁴ who was serving as Dean with the closing of this chapter.

⁴¹ Catalogues of the YMCA Night Law School, 1926-1933, (no volume), (no number), Cincinnati, Ohio.

⁴² Judge Long is the senior member of our present law school faculty and Judge Matthews is Dean Emeritus and a member of the Salmon P. Chase College Board of Regents.

⁴³ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, October 16, 1929, Cincinnati and Hamilton County, (no page number).

⁴⁴ Ibid., February 3, 1930. Floyd C. Williams was appointed Dean of the School of Law at this meeting of the YMCA Board of Directors. He continued to serve in this capacity until Judge Stanley Matthews was named to succeed him at a meeting of the YMCA Board of Directors on April 15, 1936.

In this period certain YMCA officials made a concentrated effort to eliminate all formal education sponsored by the Association which caused serious repercussions throughout the entire community. During this struggle the law school was less directly affected than other elements of the educational program. It was contended that the law school escaped the more direct attack only because of the prestige of its alumni and the influence of its faculty. It was recognized, however, that had the YMCA received less resistance to their endeavor to eliminate particular units of the educational program, the law school would have eventually experienced a similar fate.

The educational activities were operated as a separate Branch during this period but this status was lost in March of 1933 when the YMCA Board of Directors voted to move the educational program backward a step by returning it to the organizational rank of a department under the direct control of the Central Parkway Branch. We therefore find the law school entering the next phase of its existence as a subdivision of a sub-department of a Branch and subjected to the same handicaps it experienced in Chapter II.

CHAPTER IV

TEMPORARY SET BACK, 1933-1942

The law school sustained a set back with reference to its organizational status during this period; however, it was able to improve scholarship requirements within the school and attain membership in a newly created accrediting agency sponsored by members of the State Bar Association.

1. Law School Becomes Subdivision of Educational Department.

By a resolution adopted by the YMCA Board of Directors March 15, 1933, the Educational Branch was reduced to the organizational status of a Department of the Central Parkway Branch. This made the law school a subdivision of a Department of the Central Parkway Branch.

The listing of Administrative Officers for the School of Law is noted in the 1937-38 catalogue in the following order: Judson J. McKim, General Secretary, YMCA of Cincinnati and Hamilton County; George N. Hartman, Executive Secretary, Central Parkway Branch YMCA; W. B. Ferris, Director, Cincinnati YMCA Schools; E. H. Harris, Assistant

Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, March 15, 1933, Cincinnati and Hamilton County, (no page number).

Director, Cincinnati YMCA Schools; Stanley Matthews, Dean,² YMCA Night Law School. The Dean was outranked administratively by all professional YMCA Secretaries who were employed on a full-time basis by the Board of Directors of the Association. In the law school catalogue for 1937-38, under the heading of Administration appears the following statement:

The control of the Cincinnati YMCA Schools is vested in the Board of Directors of the YMCA of Cincinnati and Hamilton County. Committees of Management are responsible for the activities conducted by each of the ten branches of the YMCA. The Committee of Management of the Central Parkway Branch delegated the responsibility for the organization and management of its educational work to an Executive Committee.

Additional sub-committees were appointed which were usually referred to as Committees of Administration.⁴ The Committee of Administration for the YMCA Night Law School, through its Chairman, referred recommendations to the Executive Committee of the Central Parkway Branch. The Executive Committee then contacted the Branch Executive Secretary and/or the Chairman of the Branch Committee of Management. The Dean of

² Catalogue of the YMCA Night Law School, 1937-38, (no volume), (no number), Cincinnati, Ohio, p. 4. Judge Stanley Matthews was appointed Dean of the School of Law April 15, 1936, according to the minutes of the YMCA Board of Directors.

³ Ibid., p. 3.

⁴ Ibid.

the law school, in order to initiate a proposal, was required to contact the Educational Director and/or the Chairman of the Committee of Administration for the YMCA Night Law School. If the Dean's proposal was accepted on the Branch level, the Branch Executive Secretary presented it to the General Secretary, and upon his approval the proposal was eventually presented to the YMCA Board of Directors by the President of the Board or by a Committee appointed by the President. Occasionally the Chairman of the Branch Committee of Management, the Chairman of the Administrative Committee and, rather infrequently, the Dean of the law school were permitted to appear in person at a Board meeting. However, they were not allowed to appear before the Board until all intermediary procedural steps had been taken^{5, 6, 7}.

5 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

6 R. E. Clark, Interview with Author, March 15, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

7 Judge Stanley Matthews, Interview with Author, July 8, 1957, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

2. Finance.

During the period from 1934 to 1943, the law school accumulated \$35,885.80 and incurred a deficit of \$10,626.42 which left a surplus of \$25,259.38 according to the YMCA Controller.⁸ The deficit which did occur reflected a drop in enrollment caused by students leaving school for military service in 1940, 1941 and 1942.⁹ Except for the year 1938 when the School of Commerce was credited with a surplus of \$943.92, it appears from the Controller's Report that all other units of the Educational Department under the administration of the Central Parkway Branch were operated at a loss during the entire period from 1934 to 1943.¹⁰

The Association as a whole experienced a severe financial strain during this period and embarked on a serious

⁸ E. Otto Bigler, Study of the Financial Operation of Chase College, 1924-1946, unpublished report, Controller's Office, Young Men's Christian Association of Cincinnati and Hamilton County, Ohio, 1947, p. 9. Deficits were recorded for the three years noted as follows: 1940, \$2,067.02; 1941, \$1,792.17; 1942, \$6,767.23. Substantial surpluses were recorded for all other years during the period covered in this chapter.

⁹ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, December 16, 1942, Cincinnati and Hamilton County, (no page number).

¹⁰ E. Otto Bigler, Study of the Financial Operation of Chase College, 1924-1946, unpublished report, Controller's Office, Young Men's Christian Association of Cincinnati and Hamilton County, Ohio, 1947, p. 9.

economy drive emphasizing the responsibility of each Branch for a balanced yearly budget. This is illustrated by the following resolution adopted at a meeting of the Board of Directors, June 21, 1933:

Resolved that owing to the growing deficits accumulated in the operation of the Young Men's Christian Association of Cincinnati and Hamilton County, the Board of Directors hereby authorizes R. Cliff Smith, the Treasurer, together with the President or either of the Vice Presidents and the General Secretary, to continue salaries and wages to only those branches living within their budgets. In other words, it is understood that the necessary operating expenses must first be cared for and only such funds as are then left may be applied to the salary and wage account. This applies to all types of branches. Deficits are no longer to be recognized in any branch¹¹.

The General Secretary at a meeting of the YMCA Board of Directors on August 2, 1933, called attention to the resolution of June 21, 1933, and reported that the Central Parkway Branch expected a probable \$490.00 operating deficit for the fiscal year of 1934¹². The General Secretary further reported that the Educational

¹¹ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, June 21, 1933, Cincinnati and Hamilton County, (no page number).

¹² Ibid., August 2, 1933.

Department would possibly lose \$2,970 but that "under pressure they may be able to overtake \$1000 of this deficit"¹³. He then launched into a proposal to close the schools comprising the Educational Department. However, the eventual implication of his report was that the Central Parkway Branch was losing money by operating the Educational Department, but it was possible for deficits to be greater if the schools were not operated because the Central Parkway Branch would have to absorb the overhead presently charged to the Educational Department¹⁴.

In the YMCA Board minutes of January 26, 1935, it is stated that a resolution was presented to restore the ten per cent reduction in the honoraria paid to the members of the law school faculty¹⁵. This indicated that the salaries of the law school faculty had been reduced despite substantial surpluses recorded in the Controller's official report¹⁶.

13 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, August 2, 1933, Cincinnati and Hamilton County, (no page number).

14 Ibid.

15 Ibid., January 26, 1935.

16 E. Otto Bigler, Study of the Financial Operation of Chase College, 1924-1946, unpublished report, Controller's Office, Young Men's Christian Association of Cincinnati and Hamilton County, Ohio, 1947, p. 9.

It is obvious that the law school surpluses were used not only to support all elements of the Educational Department but were also used to support other activities of the Central Parkway Branch and the Association generally.
17, 18, 19

The League of Ohio Law Schools was sponsored by members of the Ohio Bar Association as an organization for the purpose of improving legal education. The Ohio Supreme Court, which is the ultimate authority on legal education in the state, granted this organization the responsibility of establishing and maintaining standards of legal education in all law schools operating within its jurisdiction.

17 W. E. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

18 Judge Stanley Matthews, Interview with Author, July 8, 1957, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

19 R. E. Clark, Interview with Author, March 15, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1. Mr. Clark's remarks relevant to the law school's financial relationship with the YMCA were: "The YMCA dictated to the school what it had to pay. The school had little, if any, autonomy as far as finances were concerned. The task of operating the law school was made harder because some of the YMCA officials, General Secretary and Board members, thought the operation of a professional school was beyond the realm of the functions of the YMCA. The law school was treated as a tenant without power to negotiate with the landlord and had to accept the Controller's and General Secretary's budget."

3. League of Ohio Law Schools.

The Deans of all law schools within the state were invited to attend a meeting sponsored by members of the Ohio Bar Association held on January 26, 1934, for the purpose of forming a permanent organization to represent Ohio law schools. It was hoped that this meeting would provide for an interchange of ideas and the establishment of standards for legal education in Ohio . Standards were adopted at a subsequent meeting on March 18, 1934 . As a result of this meeting, the Ohio Supreme Court on June 14, 1935, amended Rule XIV to state that all applicants for the Bar Examination in the State of Ohio after July 1, 1939, must be graduated from a "recognized" law school . As a result

20 Stanley A. Samad, "Standards of Legal Education and the League of Ohio Law Schools", Western Reserve Law Review, Vol. 10, No. 2, March 1959, p. 242.

21 League of Ohio Law Schools--Articles of Association, Office of Secretary-Treasurer, League of Ohio Law Schools, Ohio State University College of Law, Columbus, Ohio, as amended March 18, 1934.

22 Ohio Supreme Court Rule XIV, para. 100, as amended June 14, 1935, 130 Ohio State, lxxvi, 1936. The Ohio Supreme Court is the ultimate authority on legal education and admission to the Bar within the state. Rule XIV of this Court established standards for legal education and admissions to the Bar. This amendment to Rule XIV defined a "recognized" law school as an Ohio law school admitted to membership in the League of Ohio Law Schools or an out-of-state school which has been approved either by the American Bar Association or by the American Association of Law Schools.

of this amendment all law schools in Ohio were required to be members of the League of Ohio Law Schools and meet the required standards adopted by that organization²³.

The minutes of the YMCA Board of Directors under date of June 20, 1934, read as follows:

A letter from Ralph E. Clark, Chairman of the Committee of Administration of the YMCA Night Law School, and a letter from the Committee of Management of the Central Parkway Branch were presented relative to the Law School's joining the League of Ohio Law Schools under the Constitution as presented to the Board in the folio. Upon motion duly carried, the proper officers of the Committee of Management and of the Law School were authorized to enroll the School in the League²⁴.

This act which authorized the YMCA Night Law School to become a member of the League of Ohio Law Schools bound the YMCA Board of Directors to operate the law school in accordance with standards adopted by the League. The first standard adopted by the League on March 18, 1934, was designed to eliminate the proprietary aspects of legal education in

²³ Ohio Supreme Court Rule XIV, para. 10G, as amended June 14, 1935, 130 Ohio State, lxxvi, 1936. In effect, the League of Ohio Law Schools became an accrediting agency for the Court of Last Resort (Ohio Supreme Court) in Ohio.

²⁴ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, June 20, 1934, Cincinnati and Hamilton County, (no page number).

Ohio which reads with reference to the eligibility of a law school for membership:

It shall not be a school so operated that the compensation of any officer or member of its teaching staff shall depend on the number of students enrolled or the fees received²⁵.

It is obvious that the YMCA Board of Directors violated the strict meaning of Article Twelfth of the standards adopted by the League. This fact is indicated in the report concerning use of surpluses read by the General Secretary and unanimously adopted by the YMCA Board of Directors, April 21, 1937:

It is of course understood that the Board at all times reserves the right in itself to administer the Association funds in such manner as it deems for the best interest of the Association as a whole²⁶.

²⁵ League of Ohio Law Schools--Articles of Association, Office of Secretary-Treasurer, League of Ohio Law Schools, Ohio State University College of Law, Columbus, Ohio, as adopted March 18, 1934, Article Twelfth, para. 3. This Article was patterned after the Standards of the American Bar Association and is interpreted to mean that no law school shall be operated as a commercial enterprise. This was also interpreted to relate to the income or surpluses accumulated by the law school which could be used by the law school at future dates but which prohibited the use of law school surpluses for subsidizing other units of educational endeavor or YMCA activities.

²⁶ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, April 21, 1937, Cincinnati and Hamilton County, (no page number).

The YMCA Board of Directors amended their By-Laws on March 15, 1939, and included Article V, Section 3²⁷, which had already been in practice for many years, according to several Branch Executives^{28, 29}. This amendment gave the YMCA Controller, for all practical purposes, absolute administrative authority over all financial concerns of each individual organizational unit of the Association.

27 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, March 15, 1939, Cincinnati and Hamilton County, (no page number). "A Controller may be recommended by the Administration Committee and the General Secretary and elected by the Board. As Assistant to the General Secretary, he shall have direct supervision and control of the appropriations, of accounting, and purchasing of the management of property of the Association and general supervision of all business methods of the Association work. Except by authority of the Board of Directors, no special fund or funds shall be solicited, received or expended by any individual or committee in behalf of the Association without the authorization of the Controller".

28 W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

29 C. H. Rouster, Interview with Author, March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

A meeting of the YMCA Board of Directors April 3, 1942, revealed the following:

It is further agreed by the Central Parkway Committee of Management that any surpluses realized annually by the operation of that Branch shall be allocated and used by the Board of Directors in such a manner as said Board in its judgment shall determine will be for the best interest of the entire Association³⁰.

According to W. B. Ferris, R. E. Clark and Judge Stanley Matthews, there were many occasions when the YMCA Board of Directors with the advice of the General Secretary or the Controller determined that it was not for the best interest of the Association to permit the law school to retain its surpluses^{31, 32, 33}.

Despite the fact that League standards regarding finance were ignored, the influence of this organization was

³⁰ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, April 3, 1942, Cincinnati and Hamilton County, (no page number).

³¹ W. B. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

³² R. E. Clark, Interview with Author, March 15, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

³³ Judge Stanley Matthews, Interview with Author, July 8, 1957, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

exceptionally effective in improving other areas concerning
the operation of the law school ³⁴.

4. Curriculum and Faculty.

The specific courses included in the curriculum from 1933 to 1942, remained principally the same as those existing in the previous period ³⁵; however, the scheduled inspection of the YMCA Night Law School in 1938, as required by the League of Ohio Law Schools, reported the following as one of its recommendations:

(4) That the Dean be urged to attempt to find a means of giving more time to certain subjects (Judicial Administration, Common Law Pleading, Code Pleading, and Legal Ethics) and requested to consider a general increase of time allotted to several other subjects to the end that teachers may more effectively do their work and students may thoroughly master the subjects ³⁶.

³⁴ Judge Stanley Matthews, Interview with Author, July 8, 1957, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1. The League's immediate objective was to strengthen the scholarship requirements in the Ohio law schools and improve the law school libraries by establishing requirements relative to the minimum number of well selected volumes available in each law school.

³⁵ Catalogues of the YMCA Night Law School, 1933-1942, (no volume), (no number), Cincinnati, Ohio.

³⁶ H. W. Arant, Report on Inspection of Cincinnati YMCA Night Law School, September 30, 1938, page 7, item 4, Office of Secretary-Treasurer, League of Ohio Law Schools, Ohio State University College of Law, Columbus, Ohio.

It was noted in the minutes of the law school faculty meeting, October 14, 1938, that a special committee was appointed to study the recommendations of the League and to initiate the necessary adjustments of the curriculum³⁷. At this same meeting the faculty approved the Dean's recommendation that the total required hours [semester hours] for graduation be increased to include a minimum of seventy-two³⁸.

The League inspection report of September 30, 1938, was severely critical of the law school library and recommended that immediate attention be given to the purchase of additional material to supplement the limited number of volumes available for student use³⁹. This matter concerned finances and was reported to the General Secretary of the YMCA for immediate attention as noted in the minutes of the Executive Committee meeting under date of October 5, 1938⁴⁰.

37 YMCA Night Law School, Minutes of the YMCA Night Law School Faculty, October 14, 1938, Salmon P. Chase College, Cincinnati, Ohio, (no page number).

38 Ibid.

39 H. W. Arant, Report on Inspection of Cincinnati YMCA Night Law School, September 30, 1938, page 7, item 4, Office of Secretary-Treasurer, League of Ohio Law Schools, Ohio State University College of Law, Columbus, Ohio.

40 YMCA Schools, Minutes of the Executive Committee, YMCA Schools, October 5, 1938, Salmon P. Chase College, Cincinnati, Ohio, (no page number). The Executive Committee of YMCA Schools was a sub-committee of the Committee of Management for the Central Parkway Branch.

Judge Stanley Matthews replaced Floyd C. Williams⁴¹ as Dean of the law school in 1936; however, there was no major change noted in the individual membership of the⁴² faculty during this period.

⁴¹ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, April 15, 1936, Cincinnati and Hamilton County, (no page number).

⁴² Catalogues of the YMCA Night Law School, 1933-1942, (no volume), (no number), Cincinnati, Ohio.

In this period the law school was reduced to a subdivision of the Department of Education of the Central Parkway Branch. This maneuver was accomplished upon the recommendation of the General Secretary and approved by the YMCA Board of Directors for the contended purpose of reducing the financial strain being experienced by the Association despite serious objections from many quarters and authentic studies demonstrating a negative outcome for the purported purpose of this reversion.

A new factor, The League of Ohio Law Schools, was injected into the problem of operating the law school during this period, which actually proved to be a blessing in disguise. It helped to improve academic standards, curriculum and library requirements. Initially, the League's rules concerning the financial operation of the law school were ignored by the YMCA executives and the Board of Directors. Eventually, because of the persistent efforts of the League and those interested in the law school, substantial accomplishments were made regarding these requirements which will be discussed in the next and final chapter of this study.

CHAPTER V

MATURITY, 1942-1951

In the beginning of the period discussed in this final chapter, we find the law school has regained only one step in its organizational status from that which it experienced in the preceding period. An historical event occurred, however, which clearly marks the close of a struggle which had existed for more than a half-century between the law school and its sponsor. This event is marked in 1951 when the YMCA Board of Directors voted to amend the Articles of Incorporation of the Association in a manner which provided the law school with the degree of autonomy for the management of its own affairs required by the state and national accrediting agencies. This act by the YMCA Board of Directors, so persistently and patiently sought for many years, afforded the law school its rightful opportunity to be recognized as maintaining the standards required of all professionally approved law schools.

1. Law School-Subdivision of Educational Branch.

At the meeting of December 16, 1942, the YMCA Board of Directors re-established the educational work of the Association as a Branch unit with reference to the organizational

and administrative structure of the YMCA by adopting the following resolution:

Whereas, due to conditions over which no one had control, to wit, the war, the attendance revenues of the Schools have diminished to a point that no one of them is self-sustaining, and, upon the present basis of revenue and expense, will each show a substantial loss and whereas, the Schools are, in the last analysis, a matter of city and county wide concern of the YMCA...we request that the Board of Directors, at the end of the fiscal year, to wit, December 31, 1942 take over the management and control of the Schools, with the Schools Committee directly reporting to the said Board of Directors¹.

The primary purpose for this action, as noted in the resolution, was to relieve the financial strain caused by the Educational Department to the Central Parkway Branch. It is interesting to note that the YMCA Board of Directors on March 15, 1933, reduced the Educational Program from Branch status to a subdivision of the Central Parkway Branch for the stated purpose of relieving the financial strain being experienced by the YMCA. This was done despite serious objections from many persons interested in the Educational Program².

¹ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, December 16, 1942, Cincinnati and Hamilton County, (no page number). This resolution was presented to the YMCA Board of Directors by the Chairman of the Committee of Management of the Central Parkway Branch.

² Ibid., March 15, 1933.

According to both Ferris and Rouster, this maneuver, which re-established the Educational Department as a separate branch in 1942, was made as a result of complaints from the Central Parkway Branch to the unjustified budgetary charge made by the YMCA to this Branch for maintenance and administrative cost relative to the operation of the educational program^{3, 4}. In other words, it appears that revenues resulting from income accumulated by the educational program were being drained off to subsidize phases of YMCA activities other than those of the Central Parkway Branch and the educational program for which the Branch was responsible.

As noted in the law school catalogue for the 1943-44 school year, the Administrative Officers were as follows: Henry E. Grim, General Secretary, YMCA of Cincinnati and Hamilton County; Roy H. Harris, Director, The Salmon P. Chase College⁵; Elmon O. Bigler, Assistant Director, The Salmon P.

³ W. E. Ferris, Interview with Author, March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

⁴ C. H. Rouster, Interview with Author, March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Cincinnati, Salmon P. Chase College, Vault #1.

⁵ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, May 28, 1943, Cincinnati and Hamilton County, (no page number). Name changed from the YMCA Night Law School to the Salmon P. Chase College of Law.

Chase College; and Stanley Matthews, Dean, The Salmon P.
Chase College of Law.⁶ This indicates that the General Secretary was the chief administrative officer of the School of Law and was followed in rank order by the Director and Assistant Director. Each of these was a paid employee of the YMCA and was directly responsible to the General Secretary. Furthermore, none of the three top administrative officers were trained in the field of law or experienced in the problems of legal education.

The re-establishment of Branch status for the College did eliminate the Executive Secretary of the Central Parkway Branch from the list of Administrative Officers superior in rank to the Dean of the law school and provided the College with its own Committee of Management. This Committee remained subservient to the General Secretary and the YMCA Board of Directors which, as noted in previous chapters, acted primarily in an advisory capacity to the College Administrative Officers and through the General Secretary to the YMCA Board of Directors.

⁶ Catalogue of the YMCA Night Law School, 1943-44, (no volume), (no number), Cincinnati, Ohio, p. 4.

2. Emphasis on Accreditation and Standards.

With the formation of the League of Ohio Law Schools, as noted in Chapter IV, a movement was initiated within the state to strengthen standards of legal education. Members of the Committee on Legal Education of the State Bar Association had been making conscious efforts since the 1920's for the adoption of law school standards recommended by the American Bar Association⁷.

Except for giving formal approval for membership of the law school in the League of Ohio Law Schools, the YMCA Board of Directors and other administrative officials of the Association registered little concern about compliance with the meaning and intended requirements for provisions of the Constitution of the League of Ohio Law Schools until June of 1949⁸.

In the meantime, following World War II, several factors focused attention on the national standards recommended by the American Bar Association which in some instances paralleled the requirements advocated by the League of Ohio Law Schools.

⁷ Stanley A. Samad, "Standards of Legal Education and the League of Ohio Law Schools", Western Reserve Law Review, Vol. 10, No. 2, March 1959, p. 239.

⁸ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, June 22, 1949, Cincinnati and Hamilton County, (no page number).

One of the most influential of these factors, no doubt, was the increase in law school enrollment from 71 students in the fall of 1942 to the peak of 418 in the fall of 1948⁹. This increase in students was accompanied by an increase in law school revenue¹⁰. Surpluses created by the law school were not segregated from other YMCA funds and were used to subsidize other activities of the Association. This was clearly contrary to the interpretation of the Constitution of the League of Ohio Law Schools as to the use of funds of any law school¹¹. These surpluses, by the nature of their size, did provide those persons interested

⁹ Enrollment Records, 1941-1952, Office of Registrar, Salmon P. Chase College, School of Law. Law school enrollment was substantially affected by the World War II years of 1942, 1943, 1944, and 1945. However, the immediate increase of enrollment which followed restored the school to the position of importance in the community it had known prior to the war years. This renewed interest that was shown by the returning servicemen justified the efforts that had been expended during the war years to keep the school in existence. Law school enrollment reached a low of fifty-three students for the fall semester of 1944. It would appear, from a study of all enrollment records in the Office of the Registrar, that the total number of students attending the law school in 1944 was less than any number of students during any other period in the history of the school except for the year of its birth in 1893.

¹⁰ Financial Records, 1948, Office of Business Manager, Salmon P. Chase College, Cincinnati, Ohio.

¹¹ League Articles of Association, Office of Secretary-Treasurer, League of Ohio Law Schools, Ohio State University College of Law, Columbus, Ohio, as adopted March 18, 1934.

in improving the status of the law school with a firm basis for insisting upon compliance with the requirements of the League of Ohio Law Schools as well as exploring the possibility of meeting the national standards.

At this time in the history of the school, the State of Kentucky influenced the standing and the accreditation of the school, for a large portion of the student body of the Chase Law School resided in the densely populated area of Northern Kentucky. In 1945 the State of Kentucky adopted the national requirements for admission to the Bar recommended by the American Bar Association¹². This development prohibited graduates of the Chase Law School from practicing law in the State of Kentucky. The results of this action^{13, 14} stimulated interest in national accreditation.

The Federal Government emphasized the importance of national accreditation through its program of financial assistance to World War II veterans whereby the amount of financial subsidy to each veteran student was based on the

¹² Rules of the Court of Appeals of Kentucky Regulating the Admission of Persons to Practice Law in Kentucky, adopted 1945, p. 6.

¹³ Chase College Committee of Management, Minutes of Chase College Committee of Management, June 5, 1945, Cincinnati, Ohio, (no page number).

¹⁴ Ibid., May 8, 1946.

accreditation status of the educational institution attended
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by the veteran .

In March of 1947, upon the invitation of H. E. Crowwell, Educational Director, and with the approval of the Committee of Management of the Salmon P. Chase College Branch, Dr. E. L. Stradley, Vice President of Ohio State University, was invited to inspect the College and make recommendations relative to improving the possibility of its accreditation status. Dr. Stradley's report emphasized a need for more autonomy for the College Branch and recommended, among other things, "so far as possible a complete separation from the
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YMCA" .

15 Servicemen's Readjustment Act of 1944. (Public Law 346, Chapt. 268), Title 38 U.S.C.A. 693, enacted June 22, 1944, by the 78th Congress, 2nd Session. This act defined an "approved" educational institution as a school that had national accreditation; the unapproved did not have national accreditation. Students who attended unapproved institutions were paid a subsidy evaluated upon "clock hours" and students who attended approved schools received subsidy evaluated on "semester hours". The semester hour basis provided more subsidy for students enrolled.

16 Chase College Committee of Management, Minutes of Chase College Committee of Management, March 19, 1947, Cincinnati, Ohio, (no page number). Dr. Stradley was an official examiner for the Ohio College Association and the North Central Association of Colleges and Secondary Schools.

In February of 1948, Ray Hutchens, Educational
 Director of the Salmon P. Chase College Branch¹⁷, submitted
 a report to the Committee of Management of this Branch noting
 specific deficiencies of the law school relative to meeting
 the national accrediting requirements of the American Bar
 Association. This report urged, among other things, that
 immediate consideration be given (1) to providing more auton-
 omy for the College by establishing a separate Board of
 Regents to govern its operation, and (2) to separating the
 financial matters of the College from those of the YMCA with
 authority for control of all surpluses acquired by the Col-
 lege granted to the Board of Regents of the College¹⁸. These
 recommendations were approved and a committee was appointed
 to carry out these recommendations¹⁹. This committee includ-
 ed members of the Committee of Management, members of the law
 school faculty and the Executive Committee of the Salmon P.

¹⁷ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, November 24, 1947, Cincinnati and Hamilton County, (no page number). Ray Hutchens was appointed Educational Director of the Salmon P. Chase College Branch.

¹⁸ Chase College Committee of Management, Minutes of Chase College Committee of Management, February 27, 1948, Cincinnati, Ohio, (no page number).

¹⁹ Ibid.

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Chase Law School Alumni Association . The Committee of Management approved a \$500.00 expenditure for use by the Educational Director of the College Branch to visit and confer with officials of other YMCA colleges who have obtained national accreditation for their law schools²¹ .

It was noted at a meeting of the Committee of Management of November 17, 1948, that the special committee appointed for the purpose of studying the possibility of national accreditation by the American Bar Association "had gone as far as it could under present conditions"²² . At this same meeting a motion was made to appoint members of the Committee of Management to discuss informally with representatives of the YMCA Board of Directors "the possibility of meeting the American Bar Association's requirement as to some sort of autonomous control"²³ . The minutes of the Committee of Management under date of March 3, 1949, referred to a statement from Mr. Grim, Executive Secretary of the YMCA,

²⁰ Chase College Committee of Management, Minutes of Chase College Committee of Management, February 27, 1948, Cincinnati, Ohio, (no page number).

²¹ Ibid. \$500.00 expenditure also approved by YMCA Board of Directors, Minutes, March 24, 1948.

²² Ibid., November 17, 1948.

²³ Ibid.

that "it would be desirable to postpone a previously suggested meeting with the Board of Directors to consider autonomous control until the present campaign was out of the way"²⁴ .

The YMCA Board of Directors on June 22, 1949, passed the following resolution:

I. WHEREAS, it is the purpose of this Board to effect whatever structural changes necessary within the framework of this corporation, that the standards of Chase College will at all times comply with the requirements of the various college accrediting groups and the American Bar Association in such matters as autonomous control, application of tuition, etc.

II. BE IT RESOLVED by the Board of Directors of the Cincinnati and Hamilton County Young Men's Christian Association, that a committee of three from this Board be appointed by the President, which committee shall be authorized and empowered to associate itself with a sub-committee of like number from the Committee of Management of the Salmon P. Chase College, for the purpose of establishing autonomous control by such organizational reformation within the framework of this corporation or by a subsidiary corporation as may be required of the College to meet the current and future problems of accreditation.

III. BE IT FURTHER RESOLVED THAT, on and after January 1, 1949, all funds earned by the College or in behalf of the College, shall be kept separate and apart from the funds of other branches of The Young Men's Christian Association, until such time as the committee appointed by the Board of Directors and the Committee of Management of the College shall adopt or reject an organizational plan for autonomous control and this plan be

24 Chase College Committee of Management, Minutes of Chase College Committee of Management, November 17, 1948, Cincinnati, Ohio, (no page number).

adopted by the Board of Directors of The Cincinnati and Hamilton County Young Men's Christian Association, at which time the accumulated surplus shall be credited to such autonomous educational institution, if such plan be adopted²⁵.

On September 21, 1949, the committee, authorized in the resolution of June 22, 1949, was appointed by the President of the YMCA Board of Directors²⁶. Meanwhile numerous studies had been undertaken by the Educational Director of the College and many conferences had been held with individual members of the Committee of Management, law school faculty, Alumni Association, and officials of the YMCA.

Dr. John C. Hervey, Advisor to the Section of Legal Education and Admissions to the Bar for the American Bar Association, was invited to make an unofficial inspection of the law school in February of 1950. He submitted a detailed report to the Educational Director of the College. This report, among other things, emphasized the importance of providing the law school with authority to manage its own affairs independently of YMCA administrative policy and made particular note of the requirement that all financial

²⁵ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, June 22, 1949, Cincinnati and Hamilton County, (no page number).

²⁶ Ibid., September 21, 1949.

surpluses created by the law school must be retained for the use of the law school .
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The joint committee, consisting of three members from the YMCA Board of Directors and three members from the College Committee of Management, referred to as the Committee on Accreditation, held several meetings and informal conferences between September 1949 and June 1951. No official record was kept of these meetings except incidental notes of an occasional report . On June 15, 1951,
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27 John G. Hervey Report, Law School Correspondence File for 1950, March 7, 1950, p. 1-4, Dean's Office, Salmon P. Chase College, School of Law, Cincinnati, Ohio.

28 Chase College Committee of Management, Minutes of Chase College Committee of Management, June 22, 1950, Cincinnati, Ohio, (no page number). "The effort to obtain recognition for the College was discussed informally. Mr. Grim, the General Secretary, said he would contact the University of Cincinnati in a matter of days regarding the subject".

29 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, June 28, 1950, Cincinnati and Hamilton County, (no page number). The General Secretary reported that "a strong committee is working on the problem of Chase Law School accreditation".

30 Chase College Committee of Management, Minutes of Chase College Committee of Management, November 21, 1950, Cincinnati, Ohio, (no page number). It was reported that the Committee on Accreditation had met with President Walters of the University of Cincinnati in July, and that it was felt that the University was not interested in Chase College becoming a Branch of the University. It was also noted that informal consideration be given to the possibility of associating Chase College with other educational institutions such as Miami University and Wilmington College.

a proposed amendment to the YMCA Articles of Incorporation was approved as presented by the Committee on Accreditation³¹. This proposed amendment was approved and adopted by the YMCA Board of Directors July 25, 1951, providing Salmon P. Chase College with a separate Board of Regents with authority to control the affairs of the College which includes the School of Law³². Thus, those interested in the law school finally saw a dream come true.

3. Finance.

It was the policy of the YMCA to appropriate all surpluses of each Branch at the end of each fiscal year including those of the College. The Board of Directors, however, on October 17, 1945, passed a resolution providing that "all Branch Committees of Management may recommend to the Board of Directors their preferred disposition of surplus funds"³³. There is no evidence, however, that this

³¹ Chase College Committee of Management, Minutes of Chase College Committee of Management, June 15, 1951, Cincinnati, Ohio, (no page number).

³² Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, July 25, 1951, Cincinnati and Hamilton County, (no page number).

³³ Ibid., October 17, 1945. All income from student tuition and fees was collected by Educational Director or members of his staff and turned over daily to the YMCA Business Office. The YMCA Business Office was under the supervision of the General Secretary and the Controller.

resolution was applied to the surpluses created by the College or School of Law. In fact, just three months later, it was noted that the 1945 Branch surpluses were being held by the Board of Directors³⁴. On March 26, 1947, the Board minutes stated that "only very large surplus in the Schools Branch has kept our total operation ahead of the 1947 budget"³⁵. The Treasurer of the YMCA in May of 1947, reported accounts receivable of \$64,000 from the government for tuition and noted that a check for \$32,000 had been received³⁶. In November of 1947, the Treasurer again reports that "most of our surpluses are in the Schools"³⁷. On January 28, 1948, the General Secretary stated "Some Branches have losses and we can not allow all surpluses to be held by Branches"³⁸. At a meeting in May of 1948, the Board of Directors adopted a complicated formula which in

34 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, January 16, 1946, Cincinnati and Hamilton County, (no page number).

35 Ibid., March 26, 1947.

36 Ibid., May 28, 1947.

37 Ibid., November 24, 1947.

38 Ibid., January 28, 1948.

effect required all Branches to turn over to the YMCA Treasurer the major portion of any surpluses credited to their account³⁹. By the use of the above mentioned formula, the YMCA appropriated \$73,376 of the surpluses credited to the College Branch, according to records of the College Business Office⁴⁰. Minutes of the Board of Directors for November 24, 1948, state that a \$10,207.53 gain by Chase College was offset by a \$10,207.75 loss for the Central Parkway Branch⁴¹.

Although some regular procedure concerning the budgetary program of the overall YMCA activities was observed, it is obvious that the internal budgetary practice encouraged the manipulating of charges and shifting of accounts to meet the immediate convenience of the YMCA administration regardless of the requirements of the League of Ohio Law Schools or the desires of those interested in building a

³⁹ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, May 26, 1948, Cincinnati and Hamilton County, (no page number). A specific reference was made to the College following the motion to adopt this formula. "This motion was seconded by Mr. Sadler and carried. The formula regarding surpluses and deficits shall apply to the Salmon F. Chase College".

⁴⁰ Financial Records, 1948, Office of Business Manager, Salmon F. Chase College, Cincinnati, Ohio. Coincidental to this action, the YMCA was conducting a capital fund-raising campaign.

⁴¹ Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, November 24, 1948, Cincinnati and Hamilton County, (no page number).

sound educational program for the law school. It is needless to say that this practice led to much controversy when conflicting interests were at stake. One example may be illustrated by the fact that the minutes of the YMCA Board of Directors for June 23, 1948, show an estimated cost for renovating classrooms between \$18,000 and \$20,000 to be paid from school surpluses⁴²; however, \$29,628 was deducted from the College surpluses in 1948 and an additional \$26,041 was deducted for the same renovation in 1949⁴³.

Despite the difficulty in arriving at an accurate estimate, because of the internal budgetary policy which provided for the shifting of charges among the various organizational units of the Association, the records of the College Business Office indicate that the law school accumulated \$63,192 surpluses of income over expense from January 1, 1943 to December 31, 1951⁴⁴.

⁴² Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, June 23, 1948, Cincinnati and Hamilton County, (no page number).

⁴³ Financial Records, 1948-1949, Office of the Business Manager, Salmon P. Chase College, Cincinnati, Ohio. The Educational Director made several inquiries concerning these two charges. There was no explanation except that it may be presumed that the ultimate charge was approximately \$35,000 more than the original estimate which was not expected to exceed a total of \$20,000.

⁴⁴ Ibid., 1943-1951.

After a careful scrutiny of all financial records^{45, 46, 47} and making what is believed to be an extremely conservative estimate of surpluses concerning those years where no records are available, the author is confident in his contention that the law school accumulated at least a total of \$200,000 in surpluses of income over expenses from the beginning of Ochiltree's regime in 1916 to December 31, 1951.⁴⁸

⁴⁵ Financial Records, 1924-1951, Office of the Business Manager, Salmon P. Chase College, Cincinnati, Ohio.

⁴⁶ E. Otto Bigler, Study of the Financial Operation of Chase College, 1924-1946, unpublished report, Controller's Office, Young Men's Christian Association of Cincinnati and Hamilton County, Ohio, 1947, p. 9.

⁴⁷ Robert M. Ochiltree, The YMCA Night Law School, (no place), (no publisher), 1943, p. 29.

⁴⁸ Ibid., p. 38-52. Estimated figures are based on the number of students who graduated in those years for which there are no financial records as compared with the number of students who graduated during those years for which the financial records were available. This source lists all graduates for each year from 1895 to 1940.

4. Curriculum and Faculty.

After a careful study of the specific courses listed in the law school catalogues from 1942 to 1951⁴⁹, no major change can be found by which the curriculum of this period could be distinguished from that of the previous period except that there was a general strengthening of material included in all individual courses. There were, however, some minor changes in curriculum. A course called Legal History, which consisted of two lectures in the use of the library, was introduced, and beginning with the fall semester of 1947⁵⁰, the material of the course Legal Ethics was incorporated into the subject matter of another course.

Two major developments occurred between 1941 and 1952 which resulted in a rearrangement of the sequence of courses being taught and a reorganization of the courses in the over-all program previously scheduled. Because of the decline in enrollment after the outbreak of World War II, the

⁴⁹ Catalogues of the YMCA Night Law School, 1942-1951, (no volume), (no number), Cincinnati, Ohio. Name changed in 1943 from YMCA Night Law School to Salmon P. Chase College, School of Law. Catalogue will carry new name hereafter.

⁵⁰ Catalogue, Salmon P. Chase College School of Law, 1947-1948, (no volume), (no number), Cincinnati, Ohio.

Committee of Management required that the Freshman and Sophomore classes be combined for purposes of instruction⁵¹. As a result of this arrangement, Freshmen beginning in the fall term of 1942, enrolled for Sophomore courses and received instruction with the regular Sophomore class. The following year, second year students enrolled for Freshmen courses and received instruction in these subjects with those students who began in the fall of 1943⁵². This arrangement was discontinued, however, with the beginning of the fall semester of 1945⁵³.

In the fall semester of 1946, the law school launched what was termed the Accelerated Program⁵⁴. This was initiated to meet the demands of the returning veterans who favored a program which would provide them with an opportunity to complete all requirements for the law degree in a shorter time than was required in the conventional four year

⁵¹ Chase College Committee of Management, Minutes of Chase College Committee of Management, October (no day of month), 1942, Cincinnati, Ohio, (no page number).

⁵² Ibid. This same procedure was followed with reference to the Junior and Senior classes which were also combined for the purpose of instruction during these years when feasible.

⁵³ Salmon P. Chase College, Law School Faculty Minutes, September 12, 1945, Cincinnati, Ohio, (no page number).

⁵⁴ Ibid., June 18, 1946.

plan which included two four month semesters and permitted a vacation period of four months during each calendar year. This change was accomplished by adding a third semester of four months in each school year which provided students with the opportunity of attending law school continuously for the twelve month calendar year. By following the Accelerated Program a student could complete all academic requirements in approximately two and one-half years rather than the four years which were required under the conventional program. By action of the Chase College Committee of Management in September of 1948, the law school was requested to admit no beginning student for the Accelerated Program after June of 1949⁵⁵. This action, however, did not affect those students who were enrolled for the Accelerated Program prior to June of 1949 who were permitted to complete their legal education under this plan.

With the cessation of the Accelerated Program, the law school reverted to the conventional two four month semesters per academic year which required four calendar years to complete the degree program. This program, however, was supplemented with the requirement that all Freshmen,

55 Chase College Committee of Management, Minutes of Chase College Committee of Management, September 17, 1948, Cincinnati, Ohio, (no page number).

Sophomores and Juniors attend an eight week Summer Term effective with the beginning Freshman class in the fall of 1950⁵⁶. The courses offered during the Summer Term were Legal Research, Legal Drafting and Taxation⁵⁷.

The faculty experienced no substantial change regarding individual members from the previous period except for the adding of four members during the years of 1948 and 1949 because of the increased enrollment which required a division of the Freshmen and Sophomore classes⁵⁸. Of additional importance to the faculty was the fact that the Dean of the School of Law became a voting member of the Chase College Committee of Management in 1945^{59, 60}.

Stimulated by the desire for national accreditation, the law school faculty evidenced considerable concern regarding academic standards during this period. This fact is substantiated in the numerous reports of faculty committees

56 Catalogue, Salmon P. Chase College School of Law, 1950-51, p. 21-22; (no volume); (no number), Cincinnati, Ohio.

57 Ibid.

58 Ibid., 1948-49 and 1949-50.

59 Ibid., 1945-46, p. 5. Judge Stanley Matthews, Dean of the School of Law, is listed for the first time as a member of the College Committee of Management.

60 Chase College Committee of Management, Minutes of Chase College Committee of Management, February 14, 1945, Cincinnati, Ohio, (no page number).

involving the particular areas of curriculum revision and grading standards as illustrated in minutes of the Committee of Management and law school faculty 61, 62, 63, 64, 65 .

Because of the continuous and consistent urging by those interested in making the position of the law school more secure and perpetuating it, the YMCA Board of Directors finally agreed to amend their Articles of Incorporation for the stated purpose of providing the school with that degree of autonomy required by the national accrediting authorities⁶⁶ . This was accomplished only after much debate and controversy extending over a period of many years. These conflicts of interest involved issues directly related to the organizational status of the law school in its association with the YMCA. Serious disagreements arose from time to time among

61 Chase College Committee of Management, Minutes of Chase College Committee of Management, January 12, 1949, Cincinnati, Ohio, (no page number).

62 Salmon P. Chase College, Law School Faculty Minutes, September 12, 1945, Cincinnati, Ohio, (no page number).

63 Ibid., June 18, 1946.

64 Ibid., October 14, 1949.

65 Ibid., April 25, 1950.

66 Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, June 22, 1949, Cincinnati and Hamilton County, (no page number).

those persons concerned with the problems involving some extremely controversial issues. In some instances the very existence of the law school was threatened; however, compromises were usually effected in informal meetings. No records were kept in these informal meetings. It would therefore be appropriate to consider the provisions of the Articles of Incorporation of the Young Men's Christian Association of Cincinnati and Hamilton County, Ohio-Amended Article Third, which marked the end result of an historic accomplishment in the development of the law school.

5. YMCA Articles of Incorporation-Amended Article Third.

This amendment provided that:

.....
 the conduct, financial control, operation, accounting, acceptance of bequests or gifts to the college, and supervision of its schools and educational activities including its schools now conducted under the name of Salmon P. Chase College, shall be vested in a separate, independent and distinct Board to be known as the Salmon P. Chase College Board of Regents, which Board shall be empowered to prepare and adopt its own rules, regulations and/or by-laws.

67 Office of the Secretary of State, State of Ohio, Vol. 615, p. 475, August 8, 1951, An Amendment of the Articles of Incorporation of The Young Men's Christian Association of Cincinnati and Hamilton County, Ohio-Amended Article Third.

The amendment provided for not less than seven Regents to be elected from the public-at-large and included three additional members who were to be selected from the membership of the YMCA Board of Directors⁶⁸. It further stated that the General Secretary or another member of the YMCA General Staff⁶⁹ might be designated as a Regent.

It is apparent that the College Board of Regents is interlocked to some extent with the YMCA Board of Directors. This arrangement does not provide for the degree of autonomy which would have resulted from an entirely separate incorporation of the College; however, it did satisfy all persons⁷⁰ concerned including the national accrediting authorities. To have incorporated the College separately at this time could have required a change in the laws of Ohio and created other problems which would have indefinitely postponed national accreditation for the law school. Therefore,

⁶⁸ Office of the Secretary of State, State of Ohio, Vol. 615, p. 2, August 8, 1951, An Amendment of the Articles of Incorporation of The Young Men's Christian Association of Cincinnati and Hamilton County, Ohio, Amended Article Third.

⁶⁹ Ibid.

⁷⁰ The law school obtained provisional approval by the American Bar Association in March of 1954. The law school was granted full approval by the American Bar Association in February of 1959.

Chapter V concludes an epoch covering fifty-eight years in the history and development of a law school under the auspices of the YMCA with the establishment of a separate and independent governing body on July 25, 1951.

During the period between 1942 and 1951, the Educational Department not only regained Branch status within the YMCA structural organization, but was provided with a Board of Regents for the College. The Board of Regents was granted the necessary autonomy to operate the law school separate and independently of all other organizational units affiliated with the YMCA. The YMCA General Secretary was relieved of all administrative authority concerning the law school and the Dean of the law school became a member of the Board of Regents.

The final period included in this study closes with the law school achieving an accomplishment of monumental significance. Emphasis on law school standards and national accreditation stimulated by the increase in law school enrollment following World War II, proved to be a major factor in this endeavor; however, the award for this achievement should be to those many persons who for many years gave so much of themselves to secure and perpetuate this law school.

SUMMARY AND CONCLUSION

The Salmon P. Chase College, School of Law became affiliated with the Cincinnati and Hamilton County Young Men's Christian Association in 1893 because its founder, Robert M. Ochiltree, knew that the YMCA sponsored educational classes and he thought it would be a convenient place to meet with those persons who were interested in the study of law. Members of the YMCA Board of Directors became interested in the law school primarily because of its possibilities as a profitable business venture and entered into a financial agreement with Ochiltree who was also interested in supplementing his income while struggling to establish himself in the practice of law. This contractual arrangement eventually led to dissatisfaction between Ochiltree and the YMCA Board of Directors which resulted in an attempt to merge the YMCA Night Law School with the Cincinnati Law School in the year of 1916. The merger, initiated by Ochiltree, proved unsuccessful and the YMCA continued to operate a law school under the control of the YMCA Board of Directors without the assistance of its founder.

During the period between 1916 and 1926 the YMCA launched a reorganizational program affecting all units affiliated with the Association. The law school was completely integrated into the YMCA structural organization and became a subdivision of a department of the Central Branch which represented only one of several other organizational

units of the Association. As a result of this organizational arrangement the law school was severely hampered because of the difficulty of communication between representatives of the law school and the final policy making body of the YMCA.

In this period serious controversies arose between those interested in the law school and the YMCA officials. The focal point of this conflict usually revolved around matters of finance. The law school was forced to compete with other units of the YMCA for the use of its own money accumulated from student tuition payments. All money collected from law school tuition went into the YMCA treasury. The Treasurer of the Association was permitted to "juggle" the accounts in any way he deemed necessary to keep each organizational unit of the Association from accruing annual deficits. Since the law school was making a profit, much of its surplus was used by the YMCA to support other organizational units of the Association.

As a result of the persistent efforts of those interested in the educational program sponsored by the Association, the YMCA Board of Directors granted branch status to the Educational Department in 1926. This move slightly upgraded the law school in the ranking of organizational units of the Association and established a new period in the history of its development.

The conflict noted in the previous period between the Educational Department and certain YMCA officials continued with increased intensity from 1926 to 1933. The General Secretary of the YMCA instigated an "attack on the schools" in an attempt to eliminate all formal education under the auspices of the Association. Initially, the General Secretary's endeavors met with some success and by action of the YMCA Board of Directors certain elements of the educational program were eliminated. This caused such severe repercussion throughout the entire community that the YMCA Board of Directors reversed itself almost immediately and voted to continue the major part of the educational program. Because of the prestige of its faculty and the influence of its alumni, the law school was not as seriously affected by this conflict as were other elements of the educational program. It is obvious, however, that had this "attack on the schools" met with less resistance, the law school would have been closed.

In March of 1933, the YMCA Board of Directors reduced the organizational status of the educational program to that of a Department of the Central Parkway Branch. This was a serious blow to the law school for it was downgraded to the organizational status of a subdivision of a department of a branch and was subjected to the same handicaps, from 1933 to 1942, it experienced in the period immediately

following the Ochiltree regime. This move was accomplished upon the recommendation of the General Secretary for the purported purpose of reducing the financial strain that was being experienced by the Association at this time.

In 1934 a new element began to play a role of major importance in the operation of the law school. This came in the form of an organization representing all of the law schools in the state of Ohio called the League of Ohio Law Schools. The League was authorized and empowered by the Supreme Court of Ohio to establish and maintain certain standards for all law schools operating within the jurisdiction of the state. For many years the League's rules concerning the financial operation of the law school were ignored by the YMCA executives and the Board of Directors. This organization, however, did serve as a lever for the improvement of academic standards and eventually became an effective vehicle for the law school in its drive for national accreditation.

During the final period included in this study, 1942 to 1951, the Educational Department not only regained Branch status, but was provided with a separate and independent governing board. Furthermore, the YMCA General Secretary was relieved of all administrative authority concerning the law school and the Dean of the law school was elevated to membership on the newly created policy making body called the

College Board of Regents. The accomplishment of this achievement was stimulated by the rapid increase in law school enrollment following World War II and the increased interest of those persons concerned with the future of the law school who insisted on this structural organization for the purpose of meeting the national accrediting standards of the American Bar Association.

Thus culminating a struggle for more than a half-century, the law school finally gained a degree of autonomy which enabled it to meet the standards required for national accreditation. This final victory was primarily due to the perseverance of many patient but determined and dedicated men.

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States the purpose of the Association, lists membership qualifications, outlines the responsibility of the Board of Directors, and duties of the officers. Provides an understanding of the basic framework on which the organizational structure and administrative procedure of the Cincinnati and Hamilton County YMCA has been established.

An Amendment of the Articles of Incorporation of The Young Men's Christian Association of Cincinnati and Hamilton County, Ohio-Amended Article Third, Office of the Secretary of State, Columbus, Ohio, 4 p.

Establishes a separate and independent governing board for Chase College and delegates authority to this board to perform all functions necessary and proper to the operation of an accredited college. Useful reference in understanding final shift in YMCA organizational structure in relation to the law school which concluded the study undertaken in this manuscript.

Bigler, E. Otto, Study of the Financial Operation of Chase College, 1924-1946, unpublished report, YMCA Controller's Office, Cincinnati, Ohio, p. 9.

Study made by YMCA Controller. Summary of the financial operation of Chase College and only official record available for the years covered in the report. Reference used to clarify financial status of the law school from 1924 to 1946.

Catalogues, Salmon P. Chase College School of Law, 1906-1951, Chase College, Cincinnati, Ohio.

Published annually since 1906. Contain information concerning curriculum, faculty, administrative officers, and general comments about the law school. Some excellent material available in no other source. (Prior to 1943, these publications were titled Catalogue of the YMCA Night Law School.)

Chase College Committee of Management, Minutes of Chase College Committee of Management, 1945-1951, Chase College, Cincinnati, Ohio.

Official records of the Committee appointed by the President of the YMCA Board of Directors to serve as the managing board for the College Branch, without such decision-making authority. Useful reference in supplementing Minutes of YMCA Board of Directors.

Clark, R. E., Interview with Author, March 15, 1958, Reel #1, Track #1 and Reel #2, Track #1, Chase College, Vault #1, Cincinnati, Ohio.

Clark has served gratuitously as a lay member of committees directly responsible for the YMCA educational program since 1933 and has been an active participant at the policy-making level. Excellent source reflecting viewpoint of a civic-minded citizen regarding the YMCA and the law school. Used to supplement and substantiate other references.

Ferris, W. E., Interviews with Author, June 12, 1957, Reel #1, Track #1 and Reel #2, Track #1; March 19, 1958, Reel #1, Track #1 and Reel #2, Track #1, Chase College, Vault #1, Cincinnati, Ohio.

Ferris was employed in 1903 by the Cincinnati and Hamilton County YMCA. He served continuously as a professional Secretary directly related with the educational program until 1941, except for the years 1916 to 1918. This interview discloses details previously unrecorded and is an excellent source useful in supplementing and substantiating other references.

Financial Records, 1924-1951, Office of the Business Manager, Chase College, Cincinnati, Ohio.

These records include and supplement the Bigler Report, however, since 1947 Chase College has maintained its own financial records under the supervision of the College Business Manager. This reference was used to substantiate the financial status of the law school from 1947 to 1951.

League of Ohio Law Schools-Articles of Association, 1934, Office of Secretary-Treasurer, League of Ohio Law Schools, Ohio State University College of Law, Columbus, Ohio, 8 p.

States the purpose of this organization and outlines standards required of all Ohio law schools. Useful to explain the effect of the League of Ohio Law Schools on the structural organization of the Cincinnati and Hamilton County YMCA as related to the law school.

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This work records details regarding the establishment of law schools in Cincinnati from the viewpoint of a man intimately related with these events. Good source and serves as an introduction to the problems encountered by the Salmon P. Chase College, School of Law in its relationship to the YMCA.

Matthews, Judge Stanley, Interview with Author, July 8, 1957, Reel #1, Track #1 and Reel #2, Track #1, Chase College, Vault #1, Cincinnati, Ohio.

Matthews has been a member of the faculty of the Salmon P. Chase College, School of Law since 1901 and served as Dean from 1936 to 1952. Excellent source for supplemental details previously unrecorded concerning early history and development of the law school.

Norton, C. DeWitt, Letter to Author, July 18, 1958, Chase College, Vault #1, Cincinnati, Ohio, 2 p.

Written by the administrative head of the College from 1931 to 1933. Used to supplement and substantiate other references.

Ochiltree, Robert W., The YMCA Night Law School, (no place), (no publisher), 1943, 53 p.

Memoirs of the first Dean and founder of the Salmon P. Chase College, School of Law. This work includes comments, lists of faculty members and alumni. Excellent source containing information concerning the early history of the Salmon P. Chase College, School of Law obtainable in no other reference.

Ohio Supreme Court Rule XIV, para. 10G, as amended June 14, 1935, 130 Ohio State, lxxvi, 1936.

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Rouster, C. H., Interviews with Author, June 26, 1957, Reel #1, Track #1 and Reel #2, Track #1; March 14, 1958, Reel #1, Track #1 and Reel #2, Track #1, Chase College, Vault #1, Cincinnati, Ohio.

Rouster served as a professional Secretary in the Cincinnati and Hamilton County YMCA from 1912 to 1924 and was intimately related with the educational program. Contributes many previously unrecorded details and covers the years of Ferris' absences. Very helpful in understanding YMCA relationship to its educational program. Useful to supplement and substantiate other references.

Salmon P. Chase College, Law School Faculty Minutes, 1938-1945, Chase College, Cincinnati, Ohio.

Official record of meetings of the law school faculty containing information regarding academic standards, curriculum and recommendations for improvement of the school. Good reference for certain information unavailable in any other source. (Prior to 1943, these records were titled Minutes of the YMCA Night Law School Faculty.)

Samad, Stanley A., "Standards of Legal Education and the League of Ohio Law Schools", Western Reserve Law Review, Vol. 10, No. 2, March 1959, p. 234-262.

Summarizes early history of legal education in Ohio. Describes circumstances which lead to establishment of League of Ohio Law Schools. Excellent source used to demonstrate effect of League of Ohio Law Schools on change of YMCA structural organization in relation to the operation of the Salmon P. Chase College, School of Law.

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Written by the former Dean of the School of Commerce and present member of the Chase College Board of Regents who has been intimately associated with the YMCA educational program since 1929. Used to supplement and substantiate other references.

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Schurman has been associated with the YMCA educational program since 1929 and served as a member of the faculty and Dean of the School of Commerce. Excellent source with reference to previously unrecorded events involving the attempt to close the schools during the early 1930's.

Senger, Harry L., The Story of the Young Men's Christian Association of Cincinnati and Hamilton County, Nashville, The Parthenon Press, 1953, 185 p.

Generalized account of the history of the YMCA of Cincinnati and Hamilton County describing the kind of activities sponsored by the Association since 1848. Useful in clarifying early concepts regarding structural organization and function of YMCA.

Williams, Paul Edgar, The YMCA College, unpublished manuscript, St. Louis, Educational Council of the Young Men's Christian Association, 1938, 218 p.

Detailed study of a selected number of college level educational institutions in U. S. and Canada having YMCA affiliation. Considers YMCA attitude, organizational structure, finance, and accreditation. Excellent study by professional YMCA Secretary. Very good reference.

Y.M.C.A. Board, Minutes of Y.M.C.A. Board of Directors, 1881-1951, YMCA General Offices, Cincinnati, Ohio.

Official records noting decisions and recommendations of the final policy-making board of the YMCA of Cincinnati and Hamilton County. The primary reference used by the author of this manuscript.

APPENDIX 1

DOCUMENTS OF THE YMCA BOARD OF DIRECTORS

APPENDIX 1

DOCUMENT #447
Summary of Survey Cincinnati YMCA Schools 1

1 Office of General Secretary, Cincinnati and
Hamilton County YMCA, Cincinnati, Ohio.

Mr. Cecil H. Gamble, Pres.
and
The Board of Directors
Young Men's Christian Ass'n. of
Cincinnati & Hamilton County

Gentlemen:

Your special committee, which has been making a survey of the activities of the Educational Branch of the Y.M.C.A. of Cincinnati and Hamilton County, is now able to report as follows:

- 1st - The results of the survey have demonstrated that we were justified in feeling that we should rest our conclusions largely upon the data supplied by the students themselves.
- 2nd - It is thought that the questions which form a part of this record, supplied an adequate medium for the getting of the desired information.
- 3rd - A careful study of the data gathered through the medium of the questionnaire discloses the fact that the Y.M.C.A. is unquestionably justified in carrying on its educational work.

Even though such work may to some extent duplicate that which is found in the programs of other institutions, still its availability and its adaptability to our students are not duplicated.

We have reached this conclusion because of our conviction that this program should exist only provided it is definitely shown that it fills a considerable need in our community.

A study of the summary of the survey and the supporting documents conclusively shows such a need:

Two hundred and forty-nine (249) out of 468 students replied frankly and in considerable detail to the questions asked--a very large percentage.

It appears that 57.5 percent. of our students have enrolled, not simply in ignorance of other educational opportunities that exist in the community, but after carefully considering these other institutions.

It is to be noted that 51.2 per cent. considered the University of Cincinnati.

It is significant that by far the greater number were attracted by the "reputation" of the school and by the character of the courses offered.

It is surprising and gratifying to notice that 90 per cent. are receiving the special benefits that caused them to select the "Y", and only 2.4 per cent. are not. Forty-seven and eight tenths (47.8) per cent. feel that the courses presented meet their expectations and only 16.9 per cent. were not wholly satisfied, while 35.3 per cent. did not reply to this question.

It is gratifying to find that 158 students claim to have been helpfully influenced, while 104 did not record their feelings in this regard.

It will be observed that in 54.5 per cent. of cases the schools were recommended by persons who could have had only the student's welfare at heart and that 45.5 per cent. might conceivably have had selfish motives for recommending them.

It is interesting to find that 73.4 per cent. feel that they have received more personal attention in our schools than they would receive elsewhere, while only 14.2 per cent. feel this is not the case. Twelve and four tenths (12.4) per cent. did not reply to this question.

And finally and most important of all we have an overwhelming verdict showing that the great ideals of the Y.M.C.A. are fostered by our educational program. Sixty-two and six tenths (62.6) per cent. stated that the influences are helpful and only 5.2 per cent. feel that this is not the case. The balance did not express an opinion on this subject.

It should, however, be added that from some of the students' comments there is reason to believe that some among the teaching staff are not rendering the service that we have a right to expect, and your special committee considers that it is the duty of the Committee of Management of the Educational Branch to thoroughly investigate this feature of our work, with a view to taking such steps as may be necessary to remedy this condition. Data on this phase of the situation, now in the hands of this special committee, will be made available to the Committee of Management of the Educational Branch.

FREDERICK C. HICKS

JAMES MORRISON

ERWIN MARX, Chairman

P.S. This report has been submitted to and approved by the Committee of Management of the Educational Branch.

APPENDIX 1

DOCUMENT #469

Letter to the YMCA Board of Directors
From the Clerion Committee¹

1 Office of General Secretary, Cincinnati and
Hamilton County YMCA, Cincinnati, Ohio.

June 1, 1933

123

Dear Member of the Board of Directors
Y.M.C.A. - Cincinnati:

We are attaching copy of the Y.M.C.A. CLARION Number three.

Advance copies of this were mailed to Messrs. Smith and Stoner.

In view of the fact that Mr. Smith appreciated the advisability of quick action and 'phoned Mr. Suhre that Mr. Stoner was out of the city and expressed a willingness to meet with the committee, the Number three CLARION was not immediately circulated to our entire mailing list.

A conference was held with Mr. Smith on Saturday afternoon, May 27th, at which it was learned that the School Committee, of which he and Mr. Stoner were members has presumably been superceded by the bringing out of a proposal for the continuing the School of Commerce. This proposal has been made over the signature of Mr. Hartman and has been submitted we believe to the Administration Committee and the Executive Committee of the Board of Directors.

Mr. Smith indicated a willingness to try to arrange a hearing for a group of our Committee before a group of Board Members, and our Committeemen took the offer under advisement.

The "Save the Schools Committee" has twice publicly and once privately asked for an impartial investigating committee, composed of men chosen by both sides, to study the school question -- men possessing special qualifications. The request set up in the second issue of the CLARION read as follows --

"Our latest and best thought is that a re-thinking committee be composed of prominent educators and men otherwise specially qualified, men not believed by either side to have any prejudices, men to whom the board can turn over its present data, and to whom we dare turn over the documents and data we are collecting, a committee before whom any "Y" man dare appear and tell the truth about anything he knows without fear of the loss of his job; and a committee which has the desire to consult original sources and verify information."

We believe that no plan for saving the School of Commerce, no matter what its organizational merits, can succeed without the restoration of good-will, and that neither the High School nor the Law School can long continue without the restoration of good-will.

The student petition charged that in the closing of the Schools two requests of the Faculty and one of the Alumni were ignored -- the question was raised as to whether the Committee of Management endorsed the move, as to whether the Educational Director was called on for information, as to whether the National Y.M.C.A. Officers in charge of Schools were called on for information and assistance.

Are the groups ignored last February and last March now being, and to be, ignored again by another Board Committee in the reconsideration of the Commerce School question?

The questions raised in the student petition that have been answered at all have not been answered convincingly. Most of the questions raised, many of which are vital, have not been answered at all. We believe we are justified in saying that had the faculty been granted the hearing it asked for, it would have asked certain questions, among which some of those in the Student-Alumni Petition would have been included. Any offer of special cooperation that the faculty might have made would have been conditional on the answer to those questions.

Was the School of Commerce abolished without the Director having been asked, either by the Committee of Management or the Committee of the Board to submit his estimates as to possible revenues and possible economies for next year and his suggestions as to self-sustaining or profitable courses that might be introduced?

The manner in which the Schools were closed has been questioned.

The manner in which the two former Directors left the Y.M.C.A. is questioned.

The reason why faculty and students and the former Director and the former Committee of Management have not been drawn on for information in the preparation of the Hartman plan is being questioned.

The reason why so obviously fair a request as the request for an impartial investigation committee -- a committee which by its very nature and by its acceptance cannot be considered a whitewash committee, and which, therefore, can exonerate all who should be exonerated, can question all who should be questioned, and can restore the confidence of all supporters of the Y.M.C.A. is also questioned.

The CLARION, representing we believe the informed student, alumni and faculty opinion, the opinion of many friends, members and financial supporters of the local Y.M.C.A., the hopes of the best informed Y.M.C.A. Officials throughout the country and the interests of rising generations of prospective "Y" students, and the interest of the community in the character building work of which the Schools are one of the MOST important parts, in the name and for the sake of these groups and no less for the sake of the reputation of the Officials of the Y.M.C.A., does now again for the third time, in the name of the justice, fairness, tolerance and conciliation inherent in the Christianity embodied in the very name of the institution whose interest we are all seeking, ask that you grant this impartial investigating committee.

If you are unable to see anything that needs investigating, if you hold that we do not represent the groups we represent, if you consider that we deserve no consideration, if you do not consider yourselves the custodians of the goodwill of the Y.M.C.A. as well as its property, we, nevertheless, ask you to grant this request on any ground you can find or on no ground whatsoever -- that if justice and reasonableness is not apparent to you in this request you are willing to give us the benefit of the charitable assumption that its reasonableness may become apparent when such a committee begins to hold hearings.

In conclusion, let us again ask that an impartial committee be selected, preferably four people, two of whom are to be selected by the Y.M.C.A. and two by the CLARION Committee. This appointed Committee must be authorized to investigate not only the School questions, but all of the elements kindred and surrounding the School management.

The findings of this Committee are to be submitted to the Board as well as to a committee of three appointed by the CLARION. The public statement to be by a joint statement prepared by the Board and the CLARION.

#3 125

Kindly advise Mr. Suhre when a meeting can be had in which this investigating committee can be appointed.

Yours truly,

THE CLARION COMMITTEE

Third Offer

In view of the fact that in a few days the Commencement Exercises of the Y.M.C.A. Schools will be over and a golden opportunity will pass for Vice President Taft to make an announcement which can restore the good-will toward the Y.M.C.A. which has been lost.

In view of the fact that unless some suitable announcement is made, the High School and Law School enrollments for next year will probably be diminished by a lack of confidence which will ring the death knell of those institutions. And in view of the fact that we are deeply interested in saving these institutions and the good name of the Y.M.C.A. and its Board of Directors and its General Secretary. And in view of the fact that no Board Members have taken the initiative in the matter of a re-thinking Committee, and that some members of the Board are not in a particularly favorable position to do so, the CLARION requests a conference with Messrs. Clifford Smith and John Stoner.

The Board of Editors has prepared an eight page answer to the Smith message of April 21st as promised in the last CLARION. It would much prefer to submit this statement to the two gentlemen mentioned. It would much prefer to meet these two gentlemen only, inasmuch as we are on record as at present lacking confidence in Mr. McKim.

These gentlemen are a properly constituted Committee of the Board to deal with School matters and it is perfectly proper that they should seek information where it can be obtained, either in their official or private capacity, as preferred.

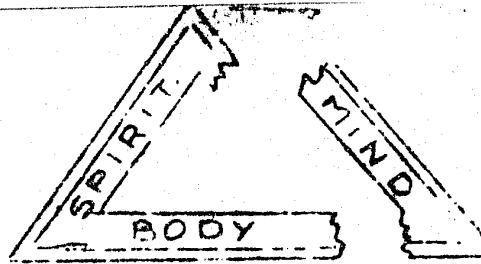
Our Committee has been in touch with Y.M.C.A.'s all over the country, it is doing a thorough research job and it is in touch with the people and the viewpoint on one side of a question that has two sides -- one side of which has by no means had a hearing.

Permit us to explain that our Committee has only one object -- to Save the Schools -- it has no intention of attacking Mr. McKim or anyone else, if this can be avoided without impeding the progress toward our object. It is fighting according to its dictates for the good of the "Y" and accords the same sincerity to the gentlemen to whom it offers its confidence.

APPENDIX 1

DOCUMENT #469 - Continued
The YMCA Clarion

1 Office of General Secretary, Cincinnati and
Hamilton County YMCA, Cincinnati, Ohio.



THE YMCA CLARION

No. 5-June 5th.1933

PUBLISHED BY STUDENTS ALUMNI AND CITIZENS.

READ TO THE BOARD OF DIRECTORS BY REQUEST JUNE 5.

This committee appointed by the Clarion group appreciates the opportunity to come before you today to review in part its point of view of the "Y" School question.

It is almost needless to state again that this group has the utmost respect for this Board of Directors, both individually and collectively. We recognize fully that this Board, like members of our own group, is giving its time generously and unselfishly to the Y M C A, and like members of our own group, is sincerely devoted to the best interests of this great institution.

We have never claimed that the Board of Directors was not qualified to decide school matters, but we have maintained from the outset that it is not apparent that the Board has received all the information that it should have received bearing on the school question before it took this action.

When those many hundreds of us immensely interested in "Y" work learned of the intention to close the schools, we were astonished at the action of the Board. The first impression we got from that action was that the Board was misinformed or it would not have taken action.

Our first step planned was to investigate and prepare statements for this Board so that they could see the great values that come from the School's programs so that in discussion and voting they could do so intelligently. However, in our investigations, which have been many, we found so many underlying currents, all hinging on school matters, that after consulting a great number of people, educators, supporters and friends of the "Y", we began to find, in our opinion, what we think was a deliberate attempt to abolish the schools. We believe there is ample proof of the idea that Mr. McKim has entertained ideas, and has expressed them, for 6 years past to abolish the "Y" schools just as soon as he could do so. That he has done practically nothing for 6 years or so to aid in their growth and development. What business represented by members of this Board would grow and prosper if the Executive head was determined or willing to see it die. With the finding of these facts, it is no wonder the Board, whom we feel have been sold by Mr. McKim on the closing of the Schools, has closed the schools.

The Board must, out of necessity, depend on its General Secretary to keep them advised of the "Y" activities. Is it any wonder then if the General Secretary does not like the schools, that he would recommend their discontinuance. With such a viewpoint he would sincerely sell the Board to close the schools.

We have never pretended that students, or faculty, members or the Educational Director, should be consulted for advice, but we have and do contend that they and the National Office should be consulted for information. The students were consulted for information a year ago by a committee consisting of Messrs. Morrison, Marx and Hicks. We quote from the report which they made a year ago last April. (See page #9)



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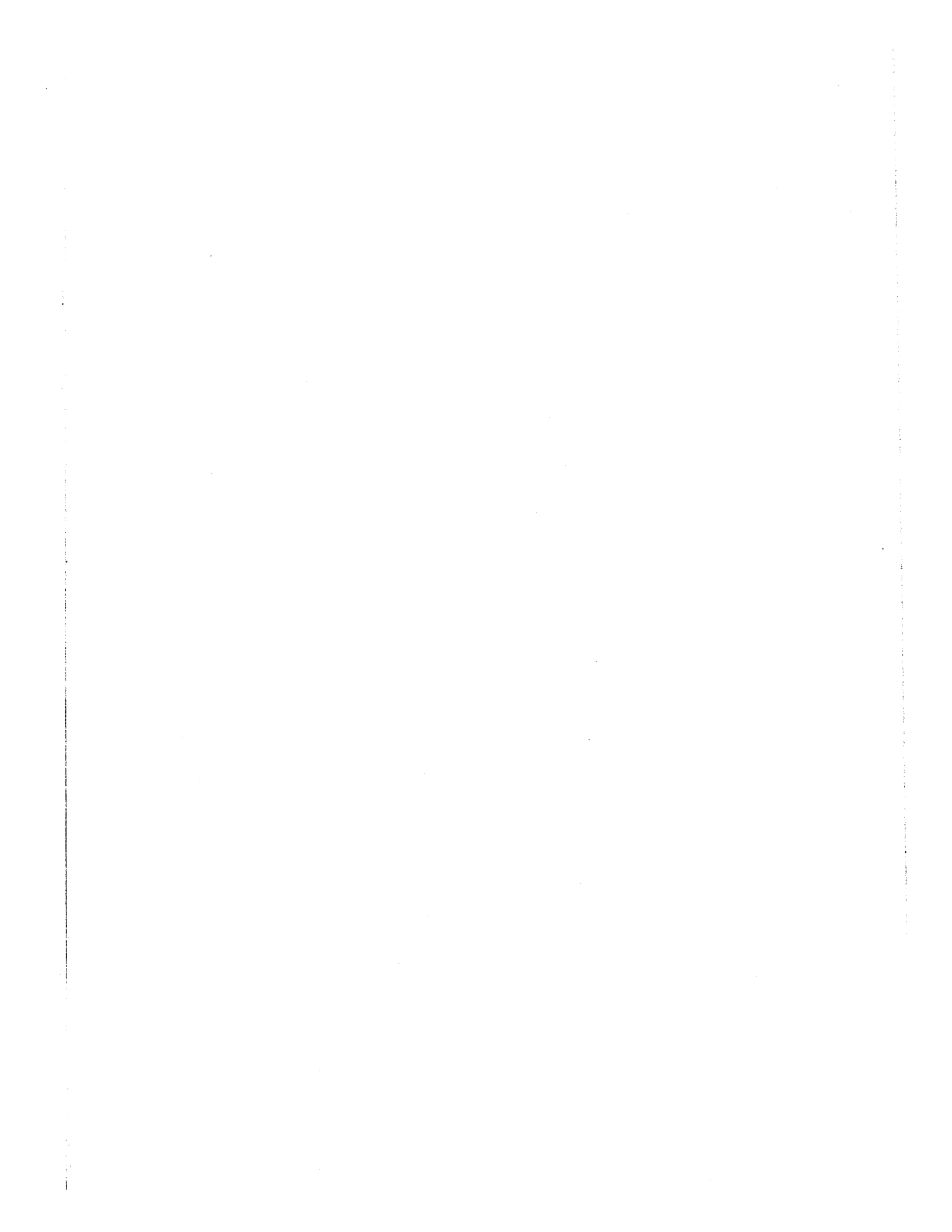
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Was this mentioned report accepted and adopted a year ago, and did it therefore become a policy of the Y M C A, or was it rejected? If it was adopted, the schools could have been abolished on the sole ground of economy, but the newspaper announcements said they were abolished on the ground of economy and duplication. We doubt if the man or men who recommended the abolition on the ground of duplication could have made out a case that would stand up on the ground of duplication alone.

The only answer we have had in writing bearing on the question of duplication is contained in the Smith statement to students. This statement to students states that prominent educators, secretaries, faculty members and students, were



consulted, but it does not name who were consulted. If the Commerce School Faculty is meant, the statement cannot be true. If our own students are meant, it is true they were consulted by Messrs. Morrison, Marx and Hicks last year, but the verdict of the students, and the verdict of the committee consulting them was that the schools did not duplicate. If it is meant that the students were consulted about the closing of the school and the breaking of their contracts, the contracts were broken by the Y M C A without the weaker party to the contract being consulted.

We are informed that in 1927 the Educational Branch started a process of the reconstruction of curriculums in the various schools. Erwin Marx took the leadership in bringing together the leaders in the Machine Tool Industry who revised the steady program of the school offering education for young men in the machine tool line. The program was devised to develop the principles lying back of the trade; to give something of the ethical and cultural elements needed in the trade; and to develop an interested consciousness of economic, social and civic relationships which make good citizens. Mr. Marx then, with David Devore as Chairman, developed a committee in the Building Trades who accomplished the same purposes for the Building Trade group. Mr. Marx then, through Roy Fryer of the U. G. & E. Co., developed a similar program for the Electrical Trade group.

Mr. Marx then chose Dr. Archibald Campbell as Chairman of a committee which developed a similar program for Chemists. Mr. Marx then developed under Mr. Edgecomb as Chairman, a similar program for the education of Foremen in Industry.

Mr. W. S. LaRue headed a committee, which very effectively reorganized the curriculum of the Day and Night Secondary Business Schools.

A school for Purchasing Agents was similarly developed. A. L. Behymer, Chairman of the Night High School committee, secured the recognition of the State of Ohio for the accreditation of the Night High School. J. Ewing Blaine, Chairman of the School of Commerce committee worked out a new and effective re-arrangement of courses of study and added much new material for the School of Commerce curriculum. This curriculum was then accepted by The Ohio Supreme Court as standard pre-requisite preparation for admittance to the School of Law, and the State Department of Education, recognized the work as the full requirement for Junior College standing. Sanford Headley and Dean Williams selected a strong committee of 21 Lawyers and Jurists and effected a complete reorganization of the Program of Study in the School of Law.

One of the specialists in Columbia University School of Education, New York, said that the curriculum building and reorganization in the Cincinnati Y M C A Schools was one of the finest examples of such work that had been done in America.

The curriculum building in the Technical School under Mr. Marx's leadership was used as the basis for a Doctor's thesis about 4 years ago at Harvard University and is in printed form.

Our committee wonders whether or not this information ever was properly presented to the Board of Directors of the "Y" so that they might know what a remarkable piece of work had been done in and for this Community by about 120 of our Industrial, Business and Professional leaders. Would this Board of Directors throw away such results?

Has this Board been apprised of the fact that the Y M C A School of Commerce in Ohio worked out a system of minimum standards with desirable practice and methods for student growth and development, in cooperation with The State Department of Education? Can you afford to lose these values?

You know there are 33 other Y M C A Schools, (you say so in the Smith message).

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The Directors of these schools know more about school values and finances than any other 33 men in the world. You failed to write them did you not?

There is a national council that receives reports from all these schools and the national office can furnish more information on schools and how to finance them than any other source. You failed to consult this source did you not?

Natural leaders in "Y" education work were mentioned in the student petition. You have failed to consult them either before the student petition have you not?

We now quote from statements made from Y M C A sources outside of Cincinnati:

"One of the outstanding educators of the country said recently to one of the larger foundations that they ought to support the Y M C A Schools (he was speaking particularly of liberal arts and secondary schools) because they were free to experiment and pioneer in developing new programs and using new methods, and in pointing the way for other educational institutions. He told the foundation that what it put into Y M C A Schools would have a larger effect upon public and collegiate education than if they put the same amount in a public school or a teachers' college, or in endowment of a certain group of public educators."

"Where the Y M C A has made a systematic effort to develop distinctive and worthwhile educational programs and, at the same time, to properly interpret its program to the community, particularly the educational leaders, there is practically no criticism from the standpoint of competition or duplication. A good Y M C A school does more than offer standard courses in subject matter. It helps young men and adults gain the technical knowledge and skills that they need for their occupations or their general educational advance. But it goes further. It helps young men understand themselves. It helps them gain a better understanding of the world in which they live. It helps them learn how to get along with each other. It sensitizes them to social and ethical values beyond the limits of technical subject matter. It helps them develop an open-minded philosophy of life in the light of Christian ideals. The outcomes of a good school are comparable to the outcomes of an all-round Association program. In fact, recent studies show that the extraclass activities of a Y M C A school are as broad and varied as is the total program of a typical central branch. An Association, then, needs to think of its school not simply as technical or academic subjects accredited by educators in which young men pay the fees, the Association should regard the school as it does any other Association program, except that young men come into it with primary interests in education rather than primary interests in recreation, as they do now into an Association built around a gymnasium. A school is a door through which men come. The program in the school on the surface may look somewhat different from the program of a more typical branch built around a gymnasium, but it should not be any less varied. It should be no less broad and it should accomplish no less worthy outcomes in the lives of the persons enrolled."

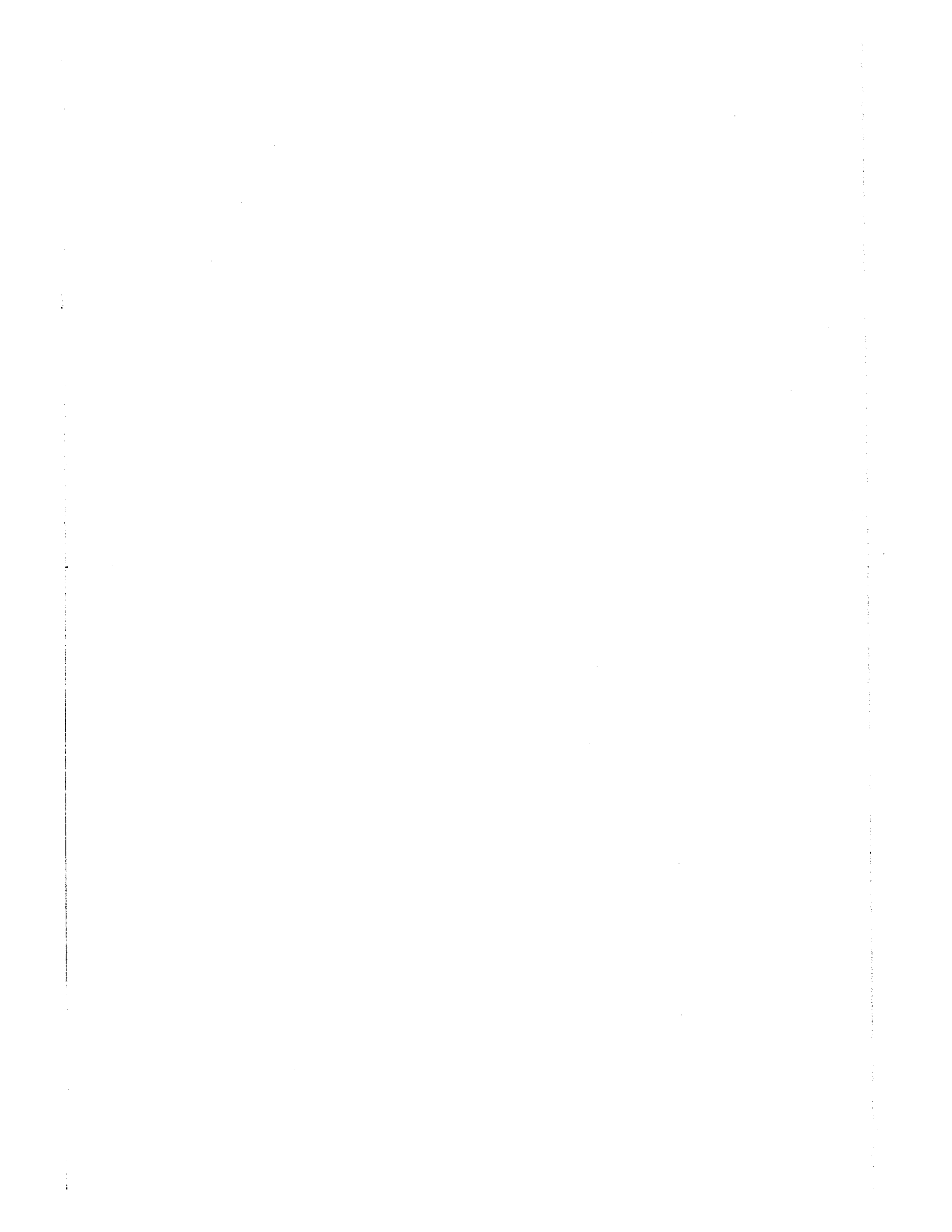
"One can find in the Association an occasional secretary or an occasional layman who still thinks that the Association should practically give up its formal educational work. The argument cannot be based upon the subsidy requirement cost, for the cost is smaller than any other program that the Association conducts. The argument cannot be intelligently based upon the outcomes not being worthwhile for a study of what happened to students attending Y M C A schools shows that the changes in the lives of persons are quite typical of what happens in other good Association programs. The argument cannot be based upon the lack of demand, for leaders of education today are demanding more adult education. The most recent pronouncement of the most distinguished educators of this country point to adult education as the greatest need of the coming years. Perhaps the next ten years will see a larger demand for adult education than any other period of American History. The Association with its long experience in this field stands in a position to render a distinctive service and to point the way to other agencies. The field is not overcrowded with outstanding and well equipped adult education institutions. Some Association schools, as well as some other adult education agencies, may go out of existence in the next few years because of their lack of understanding of the situation, or because of their inability to meet these needs, or perhaps because of their desire to give attention to some other things. They need not go out of existence because of the lack of opportunity. But these same things might be said about any phase of the Association program. In some places boys' work is being given up, partly because the cost is too much, in other places where the Association thinks there is no demand for it. On the basis of what the Association is doing in the field of religious education one might assume there is no more need for religion. And there are those who would say that recreation and health has been taken over by other agencies. An Association may rationalize it-



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at a recent conference at Cleveland in which the presidents of Associations, members of educational committees, educational directors, and others gathered from nearby cities to discuss the financial needs of the formal schools it was agreed that these formal schools presented one of the most constructive opportunities which the Associations faced in the midst of the changing social conditions and that these educational programs, if properly conducted and properly presented furnished one of the strongest appeals which any Association might have for continued support from a more discriminating financial constituency."

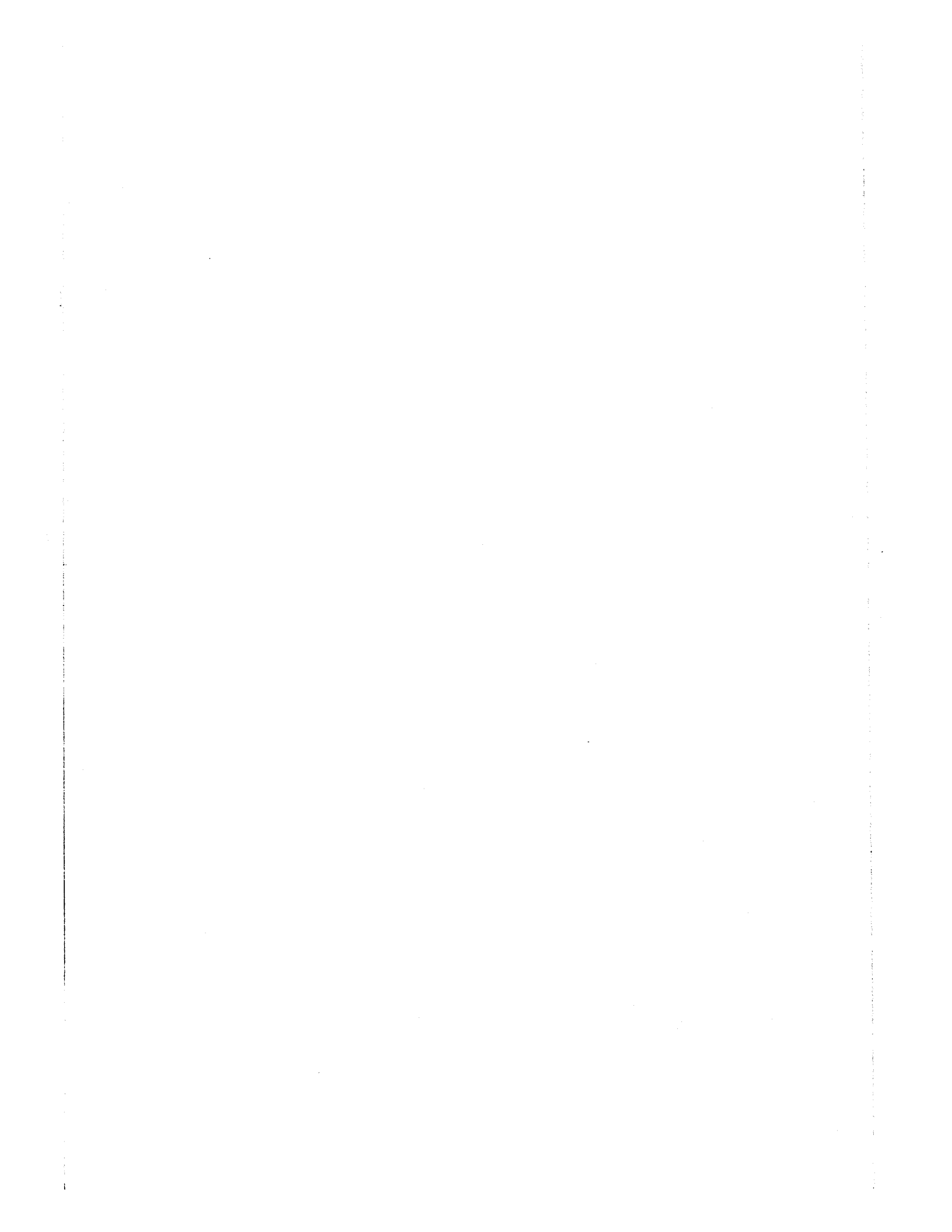
The above perhaps raises some additional questions which should be submitted. Any worthwhile work of the Association today presents problems. To continue formal education in the Young Men's Christian Association requires an insight into the needs and problems of youth and adults not characteristic of all Associations. It requires administrative and teaching personnel which will meet the professional standards of higher education as well as the professional standards of the Association. Boards of Directors, General Secretaries and other Secretaries not related to the schools' program need to be better informed upon the significant things happening in the schools so that they really see the programs, not simply as formal classes in academic subject matter, but sense the significance of the life changing forces that are being let loose in the contacts of selected teachers and purposeful young men and adults. It may be that formal schools will require different types of organizational and financial relationships. The Association movement in the past has demonstrated its ability to adapt its plan of organization, as well as its ways of working, to the changing character of its program. The last few years have seen the Association becoming somewhat more institutionalized. If it can continue to adapt itself to new conditions, developing some new kinds of program and maintaining desirable improvements in the more stable types of program which have proven worthwhile in the past, the Association movement has before it a period of greater usefulness than ever. If, however, the Association finds it necessary to destroy or give up good things which it has done in the past in order to adapt itself to changing conditions, or if it maintains what it has done in the past without adapting itself to changing conditions, it is setting for itself limitations that are not inherent in its field of opportunity."

"Chicago, with its 650 day students of liberal arts in addition to 900 in the evening, with its college of commerce, with its day and evening high school; Cleveland with its day cooperative school of engineering and business administration, a new day junior college of liberal arts as well as other worthwhile programs; Youngstown College with a program leading to the liberal arts degree and planning to introduce a department of teacher training in the fall; Dayton and Indianapolis both having been selected as the institutions to provide continued education for high school graduates who cannot go away to college, are but examples of what might be done by the Association in any of the larger cities."

What further evidence do we need of the Associations' opportunity?

"There is a tremendous field for adult education, both formal and informal. It costs the Association very little to operate its formal program - less than other programs. In some places, at least, the school programs are producing worthy Association outcomes. The Y M C A is peculiarly adapted to pioneer in this field of formal education. However, it is likely that in certain places, Associations, because of peculiar circumstances, financial limitations, lack of good planning, or lack of vision, may give up or limit this phase of the program just as these same factors, some of them unavoidable and some not, are tending to limit other phases of the Association program."

"During the next ten years we can expect the largest demand for vocational education and new kinds of liberal education on the part of young men and adults that this country has ever faced. Leading educators are saying that the great demand in education today, and in the near future, is for the education of adults. The talk about duplication and competition is rapidly dying out. More and more of



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"During the next ten years we can expect the largest demand for vocational education and new kinds of liberal education on the part of young men and adults that this country has ever faced. Leading educators are saying that the great demand in education today, and in the near future, is for the education of adults. The talk about duplication and competition is rapidly dying out. More is heard of it from a few Association Secretaries than from public and collegiate educators. Ten years ago educational leaders would pretty largely assume that as public evening schools, and extension universities enlarged their programs the Y M C A should discontinue its program. Now, however, leading educators are urging Y M C A schools to continue and to expand. A survey of the Chicago Y M C A schools made recently under the direction of the University of Chicago, urged them to continue their development of liberal arts, both day and evening, and to work toward the granting of a bachelor degree. The man in charge surveyed over two hundred colleges in the country and considers it his business to help schools get out of business when they do not serve a useful purpose. Recently, he accepted a position on the Board of Governors of the Chicago Y M C A schools. He has declined all other invitations to serve on college boards except those from his Alma Mater, from Antioch College at Yellow Springs, and from Chicago Y M C A schools. He

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...invitations to serve on college boards except those from his Alma Mater,
...College at Yellow Springs, and from Chicago Y M C A schools. He
...the Y M C A has a unique opportunity to develop a kind of junior college
...educational institution which is very badly needed and which is not likely
...to be developed rapidly enough by existing public and collegiate institutions
...the next ten years."

There is available a copy of a brief summary of the Cincinnati Schools that was
...by a committee of three, one of whom was the ex-president of the University
...Cincinnati. It has been assumed by a number of the Y M C A leaders in Cin-
...that the Y M C A schools were competing with the University. The former
...of the University insists in the survey of the Y M C A schools that
...there is no duplication, that the Y M C A schools are reaching a different group,
...that they should continue to exist, that they are doing a worthwhile piece of
...work, and that the program is worthy of Association support."

All of the foregoing is quoted without change.

How could your General Secretary analyze and pass on the school question when
...first, it is evident he is not for formal education in the Y; and second, we
...have not been able in all of the inquiry which we have carried on, to find
...evidence that he has shown interest in Faculty Meetings, Committee Meetings,
...Student Councils, etc., etc.

If the school was closed based on such influences and lack of knowledge concern-
...ing school matters, do we not certainly have a just reason for complaint? How
...could your General Secretary, be thoroughly acquainted with school matters, under
...such conditions? In addition to this, we tend to find in our investigation that
...a large amount of friction and lack of cooperation existed between your General
...Secretart and former Educational Directors. Why should such a condition exist?

Before closing the schools, why wasn't a thorough investigation made into school
...matters by receiving advice from New York Headquarters, those who are qualified
...to render facts, information, etc.? Is it not true that the Educational Ex-
...ecutives of New York Headquarters on school matters have been asked directly or
...indirectly to stay away from Cincinnati "Y".

We contend that our committee should not be asked to present evidence concerning
...the school situation, either for or against. We have not been clothed by authority
...from the Board, either to gather evidence or to report. We therefore believe that
...the Board would assume that such evidence as we might gather would be colored by
...our prejudices. We do not claim that we are free from prejudices. It is our
...recognition of that fact that causes us from the beginning to ask and to continue
...to ask for an impartial re-thinking committee to study the problem and report its
...findings.

It must be obvious that only a committee of the highest standing and qualifica-
...tions, and the utmost impartiality can exonerate all who should be exonerated,
...and can obtain the confidence of all those whose confidence has been lost. Con-
...sequently on the grounds of policy and diplomacy, if not on the grounds of
...justice, this type above is the logical committee. Some of the questions that
...have been asked and have never been answered are included herein at the end of
...this document.

In conclusion may we point out that the kind of committee we have asked for is the
...only kind of committee the Clarion will accept because it is the only kind of
...Committee that ever can learn the whole truth, it is the only kind of committee
...before whom Y M C A employees and others would dare testify.

I can state for the committee that the editors of the Clarion have prepared
...material for ten more issues of the Clarion, that we have a good many documents
...and affidavits in process which have been prepared to submit either to an im-
...partial committee or to an impartial general public, but we do not intend to

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If the school was closed based on such influences and lack of knowledge concerning school matters, do we not certainly have a just reason for complaint? How could your General Secretary, be thoroughly acquainted with school matters, under such conditions? In addition to this, we tend to find in our investigation that a large amount of friction and lack of cooperation existed between your General Secretary and former Educational Directors. Why should such a condition exist?

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It must be obvious that only a committee of the highest standing and qualifications, and the utmost impartiality can exonerate all who should be exonerated, and can obtain the confidence of all those whose confidence has been lost. Consequently on the grounds of policy and diplomacy, if not on the grounds of justice, this type above is the logical committee. Some of the questions that have been asked and have never been answered are included herein at the end of this document.

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I can state for the committee that the editors of the Clarion have prepared material for ten more issues of the Clarion, that we have a good many documents and affidavits in process which have been prepared to submit either to an impartial committee or to an impartial general public, but we do not intend to submit it to any committee which can suppress it. Do the Board of Directors expect us to present our material to a group which might suppress it?

Problems of Cincinnati Y M C A schools.

Proposition

Investigate Cincinnati Y M C A School situation.

Why?

Present situation shrouded with mystery.

Circumstances of past five months have raised many honest questions.

A - Students, faculty, alumnae and citizen supporters are puzzled and concerned.

B - Members in educational branch do not understand or feel kindly about treatment accorded them. They believe -

- 1 - School of Commerce closed for other than financial reasons.
- 2 - Continuance of other schools is threatened.
- 3 - Board has not given matter a full and fair hearing.
- 4 - General Secretary has suppressed facts favorable to operation of school and has presented unfavorable facts.
- 5 - Destruction of educational branch was not only unnecessary but was a backward move.
- 6 - Recommendations of branch committee have been ignored.
- 7 - Director of educational branch was let out under a cloud.
- 8 - Schools will not open in the fall with normal enrollment unless atmosphere is cleared.

C - Rumors are afloat that can do Y M C A irreparable damage in all branches and departments. Members in all branches and departments are interested in schools because -

- 1 - Of their history.
- 2 - Of their present popularity with students.
- 3 - Of their prestige and alumnae influence.
- 4 - Of their future possibilities.

D - Why, What and How.

WHAT

- 1 - Investigation should cover not only events of past five months, but trend of past five years.
- 2 - Circumstances under which last two Directors have been let out.
- 3 - Attitudes and reactions of educational committee men, both now active and men who have recently resigned from committees.
- 4 - Records, annual reports, budgets, financial statements, minutes of meetings, national reports of schools, for sake of comparison.

HOW

- 1 - Investigation should be conducted by lay group composed of representatives and mutually satisfactory persons. Board members - no officers. One from the educational committee of management, one from the Central Parkway Committee of Management, a member of the Smith-Stoner committee, and another unbiased Board member, three representatives of other groups - students, alumnae, citizen. Also from national secretary with technical skill and dealing with Association problems should be invited to assist the committee in securing and tabulating necessary data.

WHEN

Investigation should be started at once.

Circumstances of past five months have raised many honest questions.

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 - WHEN**
 - Investigation should be started at once.
 - 1 - Active phase should not require more than week or two.
 - 2 - Report can be made at June 15 meeting of Board.
 - 3 - Fall program depends on prompt action.

When this Board reaches its decision of granting Committee asked for, we ask that they inform us.

Respectfully Submitted

THE CLARION COMMITTEE

The following questions are submitted for your analysis:

Would it interest the Board of Directors to know just how many years ago the General Secretary announced that it was his intention to abolish formal education in Cincinnati?

The clarion could tell the Board where to get this information.

Does the General Secretary who recently recommended that the School of Commerce be abolished frequently visit School of Commerce classes to obtain an intimate picture of the work that is being done?

Does the Board of Directors know the approximate number of hours which the average student in the educational branch spends in the "Y" during his course of study under the fine class leadership he enjoys?

Has the Y M C A Board of Directors been kept informed of the quality of service rendered by the schools during the past seven or eight years?

Readers of the Cincinnati Red Triangle edited by Judson J. McKim have noted a conspicuous absence of comment on this subject. There is even a lack of comment on some of the major activities of the school. A typical instance may illustrate this. Last January when the big Annual Student Banquet was held at the Masonic Temple and one of Ohio's most noted jurists came from out of the city to deliver the principal address, the affair was by all odds the outstanding Y M C A event of the week. Did the Red Triangle express a word of appreciation to this jurist? Did it have a line of news about the banquet? It did not.

Does the Board had opportunities frequently to get information and inspiration from State and National Secretaries concerning Y M C A school work?

Did the Smith-Stoner Committee recently appointed and which it was claimed in the recent Smith statement to the students had consulted Secretaries, Editors, etc., etc. - did this Committee consult the National Executive Secretary whom the YMCA employs to head up the National education work?

Has the Board of Directors itself directly invited information from this source?

Has the Board of Directors been educated to an appreciation of the "mind" side of the Y M C A triangle?

The McKim alibi to Secretaries in class A cities states that one member of the Morrison-Marx-Hicks Committee (which last year made a survey of school work, and as a result of that survey made a favorable report to the Board of Directors) has since changed his mind, or words to that general effect.

His statement to his Board dated April 12 states that faculty and students were consulted. Will he name the students he talked to, if any? Will he name the faculty men he consulted?

How many, if any, of the members of the Commerce School Faculty who have been on the faculty...



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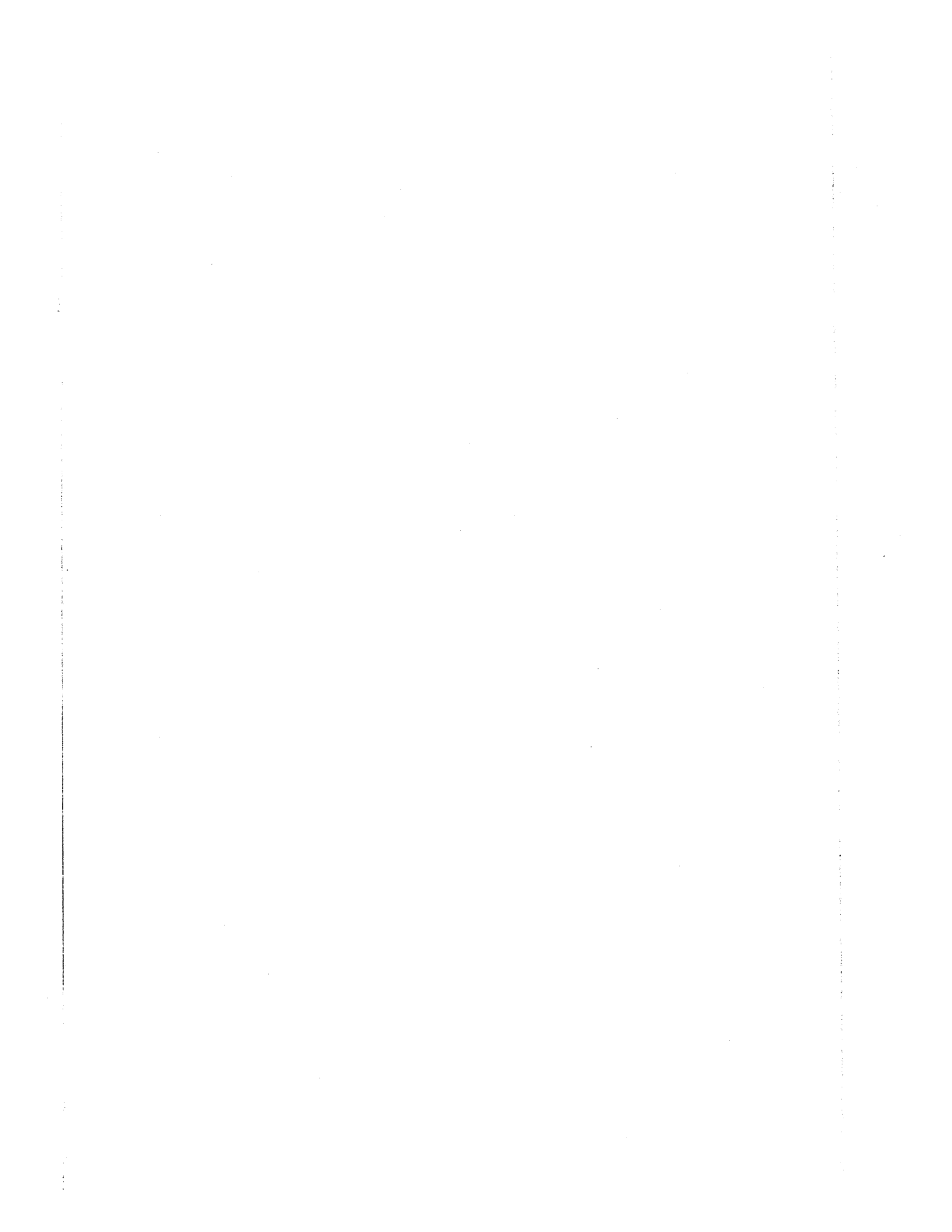
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How many, if any, of the members of the Commerce School Faculty who have been on the faculty for a period of three years or more has he ever met personally?

Many of the Commerce School Faculty Men tell us that they do not even know Mr. McKim by sight.

The Clarion regrets that Doctor Hicks resigned from the Board and is glad to know that he did not change his mind.



...other friends of the schools on the Board will sit tight, You can certainly depend on us.

...University Commerce School interfered with the growth of the University Commerce School. Figures showing the growth of the University Commerce School indicate that it has not. The attendance at the University since Dr. Druffner took charge has "doubled and redoubled vulnerable" as to speak. The good Dr. has just about made a grand slam, and we wish him well.

Is the educational branch any more in competition with similar agencies in the city than other activities of the Y M C A? What activity of the Y M C A has no competition?

Is an hour in an educational branch class room where young people are preparing for constructive citizenship of less value than an hour spent in some other YMCA activity? Is a member of the educational branch of the Y M C A who is willing to pay from \$10 to \$150 a year for his privileges a less valuable asset to the YMCA than someone who pays from \$1 to \$30 or perhaps nothing at all for his privileges?

Is the leader of a group studying law or accounting or management or English, or public-speaking or economics or psychology of less value to the Y M C A than a similar leader of a gym class or a recreation club or a horse shoe contest?

Has the Board of Directors discovered whether the General Secretary has a reputation, among national leaders of the Y and among other General Secretaries of the "Y" of advocating the abolition of formal education in the Cincinnati "Y"? Has he not sought endorsement of just such personal views when attending various out-of-town conventions?

Is the present General Secretary a leader in his relationship to his large staff of Secretaries, or does he use other methods of handling them?

Has the Board of Directors ever heard of such a thing as intimidation sessions in Mr. McKin's private office?

Does it know that attempts have been made to intimidate students participating in this campaign to save the schools?

Does the General Secretary have the confidence and good will of the Members of the Committee of Management of each of the various branches of the "Y"?

Do the Members of the Board of Directors know whether their present General Secretary is popular and trusted by the Pastors of this city? There are a lot of them on our mailing list.

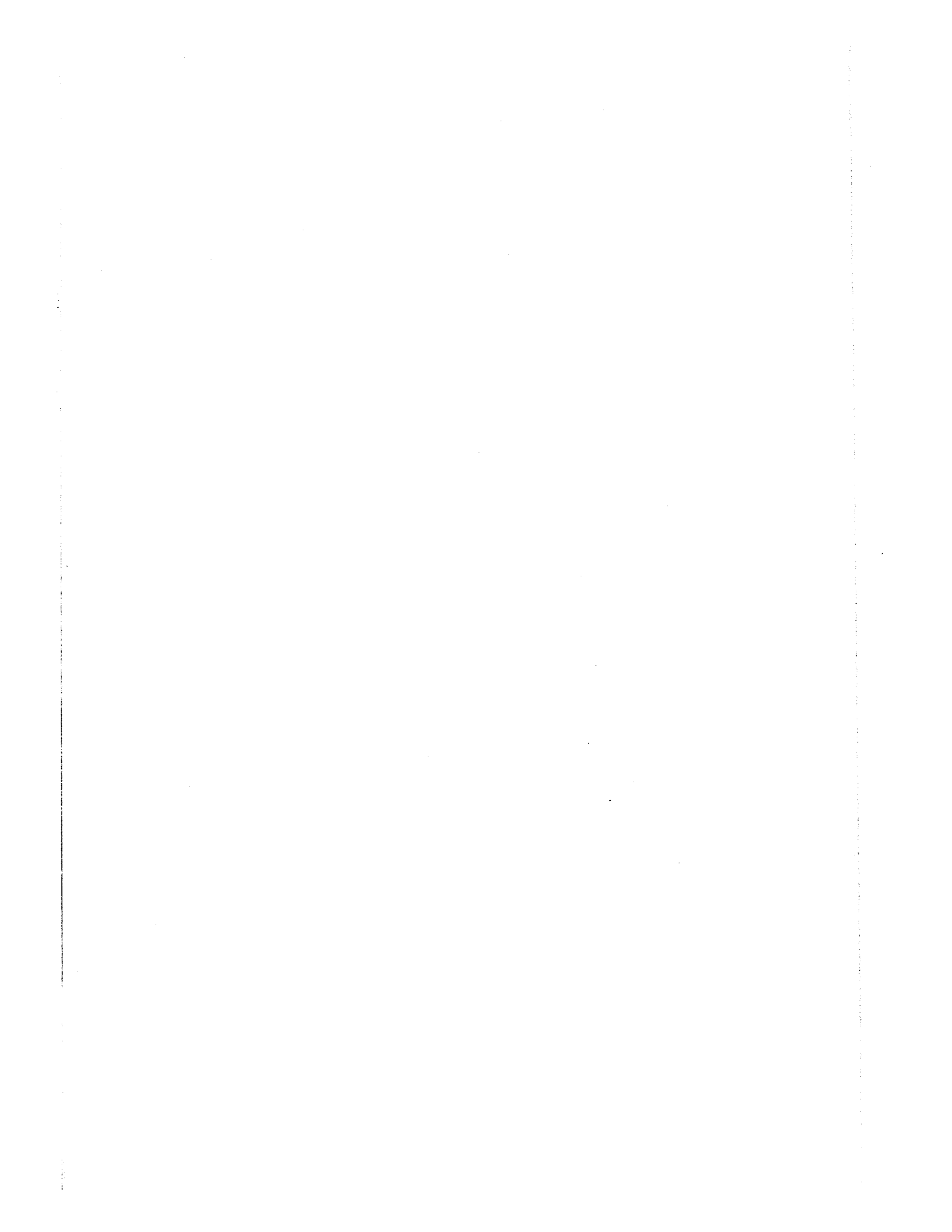
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Do the Members of the Board of Directors know whether their present General Secretary enjoys the confidence and sympathy of his own immediate staff?

Would any Y M C A employee dare give a truthful answer to this question except to an impartial investigating committee such as the Clarion demands?

Is not the Board able to realize that by virtue of and because of its close relationship to its Secretary and its well known attitude of completely trusting confidence in its Secretary, it is and will be the last group of men to hear the things which it, above all other men, ought to know?

The last person to hear of unfaithfulness in a domestic affair is the wronged husband or wife.



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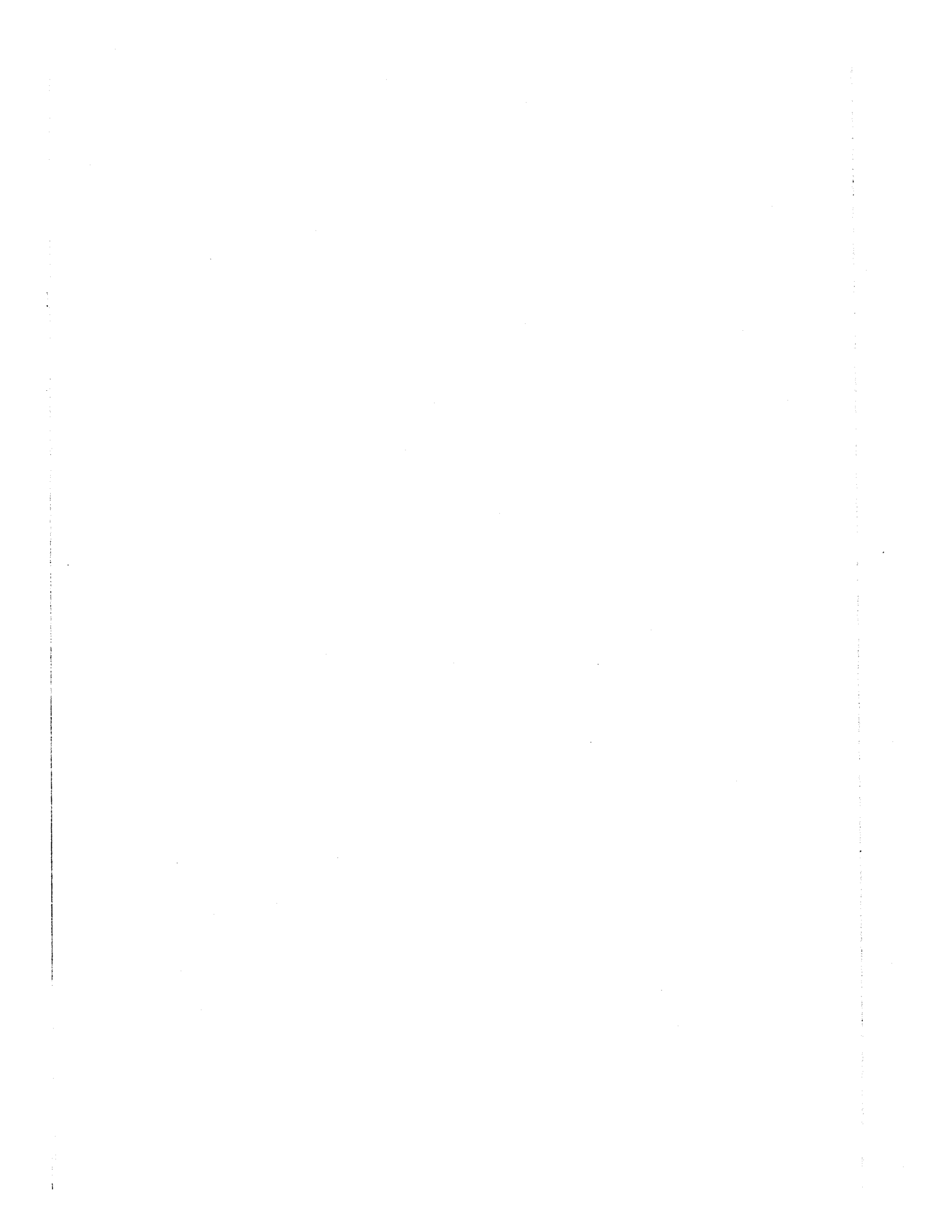
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The last person to hear of unfaithfulness in a domestic affair is the wronged husband or wife.

Does the Board ever ask itself why the protesting students and citizens spend so much time and so much money protesting a matter that has three times been announced by the Board as closed?

Why does the Clarion get bolder with each issue, and why do more people rally to the cause each week?

As is well known, the Clarion and the petition have been circulated to hundreds of prominent clergymen, social workers, officials of Community Chest Agencies, "Y" workers, contributors and friends.



The Clarion reserves the right however, to discontinue whenever a properly constituted investigating committee is appointed, after which there will be one more issue publishing the report of the committee when it is rendered.

To prevent any further misrepresentation it should be stated that no present or former educational director of the Cincinnati Y M C A is on the Clarion's Board of Directors, or is or ever has been responsible for the student protest or the Clarion.

In view of the manner in which the School of Commerce was closed, will the Board make a guarantee to freshmen entering the law school that the law school will be continued until freshmen entering it can graduate, or advise them upon registration that no guarantee can be made?

Quotation from the April 1932 Morrison-Marx-Hicks survey report.

- 1 - The results of the survey have demonstrated that we were justified in feeling that we should rest our conclusions largely upon the data supplied by the students themselves.
- 2 - It is thought that the questions which form a part of this record, supplied an adequate medium for the getting of the desired information.
- 3 - A careful study of the data gathered through the medium of the questionnaire discloses the fact that the Y M C A is unquestionably justified in carrying on its educational work.

Even though such work may to some extent duplicate that which is found in the programs of other institutions, still its availability and its adaptability to our students are not duplicated.

Clarions numbers 2, 3, and 4 are to be considered as part of the representations made in this document which is Clarion number 5.

APPENDIX 2

ABSTRACT OF

Birth and Development of the
Salmon P. Chase College, School of Law
within the State Bar of Ohio

The following is a summary of the birth and development of the Salmon P. Chase College, School of Law, within the State Bar of Ohio. The school was established in 1912 and has since that time grown to become one of the leading law schools in the State. The school is now a part of the State Bar of Ohio and is known as the Salmon P. Chase College, School of Law. The school has a long and distinguished history and has produced many of the leading lawyers and judges of the State. The school is now a part of the State Bar of Ohio and is known as the Salmon P. Chase College, School of Law. The school has a long and distinguished history and has produced many of the leading lawyers and judges of the State.

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Birth and Development of the
Salmon P. Chase College, School of Law 1
within the Structural Organization of the YMCA

This study discloses the difficulties encountered in establishing and operating a law school under the auspices of the Young Men's Christian Association of Cincinnati and Hamilton County. It notes the points of friction which arise when an educational institution is forced to adjust all phases of its operation to conform with the organizational structure, financial policy and administrative procedure commonly required of all organizational units sponsored by the Young Men's Christian Association. The history of the development of the law school from 1893 to 1951 is treated in five chapters. Each chapter designates a specific period marked by a shift in the structural organization governing the relationship of the law school with the YMCA.

Chapter I includes the first twenty-three years of the existence of the law school under the direction of its founder, Robert M. Ochiltree. During this period, the

1 Raymond Paul Hutchens, Ph.D. thesis presented to the School of Psychology and Education of the University of Ottawa, Ontario, March 1960, xi-141.

law school was operated by Dean Ochiltree whose relationship with the YMCA was governed by a contractual agreement negotiated by the Dean and the YMCA Board of Directors. In this period controversies arose at periodic intervals when the Dean and YMCA Directors renegotiated their contractual agreement. Eventually the YMCA officials became dissatisfied with the contractual basis of their relationship concerning the law school and contended that it should be more closely integrated into the organizational structure of the Association. In 1916, Dean Ochiltree and members of the YMCA Board of Directors, initiated a merger agreement whereby the YMCA Night Law School became the Evening Division of the Cincinnati Law School. This merger lasted only one year. During this year, however, and before classes actually began, the YMCA Board of Directors reversed themselves and decided to continue operating an evening law school.

Thus, the second period of this study finds the law school integrated into the YMCA organizational structure. Between the years 1916 and 1926 the law school was ranked in the YMCA organizational structure as a subdivision of the Educational Department. The Educational Department was a subdivision of the Central Branch and the Central Branch was only one of several other major organizational units sponsored by the YMCA.

The YMCA Board granted Branch status to the Educational Department in 1926. This marked the third phase in the history of the law school and upgraded its organizational rank to that of a subdivision of a Branch. During this period, the YMCA General Secretary launched a drive to eliminate the entire educational program sponsored by the Association.

In 1933 the Educational Branch was reduced in organizational status to a Department of the Central Parkway Branch. This temporary setback introduces the fourth period of this study with the law school placed in the same organizational status it experienced from 1916 to 1926. In this period a new factor began to influence the operation of law schools in the state of Ohio. An organization called the League of Ohio Law Schools was formed and established standards recognized by the Supreme Court of Ohio as requirements which all law schools within its jurisdiction must meet in order to graduate students eligible for the State Bar Examination.

The last chapter of this study begins in 1942 when the YMCA Board of Directors returned the Educational Department to Branch status in the organizational pattern of the Association and ends in 1951 when the Young Men's Christian Association of Cincinnati and Hamilton County finally

approved the establishment of a separate and independent governing board for the College.

It is evident from this study that it is impossible to operate an accredited college level educational program within the conventional pattern of organizational structure of the YMCA and conform to the standards required by the recognized educational authorities. It is possible, however, for an educational institution to retain an affiliation with the YMCA and comply with the requirements of the college accrediting agencies if the YMCA grants broad powers of administrative authority to those directly responsible for the operation of the educational program. This has been accomplished in Cincinnati by an amendment to the YMCA Articles of Incorporation. A more satisfactory arrangement could be effected, however, if the College were incorporated separately under its own Articles of Incorporation. Affiliation with the YMCA could be retained by a provision in the Articles of Incorporation of the College entitling members of the YMCA Board of Directors to serve as members of the governing board of the College.