

LINCOLN REVIEW

A Newsletter for Alumni, Contributors and Friends of Lincoln University • December 2002

A Matter of Legacy and Law: *Lincoln University Acts to Protect Its Entrusted Responsibility for the Barnes Foundation*



Adrienne G. Rhone '76, chairwoman of the Lincoln Board of Trustees.

On December 10, 2002, attorneys for Lincoln University filed additional legal documents supporting our petition to intervene in the Barnes Foundation case before the Montgomery County Orphans' Court Division of the Court of Common Pleas in Pennsylvania. The University became engaged in this matter after Barnes Foundation lawyers, funded by wealthy foundations and donors, filed a surprise petition on September 24, 2002 to amend the Barnes Foundation Charter and Bylaws. The Barnes legal petition allows for the expansion of the Board; the relocation of its collection to Philadelphia; and removal of Barnes' specific restrictions for display of the collection.

For the Barnes and its financial backers, this has been represented as an

all or nothing package.

The proposed changes in the Barnes Board governance structure gut what Dr. Albert C. Barnes envisioned for his Foundation and Lincoln University. Dr. Barnes founded the Barnes Foundation as a non-profit educational institution in 1922, with the express mission to promote the advancement of education and the appreciation of fine art and horticulture.

Lincoln Nominates 80% of Trustees

In 1950, Barnes amended his Foundation trust indenture to empower Lincoln University with the authority to nominate 80% (or four out of five) of the Trustees. The Barnes legal petition seeks to reduce Lincoln University's nominating authority to 26% (or four out of 15).

The legal filings are voluminous. The public relations spin is in overdrive.

At its core, this is a simple story of power and control.

Some are salivating at the chance of gaining control of a world-class museum. There's only one problem. The Barnes Foundation is an educational institution, not a museum.

For Lincoln University, integrity still counts. A person's indenture or will—their last statement and instruction of desires — should be honored. If it can be wantonly broken, the deceased's documented instructions, regardless of whether the estate totals one dollar or

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President Appeals for

• **1,000** •

Alumni Donors

As the calendar year draws to a close, I want to extend my deep appreciation to our alumni and others for your generous support of the University.

As Lincoln prepares for its first major fund-raising campaign (see recent issues of the *Lincoln Review* and the *Lincoln Lion*), your support will enable us to strengthen our mission to provide our students with a world-class education and at a first-rate facility.

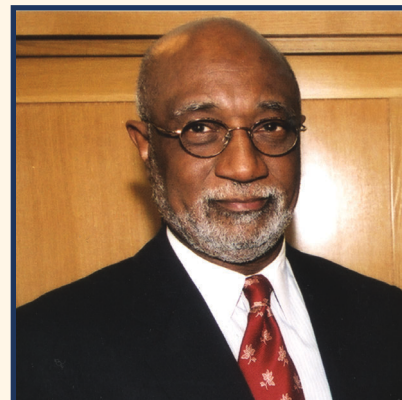
A key goal is to increase the number of alumni contributors from the 543 who gave last fiscal year to at least 1,000 by June 30, 2003.

I urge those of you who have not already sent in your checks or made your pledges to do so now. Lincoln University needs more donors to step up to the plate and make significant commitments to this venerable institution.

Your gift is an investment in our students' success! **Please fill out the enclosed envelope and make your tax-deductible contribution today.**

Again, thanks for your support during the year and **Happy Holidays!** LR

**Ivory V. Nelson, President
Lincoln University**



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billions of dollars, mean little.

Someone or something charged with the moral imperative to intervene, regardless of how Herculean the challenge, must step forth.

Those are the guiding principles of our alma mater, Lincoln University, founded in 1854 and the nation's oldest historically Black University, as we embark on this legal case. The Lincoln University Board of Trustees Executive Committee's unanimous decision to intervene on the governance issue was a "no brainer." We are compelled to do what Dr. Barnes would have expected of us, even though the unbudgeted legal expense is a financial strain on the educational operations for the 2,000 Lincoln students at our Chester County and Philadelphia (Market Street) campuses. In our normal resourceful way, Lincoln University will make the necessary adjustments.

A Long History with Barnes

Facts matter. Revisionist history does not. Let's take a look at the facts.

Lincoln's association with the Barnes Foundation began in 1946 when a strong personal and professional relationship developed between Dr. Horace Mann Bond '23, the first African American President of Lincoln University (1946–1957), and Dr. Albert C. Barnes, a visionary art collector, patent holder, and successful businessman. Theirs was an unlikely but intriguing relationship.



Dr. Horace Mann Bond '23 served as the eighth president of Lincoln University.

Dr. Barnes founded the Barnes Foundation, a non-profit educational institution located in Lower Merion Township, Pa. The Foundation has a phenomenal, priceless private collection of artworks, including Renoirs, Cezannes, and other works by Picasso, Matisse and Van Gogh.

As a result of the relationship and grounded by the status of both educational institutions, Dr. Barnes amended his Foundation's trust indenture on October 20, 1950. Dr. Barnes wrote of "weld[ing] Lincoln University and the Foundation in an educational enterprise that has no counterpart elsewhere."

Dr. Barnes entrusted to Lincoln University the role of nominating 80% (or four out of five) of the Barnes Foundation Board of Trustees

After 52 years of working with Lincoln under the provisions of Dr. Barnes' trust indenture by-laws, the Barnes Foundation now claims before

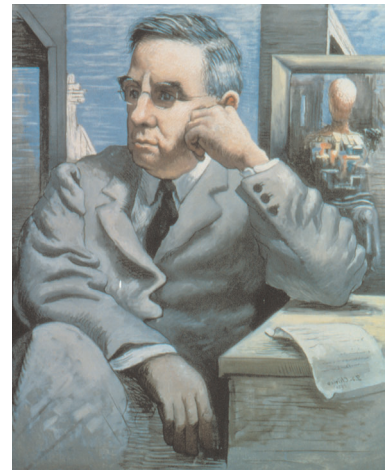
Many liken the Barnes legal case to a classic battle of "David versus Goliath," with our institution being what one reporter referred to as "little Lincoln."

the court and the public the preposterous argument that correspondence between Drs. Barnes and Bond reveals that Dr. Barnes, because of a disagreement, was ready to sever relations with Lincoln at the time of his tragic death in 1951.

This assertion is without substance. It runs counter to the correspondence, contained in Dr. Bond's papers archived at the University of Massachusetts at Amherst.

Their relationship matured to the point of mutually requesting and relying on the opinion of the other for various issues facing them. The correspondence reveals a growing friendship and trust that was unwavering (even in the light of open disagreements) between two friends and institutions.

While statements about what Dr. Barnes might have done make for quotable press releases, they are ungrounded in fact, in poor taste, and



Dr. Albert C. Barnes, rendering by Giorgio de Chirico.

have no merit in a court of law.

The current Barnes Foundation trust indenture by-laws stand on the four corners of its express and clear terms. This is our primary legal focus. We will press those points in court.

Ironically, Lincoln University—the institution entrusted by Dr. Barnes to ensure the Foundation's future and which, under new leadership,—was not made aware of The Barnes Foundation's intentions until the day of the public announcement. A never published agreement, the result of countless hours of negotiations prior to the announcement, exists with potential donors.

If donors with no legal power were consulted, then why was Lincoln University with clear nominating power not consulted?

It is also ironic that the Barnes Foundation, which is claiming

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President's Contributors Luncheon Highlights Homecoming 2002



\$5,000 and Above Donors—From left: Warren R. Colbert, Sr., Trustee, '68, Dr. Alvin B. Amos, professor of Music; Board of Trustees Chair Adrienne G. Rhone '76, Wayne C. Rhone '74 and Dr. Leonard L. Bethel, Trustee, '61.



\$2,500 to \$4,999 Donors—From left: President Nelson, Tehma H. Smith '00, Dr. Abdulim A. Shabazz '49 Distinguished professor of Mathematics and Michael Hill, vice president, Development and External Affairs.

One of the more notable events during Homecoming 2002 was the President's Contributors Awards Luncheon on October 26 in the Multi-purpose Room of the Student Union Building. The annual event, which was hosted by University President Ivory V. Nelson, Ph.D., honored the University's largest financial contributors for the 2001-2002 fiscal year.

President Nelson presented certificates to Lincoln contributors in the following donor categories: \$5,000 and above, \$2,500 to \$4,999, and \$1,000 to \$2,499. In addition to recognizing Lincoln's largest financial contributors, President Nelson was named as an honorary alumnus of the University by Lincoln Alumni Association President Lisa M.B. Johnson '85. Guests also received a copy of President's Report, which addressed the University's Strategic Plan and initiatives for the period covering July 1, 2001 to June 30, 2002. President Nelson also reiterated the importance of supporting Lincoln.

"It is important that we support our institution," said President Nelson.

"This institution has made us what we are. Your support helps many of our students who are in need." **LR**



\$1,000 to \$2,499 Donors—From left: Dr. Robert L. Albright, Trustee, '66, Dr. William B. Bynum, vice president, Student Affairs and Enrollment Management; Michael C. Taylor '95, director, Alumni Relations; Dr. H. Alfred Farrell '34, Susan Pevar, lecturer, Langston Hughes Memorial Library; Marc D. Pevar '67, Hon. Levan Gordon, former Trustee, '58, and former Board of Trustees Vice Chair William C. King '73, Esq.

Lincoln Reception in Pennsylvania State Capital Raises University's Profile

Lincoln President Ivory V. Nelson, Ph.D., hosted a reception for Pennsylvania Legislators and invited guests on November 19 in Harrisburg, Pa., the state capital.

The University held the reception to reach out to old friends and become acquainted with new ones. Ultimately, President Nelson wanted to raise the University's profile in the capital city. Invited guests included members of the Pennsylvania State House, Senate, Governor's Office as well as other elected officials. **LR**



President Nelson (left) with Pennsylvania Attorney General Mike Fisher.



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Lincoln Business and Industry Cluster Program Aims to Build Relationships



Keynote speaker, **Robert Powelson**, president of the Chester County Chamber of Business and Industry, addresses audience at the first Lincoln Business and Industry Cluster meeting.

Lincoln students and faculty. At the same time, the Business and Industry Cluster helps industry partners obtain research data as well as achieve outreach and hiring goals. Some of the participating Cluster companies include: State Farm Insurance, PECO Energy, Philip Morris, The PQ Corporation, Turner Construction, Aetna, and Exelon Generation. Hosting the event were Michael B. Hill, vice president, Development and External Affairs; Brenda Neal, director, Career Services; and Andre' Dixon, director, Corporation and Foundation Relations. **LR**

In an ongoing effort to facilitate effective communication and collaboration between representatives from industry and the University, Lincoln conducted its first Business and Industry Cluster on November 13 at the Student Union Building.

The goal of the University's Business and Industry Cluster is to provide quality programs and experiences for

Editor's Note:

The October/November 2002 edition of the *Lincoln Review* featured an article on Lincoln graduate Samuel L. Woodard '52 and his team-building program, "Encouraging More Winners." Dr. Woodard, a professor emeritus in Howard University's School of Education, is increasing the amount of his Naomi Woodard-Smoot Scholarship from \$35,000 to \$50,000.

Dr. Woodard also discusses his role encouraging University of Pennsylvania freshman Gerren Price (recipient of the \$150,000 Carl T. Rowan Project Excellence Scholarship). Dr. Woodard began referring to Price as "Dr. J," the nickname of Hall of Fame basketball star Julius Erving, when Price was in middle school and before Price decided to become a medical doctor. Woodard gave Price the nickname to recognize that he was a star in the classroom, and predicted that he would eventually get a doctorate in some field. Dr. Woodard hopes that other Lincoln Alumni will encourage this winning spirit among all the young people they impact. **LR**

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insolvency because of its inability to raise \$2 million per year, has lined up a guarantee package worth \$150 million—conditioned upon a reduction in Lincoln University's role and the Foundation's relocation.

The facts speak for themselves.

Once you understand the facts, it's clear what's going on.

People of goodwill from around the globe—alumni, friends, elected officials and new acquaintances—have reached out to the University with support. The outpouring is appreciated.

Many liken the Barnes legal case to a classic battle of "David versus Goliath," with our institution being

what one reporter referred to as "little Lincoln." Lincoln University has an ethical responsibility to preserve the Bond and Barnes legacy. While Lincoln certainly cannot outspend the rich, the principles at stake and the spirit of Barnes and Bond fortify the university Board and the entire Lincoln University community.

If the outcome mirrors that of the David and Goliath story, that's just fine with Lincoln University. **LR**



The Barnes Foundation main gallery.

Lincoln University
 is a premier, Historically Black
 University that combines the best
 elements of a liberal arts and
 sciences-based undergraduate core
 curriculum, and selected graduate
 programs to meet the needs of
 those living in a highly
 technological and global society.
 For more information about
 Lincoln University, including
 directions to the campus, the
 University's Vision, Mission,
 Philosophy, and Statement of
 Goals, see our Web site at
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