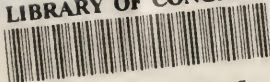


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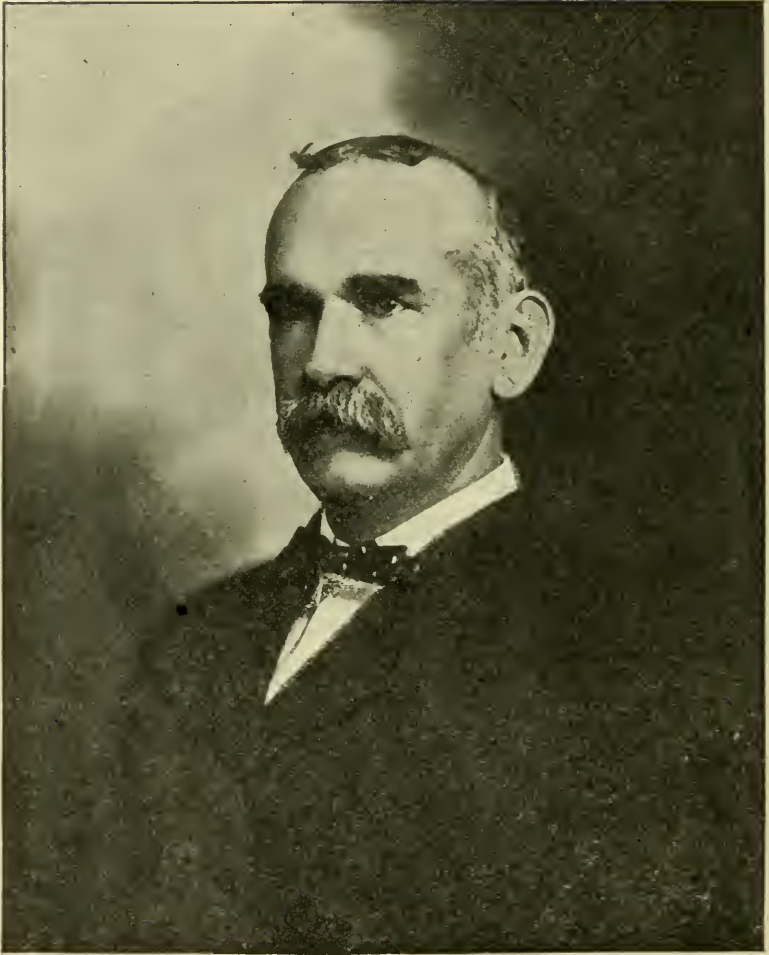












H. H. HARRINGTON



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# The History of the A. & M. College

## Trouble 1908

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—BY—

PAUL D. CASEY, Class 1908

Local Editor "Battalion," Associate Editor "Long Horn" '08.  
Representative Press Correspondents Bureau.

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Price, One Dollar

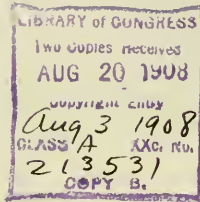
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JULY, 1908



J. S. HILL & COMPANY  
WACO, TEXAS

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## In Commemoration

Of the gentlemanly conduct and demeanor of the excellent student body at the Agricultural and Mechanical College of Texas during the session 1907-08, this book is written.

Entered according to Act of Congress in the year 1908, by Paul D. Casey, in the office of Librarian of Congress at Washington, D. C.

## Thanks and Acknowledgement.

I wish to thank each and every one that has been of assistance to me in the preparation and distribution of this book. The encouragement of friends has been of much assistance, while the criticisms of those that oppose my views have spurred me on to greater efforts.

Acknowledgment is hereby made for the use of clippings from the *Farm and Ranch*, *The Hittite*, *The Dallas-Galveston News*, *The Houston Post and Chronicle*. Also for cuts, to the *Long Horn*, *Farm and Ranch* and the *Houston Chronicle*.

Acknowledgment is made to Sir Andrew Cathcart for legal advice.

“K C”

## Foreword.

In presenting this history of the trouble at the A. & M. College during the year 1908, I wish to make but one plea,—Consider the case on its merits. Do not refuse to render a mental verdict in accordance with the merits of the contending parties because the students have “rebelled.” We considered that almost unexcusable offense long and thoroughly before we acted. And in our deliberations we felt that prudence dictated that regularly constituted authority should not be trifled with for light and transient causes or mere personal grievances. Our experience and judgment taught us that it was better to suffer such, as long as it was sufferable. But it did not end with this, for upon this were piled a long train of abuses and usurpations, apparently originating from the head of the institution, or at least carried on within his knowledge and approbation. With not a single counteracting deed coming from the aggressor to stay or pacify the sense of justice, that has a sacred and treasured place in the heart of every true American, a breaking point is sure to be reached. There is a limit to the endurance of those who live in the “land of the free and the home of the brave.” The limit was reached when President Harrington showed disrespect to our sick comrades, and his personal animosity prompted him to unjustly attack a true friend of the students, while this friend was performing his duty toward the sick students under his care in the hospital.

Our highest and noblest senses were shocked as we were forced to submit to such indignities being heaped upon our friend and comrades; self was forgotten—we rallied to our friend, then as we will each and every one of us now and in the future, even it be with our lives. We will always stand by our friends, and may the displeasure of the Great Being be visited on the selfish mortal guilty of infelicity.

Unanimously the student body, class by class, commended Dr. Joe Gilbert and Mrs. Mary Brittnelle, the nurse. She only because it was deserved, and he in addition to the fact that his unselfish labors deserved it; because he was attacked by a person whom we had every reason to believe would stoop to stain his high position to satisfy a personal grievance in such a manner that not only Dr. Gilbert would suffer from it, but also would his dearly beloved and respected wife, who had as an utter stranger been saved from death in the dark rolling waters of the devastating Galveston flood, September 8th, 1900. Is it any wonder that we should with all the candor in the warm hearts of five hundred unselfish students pass resolutions expressive of our appreciation? I say without the least tinge of regret that

then the first rule of the school was broken—you say how? The meetings were held without giving the president the reason for holding them.

The resolutions were shown Dr. Gilbert. In his kind manner which has so appealed to the students, he thanked us, but requested that we desist from publishing them, as he did not desire notoriety. Incidentally he informed the class representatives that there were no differences between himself and Dr. Harrington, that they had amiably settled them. His request was granted; the expressions of heartfelt appreciations were destroyed. The incident was at an end—no it was not at an end—Dr. Gilbert passed from it, however, but Dr. Harrington's acts remained before us.

Some ten days later the rumor came from Austin that the Board were actually to meet to consider the conduct of Dr. Harrington. Our chance had come. The right of petition was at our disposal—we used it—we were ignored—we felt that we must leave the college. Capt. Moses, another dearly loved friend of the students, heard of it. And with tears of emotion in his eyes, said: "Of all you do, don't leave the college." The rest is history and will be dealt with later.

With this appeal to you, one who is now enjoying liberty, the direct results of two rebellions against regularly constituted authority because of unbearable oppressions—1776-1836—I ask that this history of the unfortunate affair be read with a heart free from prejudice.

To the ones who are not directly informed of the affair, I wish to say that ninety-five per cent of all who have had an opportunity to personally come in contact with the conditions themselves, viz: the patrons, the alumni—and the visitors of the Farmers' Congress, do not hold that the students have been guilty of an offense that should prevent their cause from being considered and decided on its merits. Very respectfully submitted,

PAUL D. CASEY.

## CHAPTER I.

### STUDENT LIFE.

"Know whom ye judge, that ye judge justly."

For one to understand the actions of any nation, state, or group of people correctly, it is necessary that the life, characteristics, surroundings, and daily routine of living be fully understood.

If one does not belong to this group they are either liable to come to a decision as if the party in question was subject to the same circumstances as the one doing the judging, or else proper allowance will not be made for the different conditions.

This principle should have special emphasis, in the consideration of the A. & M. College trouble. The boys are students and at the college they are under very different circumstances to any other student body in the state.



**T. J. BEESLEY**

*President of the Senior Class  
of 1908*



**CHAS. HOMEYER**

*Senior Captain of the Battalion  
1907-08*

Therefore, I think it is necessary for one who is not fully acquainted with this college to have a better understanding of the conditions surrounding the trouble before a just and impartial verdict can be arrived at.

The location of the A. & M. College in a thinly populated district, five miles from the nearest town, together with the fact that it is not co-educational, throws the boys continually in one another's company. The military discipline and barrack life bears toward the same end. There being no fraternities, the divisions of the student body are restricted to the four classes, Senior, Junior, Sophomore and Freshman, corresponding to the length of time they have been at college, and the four military companies, "A," "B," "C," and "D," according to the individual height of the students.

And as every class has its members practically equally divided between the companies, and the companies have men from all the classes, there are no well-defined lines of division.

The cadets have "company spirit" that prevents class division from being carried to an extreme, while the "class spirit" prevents company associations from being carried to a selfish end. Just enough of the two opposing organizations to prevent there being any harmful effects of either, giving a nearly perfect democratic organization, free from clannishness as far as the student body is itself concerned.

In the government of the students among themselves, the class division has a shade the best of the company organization, thus putting the senior class in control. Then follows the Juniors, Sophomores and Freshmen in order. Although no one class claims or tries to have any influence or control over any other class, yet under normal conditions the classes have respect for the action of every higher class, and to a less degree for each lower class.

Then it follows that the Senior Class frames and directs the policies and movements that are of importance to the whole corps of cadets in all college movements like athletics, clubs, publications, etc. The more important offices go to the Seniors, while the assistants are selected from the leaders of the lower classes; thus continually the system develops new men for the places of control that are each year relinquished by the Seniors on leaving.

There are important reasons why the Seniors should be, and are, the ruling factors among any student body that might be named. They are older, have been at the college longer, and consequently are more experienced. The application of nature's law of the survival of the fittest, leaves twenty per cent of the number that originally entered, and these after four years of the same training and association together find very little difficulty in coming to the same conclusions, and the unanimity of the decisions of the Senior Class are very characteristic as opposed to the factions and divisions of the lower classes.

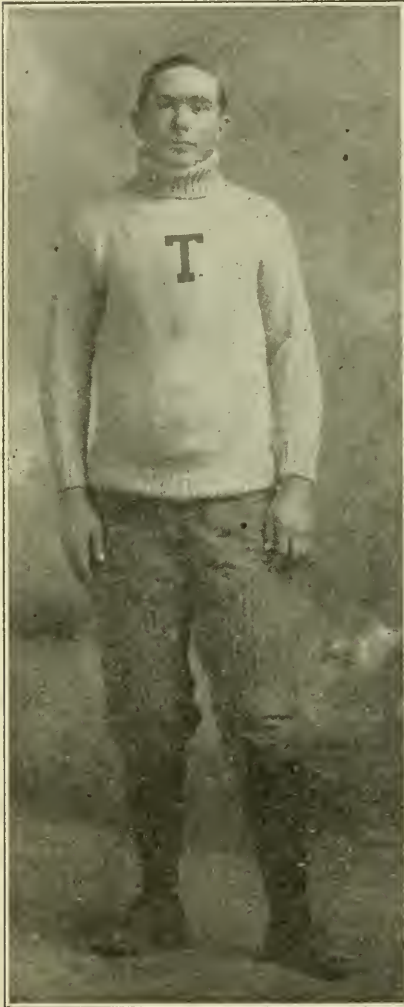
In carrying on the work of the organizations and enterprises there is no money consideration but to the one delegated the honor is the consideration, the kind that most appeals to the honest pride of any ambitious young American and he does his duty because it is duty, and is for the good of the class, the student body, and school. He knows no such word as self interest when working for the welfare of the college.

The absence of any temptation for what is usually termed "grafting" gives the better side of his nature a chance to develop a perfect horror for the practices of most men of today who are placed in public positions where they often manage things to suit their social and financial interests.

Between students there exists perhaps a truer form of general respect, one for another; without the slightest trace of hypocrisy toward politeness than can be found in any other modern social organization. The list of causes which brings a group of persons together as students, does not contain the ever ready spirit to prey on one another. Their motives so wholly differ from those that influence the actions of people in the middle of the fight for existence, that they have an opportunity to build up a character that has an abhorrence for all forms of self worship and in its place holds up self respect. The respect and politeness that exists between students can hardly be questioned as not being the most real and genuine to be found anywhere. Not that it is a set principle to be learned, but because the conditions favor it, and it soon becomes an attribute of the student. On account of the large number who are generally subject to the same rules and regulations governing all the duties of all the students, there comes a realization of equality. The lofty are humbled and the lowly are elevated and, so a level is reached,

and when this condition is arrived at it may be said by a student "I am as good as any other normal student."

When such conditions as this occur in a social unit, is it to be wondered that favoritism and arbitrary dealings prove highly distasteful. Students



**CLARENCE SYMES**

*President of the Sophomore Class.*



**JOE UTAY**

Captain Football Team 1907, who holds letter showing Dr. Harrington broke faith with Football Men.

will put up with most anything reasonable without a murmur if it applies to all; but there is sure to be a "howl" when there are evidences of partiality and arbitrary actions.



Regarding these principles, some of which are to be found in all colleges—and I believe that in very few schools are they more pronounced than here—the points favoring such conditions are: This is an agricultural and mechanical college, and this fact alone prevents the student body from contending with the wealthy boy who is merely going to college for social standing. The students who come to the A. & M. to prepare themselves to lead in their calling have added another clause to the old Grecian's answer to what an education is for; he said it was to teach one how to live. We add—and how to make the living.

Other conditions influencing the student body to a better moral development and higher ideals of official management that might be mentioned are, the college is not co-educational and is in somewhat of an isolated position. The strict military discipline and a full schedule; (there being six days of recitation) and a Sunday routine of chapel exercises and inspection that barely leaves time for one to read a Sunday newspaper. If the old saying, that only in an idle mind can the devil build a workshop, be literally true, old Satan has quit doing business among the students of the A. & M. College, on account of them not having any time to spare him, as will be seen by the following official schedule of a day's duties:

## HEADQUARTERS CORPS OF CADETS.

College Station, Texas.

February 29, 1908.

## General Orders No. 22.

Commencing tomorrow, March 1, 1908, the following list of calls will be observed.

Reveille, first call.....	6:00 a. m.
Assembly .....	6:10
Five minutes "setting up exercises" immediately after reveille.	
Breakfast, first call.....	6:30
Assembly .....	6:35
Sick call, immediately after breakfast.	
Guard Mounting, first call.....	7:25
Assembly .....	7:30
Call to Quarters, first period.....	7:55
Assembly .....	8:00
Second Period .....	8:55
Assembly .....	10:00
Third *Period .....	9:55
Assembly .....	11:00
Fourth Period.....	10:55
Assembly .....	11:00
Fifth Period.....	11:55
Assembly .....	12:00 m.
Recall .....	12:50 p. m.
Dinner Call .....	12:55
Assembly .....	1:00
First Sergeant's and Sick Call immediately after dinner.	
Call to Quarters and Sixth Period.....	1:55
Assembly .....	2:00
Seventh Period .....	2:55
Assembly .....	3:00
Recall .....	4:30
Drills and Ceremonies, Monday, Wednesday and Friday.	
First Call .....	4:40
Assembly .....	4:45

Recall .....	5:40
Retreat and Supper, first call .....	6:00
Assembly .....	6:05
Call to Quarters, except Saturdays .....	7:00
Assembly .....	7:10
Tattoo .....	10:00
Taps .....	10:15
Sunday Morning Inspection .....	8:30
Chapel Exercises, Sunday, first call .....	11:20
Assembly .....	11:30

Chapel Exercises, Thursday, immediately after breakfast.

By order of Captain Andrew Moses, Commandant:

D. B. NETHERWOOD,  
Cadet First Lieutenant, Acting Adjutant.

Bearing on this line of explanations of the conditions influencing student life at A. & M., I will add the following extracts from a late Bulletin of this college:

"The poor man's son and the rich man's son stand on precisely the same footing at the Agricultural and Mechanical College. No professor or instructor in the institution could at any time during the session, unless he were to make a special investigation of the matter, tell who were the sons of poor men and who were the sons of rich men in any of his classes. There is no community in the land in which the line between the rich and the poor is more completely obliterated, or that affords a young man of means fewer opportunities for displaying his wealth. All students dress alike, all eat the same kind of food at the same tables, all have to get up at the same time in the morning, and make their own fires, bring their water, clean their rooms, and during the day all have to do the same kind of work. And there are no social or other occasions when the poorest boys in the corps are placed at any disadvantage on account of their poverty.

"Among the students there is nothing that resembles the caste spirit. A great many of them have to pay a part of their college expenses by doing any kind of work that does not interfere with their regular duties; but this does not in any way affect their standing with the officers of the college, or with their fellow students. Some of the most popular young men in the student body—men who stand highest in their classes and in athletic sports—may be seen in the dining room at meal time, wearing white jackets and aprons, waiting on the tables where their fellow students are eating. One would be perfectly safe in making the assertion that there is not an institution of learning in America where it is more nearly true, that each student is judged by what he is and what he does, rather than by his wealth, social position, or family connections."

"As a result of all these and other influences, the morals of the students will compare very favorably with those of any other student body in the land. The students themselves are anxious to maintain a high standard of morality, and to make the reputation of the college a matter of pride to themselves and to the people of the State. There was a time when a great many people had the idea that the college was a sort of reformatory, a place to send boys who were too wild and unruly to be managed at home, and in some portions of the state this impression still lingers. Whatever may have been the foundation for such an impression years ago there is certainly none whatever for it now. Most of the boys who come here have a very definite idea as to what they want to accomplish, and they go about their work with a singleness and seriousness of purpose that would impress even a casual observer. Those who come simply to have a good time soon find that they have come to the wrong place, and it does not take the college authorities long to reach the same conclusion. It is true

that many boys whom their parents find hard to control, turn out to be faithful students; but the college has no patent methods of supplying the deficiencies of home training and of reforming incorrigible youngsters, and it is making no investigations along that line."

In writing of the student body some time ago the local correspondent for the Post, said:

"The student activities, his surroundings, his ideals, control very largely the kind of man developed from any college. That there are many things to be desired at the one technological school of Texas is evident, but that the opportunities for a healthful physical development are excellent, that the ideas of the students are sane and wholesome, that their attitude toward moral questions on the whole is good, that they are manly, truthful, clean minded, practical, loyal, and courageous, there can be no question among those who know them best."

### BARACK LIFE.

There are five large brick buildings not including Goodwin Hall, and thirty-six tents occupied by the students, usually two to a room. During meals and while corps is away, and during study hours, sentinels are on constant duty, they being posted for three reasons, (1) to carry out the regular army regime, (2) the protection of state and private property against fire and prowlers, and, (3) to insure order and prevent visiting during study hours.

Each floor of a building constitutes a "division," and the highest ranking officer on it is the superintendent of that division.

The superintendent's duties make him directly responsible to the commandant for the good behavior, tidiness and sanitary condition of his division. His inspections are made at 6:30 a. m. and 10:15 p. m. and all irregularities are reported to the commandant. This, together with the inspection of the "Officer of the Day," which comes in the forenoon, and the Sunday morning inspection by the commandant insures perfect order, tidiness and punctuality,—three requirements for the proper formation of an all-round good character.

The troubles that worry a new student may be illustrated by the following statement by a Freshman:

"During the first month I had trouble in keeping house. Before I came to college I had never swept a floor, piled a bed or cleaned a room. I knew absolutely nothing about such work. I tried hard; but in spite of all effort the room would not look decent. I kept on trying and before long I could sweep as well as most anyone; I can arrange my bed neatly, and make my room appear orderly."

I believe that if the cadets were judged by society's test of the neatness of house keeping, as an index to refinement and culture, they would certainly receive a high rating.

Under these conditions it is very unlikely that all of a sudden a body of five hundred men, whose ages range from seventeen to thirty years, (the leaders of thought averaging twenty-four years,) would unanimously and without warning become socialists and anarchists. It is also more unlikely that they would sacrifice their own chances for an education in catering to some leader, either student or other person; yet ignorant and uninformed outsiders and selfish seeking "insiders" have this year made such statements, by way of insinuation, a mode of making charges that does not require the accuser to prove them. And the last charge was made for no other reason than to keep a large number of faculty men and instructors from coming out against Harrington under the penalty of being accused of being at the bottom of the whole trouble.

## CHAPTER II.

### THE GROWTH OF ANTAGONISM BETWEEN DR. HARRINGTON AND THE STUDENTS.

"You can't keep a good man down."

The first notice of dissatisfaction among the cadets on record is the signing of the petition by the three upper classes on February 5, 1908, which was presented the next morning to the president of the Board by the sergeant of the guard. But this, however, is not the beginning of the dissatisfaction, but was the declaration that matters had become unbearable. The unpopularity of Dr. Harrington dates back to when he was professor of chemistry. However, this old dislike was buried when he became president, and would have never been known to the present students had things went well. In the "Long Horn" of the class of 1903 we find in the "Manual of Ornithology" his characteristics portrayed in the "Falco-Molecularis." (See L'Envoy.)

The antagonism is truly deep-seated and of long standing. A member of the old Board that elected Dr. Harrington states that the serious objection to electing Prof. Harrington to the presidency was his unpopularity with the students and the faculty. This member stated that prior to the election in 1905 he had personally investigated the charge of unpopularity with students and others with whom Harrington came in contact, and found at that time a prevailing sentiment against him. Three gentlemen of high standing in Bryan who had urged his election, state that the objections the supporters of Dr. Harrington had to overcome were his unpopularity with the students, the disdainful manner in which he had treated those whom he came in contact with, and his unsympathetic attitude towards the social and personal relations of college life.

#### AT FIRST POPULAR.

In justice to Dr. Harrington it must be said that during his first year, or at least the first part of the first year as president, he was very popular, and it may be said agreeable to the students. He usually spoke when passing a cadet, gave freely to assist student enterprises, attended and spoke at athletic rallies, granted permits and privileges disapproved by the commandant; and in general taking issue with the students against Captain Sargent. An incident within the memory of the present upper classmen is when he sided with the Senior privates when they were trying to get the commandant to excuse them from reveille exercises. Another incident that might be recalled was when the president released from the guard room without conditions a large number of April 1st law breakers whom the commandant was trying to get to promise to behave the rest of the day. These, and many other acts for a time, made the President very popular; but soon the boys began to realize that in a large number of cases the president was acting for personal reasons alone. Such transactions as these when uncovered, which happened before the first year was over, resulted in a complete reaction. The boys realized Captain Sargent was right all along, and that the president had been doing as he did, merely for a selfish purpose. Such matters to a more or less degree happened in other departments.

Numerous changes in the officers of the college did by no means bring the student nearer to the president, but on the contrary many of the changes the students knew resulted entirely from selfish motives on the part of the president. In any college there will be changes, but when the changes become very abnormal, a reason will be looked for, just as an abnormally high death rate in a city calls for investigation, as it indicates that something is wrong somewhere.

Without in any way referring to the changes that take place this year (1908), I wish to call attention to the kaleidoscopic changes during the first two years of President Harrington's personal rule.

Referring to Catalogue, February, 1906, we find:

Faculty of 22: 8 removed, 1 by death, 1 by U. S. Government. Other instructors 21,—15 removed. Officers 11,—6 removed. Station Staff 11,—7 removed, 1 by U. S. Government. Feed Control 7,—5 removed. Student assistants 3,—all removed. Total 44 removed (one by death, 3 by U. S. Government) out of 75.

Now, see catalogue of 1908 and we find:

Faculty 20,—7 new. Other instructors 24, 18 new. Officers 9,—4 new; chaplain abolished. Station Staff 15,—10 new. Feed Control 11,—9 new. Student assistants 4,—all new. Total 52 new, out of 83.

Now to be more personal I will give a list of the ones that severed their relations with the college during the two years named:

#### Faculty Changes.

1. R. H. Whitlock, Professor of Mechanical Engineering.
2. F. S. Johnson, Professor of Farm Husbandry.
3. F. R. Marshall, Professor of Animal Husbandry.
4. T. C. Bittle, Professor of Languages.
5. A. F. Conradi, Professor of Entomology.
6. John A. Craig, Lecturer of Animal Husbandry.
7. Howard M. Lanham, Surgeon.
8. Capt. H. H. Sargent, Commandant.

#### Instructors and Professors.

9. C. S. Potts, Associate Professor of History.
10. E. C. Green, Associate Professor Plant Husbandry.
11. A. A. Haskell, Associate Professor of Chemistry.
12. Nathan Powell, Adjunct Professor of Languages.
13. W. G. Drummond, Assistant Professor of Mechanical Engineering.
14. O. D. Hargis, Instructor of Chemistry.
15. G. C. Embry, Instructor of English.
16. L. H. Scholl, Instructor of Agriculture.
17. J. B. Bagley, Instructor of Textile Engineering.
18. W. C. Nelson, Instructor of Drawing.
19. D. E. Earle, Instructor of Carding and Spinning.
20. A. C. Snyder, Instructor of Iron Work.
21. A. G. Harral, Instructor of Wood Work.
22. C. E. Bartholomew, Instructor of Entomology.
23. W. L. Thomasson, Instructor of Mechanical Engineering.
24. J. W. King, Instructor of English.

#### Officers.

25. J. G. Harrison, Treasurer.
26. Ira Cain, Librarian.
27. J. R. Robertson, Superintendent of Farm.
28. W. E. Bachman, Physical Director.
29. Miss I. J. Craig, Nurse.
30. George Grupe, Superintendent of Light Plant.
31. R. L. Bennett, Cotton Expert.
32. W. A. Price, Assistant Cotton Expert.
33. J. K. Robertson, Superintendent of Beeville Station.

**Station Staff.**

34. B. C. Pittuck, Feed Inspector.
35. C. O. Moser, Deputy Feed Inspector.
36. M. S. Church, Deputy Feed Inspector.
37. F. T. Foley, Stenographer.
38. Miss M. H. Watkins, Stenographer.
39. C. S. Poffenburger, Stenographer.
40. Miss Patti McLennan, Stenographer.
41. W. E. Berry, Stenographer.

**Student Assistants.**

42. C. W. Boyce, Assistant Farm Husbandry.
43. J. E. Hill, Assistant Electrical Engineering.
44. H. S. Woods, Assistant Electrical Engineering.
45. R. E. Schiller, Assistant Electrical Engineering.
46. L. Gugenheim, Assistant Electrical Engineering.

What does one notice in these changes? A student who has been at college during the time will see from this list and from the biennial report of the Board, that the number of faculty members continually decrease, yet the number of students here has increased fifty per cent; that the old influential and experienced members of the faculty and other officers of high salaries have gone, and their places filled by young men who are poorly paid at the beginning, and who will naturally feel grateful to the president for their promotion and constant raises in salaries. And if an old student examines closer what else does he notice? He sees that almost without exception, that the ones leaving the college belong to the class of broad-minded, sympathetic men that appeal by their force of character to the love and admiration of a student body. He also sees that of the personal favor-seeking group that every one knows to be merely gratifying self, not one has gone, no matter how inefficient they might be; but on the contrary they have gone up by promotion to the places vacated by the previous named group.

But you may say, "How do you know that every one did not leave on their own accord, or because the Board desired it, how can you lay it at the door of the president?"

To the first I will say that when a well known friend leaves a place or position, his friends are desirous of knowing why he leaves, and he himself generally feels that it is only justice to himself that he explain the reason of his departure. Now, personally I am acquainted with the circumstances attending the leaving of a large number of the persons previously named, and with few exceptions they resulted from differences with the president, one way or another.

Now, in regard to affixing the responsibility on the Board. In this case the Board has very little personal knowledge with regard to the personnel of the college force other than through the president. And in cases where the Board acted it was at the instance of the president, in whom they had implicit faith (certainly true, or else they would displace him and put in a man they did trust).

On account of the large number of changes the first summer, and circumstances attending some of them which was given publicity in the papers at the time, the students returned prejudiced against Dr. Harrington at the beginning of the session of '06-'07. And perhaps this prejudice is in a manner responsible for the serious way the boys took his epithets of "sneaks and cowards," hurled at the ones who were perpetuating the practice of initiation of new men, and at the rest for allowing it to be done. Now, within another week there was published in the Battalion the clipping from the well-known magazine, "The World's Work," commending Dr. Houston, President Harrington's predecessor, as one of the foremost educators of the South, and

praising the work he had done for this college while president; and as a result Editor Holloway was called up and severely criticised, by the president, who said the article contained false statements and that no one of ordinary intelligence would have published the article. The student body soon knew of this and the general opinion was that the president's criticisms were unwarranted and merely exhibited uncontrolled jealousy. Very soon the promoters of student enterprises reported that the president was not assisting as he had done the previous year. Later some organizations felt that the president was discriminating between them and some opposing organization.

These things went on, new grievances being added while the old ones smouldered. Arbitrary dealings became more pronounced, the more favored cadets, as would be expected, were glad to herald their exceptional privileges.

In the meanwhile the president's social relations with the college community were not such as would be calculated in any way to span the gulf that now existed between the students and himself.

The students began to avoid the president's office. They would take advantage of permits that were referred to the president without carrying them to him, thus risking punishment rather than face the man they had grown to dislike. Others would refrain from taking in permits that required the president's approval until it was known that the president was absent from the college, in which case the permits would then be referred to the highest ranking faculty member (Prof. Puryear).



CHAS. PURYEAR

*Dean of the Faculty.*



R. H. STANDIFER

*Major of the Battalion.*

Thus the president and the students were traveling along widely diverging ways, with no attempt toward reconciliation. The president and individual students no longer met except when absolutely necessary, and then it was usually specially favored students. This fact alone usually tended to make those particular students unpopular with the other students.

So, is there any wonder that the time the '06-'07 session was drawing to a close a movement was started among the members of the Senior class with the purpose of removing the president in view. It was quietly and skillfully planned, but the sudden dismissal of school seventeen days before com-

mencement, together with the serious illness of the president himself, prevented the dissatisfaction being communicated to the Board of Directors in June, '07.

More changes, resignations, and dismissals, among the faculty and employes, and many of these kaleidoscopic changes were again laid at the door of the personal rule of the president; in a majority of cases the changes involved men who were very close to the student body, and usually the students knew the real reasons for their having "to resign." Everyone felt that an attache of the college "could but once cross the path of Harry." No one knew when his time was coming; teachers could not do their best work. For a teacher to do his best work, he should consider his teaching at A. & M. as a life-work, and devise, plan, and lay out schedules for improvement in his particular line of work. But this was impracticable, because as one said, "The period of one's stay here is too uncertain to put the suggestions named into practice."

By the beginning of the session of 1907-08 the dislike and distrust had permeated practically every one at college. As the years had passed the president had less and less friends in the student body; he could no longer find a student leader that stood by him. As the new class came in the antagonism spread to them, and from the president there came not one single act that might tend to bring them nearer together. The students began to dislike and distrust some of the ones that openly stood for Dr. Harrington, while the large majority of the faculty and instructors failed to openly announce either way.

Next came the complaint among the athletic men that the President did not open the Mess Hall, September, 1907, when he had promised the captain of the foot-ball team he would. They also complained to the students that they at times failed to receive extra articles of diet that were being paid for for the foot-ball training table. On inquiry to the steward, B. S'bisa, they were informed that the reason they were receiving condensed cream was that Dr. Harrington had sent over and got what was provided for them. The student waiters began to notice and report that the servants of Dr. Harrington made frequent daily trips to the Mess Hall for different articles, which were never charged up to him. This started the well-known "grafter" charge which has had more to do than any one other thing in causing the outbreak in February.

The part Dr. Harrington had in transferring a two-thirds part of an appropriation from the Animal Husbandry Department to the Engineering Departments, when it was obtained on the initiative of Dr. Marshall, then head of the Animal Husbandry Department, and prominent stockmen of the state, did not make the president any too popular with the agricultural students. And at the first of the 1908 session when C. M. Evans wrote a farewell comment in the Battalion to Prof. Marshall on his leaving, the editor-in-chief was called up and severely reprimanded because the article said that Prof. Marshall was instrumental in obtaining the Animal Husbandry appropriation. He said this was false. Whether or not this criticism was just the reader is referred to the following extract from a letter that appeared in the Dallas News the first part of this year, written by a well-known and reputable citizen of West Texas. It reads as follows:

#### THE DISPUTED ANIMAL HUSBANDRY APPROPRIATION.

"The last of December, 1906, the writer wrote Prof. F. R. Marshall of the Agricultural and Mechanical College asking him to formulate some plan to bring before the Legislature by which there could be an appropriation for this department. The plan was formulated. The News was asked to publish some matter in regard to it, which was done. The writer went to Austin on the 9th of January, 1907. The next day he laid the matter before Senator



T. P. Stone of McLennan county. All the Representatives of McLennan county were asked to support the bill, which they did. A copy of the letter written them was published in The News. The motive for asking this appropriation was only to help the young men of Texas. I am not prepared to say what went with the appropriation of \$15,000. It may have been well and wisely spent. If it has not it is up to the next Legislature to investigate the matter. I am not ashamed or afraid of the part I took in this matter. Unborn generations will bless the day that the Department of Animal Husbandry of the Agricultural and Mechanical College received its pro rata to share the appropriations.—W. J. Duffel, West, McLennan County, Texas.”

It might be added that the Animal Husbandry Department received \$6,000.00 of the amount.

### THE RAILROAD TRIPS.

Next came the troubles about the railroad trips, first to the foot-ball game at Dallas, October 12, between A. & M. and the Texas University, second, to the annual Thanksgiving game between the same teams at Austin; and thirdly, the trip home for the Christmas vacation. In explanation of these grievances I will say that two or three days before the time for the Dallas trip a special order was read out, that the corps could not go to Dallas in a body as had been expected, but only as individuals, and that they would have to get written permission from home to go. The time was so short that a majority of the students could not get a reply, although the telegraph wires were used extensively. The Senior and Junior class committees on transportation were informed by the railroad officials that they would have to guarantee the sale of two hundred and fifty tickets to get a special train and reduced rates. The committees made a thorough canvass of the students, but the required number could not be found who had received the necessary permission in the limited time. A request from them to Dr. Harrington for a less strict ruling was met with defeat, even concerning students twenty-one years of age and older. What was to be done? It was now after supper and the money had to be deposited with the ticket agent before 10 o'clock. About two hundred had purchased tickets from the committee, and they calculated that an assessment of fifty cents on the members of the Senior and Junior classes together with what extra tickets that would be sold at the last minute, would raise the money; this was done and at the last moment the money was deposited and the train ordered. Now, President Harrington learned that the student committee had arranged for the train to return at 11 p. m., and he immediately telegraphed the authorities to send the train back at 8 o'clock. The superintendent, after getting the particulars from the agent, declined to change the schedule. The students had won; but imagine how they felt toward the president with whom they were by no means at peace any way? But the interference did not stop here, for when the committees applied as usual to the railroads for a Thanksgiving excursion, they were informed that the president through the dean had “stole a march” on them and had made arrangements with the H. & T. C. road, which being fifty miles farther than over the I. & G. N., would make it after 2 p. m., before they would reach Austin, or an hour and a half later than by the latter road, over which the students had in all former years chosen. The schedule had also been arranged so that the students would have to leave Austin at 8 p. m. or within an hour after the game was over; and more, the tickets were not good to return the next day, as they had been in previous years. The students were simply astounded at the way their long-used rights had been taken from them, as they believed, because the president had failed in trying to interfere with the Dallas trip. The Senior committee was instructed to try to get the president to let the train stay in Austin long enough for the boys to attend a well-known opera

that night, and with the assistance of the commandant did get the time extended to 9 p. m., but this did not give the time desired, but was better than nothing.

It was later learned that the I. & G. N. was going to run a train from Bryan on the old schedule, to leave at 11 p. m., tickets to be good until the next day, and that they would back up to the college; many planned to go that way; but again President Harrington interfered and this time he was successful in preventing the train coming to the college. And neither would permission be given for the students to go to Bryan and then by the way of the I. & G. N. Although the president has attempted to lay this on the dean—or, that is, the first arrangements—and he had perhaps fooled some, but never a cadet, for they know how he received the committees that appeared before him. The dean only did the will of his master.

Now in regard to the Christmas holiday trip, I will explain that two of the classes would get through with examinations on the morning of the last day, while the other two would get through at about 4 p. m. A few days before the time to leave an order was issued (and the dean disclaims responsibility) to the effect that no student would be allowed to leave until after 4:30 p. m. This would prevent all students through with examinations from going north on the 1:27 p. m. H. & T. C. train and all students from going south on the 4 p. m. H. & T. C., thus delaying them twelve hours overtime established by the old custom of allowing students to leave when through with examinations. For the first time the president was shown open contempt. The next morning posters and placards were to be seen over all parts of the campus setting forth the "merits and failings" of the president, as only an enraged student body could devise. While off the roof of Gathright Hall was a placarded dummy of the president with the inscription, "Take me over the I. & G. N." (the 5 p. m. I. & G. N. train south, was the first train after the release). Now, to add insult to injury, the president weakened, and at 1:30 p. m. of the last day the order was recalled, too late for the northbound 1:27 H. & T. C. train.

I am safe in saying that the president's interfering with the time-honored custom of the students selecting and arranging excursions, the violating of precedents that to the students were unwritten laws, his untimely weakenings and his apparent but unreal compromises, had more to do with the absolute loss of respect, confidence, and esteem by the student body than all other things together.

On returning from the holidays the boys realized their unanimity in their dislike for the president, and when a large number of college employes lost their positions because their wives refused to serve as a wet nurse for Dr. Harrington's child, and serious quarrels and almost resignations in the faculty from the same cause resulted. And when the strict small-pox quarantine for a mere case of whooping cough at Prof. Hutson's was learned of, they were more indignant than ever. The President's every act with whom he came in contact with showed conclusively the littleness and tyranny of the selfish man at the head of the institution.

The students felt that the limit of peaceful endurance had been reached, and immediately the Seniors began planning to put the whole matter before the Board at commencement as had been intended the previous year, but when on the third or fourth of February the report came from Austin that the Board would meet at college on the sixth of the same month for the explicit purpose of investigating charges of "irregularities" with regard to President Harrington, instantly every one realized that now was as good, if not a better time, to act than commencement. The result was the drafting, signing and presenting of the petition on February sixth, asking for the removal of Dr. Harrington.

Now, granted that the students had unanimously come to the conclusion that the best interests of the college lay in the removal of the president,

how was this to be accomplished? Certainly a petition to the Board was the only proper thing to do, and this was done. Striking for this end was not thought of. Had it been, I am safe in saying that the leaders of thought among the students would not have believed it possible to enforce a peaceable and lawful suspension of academic duties; and even had they thought it possible it would have been the last thing they would have decided to try, for this would have necessitated publicity and damaging notoriety, a public attack on the character of Dr. Harrington, and would have meant utter ruin to him if we were successful. This was the last thing we were in favor of doing, and this idea was borne in mind when the petition was drafted asking for the removal. An effort to avoid a question of character was made, the main charges affirmed lack of ability, integrity, unselfish interest in the affairs of the college, and a further charge that the high position of the president was being used to further personal matters.

We did not wish to convey the impression that Dr. Harrington was a criminal, but we wished to assert that he was the wrong man for the place. We felt that a round peg would not fit a square hole (of the same diameter).

Who could have suggested a more law-abiding manner in letting the Board know our opinions, than what was done in presenting the petition, containing not one word of hate or disrespect? No one can. And I must contend that we deserved a consideration. At least the presidents of the classes signing should have been called up and questioned further the reasons for presenting such an unusual document. It is very unlikely that a group of successful lawyers as are on the Board failed to see a great deal more in the petition than they claim to have seen,—that is, a *demand* for the removal *without reasons*.

## CHAPTER III.

### THE STRIKE

FRIDAY NIGHT, FEBRUARY 7.

“The endurance test was over.”

On learning that the Board had entirely disregarded the petition and having destroyed it without even calling up a single person whose name was signed to it, there was a general dissatisfaction resulting from the very fact that it became known. It took no discussion. The student body, and especially the Senior class, was amazed at the treatment accorded the petition. The faculty had never refused to consider even a petition signed by a few Freshmen. Of course, in a majority of cases the decision was not in our favor, but they had never absolutely ignored one and destroyed it without giving a direct answer.

Since the petition was of great importance, everyone knew of it, and all were in suspense for the answer. It is no wonder that everyone knew the result simultaneously.

It seemed that the very atmosphere was pervaded by melancholy and silence. Nothing was heard save murmurs until the band struck up the old tune of “Home, Sweet Home.” The answer plainly told what was in the minds of the cadets. They had made a move, a very serious move, especially when unsuccessful. There seemed nothing left to do, but resign from the college in a body. A walk-out seemed inevitable. This information was communicated to Captain Andrew Moses, who immediately called up R. H. Standifer, major of the battalion, and T. J. Beesley, president of the Senior class. They were assured that it would not be necessary for the students to “walk-out” to prevent being dismissed. He also asked that the Senior class be called together after supper, as he desired to speak to them as

"man to man." At supper the matter was the only subject for discussion and it seemed that something was going to be done, and it looked like a "walk-out". A meeting of the Senior class was called, and Captain Moses appeared before us. Captain Moses is a gentleman, through and through, and thoroughly understands how to handle men, and especially students. He explained that it was improbable that summary action would be taken against such a large percentage of the student body; how near we were to the cherished diploma, worked for so long, and how we would be sure in after life to regret it if we left the College at this time. He advised us to be exceedingly cautious in anything we might do, as the whole corps would certainly follow in any step we might take. He also said that he had seen Director Peteet before he left that evening, and had told him of the state of affairs and had gotten him to promise to go no further than Prairie View, and that he would return to college Saturday to represent the Board if anything happened.

After pleading with the class to defer action until they had an opportunity to communicate with Mr. Peteet, Captain Moses left the meeting to go out and talk to the boys that were congregating in front of the different halls. He was very successful with them, inducing all to disperse and return to their rooms.

After Captain Moses was through talking to the Senior class, Coach Larson addressed us, advising that we be very conservative; he recounted the fine condition of athletics, laying much stress on the prestige we now enjoyed, and earnestly asked that we do nothing that would injure athletics, and in any way mar the spring prospects in baseball and track.

After these gentlemen withdrew, the class thoroughly discussed the situation from all points of view, and it was found that no one had prepared, or could suggest, a satisfactory plan of procedure that did not involve a dangerous "walk-out;" so it was decided that we defer action until we heard what Director Peteet had to say Saturday night.

The meeting was then quietly adjourned, everyone deep in thought, trying to arrive at a solution of the problem that confronted us.

The cadets were informed of the action, and after a few murmurs of discontent, they quieted down to await developments. As soon as the excitement subsided a conclave of the leading Seniors assembled in North End Foster Hall to consider the situation.

By 9:30 p. m. they came to an agreement. A meeting of the class was called in the Agricultural building, where secure from interference, the plan was submitted. After long and thorough discussion, changes and amendments made, a decision was reached, which had the approval and support of all. It was then after 12 p. m..

The class was divided into squads, to inform the sleeping students of the action taken by the Seniors.

The students of the different halls were assembled and their co-operation requested in the enforcement of a well-organized and orderly strike, as far as academic duties were concerned; and to carry out the military functions and Mess Hall regularations to the strictest letter; they were further requested not to collect in groups to discuss the trouble; to protect all state property; to respect all officers of the college in person; to remain in barracks according to schedule; not to leave the campus on furlough except under very pressing circumstances; to prevent any intoxicating liquors being brought on the grounds; and that they not inform the public of the trouble. These and other minor requests were made with the explanation that this state of affairs if properly conducted as planned was to continue "until something was done."

## SATURDAY.

The next morning a committee met Captain Moses, and to his utter surprise, informed him of the condition of affairs, and requested his support, and offered that of the Senior Class, for the purpose of maintaining absolute order. Among other things he was asked to be very strict on granting any furloughs to Bryan.

The performance of military duties kept the situation from being fully realized until the "first period call" at 8:05 a. m. The situation was one of intense interest and concern. Many were the sighs of relief when not a cadet went to recitations. A perfect machine was in operation for the purpose of inducing the Board to reassemble and consider the petition.

During the first period Captain Moses called on the President to inform him of the existing conditions. A meeting of the Faculty was called at 9 a. m. to consider the state of affairs. Of course, officially the Faculty were ignorant of the cause, and appointed a committee of Messrs. Fountain, Pur-year, Ball, Brown, Alvord and Moses, "to find out the cause of the students' refusal to attend classes, and to receive their demands."

A meeting of the Senior Class was immediately called and a committee of Messrs. Evans, Dale, J. Neale, McElroy and Ellis were instructed to meet the Faculty committee and present the written and adopted answer of the class:

"We, the Senior Class, present this report through this committee. We demand the resignation of Dr. Harrington, as president of the A. & M. College. The present state of affairs is a means to this end. This committee is authorized to make no further statements."

After a long meeting, much cross-questioning and "bravado" by "Deacon" Fountain, the Faculty committee realized that the boys meant business; they then carried the reply to the Faculty. The petition was discussed, and a motion made and carried, that the Senior Class be informed that the demand involved a question entirely outside the jurisdiction of the Faculty. They further adopted:

"Whereas, The President has stated that he had laid this matter before the Board of Directors, therefore,

"Be It Resolved, That the Faculty postpone action in the matter of a breach of discipline through Sunday and Monday."

By the time the committee reported to the class it was 12:30 p. m., and as it was Saturday, the day's duties were over. After dinner Director Peteet came in on the H. & T. C. train. He said he had learned of the trouble and had returned to see what was the matter. He asked permission to address the Senior Class after supper. The request was granted.

The opening part of his speech by way of an introduction informed us that he was a multi-union man, and therefore should be on our side. He expressed much regret that his advice had not been asked, but added that our conduct would not have been very different had he been conducting the strike himself. He recounted some of the strikes he had gone through and exhibited a gold medal that had been presented to him for leading a successful strike. Coming down to business, he said he knew nothing of the trouble, but was very anxious to learn, so he could help us out. He extended the opportunity for anyone to take the floor, with the injunction that they not all rise at once. No one explained the trouble, and with a grin he told us that we knew more strike tactics than he had at first given us credit for knowing. He then actually told of some of the things that cause strikes to lose a good cause. He next explained why the Board was unable to take notice of the petition and why they did not file an answer with us. He said we were badly mistaken when we thought the Board had cast it aside without notice, for they had really sweated over it for hours. And had finally come to the conclusion that by failing to reply either way the matter could be

put off until commencement, which was really the only appropriate time for considering such, he added.

In answer to a question, Mr. Peteet said that Dr. Harrington, like all other officers of the College, was elected during "good behavior," and at any time could be removed at the pleasure of the Board. And he further added that if we wished the Board to remove Dr. Harrington we must prefer and prove specific charges against him.

Mr. Peteet assured us in behalf of the Board, a fair and impartial hearing.

After promising to accompany any member of the class as individuals or as a committee to all persons that we believed had evidence in our favor, he quoted from Burton,

"I do not like you Dr. Fell;  
The reason why I cannot tell.  
But this I know, and know full well,  
I do not like you, Dr. Fell."

Adding that it was imperative that we tell why we did not like Dr. Harrington, if we expected the Board to decide in our favor.

After Mr. Peteet left it was learned that Major McGinnis of Bryan, another member of the Board, was in the Director's Quarters at the Mess Hall, and it was unanimously voted that he be offered the opportunity of addressing the class.

After giving a brief summary of the many years of his connection with the College, and of the growth and standing of same, he abruptly came to the point, and told us we were deliberately destroying the good name that had been made for the College during the last few years. We were soon given to understand that real or fancied wrongs done us by the President, did not justify us in our actions.

"We were rebels;" this indirect assertion and the great evil consequences resulting from such a course, were illustrated by an imaginary example of a country where a portion of all the subjects of a nation became dissatisfied and rebelled. This illustration caused three dates to come before the minds of the Senior Class—1776—1836—and 1861. As only the first two were analogies to the present situation, that is where *all* the subjects rose up against the tyranny of the ruler, we remembered that only ruin and disaster fell on the oppressors, and the moral of the illustration was totally different to that which Major McGinnis intended. Anyway we soon saw that we were "up against it," when it came to being recognized by the Board. We also realized that Director Peteet had placed himself in a delicate position with regard to the Board. And it was not a surprise to know that he left at the first opportunity without giving us the assistance promised.

Director McGinnis, in closing made a very earnest appeal to us to reconsider the matter and decide to sustain the present high standing of the College. Both he and Mr. Peteet were vigorously applauded. When Director McGinnis bid good-night, the matter was placed before the class; the opinion that permeated was, that the present high standing of the College could not be much longer maintained under the present management. So the purpose of the strike was not abandoned, and a more definite plan of procedure was adopted, and by way of giving justice to Mr. Peteet, this plan embodied some of the points brought out by him, and we were very sorry that he was unable to remain to give us the assistance he promised, and to be at the investigation.

A committee composed of Messrs. McElroy, Neale, Dale, J. Lee and Ellis, was elected to assemble the prosecution matter. With this the first day of the strike, which was destined to draw so much attention, and even find its way into politics, quietly ended.

## SUNDAY

Sunday followed just as usual. After the rooms were put in order every one was looking prime for the regular Sunday morning inspection by the Commandant, there being no regular Chaplain, and as the President had not made arrangements for a minister there were no chapel exercises and the usual yell of pleasure given as when unexpectedly the cadets are excused from some duty which they did not expect to miss. This clearly demonstrated that the boys intended to go to chapel as usual, had there been any. The rest of the day passed as usual. Everyone who was behind on notes took advantage to catch up.

The investigation committee began work but did not have the promised assistance of a certain member of the Board, nor had inability, of the officers and employees of the College to make complaints and furnish evidence other than in writing direct to the Board, been removed as we were assured it would be by Mr. Peteet. In spite of the fact that the handicap resulting from the Faculty and instructors being unable to answer questions, some evidence was collected or the promise of it to be written out to meet the specifications of Board, were obtained. There had been no collecting in groups or other evidence of anything but normal conditions among the students; one could hardly believe a strike was on.

## MONDAY.

On Monday, the 10th of February, the weather was dismal and cloudy, and all tended to make it a day such as no student of the College had ever witnessed before and never desires to again. The College did not look the same, the boys did not talk the same. It was by now fully recognized that the Board was not going to give the assistance we expected, and now it was up to us to do what we could. The Senior committee was informed by the main witness, Mr. B. S'bisa, the steward, who was to substantiate serious charges that had caused the meeting of the 6th, that he had been instructed by the President, (or the Board) to hold no further communication with the students, concerning Dr. Harrington. This ruined the greater part of the evidence gathered on Sunday, as the committee had been working on these charges largely. You may ask why we spent so much time trying to prove the charges that did not originate among the students and delay bringing up the student charges until it was too late. The answer is this: the committee had realized that sentiment or the cause of student sentiment amounted to nothing with the Board. The Board may criticise this statement but they are to be faced with facts; they failed to reply to our petition and after this and their strong endorsement of Harrington to have given way to the students' charges, we knew was out of the question, so what was to be done? The committee had but to remember what caused the first meeting of the Board, and as these charges were not proven the Board had failed to even censure the President. Now, if these charges could be proven it was believed that the Board would not feel that they were giving way to student demands, but to the proof by the students of the charges that caused Governor Campbell to call the first meeting.

The Faculty met early Monday morning and again deferred acting on the matter and appointed a committee to meet the Senior and Junior Classes to try to induce them to return to classes. The time was so limited that these classes could not be called before noon, so the Senior committee asked some of the Junior Class to go with them to hear the Faculty committee, which consisted of Messrs. Puryear, Moses, Nagle and Brown. Nothing was accomplished however, and the afternoon passed away quietly. After supper the Senior Class met in the Agricultural Building, and the Local A. & M. Club met in the Chemical Laboratory room. While the Senior Class were reviewing the situation the A. & M. Club sent over a committee of one to

ask the Seniors to convene with them. The invitation being accepted, Mr. R. J. Potts was asked to explain their object in having the Seniors meet with them. Which was to try to effect a settlement of the strike or at least to have the classes report for duty while the investigation was being conducted. Mr. Potts stated that a committee from the Local A. & M. Club had voluntarily gone before the Board to see if they could assist in making arrangements for a speedy settlement of the trouble.

On returning from the A. & M. Club meeting to our regular meeting place, we discussed the proposition. Although every one felt deeply grateful for the interest the club had taken in trying to effect a settlement, it was a unanimous opinion that their plan could not be accepted.

After the discussion was over a report of the investigation committee was called for. Chairman Dale reported. He began by saying that the committee had been unable to prove Harrington guilty of murder or of misappropriating as much as \$20,000 dollars at a time, but that it would be a "cinch" to prove a large number of minor and sundry charges such as: arbitrary action, disrespect, petty graft, over-stepping authority, lack of executive ability, that he was a creature of jealousy and hate, one who would stoop to use his high position in settling private grievances without regard for the College, two-facedness, general unpopularity, fearless of anything but a broom, and a rolling-pin, that he was handcuffed with apron-strings, and such, which would certainly convince any impartial judge that it was not for the best interest of the institution to retain him as President.

Following this a report of the evidence obtained was made except that of "Grandpa" Hutson, who said he desired to make his own charges. In ending his report Chairman Dale remarked that he hardly thought the Professors would ever "flunk" anybody else on account of poor memory, as they reminded him of the boy who went before the grand jury and said he had forgotten everything he ever knew. By their own statements they were as scared of Harrington as if he were a bear, or else as if he wielded the "big stick" of Teddy the noted "bear slayer." They seemed to be so afraid if they combined what we knew with what they knew they would be accused of working up the trouble. This as I have stated before, put us in a bad shape to prove anything; there were things we knew to be true but we had to depend on the Professors and others for proof, who claimed they would be accused of starting the trouble.

But the truth of the matter was that a number of those who never testified against Harrington did not have backbone enough to stand up for the truth, and thus gave the friends of the administration the pleasure of saying there was but three among the Faculty and instructors that did not indorse Harrington, which is untrue. The truth is the number that do indorse him can be even multiplied by ten and then not equal those who do not. Here I take the liberty of expressing the sentiment of the student body as a whole, that we have more respect and admiration for Fountain and Lomax who were outspoken in the approval of Dr. Harrington than we do for those who opposed him, but kept silent and thus endorsed the administration.

After the report of the committee a discussion was held concerning when the committee should report to the Board to arrange for the investigation, some were in favor of the committee calling on the Board at once, but as it was now 11 p. m., this was abandoned and everything placed on a "business hours" basis. The meeting adjourned after instructing the committee to report to the Board the next morning and to call a class meeting to consider the Board's reply.

## TUESDAY, FEBRUARY 11.

The Senior Class committee reported to the Board about 10 a. m., and presented the following written communication:



"The Senior Class asks through this committee that they be granted a fair hearing before the Board of Directors, in regard to the President.

To have the hearing we name the following conditions.

1. That we be allowed a committee of students to sit with the Board.
2. That we be represented by an attorney before the Board.
3. That we be allowed to submit evidence before the Board, both verbal and written.
4. That we be allowed to bring the Board any witness that we may desire.
5. That our attorney be allowed to question all witnesses.
6. That every man who appears before the Board be fully protected.
7. That every member of the Board of Directors be present at the investigation."

The Board replied in writing as follows:

"Replying to the foregoing communication the Board of Directors desire to say that we have always been and are now willing to receive and carefully consider any specific grievance that may be properly presented and signed by anybody with respect to the management of the College. Pending the receipt of a complaint the Board will make no other assurance than that the complaint will be thoroughly and fairly considered and full protection extended to complainants and witnesses.

"Pending the receipt and hearing of any complaint that any member of your class may desire to make, the Board requires that such complainant or complainants resume their proper relation as students.

(Signed)

K. K. LEGGETT,  
President Board of Directors.

A meeting of the class was called to consider the reply. After discussion it was decided that this was not a satisfactory answer as it did not conform to the named conditions as contrary to

- (1) It did not allow a committee to sit with the Board.
- (2) It did not allow us to be represented by an attorney.
- (3) It did not allow us to submit evidence both written and verbal.
- (4) It did not allow us to bring any witness we desired.
- (5) It did not allow the questioning of witnesses by student representatives.
- (7) It did not promise a full Board or that any attempt would be made to have a full Board.

Their answer was given as if they had not even read the conditions much less paid any attention to them.

The action of the class was that the answer was not satisfactory, and that the committee again meet the Board and make arrangements for the investigation. The committee was given power to make either new requests or allow concessions as they saw necessary toward obtaining a fair and speedy hearing. The committee met the Board and made arrangements for the investigation on the condition that the Senior Class return to class next day and try to have the other classes do likewise. The Board agreed to the terms that we had that morning presented except that on account of the idle conditions of the College and the calls of their private business they could not lose the time that would be necessary for us to obtain and qualify an attorney to present our case, and that it was impossible to have every member of the Board present at the investigation. This arrangement was agreed to by both parties at 7 p. m. After supper the Junior Class met and voted to abide by the agreement of the Senior committee. So by taps every thing appeared serene, but no, a meeting of the Juniors was again called to reconsider their action. The meeting lasted until 2 a. m. They unanimously reversed their former action and voted never to attend another class at the A. & M. as long as Dr. Harrington was president.

Shortly after the writer was told of this, he was called over the telephone from Bryan and told of a statement that appeared in that evening's "Chronicle," which had come in on the midnight train. It was an interview of a Board member who had on leaving the College, told a newspaper reporter that the trouble was over; that the boys had agreed to return to classes and that the Board would at an early date exonerate the President. This new phase attached to the supposed meaning of the boys returning to classes was in the hands of the Juniors at their last meeting and caused their action which has been so severely criticised. When the rumor which had been communicated to the Juniors was confirmed by the papers it is not to be wondered at that the two lower classes followed the Junior Class in preference to the action of the Senior committee.

### WEDNESDAY.

There was strong sentiment by a number of Seniors against the action of the Senior committee which resulted in the committee having a meeting of the two upper classes immediately after breakfast to see if the classes would ratify their action. After a short discussion the Junior Class withdrew declaring their action would be governed by their vote of the night before. The Seniors voted unanimously to abide by the authorized committee. New men were appointed to serve on the student committee to replace the two Juniors who were disqualified by the refusal of their class to return to work, after proper arrangements were made concerning who were to act as witness summoners for the day according to the periods that they were free. The meeting adjourned and the classes reported to the section rooms for the first time since the previous day.

The Investigation began at the Mess Hall at 8:30 and continued until 5:30. The evidence, etc., submitted will be explained in the statement of the Board and the comments following same.

Early in the morning the suspension act of the Faculty was posted in all of the halls. At noon Capt. Moses read the order in the Mess Hall and made an earnest appeal to the boys to comply with it, but it is certain that he did not expect any favorable notice to be taken of it, as he said he would have drill call sounded at 3:30 and all who did not expect to comply, to turn in their rifles and accouterments.

The cadets did not return to class in the afternoon but instead proceeded to polish up their guns, belts and buckles, in order that they might not turn in an article that exceedingly displeased the commandant—that is a rusty rifle or a tarnished belt plate.

When the bugle sounded at 3:30, the roll calls showed "all present" and fully equipped. Company by company they were marched to the armory in perfect order where with deep felt reluctance, but stern determination, the equipments were turned over to the commissary officer.

After the investigation was over about 5:30 p. m., the outcome was all that was discussed and for the first time during the trouble could there be seen any number of students together discussing the situation; and there would not have been any then had not Judge Rowell appeared on the scene and commenced individual work. Crowds of the boys would gather about him to hear what he had to say and after talking to them he would pass on, to gather crowds elsewhere but each crowd organized did not dissemble as readily as it assembled. Immediately after his lecture there would follow a general discussion of the affair and it was the general opinion expressed that his appearance virtually meant that the decision would go against the boys. On leaving each bunch of eager listeners Judge Rowell asked that everybody meet in the chapel after supper to hear him speak more fully on the subject. Captain Moses was also doing personal work in obtaining hearers for Judge Rowell; every one he talked to, he got to promise to not

only attend but to use his influence in getting others to attend. At supper Capt. Moses gave another invitation to the corps to turn out immediately after supper to hear the Vice President of the Board.

By the fact that the chapel was full ten minutes later it was evident that the appeal had been heard and honored. Practically the whole corps of over five hundred were assembled by 7:15 p. m., and Judge Rowell was introduced by the commandant. In his appeal to the boys he recounted his old college days spent here, his deep love for the College and its welfare. He was fully aware of the fact that in case the decision of the directors should be against the boys that there would most certainly be a large majority who would leave the College and finally assured the students of a complete and fair hearing on the part of the Board to any further complaints that might be presented either now or at any time in the future. He also promised his individual support in procuring the evidence and witnesses that anyone would lead the way to. His appeal to the lower classes to follow the Seniors in returning to classes as the correct things to do, to insure a more thorough investigation and impartial consideration at the hands of the board, was generally taken to mean that his entire object was to get the boys back to classes before the decision was rendered, which everyone saw by now would be favorable to Dr. Harrington. And as a result the cadets had no sooner returned to their rooms than they began to pack their trunks for departure.

At 9:00 p. m. a meeting of the Senior Class was called and a general discussion of the trial was indulged in. After some coaxing different members of the investigation committee were induced to tell us about the trial. Their talks confirmed our opinions as formed from Judge Rowell's speech. They developed the fact that the board had acted much more like a staff of defending attorneys than impartial judges, in which capacity they posed, or as an investigation committee as they afterward styled their attitude in their statement to the public. The Board had at every opportunity answered for Dr. Harrington, or else the charges had been unanswered, as Dr. Harrington had continually denied the right of the student body to try their President. This taking up for the President was carried so far as to give reasonable grounds for the remark that it would not be very amiss now to try the Board on their own admissions.

A discussion was now in order as to whether the class would return to duties on the following day. Some were of the opinion that we should do so and thereby make good the assurance given the Board by the committee to the effect that we would return to class pending the investigation. The committee themselves were not certain whether the investigation was over or not, and were disposed to leave the boys free to do as they desired.

The vote was not in favor of returning to classes the following day. However, after adjournment, certain members of the committee decided that in view of the fact that Judge Rowell had asked the boys to turn in any further evidence, they believed that the promise to go to class applied to the next day, and accordingly several of the Seniors, at their request, went to the different halls to tell the others as there was other evidence to turn in the committee thought it was right for the Seniors to return to classes. Since the actions of an authorized committee is law to all true members of any organization, it was unanimously promised by the Seniors to return to classes on the following day.

#### THURSDAY.

Thursday morning was spent in great suspense, although the boys were certain what the decision would be, yet all remembered that the verdict of a jury is proverbially one of the most uncertain things to calculate on, and so were disposed to hear the report of the Board who for a time refused to report, unless the students would all return to classes and threatening to

leave without giving their decisions. But understanding that this meant exactly the same as an adverse report, Capt. Moses was authorized to assemble the corps in the chapel. The bugle sounded the familiar "Fall in" at 12 a. m., and immediately the students assembled in the chapel. A strange atmosphere seemed to pervade the building. No one dared to speak. When all were in, Capt. Moses, or the "Bull," as he is affectionately called, entered and marched to the front with his usual light military tread perhaps for the first time, and we hope the last time, (barring religious exercises) without a cheer or any sign of applause, only a general straightening up to the attitude of intense attention, as he advanced to the stage with the folded paper in his hand. During the next few seconds his hesitation gave an opportunity for a study of his countenance, there could be seen a look of pain intermingled with a sense of determination and duty and it was evident he most certainly felt the gravity of the situation. Before reading the report he asked that there be no demonstration and that none leave the room until the meeting was adjourned. He then unfolded the paper and read the following:

"College Station, Texas, February 12, 1908.

"To the Committee Representing the Senior Class of the A. and M. College.

"Gentlemen: We have carefully considered the charges submitted by you against Dr. H. H. Harrington, President of the College, together with all evidence submitted in support thereof.

"You are respectfully advised that in our opinion the evidence offered wholly fails to show that the conduct of President Harrington is subject to any proper criticism, or that he otherwise gave a just cause of complaint, to any student or member of the Faculty.

"The evidence submitted does not show arbitrary action, but, on the contrary, it shows a commendable solicitude for the interest and welfare of the student body, and the highest regard for the welfare of the College.

"The action of the President in relation to matters of discipline complained of by the witnesses on the stand in our opinion was wise, and meets with our unqualified approval.

"We are strongly of the opinion that you young gentlemen have no just grounds to complain of the action of the President, and we earnestly urge you to reconsider your action and stand by the College and its constituted authorities.

"The President of the College has been authorized to adjust and pay any balance that may be due any student for maintenance for the session of 1906-07."

"This opinion is concurred in by every member of the Board of Directors present. (Signed) K. K. Leggett, R. T. Milner, W. P. Sebastian, A. Haidusek, L. L. McInnis and T. D. Rowell.

During the reading of the paper, Capt. Moses paused several times between paragraphs, but not the slightest effort of interruption resulted from the opportunities unintentionally given. Perfect order was observed. On finishing, Capt. Moses folded the paper and addressed the students: "There is just a word I would like to say," he began, "the janitor has instructions to haul any trunks that wish to go, and I hope that every man of this corps who does go, will preserve that perfect gentlemanly manner that has been so characteristic of your conduct. I want to thank you for it. I thank you for your uniform good order and conduct as men of this corps." The boys could not contain themselves any longer and no sooner had the commandant signified he was through than every man in the chapel rose as one and in a sharp, clear voice gave their familiar nine "Rahs."

Rah, Rah, Rah;

Rah, Rah, Rah;

Rah, Rah, Rah;

Commandant! Commandant! Commandant!

The meeting then quietly adjourned without further demonstration. The worst had come and all were prepared for it. An hour later the treasurer's office was crowded with boys waiting for their traveling expenses while the ones who had not already packed their trunks, proceeded to do so.

The janitor was soon busy with a number of wagons and thus began to multiply the troubles of an extra baggage man, while the regular man was busy selling tickets.

And the wires carried the news to all parts of the State that President Harrington was exonerated for the second time and the college was being deserted by the student body.

By 4 p. m. the treasurer had issued traveling expenses to over four hundred students, not counting those who called the day before.

#### FOLLOWING THE DECISION OF THE BOARD.

After seeing over one hundred of their fellow student leave on the north-bound train, at 1:27 p. m., who were ready when the decision was made public, and after looking with much sorrow on the sad scene, the long row of trunks as high as one's head, the seniors met in Prof. Puryear's section room as had been previously agreed should the decision go against us.

The general opinion was that the school was broken up for the year, and no one thought of staying the rest of the session. Business connected with the "Long Horn" was dispensed with, twenty-five dollars each being pledged to cover the amount the Board appropriates for the purchase of "Long Horns" for distribution among the libraries and affiliated schools of the State. After this other business was transacted as if the whole class was to leave on the next train. When all business was attended to, a senior made the motion that we resign as a class, embodying in the resignation our reasons for so doing and making the resignation public. The motion was promptly seconded and just as the vote was to be taken T. J. Beesley entered with the committee from the Houston A. and M. Club and Mr. Law, President of the Alumni Association. They wished to save the deplorable situation, and were barely in the nick of time.

For two hours the Houston alumni pleaded with the seniors to stand by the school, saying that if we would but at least give them a chance to save the school they believed they could bring enough pressure to bear on the lower classes to induce them to stop leaving and to bring the ones back that had gone.

They met with a great deal of opposition, but when such men as E. W. Hutchinson, James Cravens, John Q. Tabor, Tom Tarver, R. C. Watkins, Henry Rollins, and Marion Law talked, pleaded and begged with tears in their eyes for the seniors to at least give them a chance to talk with the other classes, they could not refuse them this, but would make no further promises.

Next the committee met the juniors, but here nothing was available, the juniors remained firm in their resolution to leave, to a man. No amount of persuasion could induce a single one to promise to stay. A respectful hearing and nine rahs at the end was all that the alumni were rewarded with, although they pleaded until supper time.

After supper the remnants of the Freshman and Sophomore classes that had not left on the noon and two evening trains were assembled and talked to in the same manner. The alumni were now assisted by Prof. Kyle and Dr. Gilbert. With these two classes they were more successful and a few were persuaded to at least not leave the campus, but await developments.

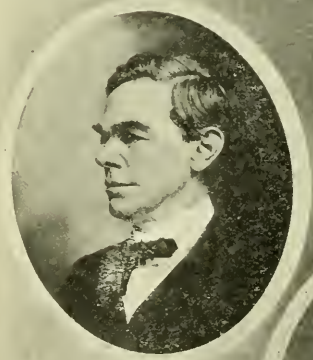
The night trains carried off all but about one hundred and fifty students, and on the next morning, February 14, things looked very gloomy, and the ones who were awaiting developments began preparing to leave on that day's trains. After what had happened they did not feel that they could do good work with so many of their comrades gone.



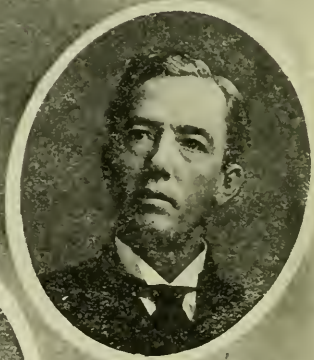
K.K. LEGGETT  
PRESIDENT



T.D. ROWELL  
VICE-PRESIDENT



C. PETET



J.M. GREEN



A. GRUBBS



W.P. SEBASTIAN



S.A. ANDREWS

The Board of Directors of the A. & M. College and Secretary S. E. Andrews.  
(Directors Petet and Milner not in group.)

At 10 o'clock the Houston A. and M. Club committee appeared before the senior class for the purpose of getting them to extend the action of the previous evening by promising to return to classes on the next Monday.

Practically every senior expressed himself, twenty-two promised to return to classes, twenty were undecided, and preferred to have at least ten days to see how things would turn, and some five or six felt that they would be compelled to leave the school. However, no one wanted to in any way make their decision binding on any one else, therefore the matter was left to individual action. Since some were going to remain anyway, the next thing in order was to get as many of the boys back as possible, and to this end a committee was appointed to communicate with the ones who had gone and try to induce them to return.

The work of the committee was as follows:

"College Station, Texas, February 14.—To the Students of the A. and M. College of Texas: The senior class, after conferring with representatives of the Alumni Association of the College, who we believe are our friends and who we have confidence in, have decided to resume our studies and duties.

"We earnestly recommend to all students now on the campus or who have departed for their homes to report for duty Monday, February 17, or as soon thereafter as possible. We earnestly believe from representations made to us that the question at issue will be taken up at the proper time and justice done.

"T. J. BEESLEY.

"R. H. STANDIFER,

"LEM ADAMS,

Committee.

As yet no definite promises had been made the students other than contained in the above. But we were distinctly assured that we must put ourselves in proper relations with the college authorities before we could expect them to treat with us on the real merits of the case, whatever they might be.

Toward noon a mass-meeting in the chapel was held. At this meeting different members of the alumni spoke again, also a number of students expressed themselves and finally Prof. Kyle spoke. There were sixty-eight at this meeting, but very little was accomplished. As many present left on the next two trains.

On the next morning, Saturday, February 15, the college presented the saddest spectacle of perhaps the whole affair. The alumni had gone. And the desolation of the campus took the spirit from the boys that had been given them by the older students of the college. Discontent was everywhere. Many of the boys who expected to stay, obtained furloughs to visit other places where for a time the painful memories could be forgotten in the pleasures of the moment.

As if by common consent of the instructors there had been no attempt to have classes since Thursday morning.

About noon two of the instructors who were very close to the boys and interested in the rehabilitation of the college managed to get a meeting of the sophomores and freshmen (it will be remembered all juniors had gone) for the purpose of sending a statement to their classmates. The results were as follows:

"College Station, Texas, February 15.—We, the remaining members of the two lower classes of the Agricultural and Mechanical College, deem it advisable to make through the daily press the following statement to our classmates who have gone home. There are on the ground about 100 members of the three lower classes, and practically all of the seniors are on the campus or on furlough, so that the college will reopen Monday with approximately 150 students in attendance, without counting those who may

return. Hence for our own good and for the good of the college itself we suggest and urge upon all of the members of the two lower classes to return at once to the college and resume their work, so that no further injury may be done so worthy an institution."

Signed by E. E. McAnally, E. Arneson, L. F. LeRoy, F. J. Tibbetts, W. J. Carlin, Sophomore committee; and M. Taylor, J. V. Koons, H. B. Palmer, C. Brown and A. B. Simms, Freshman committee.

Saturday night F. Marion Law, President of the Alumni Association, was present at a mass-meeting at which there were sixty-four students. T. J. Beesley was elected chairman of the meeting. After a few talks on the situation Mr. Law put before the meeting the substance of a most important proposition on which he invited discussions and suggestions. Finally his proposition, which was the first tangible one yet presented to the students as a solution, was unanimously adopted, and the meeting further voted that Mr. Law send a letter to every student that had left, covering the points agreed upon in the meeting. The following is the address, which is responsible for the return of a large part of the students.

College Station, Texas, February 16.—The Alumni Association of the Agricultural and Mechanical College of Texas begs leave to address a letter to each and every student who has left the college recently on account of differences with the president.

The president of the Alumni Association is on the grounds and has made a careful study of the situation, and herewith submits for your consideration the following proposition:

Believing that the exigencies of the situation demand it, the Alumni Association, through President Law, offers to take entire charge of the situation in so far as the students are concerned. The alumni propose to students to take the entire responsibility of the situation upon their own shoulders. In return the Alumni Association asks that the students prove their confidence in the fairness and discretion of the alumni by agreeing to abide by the counsel which the alumni give.

Without any regard whatsoever to the merits of the controversy between yourselves and President Harrington, the alumni advise that you yield your judgment in this case to that of your elder brothers and return to college. We are sure that your own best interests and the welfare of the institution demand this.

The alumni come to you and beg you to hear and accept this proposition.

You may have felt that up to this time you could not in good faith return, and that to return would be a violation of honor. We appeal to your quiet, honest, fair judgment if the proposition which the alumni hereby make you does not put an entirely new light on the situation.

Remember, we take all the responsibility for pledges as well as for every other feature of the situation.

We understand your attitude thoroughly and we sincerely advise you that to accept our proposition, instead of being a violation of faith on your part, will be the right and honorable thing for you to do.

We ask that you give the matter your earnest thought. We believe that mature reflection will cause you to see the fairness, reasonableness and honorableness of our appeal.

You can afford to trust us.

A copy of this letter is being sent to every student who has left college. Young men, listen to us and your own conscience and the whole people of Texas will applaud you for having won a splendid moral victory.

The whole proposition was made by President Law to the students remaining at college last night. There are about 100 cadets remaining and many were arranging to leave, but after hearing the proposition from the alumni, the men decided unanimously that it was their duty to do as the alumni request and turn the situation over to them, and each man pledged



himself to remain at college. We believe it will be best for all of the men to return so as to reach college by Friday, February 21. Remember this proposition is strictly between the alumni and the students. No one else has any connection with it.

All students who return will be re-entered upon application and verbal promise to observe the college rules and regulations.

Please write or wire President Law at Bryan that we may expect your co-operation and support. Earnestly and fraternally yours,

F. M. LAW,  
President Alumni Association, A. and M. College of Texas.

The Houston committee on their return home gave out the following announcement:

To Patrons of the Agricultural and Mechanical College of Texas:

We, the undersigned committee from the Harris County A. and M. Club, having spent Thursday and Friday at the college to assist in saving the situation there, are gratified to report success in holding a sufficient number of students to maintain the college organization and discipline.

We believe it to be the best interest of your sons, yourselves, the College and the State of Texas that the students resume work at the college immediately, and earnestly ask your co-operation to that end.

E. W. HUTCHINSON,  
JAMES CRAVENS,  
J. Q. TABOR,  
T. C. TARVER, JR.  
H. M. ROLLINS.  
R. C. WATKINS,

President Law also asked the co-operation of every alumnus and ex-student in using their influence in getting the students to return.

On Sunday the statement of the Board of Directors was given to the public, which I here reproduce together with comments by Judge Haidusek and myself.

#### STATEMENT OF THE BOARD OF DIRECTORS OF THE AGRICULTURAL AND MECHANICAL COLLEGE OF TEXAS.

College Station, Texas, February 14, 1908.

To the People of Texas:

The Board of Directors of the Agricultural and Mechanical College of Texas have refrained from giving out any statement in regard to the conditions existing at the A. and M. College until they had an opportunity to make a full and fair investigation. They now present this statement for the information and benefit of the public.

About ten days ago certain rumors of abuses and irregularities existing at the College were brought to the attention of certain members of the Board. These rumors were communicated to the President of the Board, who promptly called a meeting of the Board by wire. The Board convened at the College on Thursday the 6th inst. No formal charges were presented against anyone, but a petition signed by most of the students in the upper classes was presented, asking for the removal of the President; no reason for the request was assigned in the petition. The rumors which had been circulated by certain individuals were carefully, impartially, and fully investigated. Finding the rumors had current gossip to be entirely without foundation the Board passed the following resolution:

"Be it resolved by the Board of Directors of the A. and M. College that we express in heartiest terms our unqualified faith in the integrity, ability, and absolute fairness of President H. H. Harrington in the ad-

ministration of the affairs of the College; and we further declare that in his efforts toward keeping the College at its present high degree of usefulness and building it up to even a higher degree of excellence we give him our unanimous endorsement and support. (Signed) K. K. Leggett, T. D. Rowell, John M. Green, W. P. Sebastian, Walton Peteet, L. L. McInnis, A. Haidusek, and R. T] Milner."

In order that the Board might not be confronted with similar conditions in the future, they also passed the following resolution and ordered that a copy be sent to each member of the Faculty and to other officers of the Institution.

"Complaints against the management of the administration of the A. and M. College as conducted by the Presidents and Heads of Departments, must in the future be submitted in writing with a statement of facts, to the President of the Board. Any other mode of making charges will be considered by the Board as distasteful and detrimental to the best interests of the Institution."

The Board then adjourned under the impression that the breach of harmony had been bridged and that the work of the institution would continue uninterrupted for the remainder of the session. Following the departure of the Board on Friday, the 7th inst., the classes on Saturday, the 8th inst., refused to attend their recitations. The Board then reconvened by the request of the President of the College, and on arrival found a well organized strike existing in the student body. The organization had been so perfected and so skillfully managed by some controlling influence that the Faculty were powerless, and the members of the Board in their individual capacity were unable to break the firm determined stand of the students in their conspiracy against discipline and the continuance of College duties. The demand was made that either the President must resign or the boys would go home, and the sharp, clear cut issue was drawn as to whether we as the highest governing body of the Institution should control it or the students. There ought to be and could be but one answer to this question.

The Board met delegation after delegation of the Senior Class, giving them every assurance that their complaints would be carefully and patiently heard, but were unable to get them to give any sufficient reason for their demand that the President be removed. The Board then ordered the Faculty to be assembled and presented to them the following resolution:

"To the Faculty of the A. & M. College. Gentlemen: The Board of Directors having been advised that the Corps of Cadets is in a state of insurrection and have not attended classes since Saturday morning, and have furnished to the Board no sufficient reason or excuse for such action, we regard the situation as intolerable and one that must not be permitted to continue; we therefore direct the Faculty to proceed at once to firmly enforce the rules and regulations of the College and dismiss summarily all students who do not promptly return to their classes and submit to constituted authority."

The President of the Board further stated that he was directed by the Board to ask the Faculty individually at this time if there was a member not willing to do as requested, that he now so state to the Board at this Faculty meeting. The Faculty then passed a resolution, with one dissenting voice, pledging the Board its co-operation in carrying out the resolution just read.

The students were advised of the action of the Board of Directors and of the Faculty, and given ample time to direct their committees to confer with the Faculty and with the Board of Directors. After a conference with both bodies, the students declined to resume work, but the Senior Class presented the following communication to the Board:

"The Senior Class asks through this committee that they be granted a fair hearing before the Board of Directors, in regard to the President. To have the hearing we name the following conditions.

1. That we be allowed a committee of students to sit with the Board.
2. That we be represented by an attorney before the Board.
3. That we be allowed to submit evidence before the Board, both verbal and written.
4. That we be allowed to bring before the Board any witness that we may desire.
5. That our attorney be allowed to question all witnesses.
6. That every man who appears before the Board be fully protected.
7. That every member of the Board of Directors be present at the investigation."

The Board replied in writing to the Senior Class as follows:

"Replying to the foregoing communication the Board of Directors desire to say that we have always been and are now willing to receive and carefully consider any specific grievance that may be properly presented and signed by anybody with respect to the management of the College. Pending the receipt of a complaint the Board will make no other assurance than that the complaint will be thoroughly and fairly considered and full protection extended to complainants and witnesses.

"Pending the receipt and hearing of any complaint that any members of your class may desire to make, the Board requires that such complainants resume their proper relation as students. (Signed) K. K. Leggett, President Board of Directors."

In response to the foregoing communication a committee of the Senior Class, of which T. J. Beesley was chairman, waited upon the Board and advised them that the Senior Class would resume their duties tomorrow morning and would use their best endeavors to make the other classes do the same. Since that time the Senior Class have attended regular duties and have not therefore been subject to the order of suspension.

The succeeding morning the Faculty was called together by the President of the College and the following resolution was passed:

"That in view of the failure of the majority of the students to return to classes this morning, the student body be notified that any student who fails to report for the next regular duty after 1:00 p. m. today, is thereby indefinitely suspended in accordance with Section 3, Article 2, Chapter 11, Rules and Regulations. ('For the following offenses a student shall be subject to dismissal. \* \* \* Being active in promoting any combination to interrupt the exercises or to resist the authorities.')

Immediately following this resolution the Senior Class finally submitted the following charges against the President of the College, and the Senior Class resumed work, pending the investigation of their charges.

"To the Members of the Board of Directors of the A. and M. College:

At the request of the Committee from the Senior Class, I present the following statement.

I charge that I was dismissed from the A. and M. College in an irregular manner at the request of President Harrington. That the Secretary was sent out of the room when the Board took action; that no minute was made of this action; that no one communicated this information to me until about seven weeks after the action was taken (on the 5th of August), and that this delay was entirely inexcusable.

"I further charge that the above action was taken in face of the fact that there were abundant results to show that my work was very successful among the student body; and, also, in face of the fact that I was not only doing the work for which the College had employed me, but I was, also, doing without additional cost either to the College or to the student body,

the work of General Secretary of the Y. M. C. A., for which service other colleges are paying from \$1,000 to \$1,500 per annum.

"I further charge that President Harrington was guilty of duplicity at the Board meeting of March, 1906, at the Fort Worth session in regard to his action in the Pipe Organ matter. Respectfully submitted, Nathan Powell. February 12, 1908."

"Charges against President Harrington.

"Without authority from the Board of Directors, President Harrington interfered with my duties as a Professor by inducing the Health Officer to establish over my house a 'small pox quarantine' for a simple case of whooping cough.

"Without authority from the Faculty, he interfered with my son's duties as a cadet by similarly confining him to the premises.

"In violation of the same rights, he demanded the removal of my cook's children from the Campus, though they were carefully kept from contact with the case of whooping cough.

"And all this, not through any regard for the interests and welfare of the College, as was proved by his refusal to lay a similar quarantine when the same disease from any other source appeared in several families. (Signed) C. W. Hutson."

"I can state from my own knowledge that Dr. H. H. Harrington had his laundry done regularly at the College laundry from the time I came to take charge of the plant (January 18, 1907, until November, 1907). At this time he quit sending laundry. About four weeks ago he came to the foreman of the laundry and asked him to make out a bill of all his back laundry, which the laundryman could not do.

"Whether the bill has ever been paid or not I do not know. It did not go through my office. (Signed A. J. Neff.)"

"College Station, Texas, February 10, 1908. On the 16th of October, 1907, while a large circus was showing at Hearne, I handed in a furlough that had the names of the following Seniors on it: A. J. Smith, C. M. Evans, C. E. Jones, R. W. Faust, W. G. North, V. Kelley.

"One purpose in going to this circus, which was stated in the furlough, was to study the different types of draft animals which were not available here at the College.

"We had the approval of the Head of the Animal Husbandry Department. Dr. Harrington's words when I handed it to him were 'I will consider it under no circumstances' and tossed it in the waste basket. (Signed) A. J. Smith."

"February 10, 1908. In answer to question: Curtis Carson was discharged by order of the President for reasons not known to me. I consider that his services were satisfactory. (Signed) W. W. Evans, Farm Superintendent."

"The Committee charge that Dr. Harrington has caused a lack of harmony between the corps and the President, which is an impediment to the advancement of our College.

We, the Committee, charge him with arbitrary action in dealing with cadets.

We ask in behalf of the corps why we did not receive the maintenance due us for the seventeen remaining days of last session."

The above charges were presented by a committee of five from the Senior Class. They were allowed to call witnesses and to conduct the examination. After a complete, careful, and patient hearing on the part of the Board the following report was made:

"College Station, Texas, February 12, 1908. To the Committee representing the Senior Class of the A. and M. College. Gentlemen:

"We have carefully considered the charges submitted by you against Dr. H. H. Harrington, President of the College, together with all evidence submitted in support thereof.

"You are respectfully advised that in our opinion the evidence offered wholly falls to show that the conduct of President Harrington is subject to any proper criticism, or that he otherwise gave a just cause of complaint, to any student or member of the Faculty.

"The evidence submitted does not show arbitrary action, but, on the contrary, it shows a commendable solicitude for the interest and welfare of the student body, and the highest regard for the welfare of the College.

"The action of the President in relation to matters of discipline complained of by the witnesses on the stand in our opinion was wise, and meets with our unqualified approval.

"We are strongly of the opinion that you young gentlemen have no just grounds to complain of the action of the President, and we earnestly urge you to reconsider your action and stand by the College and its constituted authorities.

"This opinion is concurred in by every member of the Board of Directors present. (Signed) K. K. Leggett, R. T. Milner, W. P. Sebastian, A. Haidusek, L. L. McInnis and T. D. Rowell."

The three lower classes have never resumed their duties after going out Saturday.

The President of the College has been authorized to adjust and pay any balance that may be due any student for maintenance for the session of 1906-07.

The Board have found that the College at the beginning of this outbreak was never in better condition. Within the last two years the attendance has increased forty per cent. The material improvements which have been made, have greatly facilitated the work and efficiency of the institution. The services of the College to the people of the State is greater than ever before, and the knowledge of its usefulness has steadily and rapidly increased. Its popularity in the State and a recognition of its value by the people of the State is far greater than at any previous time in its history. The Board found in short, that the work of the College was progressing in a most satisfactory manner and that there was absolutely no reason why it should be interfered with or checked. (Signed) K. K. Leggett, T. D. Rowell, A. Haidusek, J. M. Green, Walton Peteet, R. T. Milner, W. P. Sebastian, and L. L. McInnis.

Since this statement was completed, the following telegram has been ordered sent to the parent or guardian of each boy that has left the institution.

"College Station, Texas, February 14, 1908. Work will be resumed at College Monday morning. Students will be reinstated on application and promise to conform to College regulations. We will invite your co-operation and continued patronage. Statement follows.

K. K. LEGGETT,

President of the Board of Directors of the A. and M. College."

#### COMMENTS.

This statement from the Board for the information of the public, shows a very marked tendency to slyly slip over important facts under contest and as they have since continued to do, give much prominence to the fact that the only real problem for the Board, was to put down a student rebellion. To the casual reader much of the statement is either unnoticed or misunderstood, unless very carefully studied.

Even the first sentence is usually misconstrued. It says, "The Board of Directors of the A. and M. College of Texas have refrained from giving out any statement in regard to the conditions existing at the A. and M. College until they had an opportunity to make a full and fair investigation." Usually this is accepted to mean that the Board states that they did make a fair and full investigation, but it does not say it, and I am certain

if they felt they had done such, they would have in plain English said so. There is perhaps not a single reader of this who has not had an opportunity to do things that were left undone. By a careful perusal you will find they merely took their places and acted as if to say, "Come on, we will hear any specific thing you have to charge, you must make the charges and substantiate them, if you do not prove everything beyond a shadow of a doubt, we decree you have no just grounds for complaint. You need not expect our assistance in proving your charges, neither will Dr. Harrington commit himself by trying to disprove your assertions. Now make your charges and do it in a hurry. No, you can have no attorney."

The statement says "About ten days ago" (the first part of February) "rumors of abuses and irregularities existing at the College were brought to the attention of certain members of the Board. These rumors were communicated to the President of the Board, who promptly called a meeting of the Board by wire."

Now in reality the "rumors" referred to was a letter written by Dr. Gilbert, a Faculty member, to his cousin, a graduate of the school, Judge John Hornsby of Austin, and for writing, which Dr. Gilbert's resignation was called for some few months later. I have never seen the letter but in writing to Judge Leggett when his resignation was called for, Dr. Gilbert gives an insight not only to the letter, but to the disgusting whitewashing done by the Board at the "first exoneration of President Harrington, and the prime reason for the 'strike.'"

In part Dr. Gilbert writes Judge Leggett:

"In this letter I did state that the future welfare of the college demanded that there should be an immediate investigation of the state of affairs there, and that in my opinion the conduct and policy of the President would certainly result in the ruining of the College, and that members of the alumni at Austin should be advised of existing conditions and impressed with the absolute necessity of prompt action. As you are aware, shortly after this letter had been brought to the attention of Governor Campbell he requested that you make a full investigation of affairs at the College for this purpose. You sought an interview with me. I gave you then nothing but the truth as I saw it, candidly telling you as one who loves the College (not thinking of my own position or my future) and whose every desire is to see it developed to its highest standard of efficiency in the interest of the youths of Texas; that its future progress, if not its very existence, depended upon President Harrington's separation from it. I declared this then, and since that time I have had no occasion to change my mind. In fact, I made a candid and full statement to you of the conditions just as they existed, stating in detail the various sources of my information, and also all facts within my own knowledge. Some persons, foreseeing the action which would be taken, through fear of losing their positions, denied what they knew, and also that they had ever made statements of such facts as were within their knowledge, but you and the Board, in the superficial investigation then made, ascertained that those statements involving serious charges against President Harrington had been repeatedly made by those in a position to know the facts, to others than myself.

"During this investigation a number of the members of the Faculty and employes of the College were called before your Board, and I felt then, and am sure now, that conditions were disclosed which showed that the administration of President Harrington was such that the best results could not be attained at the College while he continued at its head. For some reasons which have never been made clear to us your Board did not finish this investigation (my authority for this being a member of your Board), but rather precipitately, after only partial investigation, acted, and not only exonerated the President, but officially commended him for the success of his administration of College affairs.

"In view of the fact, well known to you and your Board, that the arbitrary and intolerant conduct of President Harrington has driven several of the most excellent educators connected with the College Faculty to resign rather than to further submit to the humiliation which they were constantly subjected to; considering the testimony of Faculty members and employes, and the further fact that the three upper classes had then filed with you a protest against the President, I must confess that in my opinion this action of your Board, taken under these circumstances, was the provocal cause which led to the unfortunate strike which was inaugurated by as manly a set of boys as ever matriculated at any College.

"I talked with you and other members of the Board the morning following the day when you abandoned the further prosecution of the investigation. You concealed from me the purpose you had in mind. You did not make known to me that you had arrived at a decision, or advised me of any conclusion you had reached. You said nothing to any of the Corps of Cadets, whereas I am sure that by the exercise of a little discretion, and the consulting on your part with these boys at that critical moment, would have prevented in a large measure, if not entirely, the disorders which followed later. It rested with the Board alone to do this, but, unfortunately, you failed. If you had acted differently then, the subsequent difficulties might have been avoided, even though you had not removed the President at that time."

The Board says, "No formal charges presented against any one." No, there were none presented, but there should have been. And the Board should have done the presenting.

It was not proper for a Faculty member or any one to present the formal charge against Dr. Harrington except the Board of Directors.

It was the role of others to give what information they could. The defensive way the Board went about the matter showed where they stood and as a side issue, perhaps the intentions of the Board, effectually closed the mouth of the ones who knew. And this may not be all they did, as Mr. B. S'bisá told the Senior Class Committee (of which J. Dale was Chairman), a few days later that the Board had instructed him to hold no further communications on the subject concerning Dr. Harrington.

I will add that from the best advices I can get on the subject seven men testified before the Board at this first investigation, six of whom gave evidence showing that the "abuses and irregularities demanded more than a technical hearing." But to this evidence of crookedness came the unanimous petition from the three upper classes asking relief from the man in power, yet the Board left (as a member of the Board says), after only a partial investigation, and wholly ignoring the communication from the student body.

Regarding this petition the Board makes a very misleading statement. "No reason for the request was assigned in the petition." I contend that a number of very sweeping reasons were assigned, as "for the best interests of the College," "the President is out of harmony with the student body," "he has indirectly lowered the College curriculum in the past by being the direct cause of the College losing some of her best men," and several others, among which was the charge that Dr. Harrington was using his high position to further personal interests.

Now, in answer to all this the Board has to admit to the publishing of the following resolution: "Be it resolved by the Board of Directors of the A. and M. College, that we express in heartiest terms our unqualified faith in the integrity, ability, and absolute fairness of President H. H. Harrington in the administration of the affairs of the College; and we further declare that in his efforts toward keeping the College at its present high degree of usefulness and building it up to even a higher degree of excellence we give him our unanimous endorsement and support. (Signed)

K. K. Leggett, T. D. Rowell, John M. Green, W. P. Sebastian, Walton Peeteet, L. L. McInnis, A. Haidusek and R. T. Milner."

The Board then passed a resolution that the petition of the students be not entered on the minutes of the Board and had it destroyed. It was told me that the reason the petition was treated in this unusual manner, was to prevent the President or the Faculty of the College from ever knowing the names of those students who signed it.

Please notice that the action was concurred in by every member of the Board. With this in view it is no wonder that in the ensuing trouble no one seemed to be willing to go back on the promised support for less than regular landslide of criminal evidence.



*The Drafters of the Petition asking for President Harrington's removal.*

The next resolution, which was sent to every officer of the College, practically says, "Keep your mouth shut about Dr. Harrington to any one but us." And by their actions they plainly represented what would go with all the complaints that came to them. For example, Prof. Hutson's written complaints made in December to Judge Leggett were never made known to the Board, or if they were no action was taken regarding them. The ignoring and burning of the students complaint is another object



lesson to the ones that desired to complain of Dr. Harrington. This resolution played a very important part in preventing the Cadets from obtaining substantiating evidence to a number of charges that were not presented as well as to the ones presented.

But after all, this is one resolution that either intentionally or unintentionally gave a point to each side. We calculate that its wording plainly prevents the President from making trouble with the Heads of Departments, and causing them to leave because of "bad health." In other words it prevents the President from making Faculty members sick enough to be forced to resign without Board action.

Of all the statements in the report none have given greater offense than the reference to the "controlling influence." There is no excuse for using this old political "gag" that is invariably used to explain or attack some result or action by intimating that it was moved at the dictation of some selfish person or motive.

One writer in speaking of this says, "The Controlling Influence" that actuated these boys, or rather I should say men, was the determination to free themselves from the embittering and harassing petty acts of dictation, spite, meddling, contemptuous disrespect of feeling, and aristocratic assumption of power and authority that should have no place in the successful management of a great College."

As to the charge of "conspiracy," it is an uncalled for perversion of facts. These students acted with such unanimity, courage and determination, because their long pent-up feelings had been ready to burst into indignant revolt at the first opportunity.

The report says, "the demand was made that either the President must resign or the boys would go home. This assertion is untrue. The Senior Class whom the Board only recognized never made such a statement during the whole trouble. Further on in the report the conditions were truthfully represented. "The Senior Class asks through this committee that they be granted a fair hearing before the Board of Directors in regard to the President."

In regard to the "clear-cut issue" previously referred to, the statement answers, "There ought to be and could be but one answer to this question." If this were the only evidence to that end, it is enough to prove that the "trial" in full was no more than a diplomatic farce, with the verdict decided upon in advance of the hearing of the evidence.

"The Board met delegation after delegation of the Senior Class, giving them every assurance that their complaints would be carefully and patiently heard, but were unable to get them to give any sufficient reason for their demand that the President be removed." This statement is out of place in the report and tends to cause a misunderstanding. The first regular Senior Class committee that appeared before the Board with the communication previously quoted, which begins, "The Senior Class asks through this committee that they be granted a fair hearing before the Board of Directors in regard to the President," etc. And this took place after the the Board presented the communication, which reads as follows:

"To the Faculty of the Agricultural and Mechanical College: Gentlemen—The Board of Directors, having been advised that the Corps of Cadets is in a state of insurrection and has not attended classes since Saturday morning and has furnished to the Board no sufficient reason or excuse for such action we regard the situation as intolerable and one that must not be permitted to continue. We therefore direct the Faculty to proceed at once to firmly enforce the rules and regulations of the College and dismiss summarily all students who do not promptly return to their classes and submit to the constituted authorities."

At the same time President Leggett of the Board asked the Faculty if they were individually willing to do as requested. In reply a resolution

was passed with one dissenting vote, that of Prof. C. W. Hutson, the oldest member of either the Board or Faculty, pledging the Board their co-operation in carrying out the resolution just read.

The ensuing morning the President called the Faculty together and the following order of suspension was passed:

"That in view of the failure of the majority of the students to return to classes this morning the student body be notified that any unexcused student who fails to report for the next regular duty after 1 p. m. today is thereby indefinitely suspended in accordance with Section 3, Article 2, Chapter 2, Rules and Regulations. ('For the following offenses a student shall be subject to dismissal: \* \* \* Being active in promoting any combination to interrupt the exercises, or to resist the authorities.')

This was unanimously carried. Prof. Hutson, who the previous morning had objected to summary dismissal, voted for the suspension. He has been criticised for not voting to support the Board in the dismissal resolution, but it will be noticed that when the time came to act, the rest of the Faculty came around to his opinion that this was too severe, and merely suspended the students.

A more careful study of the suspension order, and the schedule of duties reveals the fact that the duty referred to was nothing more than dinner call, at 1:05 p. m. And as no one was reported absent from dinner, it may be understood, strictly technically speaking, that the students were never suspended. The boys knew of the error but were not disposed to take advantage of it. (It has not yet been explained whether this error was intentional or not.)

The Board has always said they were ready to hear any grievance against Dr. Harrington. But it is to be understood that they have never promised to consider such on its merits.

Now as to the charges, allow me to first introduce the only defense made public by any member of the Board. The comments were written by Judge Haidusek and were published in his Bohemian newspaper, and translated by T. A. Polansky, a late Senior, head-lined.

#### "YOUNG AMERICA WANTS TO RULE A. AND M. COLLEGE."

He first gives the text of the Board statement and then comments as follows:

"The first of the charges (viz. Powell), Harrington was not required to answer for, as Powell's discharge was the result of the action of the Board of Directors. I pronounced that the State of Texas does not set appropriations aside for religious purposes. I am a Catholic and could therefore demand that Catholicism be taught in the institution, the same would apply to the purchase of the \$2,000 pipe organ, same to be placed in the Chapel for the benefit of religious ceremonies.

"Regarding the laundrying, it was proved that Harrington had several washings made, but when he wanted to settle up the account no records were on file, therefore it was impossible to make out the bill. According to his wife's account the bill amounted to \$2.00, which amount Harrington paid.

"Whooping cough was found to be in Prof. Hutson's family, and Dr. Harrington wishing to suppress all contagion of said disease ordered Dr. Gilbert to quarantine Prof. Hutson's family. In quarantining Prof. Hutson, Dr. Harrington was carrying out the instructions of the Board of Directors.

The students that were refused a furlough to Hearne for the purpose of visiting the circus and examining draft animals, should not have felt offended, for Harrington committed no crime in refusing them the furlough, however, though, he could have let them go, since all young men enjoy to attend circuses.

"As President of the College Harrington has a perfect right to discharge any laborers of the College Farm without submitting the reason why to the farm Superintendent.

"Why perfect harmony between the President and the Corps did not exist was proven to be result of Harrington not freely permitting the students to visit Bryan and often not telling them the reason why he would not permit them to go, or that sometimes he demanded their motive for visiting Bryan. In this way the students felt as if they were insulted, and hence the increase of friction between him and the students."

Commenting on the explanations by Judge Haidusek and the charges at the same time, I will say that the Board seems to think that by saying they dismissed Dr. Powell they dismiss the charge. Were this the case, the charge would dismiss itself by its very statement; but the complaint is not that he was dismissed by the Board, but the underhanded way President Harrington acted in the matter, and, as Mr. Powell says, misinforming the Board of the circumstances, and failing to notify Mr. Powell for seven weeks after the action.

The Judge even questions the right of the Board to have a Chaplain, or an organ in the Chapel. And from the facts in the case his opinion must not be vigorously opposed by others of the Board, as we have been since the first of last December without a Chaplain at the College. But whatever is the opinion of the Board concerning the organ which the students and campus people offered to pay half on (Harrington himself pledging \$50.00), does not excuse Dr. Harrington from his two-faced dealings concerning it.



**REV. NATHAN POWELL**

*Former Chaplain*



**A. J. NEFF**

*Superintendent Steam Plant*

Now, concerning the laundry charge which Judge Haidusek has attempted to explain in Dr. Harrington's favor, allow me to say that the Senior Class Investigation Committee asked Mr. Neff to make a statement that he was willing to swear to, concerning his trouble with Dr. Harrington. In this statement will be found the "copyrighted" way which Dr. Harrington invariably used to get rid of a party when he has once decided to put him out. It also shows how the orders of the Board are overridden when they do happen to accidentally do something Harrington does not like.

#### The Statement.

"I took charge of the steam plant, January the 18th, 1907. About one week after that I noticed a bundle of laundry on the table ready to be delivered, and asked Mr. Young, the laundry foreman, whose it was. He

stated that it was Dr. Harrington's. I asked him if bills had heretofore been sent in or had he been getting it free. He stated no charges had ever been made and that the laundry had been done regular since he took charge, November 3rd, 1905, except two or three months during 1906.

"This laundry consisting of tablecloths, sheets, towels, counterpanes, napkins, pillow cases, etc., averaging from ten to twenty pieces every week during that session, and began again when school started in September, 1907, and continued until sometime in November. At this time he discontinued same.

"About this time they (Harrington's) requested my wife to nurse his baby until a wet nurse could be secured within two days.

"She nursed the baby about four days and told Mrs. Harrington that it would be impossible for her to nurse the baby any longer, but agreed to nurse it awhile longer if they would get a wet nurse.

"Mrs. Harrington became very angry from that time on, refusing to speak to us and saying ugly things about us to our friends. The President began immediately to find fault with my work, coming to the plant two or three times a day, finding fault, even trivial faults.

"Up to this time he had been perfectly satisfied with my work and commended me for the good work I had been doing up to this time.

"They had never made any kicks about their laundry, but the week they became angry with us, she claimed to have lost some pieces, which we could not account for, as she never listed her laundry.

"The next week I requested Mr. Young to make duplicate lists to keep my records straight and clear. One of these lists was sent to their residence by the man who brought the laundry.

"Mrs. Harrington came immediately to the plant and demanded a reason from the foreman why he had sent a list. She was informed that I had it sent, and called for me, and insulted me and said that Dr. Harrington did not like the way things was being run, and that I might expect changes that would affect me.

"After that time they sent no more laundry. Just before the strike he came to the foreman, Mr. Young, and requested him to make out a bill for past laundry. Mr. Young informed him that he could not do it as no record had been kept. This was his first request for a bill.

"At this time he requested me to pay for my laundry, which had been promised would be free, as I was to get the same concessions as my predecessor, and he had gotten his laundry, ice and lights free.

"A committee from the Board had set aside money to build a room on my residence and make other improvements and the President was with the committee when they inspected the house. Professor Spence remarked early in the session that other more urgent work would have to be done before he got to my house, but the room has never been built, and I attribute it to personal reasons only.

No other campus people has ever sent laundry to the College laundry since I took charge."

(Signed) A. J. NEFF,

Superintendent of Steam Plant and Laundry.

"As to the time for which Dr. Harrington sent laundry to the College laundry, the above statement is correct."

(Signed) YOUNG,

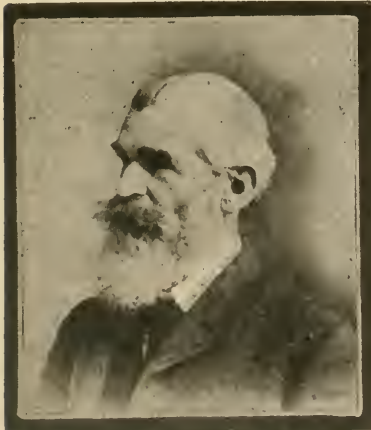
Foreman of Laundry.

In quarantining Prof. Hutson's house and family, the Judge, says Dr. Harrington, was carrying out the instructions of the Board. Regarding this I introduce the resolution passed by the Board of Directors of the A. and M. College of Texas, at their regular annual meeting, June 27, 1907:

"It was moved and carried that in case of any infectious or contagious disease appearing on the campus or College grounds, the Surgeon shall have power, and it shall be his duty to establish such quarantine rules and regulations at the houses, as may seem to him necessary. It shall be the

duty of the Surgeon to inspect private premises, and require that they be kept in a proper sanitary condition. He shall have power to condemn drinking water, and to abridge such other 'private rights' as he may think necessary for the health of the community. He shall have power to stop negroes or others, whether employed on the campus or not, when infected with such contagious or infectuous diseases, from passing to and from through the College grounds. All regulations must first be submitted to the President of the College for his approval."

On this authority, Judge Haidusek makes the statement that Harrington was carrying out the instructions of the Board. Any one acquainted with the circumstances knows that Dr. Gilbert the Surgeon did not deem the quarantine necessary, but entirely unjust, and that President Harrington overstepped the authority of the Board's resolutions when he ordered Dr. Gilbert to place the strict quarantine for whooping cough against his judgment. The resolutions give the President only the power to approve what the Surgeon does. It will perhaps be a surprise to many to learn that the so often mentioned disagreement between the President and Dr. Gilbert was occasioned by the President's deception in this matter.



**PROF. C. W. HUTSON**

He with Dr. Gilbert lost their positions from troubles growing out of the unjust quarantine.



**DR. JOE GILBERT**

The complaint about the furlough to Hearne was not because it was not granted, although by all precedents it should have been, since the Head of the Department approved it, but because of the language used in turning it down, and because it was not disapproved and made a part of the College records as furloughs are, but was immediately consigned to the waste-basket.

We do not deny that Harrington may "fire" any College hand without the approval of the Farm Superintendent, but we presented this charge for the express benefit of Director Peteet who had made the assertion before the Senior Class when asking us to draw up charges against Dr. Harrington. "The President cannot fire his Gardener without bringing charges against him." We were very sorry that Mr. Peteet had left the investigation before this point was brought up. As I said before, it was for his express benefit. We would also have been glad for Dr. Harrington

to have said why he fired the party mentioned (together with a number of others), as it was, because a lady of the family refused to serve as a wet nurse for Dr. Harrington's child.

Mr. Haidusek forgot to mention the influence which resulted from the arbitrary dealings of Dr. Harrington, and especially when the recipients were relations of Board members or of specially influential men of the State.

Both Mr. Haidusek's and the Board's report are silent on the charge by Miles B. Hutson, a Junior, who claimed he was suspended from school by the President without authority from the Faculty during the fall term examinations. Also no mention is made of the charges by C. W. Robinson, P. W. Goodman, C. M. McKay and J. H. Robinson, concerning irregularities in maintenance money. However, the Board ordered that the money due all students be refunded. During the investigation it was stated that there was an "over sight," and that the President "forgot," etc., yet the first two named witnesses had reminded the President of the amount due them, —and had received it, one by the personal check of the President. And nowhere do we find mention of the charges by C. W. Leggett and T. E. Holloway, the present and last year's editors-in-chief of the College paper. These witnesses testified that it was very distasteful to the President for any praise to be given any one connected with the building up of the College other than himself; or more particular that the President branded as false an article previously mentioned, clipped from "Worlds Work," praising Dr. Houston's upbuilding of this College (which upbuilding I now add by way of parenthesis is being claimed by Dr. Harrington and his friends for him).

Mr. Leggett charged that in his case the President had stamped as false an article written, commending Prof. F. R. Marshall, in which it was said that "his energies were a prime factor leading to legislative action appropriating money for the purchase of pure-bred herds to be used by students in stock judging at this school."

The injustice of this insinuation by the President has been previously referred to, with W. J. Duffel of West as witness. I may also add that it was known to the students that the President had made no recommendation for appropriations for this purpose, and that by F. R. Marshall and others it was brought before the Legislature.

They also made other charges of unwarranted interference by the President with regard to the College press, but these are enough to show his injustice on this particular, the charge of "interfering with College publications." The rest of the statement needs no comment, but should be carefully studied if one desires to know the real position and attitude of the Board of Directors.

### THE NEWSPAPERS.

The next few days after the Board's report was made public, the College situation was given much publicity before the people. Both sides of the controversy were allowed by most papers to express their views by properly signed articles.

Editorially, most of the papers took the stand that it was primarily a case of discipline and that the Board could have not acted otherwise than they did. Some attempted to explain the situation as one that had been worked up by student leaders, while others were bold enough to assert that Faculty members were at the bottom of the affair. And yet a third explanation was that the students had voluntarily sided with members of the Faculty who were at variance with the President. The papers shared the sentiments of all, that it was a very unfortunate affair, and it

was largely through them that the Alumni Association was able to reach the students who left, and induce them to return and submit to discipline and prevent the school being closed.

Perhaps the strongest defense for Dr. Harrington's administration is that of Chas. Rogan of Austin. It will be remembered that later Mr. Rogan was at the head of the portion of alumni and ex-students who favored Dr. Harrington, and who acted as his attorney until Judge Scott arrived. Mr. Rogan's communication, which was widely published, was as follows:

"Austin, Tex., Feb. 18, 1908.—Messrs. T. J. Beesley, R. H. Standifer and Lem Adams, College Station, Texas.—Gentlemen: The daily papers published last Saturday and Sunday gave a full account of the recent trouble at the Agricultural and Mechanical College, including the charges by the students' committee against President Harrington. Until then the public remained silent, as it had no knowledge of the real nature of the trouble.

After the board of directors had acted, and after a large number of the students had departed for their homes, the same papers announced that the Senior Class, acting through yourselves as a committee, had issued an appeal to the students urging them to return and resume their studies. Being at one time a cadet myself and also being an alumnus of that institution, is my apology, if one be necessary, for this letter.

"The papers report that you filed with the Board eight charges against the President of the College, one of which was by Rev. Nathan Powell, one by Prof. C. W. Hutson, one by A. J. Neff, foreman of the laundry; one by W. W. Evans, farm superintendent; one by A. J. Smith, a cadet, and three general and indefinite charges by the committee itself as follows: '(1) that he has caused a lack of harmony between the corps and the President; (2) that his dealings with the students were arbitrary; and (3) that he had not refunded the maintenance due the cadets for the seventeen remaining days of last session.'

"The public has the right to presume that there were no other charges of any consequence, otherwise they would have been presented with the others.

"After a full and patient hearing the Directors said:

"We have carefully considered the charges submitted by you against Dr. H. H. Harrington, President of the College, together with all evidence submitted in support thereof.

"You are respectfully advised that in our opinion the evidence offered wholly fails to show that the conduct of President Harrington is subject to any proper criticism, or that he otherwise gave a just cause of complaint, to any student or the Faculty.

"The evidence submitted does not show arbitrary action, but, on the contrary, it shows a commendable solicitude for the interest and welfare of the student body and the highest regard for the welfare of the College.

"The action of the President in relation to matters of discipline complained of by the witnesses on the stand in our opinion was wise and meets with our unqualified approval.

"We are strongly of the opinion that you young gentlemen have no just grounds to complain of the action of the President and we earnestly urge you to reconsider your action and stand by the College and its constituted authorities.'

"This board is composed of men who were carefully selected by the Governor because of their peculiar fitness for the duties imposed on them by law. Each and every member thereof has the entire confidence of the people. They are men ripe in judgment and experience. Their strict integrity, their ability to discriminate between right and wrong, their sense of duty towards the students individually and collectively, and to the President and Faculty, and to the State and to the Governor under whom they

hold their commissions, and the high esteem in which they are held by their fellow citizens, preclude the idea that their findings are based on other than the utmost fairness and justice.

"Until the proceedings were published the public was in the dark as to the cause or nature of the muddle, and, until now, was in no position to form an opinion. What I say to you and through you to all other students of the College is from the standpoint of a citizen and an alumnus of the institution and solely for your welfare, I sincerely hope that on a second and sober thought you young men will fully realize the awkward predicament in which you have placed yourselves before the people.

"Expressions of sorrow and of profound surprise are heard nearly everywhere. In fact, the verdict of those who have read the reports is unanimous that the action of the students is inexcusable and that they can not be defended from any standpoint. They say that the personal grievances of Rev. Mr. Powell, Prof. C. W. Hutson, the laundryman and farm superintendent, are of no concern whatever to the students, unless it be the charge made by the laundryman. Of this the Board says: 'That in our opinion the evidence offered wholly fails to show that the conduct of President Harrington is subject to any proper criticism, or to any member of the Faculty.' As to all the other charges the Board, after hearing the evidence, completely exonerates the President and commended his course as wise.

"The people further say that while the action of the students can not be defended, they nevertheless feel that you should not be too severely censured for the reason that they believe some one or more persons who had your confidence has abused it by taking advantage of your tender years to further a selfish end by advising you to pursue a course calculated to confront you on every hand and to work to your detriment in after years.

"Rebellion against constituted authority is a serious offense. No person, firm or corporation desires the services of any man in his employ who may lay down on him at a time when his services are most needed. They regard such a person as unreliable and unworthy of trust. When war was declared between the United States and Spain the Secretary of War called upon the Commandant and the President of the College for men to accept commissions as officers in the United States army. If my memory serves me right there was but one who came up to the requirements and he was duly commissioned and honored. But suppose he had been guilty of insubordination, or had ever defied constituted authority, do you suppose it would have been possible for him to obtain a commission in the army?

"Do you young men fully realize that you have defied the authority of the Board of Directors, the authority of the President, and also the authority of the Faculty? That you have done so can not be denied. Having done so, how can the wrong be corrected? How can you restore yourselves in the estimation of the people, of the Directors, of the President and of the Faculty? There is but one way by which it can be done, and that is by acknowledging the error and by asking the pardon of all to whom offense has been given.

"To do this involves moral courage. I believe you have it. Brave men, when they find they are in error, never hesitate to promptly acknowledge it, and they are anxious to repair the injury by asking the pardon of the person offended. Cowards never do. Let me beg of you not to let this opportunity pass. It will be too late after you leave the College either to right the wrong or to then raise yourselves in the estimation of the people.

"President Harrington is a most excellent man. He has made a splendid executive. Under his administration the attendance has increased about 40 per cent. The College is taking a standing that its friends have long since desired. If I were a cadet I would personally apologize to him and to each



of the Faculty whose orders to attend class I had disobeyed. I would also join in a written apology to the Board to be filed with it at its next regular meeting.

"I am, sincerely yours,

"CHARLES ROGAN."

Bishop Johnson, of San Antonio, President of The West Texas Military Academy, strongly approved the action of the Board without going into the merits of either faction. He says:

San Antonio, Texas, February 16, 1908.

"I, doubtless with many others, both in and out of the State, have been watching with intense interest the progress of the revolt against the constituted authorities, which has been going on at the Agricultural and Mechanical College during the past week.

"As one deeply concerned in the cause of public education, as well as public morals, so nearly kin, I feel justified in addressing you publicly on the subject of the conditions existing at that, one of the most important of the State's institutions of learning.

"The paper this morning announces that the Board of Inquiry completely exonerated the President from any blame in the matter, and therefore refused to recommend his resignation, whereupon the whole student body withdrew from the College.

"It seems to me that a great opportunity is now presented to teach a wholesome lesson, not to this State only, but to the whole country, which has its eyes turned on us, on the subject of paternal authority and filial obedience, which lie at the very foundations of National stability.

"The lack of reverence for authority, beginning in badly regulated homes and running through life, is one of the crying evils of our times, and it is also the greatest menace to the perpetuation in their purity of our free institutions.

"Absolute monarchies, backed by bayonets, can exist indefinitely by force, as seen in Russia, whether the people be virtuous or villainous; but Republics can not survive the loss of virtue and respect for law and its executives whom the people have put in power; for if the creator is corrupt, so will be the creature. The basis for these virtues must be laid in the family, where the character of a people is crystalized.

"For the State authorities to yield to a demand of the students of a State institution, where they are being generously given a gratuitous education to fix them for high and noble citizenship, would be to weaken the hands of every father and mother in the land who is struggling to do his or her duty by their children; and who are thereby doing all in their power to combat the socialistic and anarchistic tendency of our times by implanting in the minds of their offspring reverence for constituted authority, which is the corner stone of all noblest character.

"Should the State authorities back down in the face of the imperious dictation of these misguided striplings, doubtless dominated by some leading spirit of disorder to raise the flag of rebellion against the State, it would be to endanger the very existence of the splendid educational system of this commonwealth.

"Every president of every institution of learning, beginning with the university and descending to the smallest academy and cross roads school, would henceforth feel that he held his position, not under authority, but at the whim of the student body.

"I trust, therefore, that the Board of Trustees will stand firmly by the action of their committee of inquiry and give notice through you, the Executive, to all parents whose sons have left the college without leave that if they are not returned within a reasonable time, say two weeks, it shall become impossible for them to re-enter at all; and furthermore, I

hope they will request all school commissioners throughout the State and all heads of private schools and colleges, out of loyalty to the State authorities, and for the highest good of family life and the interests of education, to refuse to receive these mutinous students into their institutions.

"Some such action as this will impress upon the minds of the people of this State, young and old, the seriousness of the question involved. It is scarcely possible that it would fail to bring back to the College at least one-half of the students, and so enable it to continue its exercises to the regular time of closing.

"As President of the West Texas Military Academy, I pledge myself loyally to sustain the action of the Board should it see fit to take this course and carry it to a successful issue.

"It is of the greatest importance to the future of this commonwealth as well as to the cause of education throughout the entire country; for if this great State fails in its duty it will spread a spirit of sedition throughout the length and breadth of the land."

#### BUSINESS MEN OF BRYAN ISSUE STATEMENT.

When the College was left without a student body, the business men of Bryan realized that if the state of affairs continued Bryan would be hurt financially, and for this reason the following statement was sent out. It was to be noticed and appreciated by the students that the business men with whom the students came in contact did not subscribe to the document. This attempt to get the students back was not addressed to them, but to their parents, and was very much resented since so large a part of the students come to this College on their own initiative, a majority of whom are partially paying their way, and seventeen per cent, their full expenses. The call reads:

"To the Parents and Guardians of Students of the Agricultural and Mechanical College: We earnestly urge that you return your boy to the Agricultural and Mechanical College at once to resume his studies. The complaints of students were carefully investigated by the Board of Directors appointed by Governor Campbell, representing every portion of the State, and they unanimously decided that there existed not the slightest ground for any dissatisfaction. We are firmly of the opinion that there exists no reason for the present conditions and that the administration of Dr. H. H. Harrington has been just and that the situation is one that is possible to arise in any school where the regulations are strictly enforced. We ask that you do not allow your son to start in life with the idea that he can revolt against recognized authorities without good cause. A large number of boys are at College now and practically all of them interviewed singly expressed great regrets, but stated they were bound by class action. We are in position to know the conditions existing at the A. and M. College and can say that affairs are in the best of condition; the attendance larger, the equipment better, and that there is more demand for the graduates of this College today than ever before.

"Signed: G. S. Parker, president City National Bank; A. W. Wilkerson, cashier City National Bank; R. M. Gordon, vice-president Gordon Sewall Grocery Company; H. O. Boatwright, vice-president First National Bank; W. E. Saunders, president Business League; J. E. Butler, Mayor of Bryan; Ed Hall, president City School Board; J. H. Allen of Allen Academy; R. O. Allen, of Allen Academy; H. W. South, of Allen Academy; O. C. Charlton, president Texas Woman's College; James D. West, pastor of Presbyterian Church; Tyler Haswell, senior warden Episcopal Church; James A. Challenor, pastor Christian Church; Geo. B. Butler, pastor First Baptist Church; Rev. J. B. Turrentine, pastor of Methodist Episcopal Church."

In regard to this, Milton Everett, a News reporter, says:

"I made some inquiries about the origin of this address, and Mr. G. S. Parker, the president of the City National Bank, informed me that it was prepared in his bank and was taken around to the signers by himself and Mr. Gordon of the Gordon-Sewell Grocery Company. Mr. Parker was quite frank and open in telling about the origin of the address, and explained that a good many of the signers were talked to over the telephone and authorized their names signed to it. It will cause no surprise that eighteen citizens of a city of 5,000 population signed an address endorsing President Harrington, when said address is backed up and circulated by two of its leading citizens. Neither will it cause surprise that these gentlemen interested themselves in getting as many as eighteen citizens to sign an address, when it is known that the City National Bank handles large sums of money for the college, and does a considerable and profitable business with it, all because of the favor of President Harrington. No one can blame Mr. Parker, the president of the City Bank, in doing what he can for Dr. Harrington and securing what favor he can for him when it is remembered that Mr. McInnis, the cashier of the competing bank, the First National, is a member of the Board of Directors, and to that extent has the "inside track" on the expenditure of over four hundred thousand dollars a year. In connection with this bank matter it should be said that Dr. Howell, the president of the First National Bank, did not even for a second hesitate to give his views about Dr. Harrington because of the possibility of his bank losing a few dollars in the handling of the funds of the college, and when I asked him about the trouble between the President and the students, he said: "It is a case of a new President or a new set of students. Dr. Harrington has never been popular with the students or any one else, so far as I know." I asked Dr. Howell about the reports that Dr. Harrington, as President of the college, used his position to gratify his personal predilections, and he said: "Harrington favors his friends and punishes his enemies." It is proper to say that Dr. Howell was the only person among a large number who had a financial or other interest in the college management, who laid no injunction that what he said in criticism of the President should not be given publicity in connection with his name. It may also be said that Dr. Howell signed the address as a matter of form, as others did, as I was told, which is not remarkable, when we remember how easy it is to get persons to sign petitions, which in most cases represent nothing but the desires of the persons who circulate them.

"So far as addresses and petitions are concerned, I should judge from conversations held with the business men of Bryan that an address disapproving President Harrington's administration would be signed by many hundreds of the people of that city."

These expressions about cover all the points in articles that were unsympathetic to the students.

#### SENTIMENT FAVORING STUDENTS.

The first man to publicly espouse the students' side of the controversy was George P. Finlay of Galveston, ex-Comptroller of State. Judge Finlay wrote Governor Campbell asking him to declare himself and settle the matter in the following manner:

"Reorganize the whole faculty, place a first-class man at its head who is in no manner involved in this matter; declare a general amnesty and order all cadets back to their duties and all will be serene. Otherwise a storm will sweep over the State such as has never been known in its history. I love Texas, her history and her people. I have given her all my best manhood from youth up. I have shed my blood that she might live, and today, bordering on my eightieth year, I feel my cheek mantle with shame

and my heart bursting with indignation as I contemplate the destruction of this noblest and best of all our institutions. I would rather see war with its iron hoof traverse the land from end to end; pestilence, famine and disease stalk from house to house and desolation brood over hearthstone, than to see the souls and spirits of our noble youth crushed beneath the foot of senseless, brutal and irresponsible power.

“GEORGE P. FINLAY.”

Judge R. E. Hanney, of Hempstead, wrote Mr. Finlay a letter thanking him for his stand, but added that he thought the boys made a mistake in their method. The reply was as follows:

“Galveston, Texas, Feb. 20, 1908.

“Judge R. E. Hannay:

“Your kind letter received. You are wrong about the boys making a mistake. They did just what a lot of thoroughbreds were expected to do under the circumstances.

“They resented a series of insults in a manner dignified and without passion, which will finally find its way to the public heart and conscience.

“The whole thing on the part of the State (the Directors) has been a farce. They met for no other purpose than to degrade the boys under the false cry of discipline—that resort of cowards—and time sermons, and in this the big daily papers aided them, by suppressing the facts, which would have damned them if known.

“Discipline is a fine word to juggle with, particularly when you would obscure the utter worthlessness and meanness of those in power in this case.

“They tried and banished five hundred boys without notice, by establishing a Rubicon over them, which their very manly virtues compelled them to cross.

“They set an hour for the return of every boy to classes, to be dismissed on refusal. And now they have the gall and indecency to say they dismissed themselves.

“No, sir. Our boys are a brave, noble, manly set; the Governor is a weak, boneless invertebrate, and the layout at College is the legitimate spawn of their progenitor, the Governor.

“These boys, just budding into manhood, are the best judges of character on earth, and the future of the College will surely justify my faith in the righteousness of their judgment.

“Time will demonstrate that they have builded better than the public dreamed of.

“When the present session ends, one of two things will happen; either the present head will pass out, or the College will languish and die. And if the boys are true to each other, they will escape the latter doom.

“GEORGE P. FINLAY.”

Judge C. W. Nugent, another prominent man, also gave early voice to his sentiments, and offered a much less radical solution. In part he says:

“That I am a native Texan, a son of a native Texan, and a grandson of a man who gave up his life on the red lands of Nacogdoches in the Fredonian war that American civilization might live in Texas, I feel that my love of this great Commonwealth is well founded, and that I am warranted in giving my views upon the troubles at our Agricultural and Mechanical College, an institution of which every Texan might well feel proud.

“If an inconsiderable number of the cadets had rebelled against the President because of some wrong, real or imaginary, and had left the school, such might be termed mutineers, and caustic criticism of such students might not be so objectionable.

“If the entire student body had violated the rules of discipline in vogue in the school and acted in a lawless or ungentlemanly manner, less respect,

of course, should be shown their demands, and less excuse extended for their action in leaving the school, but that is not the history of this trouble.

"In the first place it is a mistake to adversely criticize our boys and brand them as mutineers and cast odium upon them, because these boys have shown to the world by their former good conduct and magnificent records as students of our proud institution that they represent the best blood of this land.

"They have shown by their organization and generalship up to the time of suspension and leaving school that they are not children, but that they are young men of splendid character and cultivated minds, with power of concerted action.

"These cadets are the material for the leading citizenship of the future of our State.

"They should not be branded as mutineers, nor treated with disrespect in so summary a manner as has characterized their treatment by the press and by some prominent citizens over the State.

"My regard for the honor, intelligence and patriotism of the youths of Texas, the scions of our best citizenship, is too great, and my respect for their motives is too deep and well founded to think that five hundred and fifty of such youths, influenced by nothing save their own sense of right and honor, as well as a love for their institution, could be all wrong and Dr. Harrington alone right.

"The unanimity of their decision and the solidity of their action, accompanied by discipline and gentlemanly deportment that reflect the greatest credit should convince any fair mind that those boys have not acted upon a hasty impulse, but after great deliberation, convinced that further submission to control by Dr. Harrington was insupportable, and that the welfare of the school demanded his resignation or removal.

"They perhaps made a mistake in their method, but the end to be attained was certainly one demanded by the welfare of the College, and the sooner that truth is acted upon the better for the institution as well as for our boys.

#### A SOLUTION.

"The Board of Directors should have requested the cadets to return to their duties, with the understanding that they withdraw all demands and submit to the constituted authorities and that pending a full, fair and public investigation and full expressions from the public Dr. Harrington would be suspended, and his office meanwhile filled by a competent scholar of well-known character and fitness.

"Dr. Harrington should have welcomed a plan of that kind; order and discipline and the good name of the school would have been preserved, and then the cadets would not have been visited with such humiliating and unjust criticism, and instead of being separated and scattered over the State and persuaded to violate their solemn obligation made to each other, which means the first lesson in discounting the value of their obligation and their honor, and a more dangerous precept could hardly be given a youth.

"If held together as above suggested and approached as a body and the cadets could have been shown that they had made a mistake, they could, with a preservation of their integrity, and respect for their obligations to each other and a protection of their pride have reversed themselves if the conditions warranted, by concerted action and a mutual understanding.

"Thus the integrity and good reputation of the school and the organization of the student body would have been preserved and perpetuated with discipline and obedience to constituted authority and justice and respect to all concerned.

"Better that a boy never learned to read than that he be taught to lightly

consider his word or obligation. Better that he be dead than that he permit himself to be treated as an inferior creature or made the puppet of any autocrat. This grand State should send up three cheers for our noble and manly boys, who would sacrifice the hopes and opportunities for an education rather than bow the suppliant knee to a self-constituted czar or be treated as an humble vassal.

"That the further retention of Dr. Harrington as President of the Agricultural and Mechanical College means the hopeless destruction of the school, no sane man will question.

"Will the best interests of five hundred and fifty young men of the best families of Texas, as well as the educational interests of the State, present and future, be subordinated to the interests of Dr. Harrington or to a blind worship of discipline

"Discipline is not at stake.

"Let Harrington go, or resign, and these boys will return immediately and make the best body of students in the State, or any State, and give them a President fitted for the place, and they will stand by him and their school with their lives.

"I say God bless the noble boys of Texas.

"Without questioning the honor of Dr. Harrington, he is not the man for the responsible place he holds.

"C. W. NUGENT.

"Conroe, Texas."

A number of unreasonable people talked to the students after the strike in a very discourteous way, as if they knew everything about something of which they really knew nothing. They through mere ignorance thought they knew it all, and further they felt and said in substance that all wisdom was monopolized by those who were either through school, or, as the case generally was, those who had gotten too old to go to school before they were fortunate enough to have a chance at that blessing. Furthermore, such persons thought that not only wisdom belonged to them alone, but also justice, and that justice was not justice unless first so decreed by themselves, and that there was no more chance for a school boy at the age of twenty knowing what was justice than there was for the sky to fall. Such persons as these had a habit of calling the boys "anarchists," "socialists," "lawless strikers," "mobs," and destroyers of the principles that underlie all government (they meant tyrannical monarchical government, perhaps); and when such persons with such dope as this issuing forth from their heads approached a cadet and demanded an excuse for his "inexcusable behavior," he usually received a just rebuke or was confronted with silence, as a self-respecting student thought it beneath his dignity to hold a conversation with such parties, especially if there was any danger of anyone seeing him with such party or if there was any liability of said party having an opportunity to publish such statements as he might make, thus connecting their names. And for such was the reasons that a number of these "jam up" people who think principles are things which only other people are amenable to, had occasion to wear out a few pens, disgrace virgin paper and add to the hours of the "printer's devil" by writing as how the students were without any reasons for their most outrageous conduct in allowing themselves to be made the tools of people who were fighting out personal grievances, etc., *ad infinitum*.

But all are not of this type, as will be seen by reading the following which is an extract from an article in the Farm and Ranch, written by Milton Everett, who approached a person as if he considered him as having at least judgment and a sense of justice:

**"SOME OF THE CHARGES MADE AGAINST THE PRESIDENT."**

"That complaints are made and grumbling heard against a person in a position of authority over others is not necessarily an indication that duty is not performed or justice meted out to those complaining. Whenever general complaining is heard, aimed at no specific act or particular person; or when the complaining is done by a small percentage of a certain body, the burden of complaint not centering on a particular thing, the condition may be ascribed to the idiosyncracies of individuals, the condition of the health or the state of the weather and will soon adjust itself. Knowing nothing of conditions at the Agricultural and Mechanical College, having no acquaintance with the members of the faculty nor relations with any of the student body, and uninformed by statements appearing in the press, it occurred to me that the best way to determine whether there was a basis for the complaints against the President would be to find out what complaints there were against members of the faculty or others in authority, and to find out if the relations between the members of the faculty were such as to create rivalry and partisanship among the students. Without making any plans in advance, on my arrival at the College (which was on Sunday, February 16), I interviewed the first persons I met, and these chanced to be some students in Foster Hall. From that time until Thursday midnight I interviewed, according to a check mark account kept, one hundred and thirteen persons, the most of whom of course were students; the others being officers, professors, instructors, alumni and business men of Bryan. If these persons knew of any friction between the members of the faculty or any complaints that students had against the faculty, they failed or refused to make it known. If there were any complaints against the students for misconduct, faculty members denied the fact. Some, of course, declined to answer questions relating to the friction between the President and the students, but none that I remember refused to give answer to queries regarding complaints or difficulties between members of the faculty or between students and members of the faculty. Two of the persons set down as having been interviewed were only asked questions about their own departments.

"With reference to Dr. Harrington, only five expressed an opinion favorable to him as President; some, as heretofore stated, declined to give opinions, but I should say that at least a hundred of the number were emphatic in giving testimony favorable to the students' side of the controversy. The unanimity on this subject was, to say the least, out of the ordinary.

"No one could fail to understand, after having heard all of the statements, that whatever the underlying cause might be, there is a real basis for the demand for the President's resignation. As a member of the Board that elected Dr. Harrington said, 'Right or wrong, it is evident the President is not a leader of men and has irretrievably lost control of the situation at the College.' One of the Senior Class told me that under the administration of former President Houston there was a personal relation between the President and the students that does not now exist, and as an indication of this relation pointed to the fact that the students used to take the new boys to the President and introduce them to him, but that this practice had ceased under the present administration. He said that the former President, as well as his predecessors, was accustomed to visiting the hospital to chat with and cheer up the sick boys, but such action was not heard of now.

"One student who had just left the hospital after several weeks of sickness, said that the present head of the College only came to the hospital on business, unless some of the parents were there, or that the President desired to raise a quarrel with some one, as he had just done.

"Some complained that when the athletic teams were in training, that specially prepared dishes of food, which were paid for by the students, were given to or taken by others.

"There was general complaint because the amount of maintenance due for the seventeen days of the last school year had not been paid. It will



**C. W. LEGGETT**

*President of the Junior Class.*

He did not return after the strike.

be remembered that the college year ended abruptly on May 25, 1907, owing to the prevalence of typhoid fever, and as the students had paid in advance for their maintenance until June 11, they were entitled to a refund of \$8.50 each, or about four thousand dollars in all. It is stated that one or two who were very insistent, received their refund by a personal check of the President, and that others were told that no refund would be made. How



**JOE THORN GILBERT**

Mascot of the Football Team, and because his picture appeared in the "Long Horn" there came near being serious trouble on the Campus.



many were paid or refused payment I was unable to find out, but I did not come across any student who had received his money.

"The circular issued by the Board of Directors under date of February 14, 1908, says on this subject: 'The President of the College has been authorized to adjust and pay any balance that may be due any student for maintenance for the session of 1906-07.' Asked about this matter, a member of the Board said it had been 'overlooked.'

"Another thing about which, while there seems not to have been any specific complaint, the students wish information, is regarding the return of their trust funds. At the beginning of each session each student is required to deposit \$5 to pay for breakage or damage to the College property. It appears that the amount in full is not refunded, even if no damage is done. One Senior said that he got 'soaked' for about \$3 a session although he had never broken or damaged anything. He could not account for it, but supposed that a lump sum was deducted from the inmates of each dormitory.

"But the main, and I might say, the universal objection the students have to Dr. Harrington as President arises from his manner toward them. An alumnus who studied chemistry under him stated the prevailing feeling when he said that he was disliked because 'he was haughty, icy and bossy with the boys.' Several told me that when they had to go to the President for anything 'he treated us like we were niggers.' Only one student could I find who had no complaint on this score, and he stated that his only grievance was that he had not been paid the amount due him on maintenance of last year."

#### IN DEFENSE OF THE STUDENTS' ACTIONS.

In defense of the students' actions the writer sent the following open letter to Governor Campbell:

"To the Governor of Texas:

"Your Excellency—I feel that it is time for a Senior to express his views of the situation at College, and especially the causes. The students have had little time to make out their case to the public and have blundered into letting the people take the situation as represented by the press, and the honorable Board of Directors, both of whom are evidently greatly interested in the welfare of the College and a speedy solution of the problem. The alumni are working like students, and at the last minute the Seniors turned the situation over to them and trusted them as the lower classmen did for a time the Seniors. And it is to be deplored that a number of the Seniors as well as lower classmen are now chafing at the apparent delay, just as the lower classmen had done while the Senior Class had control of the situation.

"The alumni mean business and are sparing no pains to make a speedy settlement of the situation and should be trusted. They are determined not to make the same mistake of hastiness that has so far furnished nothing but defeat.

"Of all the things that are stinging the students is the strong indorsements given by the Board to President Harrington. They consider that the Board has placed the President on a pedestal of 'infallibility' heretofore reserved for no human other than the Pope of Rome.

"The misrepresentations of conditions at College also does the ones here, or a number of them, an injustice. For example, will mention the manner used to get out the 'resolutions' by the lower classmen. Mr. Tibbetts claims that the resolutions were not the work of students here, but were the work of one of the professors. The committee names were put up by them and also affixed, or at least his was, without his permission. He also, when he found out that his name was on this petition, tried to get it removed, but could not.

"The articles in Sunday's papers fairly disgusted the students that have remained, as well as the ones that are at home. The quotations from 'Blenheim' and the blood-curdling oaths, said to have been taken by the lower classmen, was quite a flight of fancy, that in itself caused students to leave. Much disapproval was also caused by the statement signed from Bryan, which included the names of practically all the ministers of Bryan and several of the business men, who of course had reasons for wanting the boys returned, and the question on every lip was, 'Do you suppose the devout men who are doing so much good work in Bryan, and especially Allen Academy, are aware of the fact that A. and M. was without a spiritual adviser?' The one that has been with the boys during the time since Dr. Bittle's death, one that has done so much individual work among the students, had brought the Y. M. C. A. to a position of importance among the college Y. M. C. A.s of the Southwest; one who made it possible for the delegates to the Southwestern conference in December last to report with pride Texas A. and M. as having the largest number of volunteer Bible students; a man who has furnished the animal husbandry department with blooded stock without cost—this man, Dr. Powell, was asked to resign by the Board at the request of Dr. Harrington for the mere reason that he had a live stock farm and through competent representatives dealt in fine blooded stock.

"Not only does so complete a vindication of the President by the Board give the cadets reason to feel that they have not had justice, but their report is gotten out in such a way that, either intentionally or unintentionally, the very complaints of the students are squashed, and only those of others than the cadets published, many of which the student body knew nothing of until the report of the Board gave them to the public. This has placed the students in a light before many of the people, who do not think to read between the lines, as having no cause for complaint whatever; therefore we get ridicule, which is something that is making many a proud and loyal student of the Texas A. and M. give up the stand he has taken in trying to show he has the interests of the A. and M. at heart, lose in spirits, hang his head, and grope to the station to buy a ticket for parts unknown.

"The term 'anarchists' has been applied to the students, and they are of the unanimous opinion that Webster will have to revise his dictionary, or that these same persons had better consult Captain Moses concerning our conduct and receive the reply, 'That each and every one of us acted like perfect gentlemen.' They should also be told the captain's answer to the President when he continually wanted militia to protect him and State property. It was, 'The State property was never in better hands.' To any reasonable man it is foolishness to suppose that the students of such a strict disciplined institution would rise up in an unanimous revolt for no reason, or even for the reasons given out to the public, and be willing to sacrifice their chances of an education by 88 per cent leaving the College, and had it not been for the work and promises of justice swift and sure by the alumni the College would have been without a single student.

"And such has not been the case, for a swift summary of the grievances in general and not in particular, note:

"1. Ungentlemanly conduct toward the students.

"2. The President is out of harmony with the student as a body and as individuals (very clearly proven by late actions.)

"3. The President was using his official authority to settle private grievances, and even mere disputes, regardless of the consequences to the College, by removing fully competent men, and often heads of departments, who were very popular with the students.

"4. Inattention and neglect of the sick in the hospital, which he even carried so far as to enter wards where there were bad cases of pneumonia and measles with his hat on and smoking a cigar.

"5. Disregarding all petitions and recommendations from the College

and outside the College concerning the appointment of a director of the Experiment Station and being himself appointed, thus drawing money from two positions at the same time.

"6. Alienating the support of the Stock Raisers' Association.

"7. Arbitrary action toward students concerning matters of discipline and privileges.

"8. Not using the residence furnished him by the State, in place of which he fitted up a dwelling a few miles out in the country, charging it to the 'contingent fund' of the Experiment Station.

"9. Obtaining supplies from the commissary and dairy without cost, including even supplies for public receptions.

"10. Absolute disregard for the spiritual welfare of the students.

"11. Interfering with the freedom of the College publications.

"12. He does not mingle with the students or help or give his moral support and advice to student movements.

"13. Showing absolute disrespect to members of the Senior Class.

"14. In granting permits, would not take into consideration the circumstances.

"15. Showing and often stating his disapproval if 'disturbed at home' under circumstances that admitted of no delay.

"16. Failure to return more than a very small per cent of fully \$3,000 due the students.

"17. Overstepping his authority.

"And innumerable others which are here refrained from and which were omitted at the investigation to prevent pulling women into the trouble. But will not take up your time to name them, and will ask that any reasonable man say that "We had no just cause of complaint," as the Board stated it.

"Now of all the charges you will notice that the sixteenth is the only one sustained by the Board.

"It is possible that all these charges can not be proven, but I do know that the students believe them true and that the Board in place of investigating them, either to verify or disapprove, covered them an inch thick with whitewash, which has already begun to crack and peel off.

"In making these statements to you and to the public I will add that I have not taken a real active part in the late movement, though I am in full accord with it. That as a member of the Senior Class I am unable to point out any real individual leaders in the trouble.

"Some member of the Board has expressed himself as having a matter of discipline and not one of right and wrong to decide. In answer will say that it may appear that way at first, though, but who should go and be so headstrong and determined as to ruin a school to save a technical discipline. No one is more conscious of the wrong in opposing regular constituted authority than I am. As a proof, I ask that my four years' record here go to prove this. But I also have enough patriotism to be acquainted with that famous manuscript, 'The Declaration of Independence,' and that some of the 'inalienable rights' therein set forth do not have to be modified very much to apply to our case. I know public sentiment is also opposed to the principles of rebellion, but I have yet to find the person that has not respect for 'rebellious characters' that have made the history of the world. Who does not applaud Sam Houston, George Washington, Martin Luther, the nobles who obtained the Magna Charta and a score of other 'rebels' who stood up against tyranny?

"When the right of rebellion is taken from the governed, the last stumbling stone in the way of a tyrant is removed and then free government runs into despotism.

PAUL D. CASEY,

"Member of the Senior Class, A. & M. College, Texas.

"College Station, Texas, February 18, 1908."

## THE STRIKE AS VIEWED BY OTHER STUDENTS.

The following editorial appeared in the "Texan," the semi-weekly newspaper of the students of the University. Eugene L. Harris was editor-in-chief.

"Constituted authority, respect for which is a cardinal virtue of the Anglo-Saxon character, is something which it may well be doubted whether any but the most unbearable circumstances will justify overturning by other than constitutional means. Still, the 'sacred right of revolution' against tyranny has always been the resort of the Anglo-Saxon in the last extremity, and whenever such means have been found necessary they have usually been successful.

"The splendid manner in which the A. & M. students lived up to both of these principles throughout the late troubles in that institution is in keeping with the best traditions of the race. The unanimity of sentiment displayed by them was not a result of hysteria, nor any sort of psychological spasm. It may or may not have been warranted by the facts, but it could only have come from an outraged sense of justice and a deep-seated distrust of the man in authority. A censored student organ, half a dozen students dismissed for apparently insufficient causes, arbitrary refusal of reasonable requests from the student body and such may sound like small grievances to the outside world, but they mean much to the student still in the first flush of youthful enthusiasm.

"There is room for two opinions as to whether the cadets took the best and wisest means of righting these wrongs, but there can be no doubt that they showed unflinching courage and splendid discipline in carrying on the contest of wills with the President, after once selecting a method. Arrayed against them were an infuriated and humiliated President, an excited and uninformed Board of Directors, timid alumni, frightened for the future of the institution, and parents who did not understand. There is so little sympathy between most boys and most men, even between parents and children—so much reticence on the part of the one; arbitrary disinclination to weigh apparently small matters, on the part of the other—that questions such as this are never fully understood. With quiet manliness, determined but not aggressive, they stood together for what they deemed to be their rights, and yielded without sacrifice of honor when further resistance would have meant injury to their institution.

"Technically, the President has won his fight and his administration has been vindicated. But practically and substantially the students have been successful. For the future, the President's administration must be such as to win the respect and confidence of the students or else his usefulness is gone and his resignation will be in order.

"The Texan would not be misunderstood as passing upon the merits of the controversy between the President and the students. Of these we know nothing. We know neither the President nor any considerable number of the cadets, and we are not informed, aside from the press reports and the statement of the Board of Directors, of the nature of the trouble between them. But we are intimately associated with just another such body of students, and we know thoroughly their habits of thought, their sense of justice and injustice, their ideas of right and wrong. We know that they have, collectively and individually, a very acute sense of the eternal fitness of things; that they admire, respect and esteem, and are easily led by, the man in authority who is big enough for his position. And we know that when five hundred such representatives of Texas manhood, with gentlemanly birth and college training, stack arms and march intently forever from a theretofore loyally supported institution rather than endure the even imagined tyranny of a man who ruled them as a commander-in-chief, for from one to three years, there is something radically wrong somewhere.

And, place the blame where the Board of Directors please, the man who, under such circumstances, has not one loyal friend among five hundred students is not altogether blameless.

"Throughout the difficulties of the past two weeks the A. & M. cadets have borne themselves as become gentlemen and Texans, and we never admired nor respected them so much as now. The best wishes of the students of the University of Texas were with them throughout the contest, and now that it is over, we believe that they have achieved results both for their own institution and for ours, greater than they know. If they have hastened by a single day the time when the regents and directors of our educational institutions will be chosen solely with a view to the knowledge of and interest in these institutions, they have not struck in vain."

## CHAPTER IV. THE STUDENTS RETURN.

"That the blood of the College be not on their hands, they returned."

In accordance with the telegrams sent out by the President of the Board of Directors, school was reopened Monday, February 17th, and students were reinstated by Dean Puryear by answering in the affirmative, "Do you promise to support the constituted authorities of this College and to support good order and discipline so long as you are a cadet."

The Seniors were not required to take the pledge, since they were at classes pending the investigation, on the day the suspension order was issued.

Not more than thirty cadets reported to classes Monday as over half of the Seniors were away on furloughs or on the list of the ones awaiting developments, and the under-classmen had to be reinstated before attending classes. Fifty-six were reinstated the first day, being the ones who had not left the grounds. Only thirteen returned that day.

The students spent most of the time writing their intimate friends to return, as it was their desire to have every one back since any had returned.

Jess Dale and Burt Neale, two Seniors, had individually made pledges with the under-classmen, sent out the following letter to every student that had left College, in hopes of more effectually complying with the Alumni request that all return and submit to authority and discipline:

"Dear Friend: In the light of recent events, and after careful consideration, we have decided to write you this letter, thinking it might influence you to take another view of the situation and return to College.

"We can see by the recent turn of affairs that the cause for which we struck is lost, as duty will be resumed Monday and practically all classes will be represented.

"We have remained here since the departure of the students and have been in close touch with the situation, and we now see that it is up to us to make the best of a bad move.

"We are going to ask you to meet with us not later than Friday to reconsider the question. We wish to state that we still stand by our pledges to you, and if your class does not return to duty we are honor bound obliged to resign. We will remain in Bryan pending your decision.

"Hoping you see fit to meet with us, we remain, very sincerely,

"JESS DALE.

"BURT NEALE."

For the next few days students continued to straggle in, there being from one to a dozen on each train. They would reinstate and then report to classes. The students would meet all the trains to greet the boys' return, and each return would bring a thrill of joy to ones already on the grounds. Days and days passed and no Juniors returned and the question was on every lip, "Would there be a Junior Class." Special efforts were put on

foot in addition to Dale and Neale's letter. At San Antonio they realized that the Juniors were the key to the situation and since they were all pledged not to return it would be necessary to have a meeting and revoke the pledge, therefore the following telegram was sent by Dr. L. L. Shropshire to the president of the Junior Class:

"February 16, 1908.

"At a meeting here today of citizens and parents of all San Antonio members of your class and of the College, it was unanimously voted that the grievances of the students should be given a fuller and a fairer hearing than has heretofore been had, but that this is impossible of accomplishment until after the classes have returned to the College. And we therefore request you to call a meeting of your class at College Station for Thursday, February 20th, for the purposes of further consideration of the rights of the students and the preservation of the institution. If this meeting be called we pledge the attendance of the San Antonio students and also pledge our united efforts for a fuller investigation of your grievances. We have requested other communities to take similar action. Answer by wire.

ANDR. L. L. SHROPSHIRE, Chairman.

"San Antonio, Texas."

C. W. Leggett, of Joplin, Mo., was president of the class, and he, being so far away he turned the matter over to W. H. Furneaux, of Dallas, the vice-president of the class. Mr. Furneaux in reply to this and other similar telegrams declined to call a meeting of the class for the purpose of considering to revoke the pledge not to re-enter, saying that it would be costly and that nothing satisfactory could be accomplished unless a very full attendance was obtained, which he did not believe possible.

President F. M. Law, of the Alumni, overcame these difficulties by taking a vote of the Juniors by wire, as to whether or not each one was willing to accept the Alumni proposition. This was February 18th, and already Mr. Law had received over fifty favorable replies and but four unfavorable ones from Freshmen and Sophomores in regard to the letter prepared at the College mass meeting the previous Saturday night.

The Executive Committee had approved Law's course and there were evidences that made it certain the whole association would approve at an early date.

Under these favorable conditions a meeting was held at College, February 21st, representing in person and by telegram forty-four Juniors. Thirty-seven voted to accept the offer of Mr. Law and seven voted against. There being but sixty-five Juniors, a majority had agreed to return. A similar meeting of the Sophomore and Freshman classes failed to represent a majority of their classes, but since each of these classes had pledged to stand by the Juniors, the individuals of these classes considered the action of the Junior Class as binding on them also, and they sent out a statement to this effect to their absent classmates.

#### AMONG THE EX-STUDENTS.

In the meanwhile interesting and important happenings were going on all over the state. The Alumni, ex-students, parents, and in fact, nearly every one, regardless of whom their sympathies were with, were earnestly beseeching and even begging the boys to return, and allow the College to continue.

At places where there were a number of students, they found them the more determined not to return, in proportion to their numbers, and everywhere the Juniors refused to budge an inch.

On the 17th, the students of San Antonio, thirty in number, absolutely refused to return, and proceeded to hunt work when given the option. At Temple and Dallas a like course was followed. At Beaumont, Brenham,

Palestine, and many other places, the patrons and old students openly endorsed the cause of the boys, but did not approve of the method of the students.

It was generally understood that if the whole Alumni Association would officially endorse the actions and pledges of the President of the Association and of the Houston A. & M. Club, the students would practically all heed the call and return.

The Dallas A. & M. Club was the first to take up the matter which they did by adopting and sending out the following unanimous resolutions:

"Dallas, Texas, February 18.

"Whereas, We, the Agricultural and Mechanical Club of Dallas, resent the deplorable condition of affairs now existing at the Agricultural and Mechanical College of Texas; and

"Whereas, We recognize the necessity for immediate action by the Alumni and ex-students at this critical time; and

"Whereas, In the light of all information available to us, we do not condemn the students for their action; and

"Whereas, We understand their action to be a charge by the entire student body against President Harrington of unfitness for the high position he now occupies; therefore be it

"Resolved, That this club take action at once to secure a meeting of the Alumni Association at the earliest possible date with a view of looking further into the conditions and events giving rise to the present unfortunate state of affairs in order that the best interests of the institution be preserved.

"A committee was appointed composed of A. S. Adams, J. L. Furneaux and H. Woodall to carry out the purpose of the above resolutions.'

The Dallas Club also communicated with various clubs of the state by long distance telephone. The proposition was approved by all and accordingly the following communication covering the ground was sent to all the clubs:

"Dallas, Texas, February 20th.

"We are enclosing herewith a copy of resolutions passed by the Dallas A. and M. Club, and also wish to say that we have attempted to comply with the instructions given us, and have been in communication with the other clubs over the state, and in conjunction with them have arranged for a meeting of all A. & M. clubs of Texas in the city of Houston, Saturday morning, February 22nd. We have also requested the Executive Committee of the Alumni Association to call a meeting at the same place and date.

"By investigation we find that the students are not at all satisfied with the investigation as held by the Board of Directors, and that the majority of them have refused so far to return to the institution and allow the Alumni to shoulder their troubles for them, and they, the students, are anxious for the Alumni, in convention, to agree to take up all further investigations, and we believe that if these meetings are held in *Houston*, and the associations vote to do all they can to settle this matter, that the students can be persuaded to return to the institution on the Monday following this meeting.

"We desire to appeal to your love for the institution, and to you as a citizen of this state, to preserve the institution for the education of our Texas boys, and your presence at this meeting is most earnestly requested.

This letter is signed by A. S. Adams, J. L. Furneaux and H. Woodall, committee for the Dallas A. & M. College Club."

In response to this President James Cravens of the Houston Club issued the following call to his club:

"To the Members of the Harris County Agricultural and Mechanical Club: "Gentlemen: Upon request of the Agricultural and Mechanical Clubs of Palestine, Dallas and Temple, we have invited the delegates from the various clubs of the State of Texas to assemble in Houston at the Rice Hotel on Saturday morning at 10 o'clock, February 22, 1908, for the purpose of discussing matters affecting the interests of the College.

"We have secured the rooms of the Houston Business League for the meeting at 10 o'clock, and you are especially urged to be at the Rice Hotel as early as possible on Saturday morning to assist in entertaining the delegates.

Yours very truly,

"JAMES CRAVENS, President.

"W. J. WALDEN, Secretary."

#### THE HOUSTON MEETING.

The call for the meeting of the old students of the College at Houston, February 22nd, was attended by seventy delegates from all parts of the State where there are any considerable number of old A. & M. men. The intensest interest possessed these former college men, some of whom have grown gray in the business and professional world, but whose devotion and loyalty to their alma mater is yet so strong a cord that it can pull them away from busy office and counting room to spend a day in considering the things that seem to them to threaten the best interests of the old College.

The meeting was called to order at 10 o'clock in the Business League rooms. John Q. Tabor was selected as chairman and C. Kavanaugh, a striking student, as secretary.

Mayor Rice was the first speaker. He talked mostly of the importance of the College and the thoroughness of the training of the men the College turns out.

After a few talks on the general situation it was decided that the meeting should be made an executive one.

Very soon it was evident that the meeting was largely anti-Harrington. E. J. Smith, of Denison, was the first to offer a plan by which there might be a settlement.

Mr. Smith is an Alumnus of the College, has a son enrolled in the College this year, whom he persuaded to return to classes after the boy had gone on strike. He was called for early in the morning's session and addressed the body.

"There is open rebellion at the Agricultural and Mechanical College of Texas," said Mr. Smith. "This is a fact. And we know also that the Board of Directors must recognize the constituted authorities and not encourage open rebellion—we realize that.

"Now, I am a friend of Prof. Harrington. He came into the College just before I graduated, and I was under him as a student, he as a professor. I have nothing against him in this world, but whenever four hundred or five hundred Texas boys, uninfluenced by politics, or by anything else, reach the same conclusion, and that conclusion is as it is in this case, I say something must be radically wrong. (Applause).

"If he is right, and I am not undertaking to say that he is not, he has not the boys' sympathies. I have talked this matter over with many of the College men, and I find but one mind—that Harrington's days are ended so far as his connection with the presidency of the Texas Agricultural and Mechanical College is concerned. (Applause).

"He has let the situation get away from him, and my feeling is that Dr. Harrington ought to tender his resignation. With that belief, then, what are we going to do about it?

"I have been busy myself these past few days, discussing this matter and getting all possible information on the subject and trying to agree in my own mind what course ought to be pursued. I have reached the con-



clusion that no resolutions ought to be passed by this body. A committee ought to be appointed to carry the matter immediately before the Board of Directors and bear to them the sense of this meeting.

"I move you, therefore, that it be the sense of this meeting that Dr. Harrington's further occupancy of the presidency of the Texas Agricultural and Mechanical College is not to the best interests of the institution; and that a committee of three be elected or appointed to wait upon the Board at its next meeting; and that Dr. Harrington's resignation be demanded." (Applause).

Although Mr. Smith was vigorously applauded, there was opposition to such a hasty measure, both by Mr. Harrington's friends and those that opposed him.



**PROF. A. MITCHELL**

*Secretary-Treasurer of the  
Alumni Association.*



**F. M. LAW, President Alumni.**

One man in reply said, "I don't believe Dr. Harrington will stay there. I believe he is man enough to surrender to the Board of Directors, but my friends, do you want to turn him out with this hanging over his head? I believe his own manhood will dictate resignation, because he doesn't like this any more than the boys do."

Another was opposed because he did not believe the whole facts had come out yet, since the investigation was executive, and he wanted the facts before such a resolution was proposed.

Cruse, arose and in a brief speech said, "As sure as I stand here the movement was headed by others than students."

Before the opposition the motion was withdrawn. As a substitute for the motion offered by Mr. Smith it was moved that the body appoint a committee to memorialize the boys to return to College; and then to take up the matter of having a complete investigation of the whole trouble, bringing this to the attention of the Directors. Ultimately this character of action was taken, as indicated in the statements authorized by the secretary at the close of the meeting, though the decision and whatever other decisions were made arrived at by long and tedious process.

President F. M. Law, of Bryan, the President of the State Alumni Association, was called on during the forenoon discussion and was roundly cheered for his remarks. He paid tribute to the Houston committee of six in his narration of the efforts that have been made to restore peace at the College. "I bear testimony," he said, "to the very faithful and unselfish and unstinted work of that self-constituted committee. They did much to

save the situation and the abundant thanks of this association are due them." President Law has himself been one of the most earnest of the workers for the College cause, and he was applauded many times.

#### Too Much Politics.

One of the others who spoke urged as the paramount consideration the return of the students to College. And there were many hearty amens, and the same sentiment was expressed by many others. "We must get the boys back there at any cost," he said. "There is too much politics in this thing. The Board of Directors of the State Agricultural and Mechanical College are politicians to a man. (Applause).

"The first thing we've got to do, I repeat, is to get the students back. And to get them back we have got to waive all resolutions for the present and come squarely to the issue. We want to tell the boys first that we will take up their fight. The Board has always looked on the boys as mere lads and treated them as such. In this investigation proceedings, the first thing the boys asked for was an attorney, because they knew that they would be rattled to a frazzle when they came before that body of older heads, and they wanted some expert and experienced counsel. What did the Directors answer to this request? 'No, sirs' they said, 'you can not be represented by an attorney.' It was wrong—the Board ought to have allowed anything.

"It was not a fair investigation. We want to get at that proposition and investigate it from bottom to top. I don't know anything about politics, but I am a business man and am in favor of business methods."

It was not until the afternoon session convened that the meeting got down to business. Before the adjournment of the session at noon a committee of one from each club represented at the meeting was appointed to draft resolutions setting forth the position of the gathering and to submit them for consideration in the afternoon. The personnel of the committee is found below. It returned with three resolutions, two of which were made public. One was to the effect that petitions should be circulated by students and ex-students, asking the Board to convene for another investigation of the trouble and the other pleaded for the students to return to school. Both were adopted. The body prepared for representation at such an investigation, should the Board of Directors see fit to order it. They selected the following to represent the ex-students, should another investigation be held: H. L. Wright, Palestine; F. A. Reichardt, Houston; C. C. Todd, San Antonio; E. J. Smith, Denison, and J. D. Cravens, Houston.

#### Committee on Resolutions.

J. Q. Tabor, Houston, Chairman; C. C. Todd, San Antonio, Secretary; F. K. McGinnis, Terrell; T. W. Griffith, Jr., Dallas; H. J. Miller, Bellville; L. D. Amsler, Hempstead; E. J. Smith, Denison; F. M. Law, Bryan; J. W. Ragsdale, Hallettsville; H. F. Matthews, Beaumont; T. B. West, Columbus; H. L. Wright, Palestine; J. C. Smith, Chappell Hill; R. C. Watkins, Houston. The two petitions made public read as follows:

"Houston, Texas, February 22nd.

"To the Cadets of Agricultural and Mechanical College of Texas:

"At a well attended meeting of ex-cadets and Alumni of the A. & M. College of Texas, held at Houston today, the deplorable condition at the College has received careful consideration and we are using our best endeavors to preserve the College and enable you to continue your work as students with credit to yourselves. We feel you can now return to the College without violation of any pledge you may have taken.

"Therefore we ask your co-operation by prompt return to your duties.

"Signed by the above committee."

## Petitions to Directors.

The following is the form for petition authorized by the meeting, copies of which were made by the Executive Board and sent to each Agricultural and Mechanical Club in the State and in every city and town where there are Alumni or former students of the College:

"To the Board of Directors of the Agricultural and Mechanical College of Texas:

"Gentlemen: We, the A. & M. Club of....., together with the prominent citizens and friends of the institution in our community whose names appear below, desire to call your attention and consideration to the following petition, to wit:

"Whereas, There has arisen an unfortunate disagreement between the management, the teachers and the student body and that said misunderstanding, if allowed to continue in its present condition, is certain to do the College incalculable harm; and,

"Whereas, The means taken by the student body to correct the said misunderstanding may be hasty and unwise, and calculated to place your honorable body in the embarrassing position of dealing with a rebellious faction, and might have prevented an untrammelled action by your body; and,

"Whereas, The student body has signified that it is not satisfied with the outcome of the hasty investigation given, and the many Alumni of the institution, the much larger numbers of ex-students, the parents of the cadets and the friends of the College throughout the entire State feel that the condition should be more thoroughly investigated and the public allowed to fully hear and know the results of said investigation; and,

"Whereas, A large majority of the student body has unconditionally returned to the institution, leaving your body free to act, without fear or favor; therefore

"We petition your honorable body to name a time and place in the near future where your body will conduct a full, open and fair investigation, where the public may attend and prefer any charges that any individual may see fit to prefer, and that said time and place of meeting, be published in all the leading daily papers in order that the public at large may satisfy itself that existing conditions are not what they seem or that steps may be taken to remedy such evils.

"Respectfully submitted."

The third document consisted of a number of resolutions, to the Board of Directors. They were not made public, but with the following introductory by the secretary they were mailed to the Board. It read:

"Houston, Texas, February 22nd.

"To the Members of the Board of Directors, College Station, Texas:

Gentlemen: At a meeting of the Alumni and ex-students of the Agricultural and Mechanical College of Texas the inclosed resolutions were unanimously adopted, and as secretary of the meeting I was requested to mail each of you a copy of said resolutions.

"At said meeting a committee of five was appointed as an advisory committee to confer with you and sit with you as spectators at and during said investigation. I am also requested to ask that you notify Mr. James G. Cravens, president of said committee, the time and place of said investigation if same is granted, or any other communication your body may desire to transmit. Very respectfully,

"C. C. TODD, Secretary."

Resolutions adopted by Alumni and ex-students in session at Houston, Texas, February 22, 1908:

"1. That this organization deploras the existing condition of affairs at the Agricultural and Mechanical College.

"2. That we believe that the Board of Directors should not support the demands of the corps of cadets as presented.

"3. That we believe the withdrawal of the student body under the circumstances is calculated to harm only the institution.

"4. That by reason of the third resolution we urge all students of the institution to reconsider their action and return to the school in order that conditions may be more fully investigated without embarrassment to the Board of Directors.

"5. We believe that the unsettled state of affairs prove conclusively that something is radically wrong. And that if it had been otherwise this trouble would have been averted before it reached its present stage.

"Wherefore be it resolved, That we ask friends of the College throughout the State of Texas to join with us in a petition to the Board of Directors of the College to reopen the investigation and have a public investigation of the condition of affairs of the present trouble in order that the existing evils may be eradicated from the institution, and that the said investigation be conducted as early as practicable for the good of the institution, and that these resolutions be presented to the Board of Directors for their consideration at their next meeting."

To this the Board replied during the first part of March. But as it only figured when the Board met March 28, it will in that connection be referred to.

As it may be interesting to know just who were at the Houston meeting I will give the names:

#### Those in Attendance.

S. F. McConico, Houston; Stephen McCormick, Houston; W. L. Rogers, Houston; G. C. Street, Jr., Houston; Dr. J. Allen Kyle, Houston; E. C. Schuhmacher, La Grange; Flint McGregor, Houston; Gale Oliver, Houston; H. Mitchell Harvin, Houston; Kent E. Gardien, Houston; E. W. Hutchinson, Houston; Dave Rice, Houston; L. H. Brown, Houston; Dr. W. R. Eckhart, Houston; J. E. Pierrie, Houston; J. W. Benjamin, Victoria; Judge Rebel Robinson, Houston; W. S. Tobey, Houston; R. Eberspacher, Houston; A. J. Neff, College; L. Lenz, Houston; Dr. F. R. Ross, Houston; C. W. Robinson, Houston; C. C. Highsmith, Houston; A. T. Potts, College; John S. Radford, Houston; H. L. Wright, Palestine; O. H. Eichblatt, Houston; H. F. Matthews, Beaumont; E. J. Smith, Denison; L. D. Amsler, Hempstead; J. S. Smith, Chappell Hill; F. M. Law, Bryan; J. W. Howell, Bryan; G. R. Abney, College; R. C. Watkins, Houston; J. Q. Tabor, Houston; C. C. Todd, San Antonio; H. J. Miller, Bellville; T. B. West, Columbus; H. L. Hutson, Houston; J. M. Kleinsmith, Houston; H. E. Elrod, Houston; R. Q. Brandt, Lufkin; Sam H. Dixon, Jr., Houston; J. F. Edwards, Dallas; A. McFarland, Galveston; James Cravens, Houston; H. M. Rollins, Houston; Dr. J. L. Short, Houston; C. L. Bernay, Houston; C. A. Ziegenthal, Houston; A. S. Adams, Dallas; J. W. Ragsdale, Hallettsville; T. W. Griffiths, Jr., Dallas; F. K. McGinnis, Terrell; J. T. Cruse, College Station; W. J. Walden, Houston; S. A. Minear, San Antonio; G. R. Cottingham, Houston; R. H. Glass, Franklin; A. H. White, Houston; George McCormick, Houston; F. A. Reichardt, Houston; H. F. Jonas, Houston; P. S. Tilson, Houston; Lomar Acker, Houston; W. S. Massenberg, Galveston.

#### THE RESULTS OF THE HOUSTON MEETING.

Up to the time of the Houston meeting, on the great National holiday, to back up President Law and the Houston Club committee, one hundred and forty-seven students had taken the pledge. Of these, a majority were decidedly dissatisfied; and large numbers were resigning just as soon as they were in good standing with the College, until this was stopped by adding

to the official pledge of the Board a promise not to resign. In spite of the favorable vote of the Juniors, up to Monday, February 24th, only nineteen Juniors had reported for duty.

Now quite a stimulus was given by the results of the 22nd. Forty-five students were reinstated Monday and letters and telegrams received by the students and others represented that by the end of the month there would be four hundred students on the grounds. Although this did not account for one hundred and sixty, or thirty-five per cent, of the ones that had left, the students felt that they could now remain and feel that they were doing right. Immediately resignations stopped and the boys settled down to work for the winter term examinations which were to begin the middle of March, but were put off a week by Faculty action.

Students continued to return up to about the 10th of March, at which time almost the four hundred mark was reached. Had it not been for so many of the very best men of the College not returning the cadets would have been satisfied with the number, as it relieved the crowded barracks to about their capacity. Forty-one Juniors of the original sixty-four returned.

In reply to a statement made at Houston the Senior Class made the following reply:

"In regard to the first petition gotten out by the student body, the following statement was published as coming from one of the delegates to the Alumni convention which met in Houston Saturday. This delegate said:

"As sure as I am standing here, the movement was headed by others than the students."

"Since statements have heretofore been made from time to time and we have sat still and borne them without complaint, we can not consent for the public to be misled any longer with the idea that we are a set of dupes to be led around by the nose when we have no grievances.

"The Senior Class in turning our case over to the Alumni intended to make no further public statement, but it seems that our silence has left an opening for further attacks upon us and untrue statements about us.

"Such statements as the one quoted above reflects not only on the Senior Class, but also does a great injustice to the innocent persons vaguely referred to in the statement. The above quotation from the Houston orator is a sample of what we have heretofore borne in silence. We stamp this statement as false, and we declare that they are made only by persons who are absolutely unacquainted with existing facts.

"SENIOR CLASS.

"T. J. BEESLEY,

"L. N. HUFF,

"CHAS. FLEMING,

Committee."

## CHAPTER V.

### A TROUBLED PERIOD.

#### Events Between the Return of the Students and Commencement.

"The love of liberty burns ever in the human breast."

On the surface everything seemed smooth for a time; although in conversation and correspondence the trouble was always a factor. One could not leave the campus but he must discuss the situation with the inquiring persons they were sure to meet.

As March 28th approached there was a great deal of talk outside of the student body for fear that there would be some kind of an outbreak at the cornerstone laying of Goodwin Hall, because Dr. Harrington had been placed on the program for a speech of welcome. But among the students

there was no such intentions, they fully understood that it was right and necessary that the President of the institution officiate, and as such they made no protest to prevent or break up the ceremony, as so many unreliable outside parties reported they would do.

It is of course true that after Dr. Harrington made a most eloquent speech of welcome—entwined with which was no end of praise for the gentlemanly student body—there was absolute silence on the part of the students. A few handclaps from the rostrum, but a faint echo was the reply from the audience. But when the next speaker arose, his first words (and even for a whole minute) were drowned in the outburst of applause. The sentiments of the students had been shown, and in such a manner that it was above reproach, and many were the sighs of relief of the ones who were afraid there would be something done that would reflect on the gentlemanly conduct of the students.

The Board met now and for the first time considered again the difficulties at College.

An annual appropriation of \$1,500 was made for the employment of a Y. M. C. A. secretary.

The Senior Class committee went before the Board to complain that the protection to witnesses during the trial had not been carried out in the case of C. M. Evans, a Senior, an assistant instructor of Animal Husbandry.

The committee charged that in spite of the fact that he had verbal contracts to act as student assistant the entire year for a stipulated sum, with both Dr. Harrington and Mr. Burns, that Dr. Harrington informally brought the contract to an end through malice, because of the part Mr. Evans had in the investigation. It was shown that Mr. Evans' work was very satisfactory and that there was nothing in Dr. Harrington's plea for cutting down the expenses of the Animal Husbandry Department, as the teaching force was paid \$1,000 less than the previous year, yet there had been a very large increase in the number of students in the department.

The Board sustained the charge and Evans was given back his position.

The committee representing the Alumni, consisting of James Cravens, E. J. Smith, H. L. Wright, together with F. M. Law, appeared before the Board, to get them to reconsider their answer to the actions of the Houston Alumni and ex-students' meeting. The reply was as follows:

"Dear Sir: We have before us the resolutions passed by your body in the city of Houston on February 22, 1908, those in executive session as well as those given to the press, all relating to existing conditions at the Agricultural and Mechanical College.

"From these resolutions, taken together, we conclude that it is your wish and purpose:

"(1) To circulate a petition extensively throughout the State of Texas, for signatures, requesting the Board of Directors of the A. & M. College to reopen the matter of investigating the rumors and charges that have been circulated and made against the President of the College; and,

"(2) That the Board of Directors designate a time and place when a public investigation of any and all charges by any person can be heard.

"Replying thereto you are respectfully advised that about one month ago our attention was called to the circulation of rumors which indicated such a state of affairs as merits consideration at the hands of the Board. Prompt action was taken, the result of which was given to the press and a written copy thereof mailed to each patron of the school, with all of which you are familiar. As a Board and as individuals we have given about thirty days of our time to a diligent, careful, painstaking investigation into conditions which prevailed at this institution, and we feel that we are reasonably familiar with the situation in all its bearing. Certainly do we feel that we are more familiar with conditions than citizens of the State on the outside who have not given the matter the time and attention that this board

has. As a Board we remained on the ground a number of days inviting with earnestness, almost to the extent of pleading with all parties at this College to make known any and all grievances they might have. The public has been advised as to the result. If this investigation was not fair and complete we are not capable of giving one that would be. There were three practicing lawyers on the Board who were present. Every member of the Board present is the head of a family and most of them have children older than the complainants before the Board. Surely it can not be necessary for us to assure the people of Texas that we would not see an injustice done to any young man, or that we would be a party to an investigation that we did not believe was fair and honorable. We waited two full days for the charges to be submitted and then permitted the young men to offer just such evidence and all the evidence which they desired to submit. When the investigation was ended, the class leader expressed perfect satisfaction at the treatment received at the hands of the Board and thanked them for the courtesies extended.

"Under all the circumstances we can not persuade ourselves that injustice has been done to any one, or that the interest and welfare of the College demand a further investigation at our hands. Of course if abuses should arise in the future we stand ready at all times to give such matter prompt attention.

"Neither are we able to understand what beneficial results you gentlemen expect will follow the kind of an investigation indicated. Such an investigation within and of itself would do the College incalculable harm regardless of results. If, however, we thought that justice demanded it, we would hold the investigation.

"In this controversy, as we view it, men have largely ceased to be an issue. The question involves a principle that rises higher than a personality—a principle that lies at the base of well-regulated civilization. To yield the principle contended for by the Board—the supremacy of law and order—would be the equivalent to an indorsement of a principle which destroys organized society and undermines governments. We will not do it. We can not do it. If the corps of cadets can force the retirement of a President over the judgment of the Board of Directors, they could with equal propriety force the selection of his successor. If this principle is to obtain, the minors of the State could declare their independence, go on a strike and demand that the Legislature repeal all laws establishing parental control.

"You gentlemen have been the beneficiaries of the State's bounty at this institution and above all classes of citizens, as it appears to us, should stand to a man in upholding the Board in its efforts to grapple with a trying situation when every force in the state should be exerted to restore peace and harmony at the institution.

"In conclusion the members of the board desire to extend to the Alumni sincere thanks for their unselfish zeal and labor in behalf of the College and their efforts to induce the student body to return to duty and remain loyal to the College. Yours very truly,

"K. K. LEGGETT,  
"D. L. McINNIS,  
"WALTON PETEET,  
"R. T. MILNER,  
"T. D. ROWELL,  
"W. P. SEBASTIAN,  
"A. HAIDUSEK,

"Board of Directors of the A. & M. College of Texas."

At first the Board refused to reconsider the answer and even made the refusal to a reopening of the trouble stronger. But finally they informally



BURT NEALE



JACK FURNEAUX



PAUL D. CASEY



KNOX LEE



J. DALE  
CHAIRMAN



C.M. EVANS



TOM BEASLEY



OSCAR ELLIS



DAVE SHEARER

*The Student Investigation Committee.*



notified the committee that on June the 8th the Board would be in session and then would take up any charges they wished to make against President Harrington, and that they would at that time consider a reopening of the investigation.

That night the Senior Class was informed of the action of the Board in regard to the hearing. Also of the opinion of the Alumni committee that the Senior Class should decide on a method by which they could best render assistance to the Alumni committee. After discussion it was decided that an Investigation committee of seven be appointed to work under the Alumni committee. The five on the Investigation of February, consisting of Messrs. Dale, J., Beesley, Neale, Lee and Ellis were re-appointed and the names of Evans and Casey made up the seven.

Full authority to act for the Class was given the committee, and they were to report their efforts to the Alumni at the end of the next month and to further co-operate with them as seemed expedient. At the request of the Senior committee, the Junior Class elected W. H. Furneaux and Dave Shearer to act with them and represent the Junior Class.

#### APRIL FIRST, 1908.

As has been the custom at College, the students claimed April 1st as their day (as it was "All Fools' Day"). Since it was a day of fun I did not tax my memory with the details, and will have to depend on the Battalion account of the proceedings which was as follows:

"The first of April as a holiday at College proved to be an all around success. There was but one or two unpleasant features to the entire day, while pleasant, picturesque and enjoyable features were innumerable.

"The day dawned bright and fair; there seemed to be in the air the spirit of mischief which the cadets caught rapidly. There were very few 'Absent Reveille' reports for that day for every one wanted to see if Santa Claus had happened along during the night. Evidence showed that some one had happened along. Theory—if it wasn't Santa it was someone else. But everyone slept soundly. (Hyp) Deduction—It was Santy. Q. F. D.

"There was found—but everyone knows what was found and there is no use telling everyone again; it might possibly become tiresome. It is a coincidence, however, that since that day certain boys in—Company have been known as 'Gravedigger,' 'Dummy Stuffer,' and 'Sign Painter.' It is also strange that our 'Bull' took the precaution to enter his office through a window that morning.

"By guard mounting time it was an assured fact that no one (except the pikers) would go to classes that day. Finally came call to quarters and Study Call. Then came release. From South End you say? Well, I declare, I thought it was from the Main Building. Of course no one was going to classes after release had blown. Why not? He would have been 'rammed.' For what? Why, for 'Reciting during Release,' of course.

"Then came sudden and imperative orders to prepare for the Cornerstone Laying. 'Uniform No. Three read the command. Uniform No. Three! We had never heard of it. To the Red Book—"The Cadets' Bible"—Chapter Twenty-three, Section Two, Article Three. 'Uniform No. Three shall consist of a night shirt (or pajamas) with such abbreviations or additions as the cadet shall see fit.' Ah! our road was clear at last. By nine o'clock we were prepared—in the worst, for the worst, and—looked the worst. At nine o'clock, sharp, the battalion was called to arms in front of the Main Building. From here it was marched over to the cornerstone laying of 'Harry Hall' 1900, the band as usual, preceding the procession.

"The A. H. O. H. R. now took charge of the program. 'Tramp' Dale, Master of Ceremonies, assisted unceasingly by a large staff, conspicuous among whom were, Brigadier General Faust, Hon. 'Merry Widow' Telfair,

and the Irish twins, Brundrette and Lee conducted the significant and impressive ceremonies without a hitch. After this the polished block of Texas pine was slammed into place. The contents were as follows:

"One pair Pike's G. G. M. Socks; one copy Latest Tip-Top Weekly; one Extinguished Pedigree Cat; one Sample Sbisa's Butter (to brace the building; one \$100 bill (Dale said so); one dead soldier (Schlitz); copy of Red Book; two Photos (of — and his able confederate).

"Immediately after this came the triumphal procession, headed by the band. The points of progress were: The cornerstone,—the flag pole (from which floated the imperial banner of the A. H. O. H. R.)—west College road—The Mess Hall—The Shirley—Bat Roost, Ross, Main Building, Quality Row, Chapel, the Cornerstone.

"Dress parade came next. Brigadier General Faust and Master of Ceremonies Dale mounted on the world famous D— Patch, inspected the parade. All were reported present, except "pikers." Captain Beesley of A Co., Casey of B., Brundrette of C., and Sims of D., won merited applause by their superb generalship.

"The band in passing in review, wandered wilfully and waywardly westward and back again. Their tracks resembled, to a great extent, the Chicken going home in the dark. It is reported that some members of the band lost various notes, chords, and keys during this parade, but it is also reported that other members of the band found and used the aforesaid notes, chords and keys, (out of place of course).

"C Company won the line by an original trick, but this trick was outlawed and the line was given to 'A' Company on its meritorious showing. (Though it might have been partiality). Amid cheers, the parade was dismissed. The band, as usual, received its well earned 'Three Times Three, Rah's.

"After this, affairs proceeded harmoniously enough until drill time. "Drill 'blew"—so did the wind. Some of the boys assert their reasons for not attending drill was that they were afraid that the 'Bull' might April Fool them by dismissing them. Others reported that torpedoes had been scattered recklessly on the drill ground—some say that they feared that the chauffeurs of the Bryan Auto Club might be intoxicated and run over them. One group were actually afraid that some passing airship might drop some ballast on them. As it was everyone had an excuse. If the epidemic of spring fever did not rage over the entire campus allowing sick excuses the 'Bull' would, no doubt have been swamped with 'explanations.'

"On the whole, the progress made in establishing a traditional holiday on April First was entirely praiseworthy. The few unpleasant features will be eliminated in time; the pleasant ones multiplied indefinitely. In the meantime let us prepare indefatigably for next April Fools' Day, while we enjoy the memories of April the First, Nineteen Hundred and Eight."

#### ADVERTISEMENTS.

##### Lost and Found.

"LOST—During dress parade last Wednesday four chords in C Minor. Please return to Herblin, Band.

"LOST—Brindle Cat—About a week ago. When last seen was on way to happy hunting ground. Please return to Dr. Fountain, dead or alive. Reward.

"FOR SALE—Fifteen demerits. These demerits are entirely new and untarnished, having been obtained April 1st, 1908. See any student."

#### THE JUNIOR ARTICLE.

Nothing really was meant by the April 1st escapade except to have a little fun, yet it of course reflected very plainly the real inward sentiments

of the students; and nothing would have been thought of it had not an article appeared in the leading papers of the State purporting to be from President Harrington, in which he said "the recent turmoil at College had been forgotten and class work is now at its best."

Everyone knew this was far from a true statement of the conditions, and of all, President Harrington after the happenings of March 28th and April 1st, was least justified in making such a statement.

Although short, as will be seen, the way the article was received can be imagined by the way it was considered in the Battalion of April 22nd. During the first three weeks of April the College paper had been in the hands of the lower classmen, and this issue was gotten out by the Junior Class. The objectionable article and reply reads:

"Austin, Texas, April 3.—Dr. H. H. Harrington, President of the Agricultural and Mechanical College, was here today on department business and consulting with Commissioner of Agriculture Milner, who is ex-officio member of the Board of Directors of the College. Dr. Harrington says that the recent turmoil at the College has been forgotten and class work is now at its best. He also said that with the completion of the new \$50,000 dormitory and other new buildings under way, the College will have lasting improvements that have been badly needed, and will mean much for the future of the great school."

#### Reply.

"This absurd article recently appeared in two of the most prominent newspapers of the State, and doubtless came before the eyes of a large portion of the reading public. In view of the fact that the prejudiced newspapers of Texas absolutely refused to print anything whatever from the pen of the cadets, and are ever ready to turn a deaf ear to his statements, to condemn his action and to praise others, we deem it our duty to the people at large to insert corrections in the Battalion.

"True enough, a heavy squall has passed, but beyond the noise and a few hair-breadth escapes no serious damage has been done.

"True it is we are blessed with a calm, sweet, serene and divinely beautiful—the mother of a growing hope.

"But men must awaken to the realization of the inevitable. Rumbling thunder on the lowering horizon presages a hurricane that gathers energy at every moment, and must shortly distort nature in the throes of convulsion. It will deal ruin and destruction indiscriminately, and a heavy hand will surely fall on some.

"There is not a cadet but who has read the article in question with well-founded disgust, and the wrought-up feeling and deep-seated antagonism is ever restless under constraint. The very absurdity and audacity of such an article, so wholly contrary to fact, is sufficient to arouse in the breast of every cadet a profound distrust for its author.

"To think that an issue of such vital consequence to the cadet, for which he would sacrifice education, friendship and everything dear, is forgotten so soon is preposterous in the extreme. To suggest such a thing is nothing short of an insult and cowardly reflection on the character and parental rearing of every cadet. What father would not blush with shame to know that a son of his own flesh and blood had fallen to such a degenerate stage of morality and mental decrepitude as to forget so soon.

"The people of Texas have chosen to call us the rising young manhood of the State, the brawn and brain destined to wield a mighty influence over future generations, to mold the character of grand old Texas and to make or unmake her as it may be.

"Today Texas is one generation; tomorrow this has vanished and a new generation mans the grand old hulk. New minds guide the helm, new ideas,

new thoughts and new vigor have revolutionized society and convention; the State is reborn.

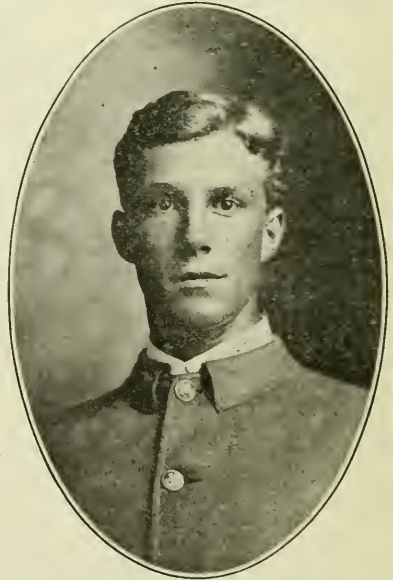
"No man has a more thorough realization of this than the Texan, and no one has a clearer perception of its truth. He realizes that the son is largely what the sire will make of him. Seeing this he has scattered splendid institutions of training and thought over the State. In a proud moment of his achievement he climaxed his noble work with the Agricultural and Mechanical College.

"We love Texas, we love her people, for we are of them, and we love this grand old school that has weathered so many storms, that has lived through so many years and that has taught so much that will cause us to be an honor to her, the pride of the Texas merchant, mechanic and farmer. Our efforts are for her and for her people. We would save the people from sending their sons to such a place, to enter a school that is on the retrograde and whose power to do good to the Texas youth is diminishing under the present ruling. It is the boast of the cadet that everyone who comes to A. and M. develops into a stalwart, erect, influencing man who knows how to obey and how to command.

"Did he dedicate the mighty institution to any individual or group of individuals? No!



**DAVE SHEARER**



**RAYMOND HUCKABEE**

*The Authors of the Junior Article.*

"Did he destine its benefits to be used by any individual or group of individuals or its government to conform to the whims of any one individual, whether right or wrong? Again, no, not for an instant. His intentions were broad, democratic and generous, but sadly enough have been shamefully abused in late years.

"Is it reasonable to believe that the Texan can consistently condemn the stand of his sons in a plea for the right? No! From infancy the father

has instilled in his son a stern spirit of patriotism and a love of freedom, hatred of tyranny, a sense of justice and carefully cultivated its growth from youth to manhood.

"This very independent and aggressive spirit has dominated the history of the world for centuries, has cradled modern ideas, convention and progress. It is an inseparable constituent of our being, our flesh and blood, a precious and unconscious heritage of our fathers.

"Some called it the spirit of rebellion and revolution and they are right, a spirit sprung full grown into existence in 1776 and developed wonderfully in succeeding years. In itself it is unconquerable, the spirit that has been imparted. Brute force, it is true, or shrewd diplomacy may be brought to bear sufficiently upon it for the time being so as to overwhelm it, trample it under foot and crush it. Yet in the dark recesses of the soul it smoulders and glows more intense than ever, fed by the bitterness of gall.

"Is this the training our fathers wish to impart to their posterity? Is such spirit in accord with the sentiment of our fathers? Not a bit of it. We all well know the indignant father at home purples with ire and swells with just indignation when such a cowardly insult is thrown full into his old face.

"What man has not a loathsome contempt for the effeminate weakling and moral monstrosity who has not the force of nerve to stand up and declare for his rights? Who respects the miserable coward who deserts his comrades at the critical moment? The question needs no reply.

"We are not a set of headstrong, narrow-minded fanatics, as some people would insist, not by any means, nor do we deserve such an appellation. The love of justice is as strong in our hearts as in any creature, and it is justice we would see done. If we are in the wrong let some personage give us some consistent proof of our mistake, with logical reasons. Then we will hasten to make amends in the most repentant and apologetic manner possible and even feel grateful to the arbiter.

"Otherwise the fire that smoulders in every bosom in course of time will gather fuel and burst forth in such a conflagration that nothing short of a deluge can quench it.

"Let no man deceive himself."

The article was highly commended and approved by the students, as one that expressed their full sentiments and as a just rebuke of the mis-statement of the College conditions, which was similar but not so radical as ones that were reported as being made by certain college professors who were traveling for the College among the affiliated schools explaining the cause of the trouble and how it was to be settled.

On account of the previous way in which Dr. Harrington had acted toward articles in the Battalion, that he personally disliked, it was not generally expected that this would go unchallenged. But weeks passed and nothing was said. Copies of the Battalion as usual went to every member of the Board and Governor Campbell. The Board said nothing. Some two weeks later, to a committee of Seniors and Juniors Governor Campbell said the article was at least unwise at this time, since it would only widen the breach already existing between the students and president.

Matters went on until May 21st, just one month after the publication of the article, when at a Board meeting in Waco, the Board gave Dr. Harrington a letter of authority to the Faculty, demanding that the authors be "adequately punished." He returned to College that night and to the utter surprise of the discipline committee, had them investigating each and every member of the Junior Class the next morning by 8 o'clock to find out the names of the writers of the objectionable article. This new activity was also a surprise to the students, but the committee was unable to fix the least responsibility on any one in particular. Direct pointed questions remained

unanswered. And all the Juniors said that as a body the class was responsible. "But," asked the committee, "will you personally be responsible for it?" With three exceptions the reply was that they would.

On Saturday nothing was done by the discipline committee as a body, because Capt. Andrew Moses left for Burnet, Texas, to attend the funeral of his late lamented father. The other members of the committee were Professors Fermier and Alvord. Prof. Fermier did not meet with Alvord, but as Alvord was determined to find out who wrote the article, and accordingly sent for Cadet R. F. Miller, Jr., a member of the Battalion editorial staff for the Junior number. After locking the door, Prof. Alvord explained to Miller what a fine fellow he was and how much he was interested in his welfare, and so on; finally he ended by saying he thought Miller ought to tell him confidentially who wrote the article. This outrageous insult to an honorable student received a just rebuke. Prof. Alvord hastened to explain that his motive had been "misunderstood," and that he only wanted to make it certain that Miller would at the proper time graduate. After trying to get Miller to consider the whole conversation confidential, the door was unlocked and Miller proceeded to inform his associates of what he considered a stinging insult.

Final examinations for the Senior Class were being held that day and the excitement began to run high; every student saw in it an attempt to break up school, or at least an attempt to make the students commit some act that would array public opinion against them.

To complicate matters that evening the following communication was received from the Alumni Committee, saying they had been unable to get a new hearing. The text of the article is as follows:

"To the Members of the Alumni and Ex-Students of the A. and M. College of Texas:

"We, the undersigned members of the committee appointed by the Houston meeting of the representatives of A. and M. College Clubs of Texas, had not intended to address to you any communication or report until after you had met at College Station for commencement. But we feel it is our duty at this time to make to you some report as to the progress made by us in endeavoring to carry out the work for which we were appointed. We also desire to notice some statements which are contained in a circular now being sent out by Charles Rogan. As stated, our committee was created at the Houston meeting of the representatives of the A. and M. Clubs of Texas. The events which led up to our appointment are briefly as follows:

"When the cadets at the College 'struck' the various college clubs over the State held meetings. Prior to any of these meetings a number of members of the Houston Club, together with President Law, of the Alumni, upon their own motion and at their own expense, and with the sanction of the Board of Directors, went to College Station to render what services they could in restoring order there, and inducing the cadets to resume their duties. They are largely entitled to the credit of having prevented most of the cadets who had not already left, from going, and of inducing those remaining to resume their duties and to use their influence to cause their fellow students to return to College. On the 22nd day of February, which was only a few days afterward, representatives of all the A. and M. Clubs of Texas met in Houston. That meeting was fully advised of the work which had been done by the Houston members, and was also advised that said members had requested the cadets to go back to work and had promised them that all reasonable efforts would be made by those who had been students of A. and M. to procure upon their own responsibility at the hands of the Board of Directors a full, open and complete investigation of the matters complained of by the student body; and that the cadets, believing that this promise was made in good faith, did resume work.

"The Houston meeting endorsed the action of the Houston members and determined to undertake to carry out the promises which they had made to the cadets. It was also the independent judgment of those at the Houston meeting that, regardless of the promise made to the cadets, such an investigation should be made. This is shown by the following part of the resolutions passed by the Houston meeting, as follows:

"We believe that the unsettled state of affairs proves conclusively that something is radically wrong. And that if it had been otherwise, this trouble would have been averted before it reached its present stage. Wherefore be it resolved, that we ask friends of the College throughout the State of Texas to join us in a petition to the Board of Directors of the College to re-open the investigation, and have a public investigation of the condition of affairs of the present trouble in order that the existing evils may be eradicated from the institution.'

"Our committee was created and clothed with power to use all honorable means to procure such investigation. On account of the fact that the members of our committee are scattered, and for other reasons, we engaged the services of Hon. Hatton W. Sumners of Dallas, Texas, with the express agreement with him and the positive injunction to him, to first ascertain as nearly as possible the truth with respect to the troubles at the College, and afterward that everything done must be done with an eye single to the best interests of the College.

"Now it is charged by the signers of the Rogan circulars referred to, (we regret to say that Dr. Harrington, personally, solicited signatures for it), that they 'feel that certain members of the association and ex-students have gone and are now going too far in their efforts to interfere with the proper management of College affairs by the President and Board of Directors.'

"In view of the fact that this charge is being made to you, we want to assure you that we are only carrying out the instruction of the Houston meeting, and are making no 'efforts to interfere with the proper management of College affairs.' We feel that this charge is absolutely unwarranted. As you know, we have no power over the Board of Directors. We have only the right of petition, which we have believed is a sacred right in this country, and the Houston meeting instructed its exercise. We have endeavored to carry out their instructions with as little disturbance as possible, and are endeavoring to keep faith with the students at A. and M. who trusted our members and yielded to their advice at a time when the President and Board of Directors had lost all control over them. In the darkest hours which have ever come to A. and M. College, when not only the welfare of that institution, but the welfare of nearly six hundred boys and young men of Texas was hanging in the balance, we were giving our time and spending our money in an endeavor to save the situation. Nobody accused us of going too far then. Nobody accused us of interfering then. It is only when we are asking for a full, open and complete investigation of the affairs of the College that we are charged with going too far and with interfering. The following statement of the Board of Directors ought to settle any question as to the value of the services rendered:

"In conclusion, the members of the Board desire to extend to the Alumni sincere thanks for their unselfish zeal and labor in behalf of the College, and their efforts to induce the student body to return to duty and remain loyal to the College.'

"The Board of Directors has reminded us that "You gentlemen have been beneficiaries of the State's bounty at this institution.' We confess it with deep gratitude to the State which has been so generous to us. We love every brick in the buildings of that institution; every foot of her campus is sacred to us. We yield to no member of the Board of Directors, not an ex-student, one-half the concern which we feel in our own alma mater. In shame and in humiliation and with a deep concern which only an ex-student

can understand, we have witnessed the deplorable condition there. And this we want to say by way of parenthesis, the relation between the President and the student body is now as antagonistic as it has ever been, if any difference, perhaps more fixed. In addition to the foregoing, our attorney has advised us that he has addressed a communication to the President of the Board of Directors and also one to the Governor, suggesting that an informal conference of the representatives of those interested in bringing about proper conditions at the College, might result in an agreement upon some plan for concerted action. No written reply has been received to either communication. We have, however, been advised by members of the Board of Directors that the Board is not in favor of such a meeting. We are also advised by the Board of Directors that the Board is still opposed to a full, open and complete investigation of matters at the College, on the ground as stated by the Board, that 'such an investigation within and of itself, would do the College incalculable harm, regardless of results.' We are convinced that the President, for whom we understand Mr. Rogan is acting, is endeavoring through said circular, and possibly by other means, to place us in the attitude before you and the people of Texas, of interfering with the proper management of the College. In fact, this is the plain language of the circular. We have become convinced that the Board of Directors are opposed to further effort on our part to carry out your instructions. The Board of Directors has absolute power in the premises. It can do as it chooses, anyway. What we have done, and are doing, has been and is for the sole purpose of giving aid. We would be willing to still continue our efforts towards procuring the character of investigation desired by you and which we believe is also desired by the people of Texas at large; we would even endure the embarrassment of being charged before our fellow ex-students of going too far and with interfering with the College management, as unjust as we feel that charge to be, if by so doing we could render any good service. But since the Board of Directors is clothed with absolute power and has very clearly indicated that our efforts are distasteful to its members and can result in nothing, we have no other alternative than to yield to the Board of Directors the entire responsibility of the situation; if indeed it may be conceded at this time that we have at any time had upon our shoulders any part of the weight of that responsibility.

"Respectfully submitted,

"JAMES CRAVENS,

"H. L. WRIGHT,

"E. J. SMITH,

"C. C. TODD,

"F. A. REICHARDT."

The exact circular of Chas. Rogan referred to in the above is as follows:

"Dear Sir: The undersigned ex-students and members of the Alumni Association feel that certain members of the association have gone, and are going, too far in their efforts to interfere with the proper management of College affairs by the President and members of the Board of Directors; that the efforts they are putting forth can result in no good whatever, and can only lead to confusion and embarrassment in the proper government of the institution. The responsibility rests upon the governor and the Board of Directors appointed by him, two of whom are members of this association, and all of whom are known to be men of conservatism, ripe in both experience and judgment, and whose integrity and sense of justness can not be successfully impeached. They can not have any other purpose in view than to conserve the best interests of that institution. For this reason we are writing to the more conservative ex-students and alumni of the College to join us in an expression of confidence in the ability of the Board of Directors



and President of the College to properly meet the situation. It is said by these alumni 'there must be something radically wrong at the institution.' We subscribe to this and believe the Board who have been in close touch with the situation from the start, are fully conversant with the facts. If you agree with us, we will thank you to sign the inclosed and return it in the stamped envelope to Charles Rogan, Austin, Texas, so the board may know of our confidence in them and of our interest in the welfare of the College."

This was signed by James Rather, College Station; Charles Rogan, Austin; H. P. Jordan, Waco; M. D. Tilson, Texarkana; J. W. Carson, College Station; John S. Radford, Houston; W. G. Morris, Hempstead; E. C. Carlyle, College Station; A. P. Smyth, Mart; J. T. Shindler, Yoakum; Willett Wilson, Port Lavaca; George McCormick, Houston; L. D. Amsler, Hempstead; W. M. Sleeper, Waco; E. L. Bruce, Orange; J. M. Carson, Jr., College Station; J. T. Cruse, College Station.

Sunday passed and the talk was centered on the new complications of the trouble between the students and the President. The discipline committee was decidedly against such a move at this time. But the President was determined to carry out the orders from the Board even if the parties referred to in the order could not be ascertained; somebody must be punished, vengeance must be satisfied. Accordingly President Harrington called "a very important meeting of the Faculty" Monday evening to consider the report of the discipline committee, which was to the effect that the authors of the article could not be ascertained.

The case of the staff was then taken up and leaving the chair Dr. Harrington himself made the motion for "indefinite suspension" of the staff, cast his vote for it and then read the orders from the Board calling for "adequate punishment." The members of the Faculty were then called on by an infuriated President to do as he said, "their duty." The vote was taken, and after all, he could but get the support of nine men, while nine voted against the measure, but the President's vote had decided it and the members of the Junior staff were indefinitely suspended. The suspended students were: W. R. Gilbert, editor-in-chief; T. A. Van Amburgh, assistant editor; H. B. Allen, athletic editor; Roy Sigel, local editor; T. A. Munson, Y. M. C. A. editor; R. F. Miller, exchange editor; C. J. Minter, agricultural editor.

While the Faculty meeting was in session dress parade was dismissed, but the boys did not go to their rooms, some asked the band to play some of their favorites and finally "Home, Sweet Home," which they did, as everybody knows the band never "piked." The applause was very loud and Capt. Moses came down from the Faculty and asked the students to desist, and as was always the case when he appealed, a ready response was given, or that is as soon as they had given "nine rahs" for the Commandant.

No announcement was made that night except that Dr. Harrington would publish the action the next morning, but everyone instinctively felt that they knew what had been done. The preparations for examinations were abandoned, and all conversation was about this, and the failure of the alumni to get any assurance that there would be a re-opening of the investigation.

Early the next morning, (Tuesday) the students were advised of the action of the Faculty. Recitations for the Juniors ended abruptly and W. H. Furneaux, acting president of the class, called a meeting of the Juniors.

"They were in session about thirty minutes, and John Sharp Williams, Jr. of Yazoo City, Miss., and D. M. Shearer of Lufkin were appointed spokesmen to present to President Harrington the result of their meeting, which was the assumption by the class as a whole and as individuals full responsibility for the article and to ask that if any member is suspended the whole class be suspended."

## CONFERRED WITH PRESIDENT.

In a most orderly manner the Juniors marched from their meeting place to the office of Captain Moses, than whom no man is more highly regarded by the students. To the Commandant President Furneaux expressed a desire for a conference with President Harrington. Captain Moses conveyed the wishes of the class and returned with the statement that the students would be met at 10:05, ten minutes later.

The Juniors filed into one of the class rooms of the civil engineering department, and were later joined by Mr. Harrington and the members of the discipline committee.



W. H. FURNEAUX

*Vice-President and Acting President of the Junior Class.*

"President Furneaux of the class stated the object of the meeting, which was to discuss the matter of certain members of the class being suspended. Cadet Williams, son of the minority leader in the National House of Representatives and United States Senator-elect from Mississippi, said that the offense consisted in simply reprinting an article that had appeared in the public prints and then stating that it was a mistake, without mentioning any names."

"We believe that this is something that any man has a right to do," said he. "If there was a mistake it should have been corrected. We wish to say that we as a Junior Class published that article. The editors of the paper did not do so, and we feel in a sense of justice to us, to yourselves and to all, to say that if you wish to assess any penalty that you do so equally upon our class and not upon the editors of the paper."

"This statement was greeted with applause, which was hushed by a motion from President Harrington, who said that if he treated with the students

at all it was to be upon a basis of discipline and order. 'If you haven't respect enough to grant that to the President and the committee we do not care to treat with you at all. We are not going to reach a conclusion at a hurrah meeting. We want a calm, deliberate view, that we may understand one another.' This outburst of enthusiasm was not repeated."

"None of these editors published this article," continued Mr. Williams, "but every man of this class is equally responsible for it. We do not feel that a member of the class should be picked out and disciplined for the publication of this article, and we wish to ask as a personal favor to us that if there is any penalty assessed that it be put on us all, and that if any are suspended the whole Junior Class be suspended."

Cadet Shearer was the next speaker.

"We simply made a correction of an article, which we deemed it our duty to correct and to give the truth, and it is the truth."

"If you state that the article was incorrect, you had ample time to make any corrections," said young Shearer, addressing President Harrington. "And so we made the corrections ourselves."

"The Faculty do not assume the position that you have the right to correct it," replied Mr. Harrington.

Mr. Shearer: "We deemed it our duty to make the correction; we believed it nothing but right."

"We can not get together on that proposition," replied Mr. Harrington. "The Faculty has already reached the conclusion that it was not your right, and there is no use for arguments on that line at all."

Continuing, Mr. Shearer said that the members of the staff were but mere tools, and that every one of the Juniors was equally implicated. "We ask that you throw the whole blame on the class, to make your verdict general. We believe that it is unjust to let your verdict fall upon a certain portion of the class when the class in general is strictly responsible. This is the sentiment of the class."

Cadet Williams again took the floor. "We did not believe," he said, "that in correcting the article we were in any way violating the rules and regulations of this College. We believe that as this matter came out first in the papers that it was brought upon us, and that it was not of our seeking. We believe that it is the public right of the class or any man to make a correction of any statement that was wrong."

President Harrington said that they should have known that he held a censorship over the paper by a letter Casey had published in all the daily papers after the strike. "If I understand it," continued he, "it is the sense of this class that all of you bear the burden of punishment equally. While, of course, I haven't the authority to treat with you upon a Faculty matter, and I will present your statement to the Faculty."

"You are not willing to admit," continued Prof. Harrington, "that you were publishing an article that was discourteous and disrespectful to the President of this institution, eliminating personalities," to which Cadet Weinert replied that it was simply an article making a correction of an article that had appeared in several Texas papers.

President Harrington: "Did you not recognize that you were publishing something that you should not have published?"

Mr. Weinert: "No sir, we did not."

Mr. Harrington: "That you were publishing, without reference to my personality, an article that was disrespectful and discourteous to the President of this institution?"

Mr. Weinert: "We were publishing an article with regard to personalities, and to correct a mis-statement. We do not feel that we have broken the rules of the College."

C. P. Brannin of Dallas, acting editor-in-chief of the Battalion and also a member of the Junior Class made the statement that nothing had ever

been said to him about turning in any matter for the paper to any member of the Faculty, but that they had a right to see it if they asked to do so."

#### WANTS NO FRICTION.

"President Harrington said that he wanted as little friction as possible 'I do not want to create and strife unless you gentlemen yourselves want to create it, and even then I want to keep it out. I do not want to see the students in a state of insurrection.' He repeated the statement that the interview was incorrect and that it would have been an act of courtesy to have asked him on that point."

"Other short talks were made by other cadets. Cadet Caldwell wanted to know why the investigation was delayed for five weeks and started at examination time, whilst another cadet said that it looked like an attempt to break up the school."

"President Harrington said that he could not say that the Faculty could consider the matter, but that it would be brought to their attention. In answer to a question he said that if the Faculty determined to take action, such decision would be given the class tomorrow morning, the Juniors asking that the matter be brought up at the meeting this afternoon."

After supper, a meeting of the Senior Class was called to consider the trouble. The following resolutions explained the attitude of the class:

"We, the Senior Class, after careful study of the article published by the Juniors in the Junior edition of the Battalion, our college paper, relating to the statement given by Dr. Harrington in Austin, unanimously indorse their reply to same. We deplore the existing condition at the College, and see nothing in the article that could warrant the suspension of the entire editorial staff of seven men. This article was written six weeks ago, and nothing was said of it at the time, but Dr. Harrington, after attending two meetings of the Board, and making numerous trips over the State, returns with a letter of authority from the president of the Board, and brought this matter up, seemingly with the intention of breaking up our commencement."

"We appeal to the manhood of every cadet to stay by this school in the darkest hour of our College career and deport himself in a gentlemanly manner, and make this the most successful commencement in the history of the Agricultural and Mechanical College.

"Unanimously adopted.

"T. J. BEASLEY,

"J. DALE,

"W. E. SAMPSON,

"C. H. FLEMING,

"Senior Class Committee.

On the next morning, Wednesday, May 27th, the Juniors were notified that the Faculty had declined to reconsider the action toward the suspended Juniors.

The class now decided to consider the petition of the suspended classmates, which had been on the table awaiting the results of the Faculty meeting. It read:

"To the Junior Class of the Agricultural and Mechanical College of Texas: The undersigned members of the Junior Class of the A. and M. College were this morning officially notified of their indefinite suspension from the College on account of a certain article which appeared in the Battalion on April 22. This article was a denial of an interview given out by President Harrington in Austin, in which he stated that the recent turmoil at the College had been forgotten, and that class work was at its best.

"This issue of the Battalion was published by the Junior Class, and the undersigned cadets composed the editorial staff. We believe that we were suspended in order to provoke a second strike on the part of our fellow students.

"We feel and know that our fellow classmen sympathize with us in our

trouble, and that we have their full confidence. We therefore appeal to you as friends and fellow students that you do not allow our suspension in any way to interfere with you in pursuance of your regular duties until commencement. From the bottom of our hearts we beg you to acquiesce in our petition and to continue your duties until commencement.

"R. F. MILLER,  
 "T. A. MUNSON,  
 "ROY SEGEL,  
 "W. R. GILBERT,  
 "H. B. ALLEN,  
 "C. J. MINTER,  
 "T. A. VAN AMBURGH."

The class voted unanimously to heed the request of the suspended members.

President Harrington was advised by the Houston Post reporter of the gist of the action of the Seniors and declared that if the Senior Class made such declarations, he would certainly call it to the attention of the Faculty. As to what action this body would take he did not know.

Following the action of the other classes, the Sophomores and Freshmen expressed their attitude as follows:

Whereas, The Junior Class of the Agricultural and Mechanical College of Texas deemed it advisable to publish an article in the Battalion setting forth the views on certain matters concerning the College; and,

Whereas, We believe that the article contained nothing but a clear, concise statement of facts, we fail to see the necessity of indefinitely suspending members of the Junior Battalion staff; and,

Whereas, Said article meets with the absolute approval of our entire class; therefore be it

Resolved, That we, the Sophomore Class, heartily indorse the article of the Juniors and take this means of expressing our sentiments to the honorable people of Texas.

T. S. WYCHE,  
 O. W. SHERRILL,  
 W. C. CRANE,  
 J. P. HOLMES,  
 J. C. ABNEY,

The Sophomore Class Committee.

We the freshmen Class of the Agricultural and Mechanical College of Texas, after carefully considering the article published in the Junior issue of the College paper of April 22, in regard to the statement given out by President Harrington in Austin, do unanimously endorse the said article. Furthermore, after investigating the matter we can see no reason for the suspension of the entire editorial staff of seven Juniors.

We deplore the conditions now existing at college and feel that said condition was brought about by President Harrington to break up commencement. The article published by the Juniors appeared some six weeks ago and no action was taken then, but after attending two meetings of the Board of Directors and getting a written statement of authority from the Board, President Harrington has returned and brought the matter up at the time of our examinations.

Unanimously indorsed,

R. SOAPE,  
 L. H. FITZHUGH,  
 C. H. HARBEN,  
 A. W. TAYLOR,  
 CLAUDE KAVANAUGH,  
 Freshman Class Committee.

Now relieved by the expressions of their sentiments, the students all settled to hard, earnest work, and with a vim before unequalled in previous examinations.

And matters went on in a fairly smooth way as far as the students were concerned, as they felt everything would eventually turn out right since the public was becoming aroused over the matter. Numerous editorials were written together with many public letters, in the daily newspapers, a petition signed by 5000 citizens, to the Board, requesting an open investigation, while the Farm and Ranch openly opposed Harrington, for after sending an unbiased man down to investigate affairs, they fully understood the situation.

The circumstances attendant upon the suspension of the Battalion staff for the publication of the denial of a statement by the president, without questioning the truthfulness of the objectionable article looked like a stab at the freedom of the press, a constitutional right, abridged in countries other than absolute monarchies, solely for the purpose of insuring the correctness and reasonable truthfulness of the statements printed.

It was so evident that the President hoped by thus pushing matters on the students, in the mood they were in, to provoke at least some act that would array public opinion against the students as a lawless mob, if it did not even break up the school, and thus prevent the alumni and parents to meet at the College, and whom if they met, would undoubtedly take steps towards getting Dr. Harrington removed. And it was the consciousness that they were preventing the President from gaining either point that induced the students to work so hard for a continuance of College duties, without protest when seven members of the next year's Senior Class, or sixteen per cent of the Junior Class, were without sufficient cause unjustly suspended from the College within a week of Commencement.

At this time ten of the parents living in Dallas, who had sons at the College, signed a call for all the patrons to meet in Bryan, Texas, June 8, as follows:

"Dallas, Texas, May 31, 1908.

"To the Patrons of Agricultural and Mechanical College:

"We, the undersigned citizens of Dallas, who are patrons of the Agricultural and Mechanical College, hereby call a meeting of the patrons of said College, to be held in the town of Bryan, Texas, Monday, June 8, 1908. We do this for the reason that we realize that for some months the conditions which have existed at the College have resulted in a large measure in a waste of the time of our boys and a profitless expenditure of our own and the State's money; besides, we consider the present relations existing between the President and the student body highly detrimental to a proper development along the lines which make for character and noble citizenship. As parents, no interest is greater than ours. Let us, therefore, at whatever sacrifice is necessary, meet at the time and place suggested, and join in any effort which may be made to procure a full and open investigation of the conditions at the College and such a correction of the existing evils so that our boys may, in a proper atmosphere and under proper conditions, pursue their studies. Our love for our own State, pride in this great institution and a desire to have our sons educated there, can find no better expression than in this meeting. Besides, it is our duty to do all we can before arranging to send them elsewhere. Those of you who can not possibly attend, write to J. H. Furneaux, addressing him at Bryan, Texas, and let us know your views with regard to the suggestions contained in this letter.

"W. S. McCREW,

"MRS. GEORGIA STENGER,

"O. P. GRANT,

"W. S. JOHNSON,

"J. C. RUGLE."

"GEORGE BRUNDRETT,

"L. E. BRANNIN,

"J. H. FURNEAUX,

"LAFAYETTE FITZHUGH,

"CHAS. OTT,

## CHAPTER VI.

## A NEW INVESTIGATION.

## Commencement at College.

"And in the court yard there was a great commotion."

By Saturday, June 6th, the Alumni began to arrive at College, and the next day an executive meeting of the so-called Houston committee previously referred to, of which James Cravens is chairman, was held in Bryan for the purpose of a thorough understanding as to the lines on which the committee would present the matter to the Board of Directors. After this three informal meetings were held at the College, with the above purpose in view.

At 9 o'clock, Monday morning the Alumni Association was called together to receive the report of the committee; F. M. Law was president and A. Mitchell, secretary.

The first action was the adoption of a resolution asking the ex-students to be on the grounds during the meeting, and that they have full floor privileges.

E. J. Smith of Denison, a member of the committee appointed at the February meeting in Houston for the purpose of devising some method by which harmony could be obtained at College, stated to the body the purpose of the meeting. He said it was proposed to find ways and means for bettering conditions which are causing dissension in the ranks of the students and Faculty and to secure a reopening of the investigation of charges against Dr. Harrington.

He stated that at meetings of the committee, different views were entertained as to the best method to be pursued, and that their deliberations were ready for presentation in report form and that it was up to the meeting to say whether the report should go to the Board as a resolution or as a formal request.

C. C. Todd, of San Antonio, secretary of the committee, then read the report:

"To the Members of the Board of Directors of the Agricultural and Mechanical College, through K. K. Leggett, Chairman, sitting at College Station, Texas:

"College Station, Texas, June 8th.

"Gentlemen: By reason of the deplorable conditions then existing at the Agricultural and Mechanical College of Texas, and that had existed for some time prior thereto, there was a called meeting at Houston, Texas, of graduates and ex-students of this institution to take steps looking toward relieving this institution of the situation above referred to.

"This meeting was held on the 22nd day of February, 1908, and was well attended. So far as we were able to determine, but one thought inspired the gentlemen who attended this meeting, and that was what could be done to perpetuate the old College that we all were so fond of and restore confidence in the minds of the student body, the patrons of the school and the people of Texas. At the time this meeting was held, what was commonly known as the strike on the part of the student body was still on. Many of the students were at their home and had refused to return under existing conditions. At this meeting the present student body was promised by the Alumni and ex-students of the Agricultural and Mechanical College that if they would return and resume their studies that they, the Alumni and ex-students, would undertake to have held an open, full and fair investigation, to the end that the truth of the situation might be known and the necessary relief obtained.

"For this purpose, and for no other, the undersigned were appointed as a committee, not as representatives of the student body, but representing the great body of the citizens of Texas who comprise graduates of the college and ex-students, and we were empowered to use all honorable means to procure the character of investigation hereinbefore set forth. At an informal meeting held with you gentlemen on the occasion of the laying of the cornerstone of Goodwin hall, in March of this year, you agreed to receive and consider on Monday morning, June 8, 1908, at College Station, such charges or complaints respecting the management of the college, its officers and Faculty, as we, the committee, saw proper to present.

"It has been suggested to us, and has been published in publications and circulated over Texas recently, that there have been, under the present management of the Agricultural and Mechanical College, gross irregularities in the matter of the expenditures of public moneys, and we suggest that a full investigation be had of the books and disbursements, and all contracts entered into and performed."

### Charges Against Harrington.

Our attention has been called to conduct on the part of H. H. Harrington, President of the Agricultural and Mechanical College, and practices indulged in with his knowledge, acquiescence and approval, that in our judgment, if true, render him unfit to hold the sacred and responsible position of President of the Agricultural and Mechanical College, and they are as follows:

1. That H. H. Harrington is a man of high temper, domineering disposition, is unreasonable in his demands and requirements, and quarrelsome and offensive to a majority of the Faculty and student body.

2. That he has had a number of fist fights in the Faculty room and on the campus.

3. That while a member of the Faculty he made a murderous assault with a shotgun upon a student of the College without any cause whatever, using profane, obscene and vulgar language at said time.

4. That he is not in touch, and has not the respect and confidence of a majority of this or any other student body since he has been President.

5. That he is not in touch with a number of the Faculty, and is without their esteem, confidence and respect. And by reason of this fact the College has lost some of its ablest and most valuable professors largely because said professors were not subservient to his will at a sacrifice of the interests of the College, and by this course of conduct has forfeited the confidence of the student body, and has impaired the discipline of the institution.

6. That his methods of conducting the College are more that of a politician seeking, obtaining and endeavoring to hold a position, rather than that of the head of a great institution, and he is the direct cause of the practice of cheap politics in the management of the affairs of the Agricultural and Mechanical College, which is detrimental in the extreme to the future growth of the College or its President's usefulness. And instead of devoting his time since said trouble in performing his duties at the College, he has spent his time in efforts to further his own interests.

7. That he is responsible for withholding a portion of the maintenance fund due the patrons of the school at the close of the session of 1907.

8. That he is responsible for the improper retention of trust funds deposited by students, without reference to the responsibility of the individuals charged therewith, this being in direct violation of section 2, article 21, of the regulations established by the directors, which reads as follows; "The trust fund is to pay for property damaged or destroyed and shall be refunded direct to the parent or guardian if there is no charge of this kind against the student."



9. That said Harrington is now drawing several salaries, not as President but as head of a number of departments connected with the College, which is wrong in principle, if not in law, and interferes with a proper performance of his duties as president, and tends too much to commercialize the great position he occupies.

10. The training of our boys as students of the Agricultural and Mechanical College with reference to habits of temperance and sober and manly conduct is always essential. We are advised that a large supply of intoxicating liquor is being purchased, evidently with College funds, and improperly used and drunk at the Agricultural and Mechanical College, to the detriment of good morals, and is bad in example to the student body.

11. That it has been made perfectly manifest that President Harrington is wanting in executive ability, and in power to control the student body of the Agricultural and Mechanical College, as is made manifest by (1) the strike in January, 1908, (2) by permitting himself to be twice hung in effigy on the College grounds, and the perpetrators going unpunished, and without any attempt to punish them, (3) by the open disrespect shown him by the student body of the Agricultural and Mechanical College

12. Truth is desired by all honest men above all else, and is usually rewarded, and is always sought for and desired. President Harrington, by favoring and urging the indefinite suspension of the editorial staff of the Battalion for publishing a denial of his alleged interview under an Austin headline, reciting, in substance, "that the strike had been broken and class work was up to the usual standing," was wrong in principle and an unwarranted exercise of his power and is hurtful to the young men of our State, in that it teaches them that the truth shall be punished and a misstatement rewarded.

And that by delayed action with reference to said suspension Harrington hoped to incite some outbreak on the part of the student body which would array public opinion against the students and with him, and to prevent commencement exercises, thereby preventing the gathering of the Alumni and ex-students and parents of the cadets whom he had every reason to believe would take some action seeking to obtain his removal from the Presidency of said College.

#### Has Lost Respect of School.

13. That in addition to the foregoing we charge upon our own responsibility that the President of the Agricultural and Mechanical College has lost the respect of the student body and does not possess their confidence. That there is a bitter enmity between them and him and discord, strife and discontent prevail. That President Harrington is the executive head of the College and as such his duties are to command the respect and confidence of the student body to the end that he may preserve order, maintain discipline and inspire the students to the proper intellectual achievements and moral development; to so demean himself toward the professors and instructors under him as that they will feel kindly toward him and will be encouraged to put forth their best efforts in their respective departments and generally to so direct College affairs as to promote harmony and peace and to create such an atmosphere as that uninterrupted and undisturbed work may be done by all connected with the institution. That in all these things he has failed utterly, and instead of doing these things or any of them, the Agricultural and Mechanical College while under him has been brought to and is now on the verge of destruction. That present conditions at the College conclusively demonstrate that Prof. Harrington does not possess the executive ability, the traits of character and disposition necessary to enable him to successfully preside over the Agricultural and Mechanical College. That this failure upon his part has been demonstrated at a cost

already too great to the students, parents and taxpayers of Texas. At a cost so great to the Agricultural and Mechanical College that it can not be estimated. That the students are soon to leave for their respective homes and their parents will, of necessity, make other arrangements with reference to their sons, since the conditions of feeling existing between them and the President and the general condition of affairs at the College renders it absurd for their parents to return them to A. and M. Said conditions also will prevent other boys from coming.

We stand ready to furnish full and convincing proof of these matters charged upon our own responsibility, and upon the other matters herein charged we respectfully submit that it is a duty you owe to the great State of Texas, to the patrons of the school, to the present student body and to the College itself to cause to be held as here requested, at an early date, an open, full free and public investigation of all the matters hereinbefore submitted to you to the end that the truth may be known and the proper remedy applied for such evils as may be found to exist, either in the student body, the President of the institution or its Faculty. And in the event you should determine to have such an investigation the ex-students of the Agricultural and Mechanical College stand ready to give you all the assistance possible to arrive at the truth.

After the reading of the report, Mr. Smith further addressed the meeting. He said that three of the members of the committee visited the College in March and it was then agreed between them and the Board that today, June 8th, the Board would receive the committee with a demand for investigation, and that the Board would reserve the right to receive, act or reject the memorial. The report, he said, was submitted with no further explanation than that there was an honest disagreement as to the method of presenting it to the Board.

James Cravens, of Houston, chairman of the committee, here entered the hall and said the Board of Directors was prepared to await the pleasure of the committee.

R. C. Watkin of Houston moved that the committee be instructed to sign the report and present it to the Board at once.

R. D. Bowen of Paris asked if the committee was prepared to prove the charges.

"We are prepared to prove the charges that we state upon our own responsibility," said Mr. Smith.

Charles Rogan of Austin wanted to know if the adoption of the motion would commit the meeting to the statements or would it only commit the committee as saying that it could prove the assertions.

Mr. Watkin said that most of the matters had already been partially investigated.

R. E. Pennington of Brenham moved that the report be presented as resolutions asking for an investigation. He said he did not want the meeting to go on record as saying that Dr. Harrington was guilty, but only as asserting the necessity of an investigation.

Mr. Cravens said the committee did not undertake to say that Dr. Harrington was guilty, any more than a lawyer could positively assert that he could prove the charges in his petition to a court. The committee did mean to say that the evidence before it showed the necessity of an investigation. He accepted the amendment proposed by Mr. Pennington.

J. S. Radford asked if the committee had a list of witnesses.

E. J. Smith said that the committee had gone into the matter very thoroughly and had a list of witnesses for each charge.

J. T. Cruse, a chemist at the Agricultural and Mechanical College, asked why not also prefer charges against the Faculty and also investigate it, since it was asserted that its members were also involved.

R. C. Watkin said that Dr. Harrington was President of the College, the charges had been made against him and should be investigated. If the testimony should prove others to be guilty they should be punished.

H. M. Rollins of Houston said he had heard some one say: "Mark my words, others are guilty and have incited this trouble."

"If that is true," said Mr. Rollins, "trot them out and we will investigate them." (Applause).

Mr. Cruse said he made the remark in good faith; he believed the trouble had been incited from without, and that the investigation should be broader in its scope.

Mr. Rogan said the conditions at the College should be investigated and its affairs straightened out even if a clean sweep should be necessary.

Dr. W. S. Cox, class of '92, moved that there be a general investigation; that a clause to that effect be inserted in the report.

Mr. Smith again explained that the board had written the charges only against Dr. Harrington because they were authorized to act only with reference to him.

Mr. Bowen further insisted upon a general investigation.

Mr. Craven said that if anybody would prefer other charges, the committee would very gladly present those charges.

Mr. Bowen said he didn't want to prefer any charges. (Laughter).

Mr. Watkin said the whole thing centered around Dr. Harrington.

Mr. Bowen wanted to know if the report was to go to the press.

Mr. Cushing—I see no reason for suppressing it.

George Grupe of Galveston asked: "Are we going to take cognizance of the talk around the State, or are we going to support our board of directors?"

The motion of Mr. Watkin was then put and carried by a vote of 118. There were no votes in the negative, although perhaps five or six did not vote. The committee then left to present the memorials to the Board.

A general discussion was indulged in as to whether or not the report should be published. Finally it was decided that since the reporters had already taken down everything, all that could be done was to ask that the report be not published until it was given to the Board of Directors.

#### The Parents Meet in Bryan.

In the meanwhile the patrons of the College were in independent session at the Carnegie Library Hall.

J. C. Rugal, of Dallas, was elected president with J. C. Cochran, of Houston, secretary. There were about forty in attendance when the meeting was first called to order with some twenty-five more arriving before adjournment.

When the meeting was first called to order J. H. Furneaux, of Dallas, explained its object. He stated that about one hundred and fifty letters had been received from patrons of the College, and without about two exceptions they were all in sympathy and harmony with the object of the meeting.

A letter expressing sympathy with the purposes of this meeting was read from the following citizens of Waco: Sam Freund, J. S. Harrison, M. B. Williford, E. M. Byars, R. G. Wright, G. B. Foster, C. O. Forsgard, James Johnson and A. Symes.

There were several brief addresses, all to the effect that President Harrington was not the right man in the right place and his removal should be demanded. It is difficult to secure the names of each one who spoke or made remarks because their names were not known to the President and he did not announce the name of the speaker who occupied the floor. Mr. Cochran in a brief and clear manner seems to have presented the sentiment prevailing among those present. In substance, he stated that the time had

passed for demanding an investigation, but President Harrington's resignation or removal should be demanded for the good of the College. That for argument sake, he was willing to admit that President Harrington was as innocent as an unborn babe, but his inability was such that he could not control the student body and get results that were good for the students or the College. Parents want results for their money, which they can not get under the present regime; that they did not want an investigation, but the removal of President Harrington.

Messrs. J. H. Furneaux of Dallas, F. W. Wood of Brenham and A. G. McMahon of Whitney were appointed a committee to name a committee on resolutions. They recommended, with three additions made by the convention, the following committee, which was appointed: J. H. Furneaux, Dallas; E. M. Byars, Waco; R. B. Shearer, Lufkin; J. H. Van Ambergh, Houston; J. J. Summers, Cuero; A. G. McMahon, Whitney; F. W. Wood, Brenham.

The committee then retired to discharge the duty assigned to it and the convention took a recess until the committee was ready to make its report.

The committee reported the following resolutions, which were adopted:

"Whereas, we the patrons of the Agricultural and Mechanical College, find a condition existing between the President and the student body which is calculated not only to impair the usefulness of the institution, but to result in its destruction, an institution which is fostered by the State and proudly supported by the people of this great commonwealth, and feeling that this condition calls for immediate action we therefore recommend that this convention, representing as it does two hundred and twenty-five parents and guardians of students of the present year, request the Board of Directors of said Agricultural and Mechanical College to call upon President H. H. Harrington and ask for his resignation, and in the event of a refusal that he be removed by said Board, and we urge the same for the following reasons in addition to those already indicated above:

"That we find after careful investigation among the patrons, students and citizens generally, that there is neither sympathy nor harmony between the President on the one side and the student body on the other side; but on the contrary there is a spirit of dissatisfaction, unrest and disrespect that can result in no good to the institution, present or future, nor to the welfare of our boys at any time.

"The time and energy of our boys, as well as the expense incident to maintaining them in this institution since the strike in February last has been largely wasted and much money expended by the patrons and in many instances procured at great sacrifice and for this reason the present conditions, if permitted to continue, are calculated to poison the public mind against the institution and to eventually result in irreparable injury and damage to the future of the College.

"We feel that our boys should be able to rely upon the President of the institution for that care and solicitude for the shaping of their characters for fitting them for useful citizenship that they could expect from their own parents, and the present conditions that have so long existed having demonstrated to us that our boys are not receiving that care, influence for good and parental control, we feel that the risk to which we are subjecting our boys is dangerous to their welfare and that these conditions can never improve so long as President Harrington remains as the executive head of the institution.

"Instead of an improvement in conditions since the troubles of last February we find that the feeling between the President and the student body in its unpleasantness has become even more intensified, as evidenced by the recent suspension of seven students, members of the Junior Class, in which the question of free speech was seriously involved and the sacred rights thereof not only attacked, but denied. We fear that the suspension of these young men was dominated by a spirit of unfairness as evidenced by the

fact that the Faculty, voting a tie upon the question, the entire decision of the whole matter in question was determined by the President, who as against said pupils was the party interested. Therefore, the action of the President in the premises places him in the position of a trial judge, a position antagonistic to the fundamental principles of every instinct of right and of American civilization. Not only is this true, but these facts and circumstances show that the spirit of the old difficulty, which all of us had hoped to see allayed, was behind and entered into the suspension of said cadets. When we urged our boys to return to this school last spring and to resubmit themselves to the constituted authorities and to deport themselves with such propriety as to commend them to the most favorable consideration of the authorities of the school and the people of Texas generally, we indulged in the hope that harmony would be restored, and that the student body would be able to pursue successfully their studies and their duties, but we find that the unfortunate condition then prevailing has not only not improved, but has constantly grown more acute and has now reached the crisis that demands the removal of Professor Harrington should he not be appreciative enough of the conditions and patriotic enough to tender his resignation."

The following resolution was introduced and unanimously adopted:

"Whereas, Seven members of the Junior Class have been indefinitely suspended by the Faculty of the Agricultural and Mechanical College, and,

"Whereas, It is the unanimous sentiment of this body that the said suspension was brought about by ill-advised and hasty action, and by the deciding vote of President Harrington, the party aggrieved; therefore be it

"Resolved, That the committee authorized by this convention, be and are hereby instructed to use all lawful and reasonable efforts to have said seven students reinstated by the proper authorities."

Committee to present all resolutions to the Board of Directors of said College and carry out the instructions of this body is as follows: F. H. Burmeister, R. B. Shearer, F. W. Wood, J. H. Furneaux, J. C. Rugel, A. G. McMahan J. B. Cochran.

Following was also adopted:

"To the Patrons of the Agricultural and Mechanical College in Convention Assembled:

"We, your committee on resolutions beg to offer for your further consideration the following resolution:

"Resolved, That we, as patrons of the Agricultural and Mechanical College, recognizing the fact that the future preservation of our College depends upon immediate and decisive action of the Board of Directors, and in the event they do not take some action along the line suggested in our appeal to them, that we maintain our present organization, and the Chair be authorized to call a future meeting of this body at such time and place as he deems best to take this grave question up with higher authorities for its proper adjustment."

"E. M. BYARS,  
J. H. VAN AMBURGH  
"J. H. FURNEAUX,  
"J. J. SUMMERS,  
"F. W. WOOD,  
"A. G. McMAHAN,  
"R. B. SHEARER."

"Be it Resolved by the patrons of the A. and M. College assembled that we heartily endorse all the actions of the A. and M. Alumni in behalf of our boys, students at the A. and M. College, and that we hereby tender them our sincere thanks and ask of them their future co-operation. The following are hereby appointed to act as a committee to present these resolutions to the Alumni now in session.

"G. W. Tharpe, W. S. McCrew, and W. S. Jobson."

These resolutions were unanimously adopted together with one asking that copies of them all be sent to Governor Campbell.

The patrons' convention adjourned from Bryan to the College, where a brief session was held in the chapel. The patrons on the college ground joined those who come from Bryan. In a body they proceeded to the room of the Directors, where the resolutions adopted were presented.

Judge Nugent of Conroe, J. B. Cochran of Houston and F. H. Burmeister of Tilden made able speeches before the Board.

On the whole the Board respectfully received the committee, and assured them that the best interests of the College was the only thing they had in mind.

#### WITH THE ALUMNI.

At the afternoon session nothing was heard from the special committee until 4 o'clock, when it reported that the Board did not expect to have a reply for them until after supper. The reports of various officers and committees were heard, among them the reports upon the organization of A. and M. Clubs at several places in the State.

On motion of R. D. Bowen, the committee appointed to co-operate with the Farmers' Congress was instructed to co-operate with the Farmers' Union also.

#### Committee on Proposed Investigation.

R. E. Pennington, J. Webb Howell, of Bryan; F. Marion Law of Bryan, and R. C. Watkins of Houston, were added to the committee which is in charge of the proposed investigation. The other members of this committee are James Cravens of Houston, chairman; E. J. Smith of Denison, H. L. Wright, of Palestine, F. A. Reichardt of Houston, C. C. Todd of San Antonio, secretary.

The subject of paying money to pay the expenses of the association in the proposed investigation was presented. The Houston Club led off by pledging \$250, but upon canvassing its membership in attendance, raised \$385. Contributions were as follows: Dallas \$100, Brazos county \$100, San Antonio \$75, Beaumont \$60, Bell county \$25, Palestine \$30, P. L. Sanders, Nacogdoches, \$10, Brenham \$25, Denison \$25, R. D. Bowen, Paris, \$50, Colorado county \$5, T. B. Wharton \$5, F. K. McGinnis \$5, M. S. Church \$5, New York ex-students of A. and M. \$50. The last mentioned contribution was guaranteed and paid by R. D. Bowen, who said there were seventy-five A. and M. men in New York City, some of them occupying prominent positions. The total amount raised was \$1,015.

The constitution of the Alumni Association was amended so as to admit to membership all students who have attended the A. and M. College for one year or more. However, only graduates of the College will be eligible for offices of the association. A resolution was adopted reciting that the limit of two years to the terms of Directors of the College was harmful to the institution, and calling upon the legislature to submit to the people a constitutional amendment providing for longer terms for the Board of the A. and M. College and other similar institutions.

A resolution was adopted referring to the troubles at the College. It expressed great gratification because the members of the association had been equal to the occasion and expressed the belief that the College would now be a wreck but for the action of the Alumni and ex-students who came on the ground at the time the students were about to leave. Thanks were also expressed to the special committee. Those resolutions were presented by a committee composed of B. C. Pittuck, E. B. Cushing, J. W. Howell, H. C. Kyle and W. L. Dazy.

At this juncture a committee from the patrons' meeting appeared and presented a resolution thanking the Alumni for its work for the boys. An appropriate response was made by President Law. On motion of Capt. Reichardt the rule barring from membership students who had not attended the A. and M. College for a full year was suspended by a two-thirds vote, and H. A. Payne of Houston and Dr. George R. Tabor of Bryan were elected to membership. Officers of the association were elected as follows:

President, R. C. Watkin of Houston; Vice Presidents, J. Webb Howell of Bryan, R. E. Pennington of Brenham, H. F. Jones of Houston, W. A. Price of Kosse, A. C. Love of Beaumont and B. H. Foy of Palestine; Secretary and Treasurer, A. Mitchell of College; third member of the Executive Committee, James Cravens of Houston.

On motion of R. D. Bowen, Henry L. Casey of New York, class of '78, was elected an honorary member. The meeting adjourned at 8 o'clock.

The annual Alumni banquet was held that night at 11 o'clock.

In answer to a press reporter for a statement in regard to the charges, Dr. Harrington said:

"The charges are frivolous and untrue, and will be refuted at the proper time. In the meanwhile I ask for the suspension of public opinion until they have had an opportunity to know the facts."

#### BOARD PROMISES INVESTIGATION.

At a late hour Monday night, the following resolution was adopted ordering the investigation:

"Resolved, That the Board will meet at 2 p. m., June 9th, for the purpose of investigating the present conditions of the College in all its phases, and that such investigation shall continue at such times and for such lengths of time as may in their judgment be necessary to develop the facts, and at the conclusion of said investigation, the Board will take such action as in their judgment the interests of the College may demand."

This communication was delivered the next morning, Tuesday, June 9th, or Graduation Day for the Senior Class, in answer

"To the Honorable Board of Directors of Agricultural and Mechanical College, Sitting at College Station:

"Gentlemen: We have just been advised that you have by an order placed on record evidence of your determination to begin at 2 p. m. today an investigation of present conditions at the College in all its phases.

"No suggestion is contained of an answer to our resolution or information given as to your action with reference to the matters and to charges contained in the document which was submitted to you on yesterday by the Alumni Association and ex-students of A. and M. College. Neither are we advised as to the action taken by you with reference to the suggestion and request accompanying said documents, which was in substance as follows, that much of the evidence by which it is expected to establish the matter and charges set out in said document must be gotten from the employes, professors and students of the College for the obvious reason that the things complained of being in connection with College affairs, the evidence establishing these things must of necessity come largely from those connected with the College, viz., the employes, professors, instructors and pupils of the College.

"But that since all these are under Professor Harrington, and are therefore within his power to harm, we feel that it is imperative and absolutely necessary to the ends of justice and the discovery of the truth that you who alone have the power to protect them will give some positive and public assurance that you will if necessary exercise your power and will protect all such as may testify to the truth against Harrington, and though said testimony may reflect on you and be injurious to Professor Harrington, that

this committee feel that for these and other obvious reasons that it will be greatly handicapped in any effort which it may make to assist you in discovering the truth unless you in some positive clear cut manner give general assurance and grant this request.

"We respectfully ask that you act before any other steps are taken with regard to those phases of the investigation which this committee may be expected or may be permitted to assist in. We are also not advised as to whether this investigation is to be an open one, to which the public and the representatives of the press may be admitted and the entire proceedings may be taken down by a stenographer and made public.

"Will you please advise us as to this. Neither are we advised as to whether this committee will be permitted to appear in person and by attorney or other duly accredited representatives and participants in said investigation; offer evidence and interrogate such witnesses as may appear before or may be brought before those conducting said investigation. Upon this we would appreciate immediate advice in writing.

"We also beg to respectfully suggest that some comprehensive order should be issued by you directing all employes, professors and other attaches of the College to remain at College Station and be required to testify fully in connection with said investigation upon all matters about which they may be interrogated.

"We would appreciate immediate information as to your action upon this subject; also beg to suggest that some arrangements be made by which the pupils and parents whom this committee as you may desire to offer as witnesses may remain upon the campus in the same quarters and upon the same rates now paid by pupils and that an announcement as to this be made today if possible.

"Thanking you for such a reply in writing as will charge and indicate who the committee may be expected to, or may be permitted to do in connection with said investigation. Respectfully yours,

JAMES CRAVENS, Chairman."

#### Reply of the Board.

After receiving the communication of the committee from the Alumni Association it went into executive session and after discussing it until 4 o'clock an answer was drawn up and submitted to the committee as follows:

"College Station, Texas, June 9th.

"Mr. James Cravens, Chairman Committee Alumni Association Agricultural and Mechanical College:

"Dear Sir: Replying to your communication of this date, we beg to say that no one will be dismissed by reason of his testifying in this investigation, per se.

"Every one testifying will be expected to tell the truth and all of it. The Board may or may not, after the investigation is over, dismiss one or more of those who shall have testified. Further than this we make no promises.

"As we have previously advised you, we have ordered a full and thorough investigation of all matters relating to the present trouble at the College, and assure you that this investigation will be open and public, and we have employed a stenographer to take down the evidence.

"The parties presenting charges and the President will be permitted to appear in person and by attorneys. All persons in possession of information pertinent to this inquiry are invited and requested to appear and testify.

"While we do not consider it the duty of the Board to provide accommodations for parties interested in this controversy, yet for a limited time, within the discretion of the board, we will direct the steward to keep the mess hall open, where board will be furnished at the rate of \$1 per day



and said persons may occupy rooms in the barracks under the control of the commandant. Very truly,

"K. K. LEGGETT,  
"President Board of Directors."

### GRADUATING EXERCISES.

In the meanwhile graduation exercises were held.

The following were the graduates:

Agricultural Course—C. A. Burmeister, Tilden; W. L. Heller, Buca; H. H. Jobson, Mesquite; R. B. Neal, Leonard; J. R. Lauderdale, Lampasas; E. R. Robinson, Trenton; A. J. Smith, Branchville.

Animal Husbandry Course—C. M. Evans, Talpa; W. G. North, Cuero; C. E. Jones, Harvey; J. H. McLeod, Wills Point; H. Schmidt, Comfort.

Civil Engineering Course—For the degree Civil Engineer, R. E. Schiller of Burlington; for the degree Bachelor of Science in Civil Engineering, L. Adams of Buda, M. C. Spivey, Burke; V. S. Beall, Fort Worth; G. F. Moore, Fort Worth; A. L. Cornell, Italy; J. B. Crockett, Prosper; W. W. Washburn, Houston; I. Dale, Chillicothe; C. W. Homeyer, Burton; L. R. Jones, Walnut Springs; W. E. Sampson, St. Joe; R. H. Standifer, Greenville; J. A. Warden, McKinney.

Electrical Engineering Course—W. E. Bower, Jr., Stephenville; G. T. Brundrett, Dallas; O. L. Ellis, Abilene; Knox Lee, Comanche; A. Munson, Angleton; H. F. Foy, Baird; Jay Wray, Center Point; George E. Skaggs of Georgetown.

Horticultural Course—T. E. Holloway, Dallas; S. Lomanitz, College Station; T. E. McElroy, San Marcos; E. A. Miller, New Ulm; N. M. McGinnis, Terrell.

Mechanical Engineering Course—T. J. Beesley, Tracey; Dan Culver, Lampasas; R. E. Schaefer, Schulenburg; J. Dale, Chillicothe; D. B. Netherwood, Galveston; Hal Moseley, Dallas; M. Lindner, Comfort; A. B. Whittet, Anchorage.

Textile Engineering Course—T. A. Adams, Bryan; C. H. Fleming, Cisco; P. D. Casey, Tuscola.

### The Investigation Commences.

At 4:15 the committee, with Hatton W. Summers of Dallas as counsel appeared before the board and the investigation was begun.

Mr. Summers said the Board had neglected to state its action with respect to that clause of the communication requesting that the Board issue a general order for professors and employes to remain on the campus for the investigation and that they be requested to appear before the board and give testimony.

Judge K. K. Leggett, chairman of the Board said that that portion of its reply which asks everybody to come before the Board is answer to that clause.

Mr. Summers asked Judge Leggett if the Board had any power to subpoena witnesses, to which the chairman replied that the board had discussed that matter and if they had they are not aware of it.

"The attitude of this committee," said Mr. Summers, "is that much of the testimony must come from the teachers and employes of the College over which you at least have persuasive influence, and we believe that the Board should issue some order to assist in getting these people before the Board upon the request of this committee to testify to such matters as they may be interrogated by the committee."

The matter was discussed at some length and after Judge Leggett had stated that the Board had no power to prevent persons leaving, on motion of Mr. Petet the position of the Board, as stated in the communication was

adhered to with the understanding that the Board would deal as they arise with questions in reference to professors or employes refusing to testify when subpoenaed for the Alumni in the name of the Board.

With reference to the swearing in of witnesses, on being asked by Mr. Summers, Judge Leggett replied that the Board had no such power, but it has been agreed to have the witnesses swear before a notary.

Judge Leggett, replying to Mr. Summers, said that the Board had agreed that if there are objections to testimony they are to be submitted to the chairman without argument, and that if there was an appeal from his ruling it was to be made to the Board without argument and decided by that body.

In reference to a general investigation, Judge Leggett said it was not the disposition of the Board to confine itself to the thirteen charges made against President Harrington, but that the examination would be conducted over other charges that may be presented.

The chairman of the Board stated that the order in which the testimony is to be introduced would be left to the attorneys, with the Board reserving the right to fix a limitation of it.

"You are simply meeting as a Board to find out the facts," suggested Mr. Summers, to which Judge Leggett assented.

Mr. Summers stated that he had received no copy of the answer, to which Judge Leggett replied that no answer had been filed.

Judge Charles Rogan of Austin stated that no answer had been prepared, because no counsel had been retained by Dr. Harrington. "I am here as his friend, and I do not know how long I shall remain. I will remain here until more suitable arrangements can be made, as his friend to look after his interests. In some instances, a general denial will be made to charges, while others will be answered more specifically."

Mr. Summers suggested that the filing of an answer would expedite matters, for instance, if there should be an admission of confession and avoidance and the like.

Judge Rogan expressed the opinion that this was a matter which ought not to concern the other side. The first charge, he said, was that President Harrington was unpopular with the students. He suggested that this be taken up and the students examined with reference to it before they left the grounds. A general denial would be entered to that charge, as well as to the charge that he had had fist fights upon the campus and that he had made an assault with a shotgun upon a student.

Mr. Summers called attention to the thirteenth charge. This, he said, was made upon the responsibility of the committee of the Alumni Association, and it expected to prove that. The other charges were presented simply as matters which had been brought to the attention of said committee, and they had recommended that the Board should investigate them and offered the board assistance in the premises. He said that the committee would like to take this charge up and investigate it while the students were here. This is the charge that President Harrington's traits of character are such as to unfit him for the executive position as President of the College.

Mr. Summers said it was regarded as the most important charge. Judge Rogan said the President did not hold himself responsible for present conditions at the College. He asked if the committee after giving publicity to the other charges now disclaimed responsibility for them.

Mr. Summers said he did not wish to be so understood, and that the committee had made its meaning clear. It proposed proving the charge which it set out on its own responsibility and to assist in the investigation of the others.

President Leggett said he was personally in favor of throwing the doors wide open in the introduction of evidence upon the charges here made, and

then the Board could investigate such other matters as in its judgment were necessary.

Judge Rogan said that if no answer should be filed at all, the investigation should nevertheless proceed. It was before agreed that the taking of testimony should begin, and the oaths should be administered by S. E. Andrews, the notary public at the College. He was not to be found, and pending his arrival Director McInnis, who is a notary, administered the oaths. At 5 o'clock G. Board was sworn in as official stenographer, together with Messrs. Simmons and McCarthy, he took down the testimony for the whole investigation.

The Senior and Junior Classes, at the request of the Alumni, had promised to remain on the grounds, pending the investigation, or at least until it was known just who would likely be wanted as witnesses.

The patrons of the College held a meeting and appointed a committee to act with a like committee of the Alumni Association to attend the session of the Board of Directors during its investigation. Following is the committee: F. H. Burmeister, Tilden; J. H. Jennings, Martindale, and C. A. Menke, Hempstead.

#### Burmeister First Witness.

Frank H. Burmeister, lawyer and county surveyor of Tilden, McMullen county, was the first witness called. His son graduated today, taking honors during each of the four years. Mr. Burmeister came to the college upon this occasion Sunday. In response to questions, he testified as to conditions at the College from observation and hearsay. The feeling between the president and student body is hostile. He has come in contact with about fifty patrons of the College since coming here; they consider conditions deplorable and refuse to send their sons back next term if Harrington is still President, the witness said. This, he said was because they felt that at any time their sons might be provoked by Harrington's treatment to revolt, which would subject them to dishonorable discharge. Since February his feeling had been one of suspense, fear that the College might be closed at any time, causing his son to lose four years' good work. Asked if his son had gone on strike, he said the young man was a member of the committee which called on Director Peteet, but when the strike took place the young man was in the hospital with measles and was thereby possibly prevented from knowing of the walkout. Witness was asked if from his observation and conversations with other patrons he thought conditions would improve or grow worse if Dr. Harrington were retained as President. Objection was sustained to this question, and Mr. Summers laughingly remarked that he would not except.

The witness was cross-examined by Judge Rogan, who asked what grievance young Mr. Burmeister had against Harrington. He said that the answer to that question would be to give his son's opinion, but on being asked if the young man had ever expressed any personal grievances against the President or a personal complaint against him, the witness answered that his son had never complained to him. Witness was asked if he was hostile to the President and he answered that he would be hostile to any man that made a personal attack upon his son.

"But suppose your son were guilty of insubordination?"

"He should be punished without any question."

Witness reiterated that during the four years his son had made no personal complaint again President Harrington. Asked what was the state of his feeling against Dr. Harrington, he said that he had never met the gentleman, but had an opinion. He thought Dr. Harrington made a fine instructor, but was not capable of being an executive officer. He said that he did not know what produced the strike nor who organized it. In

fact, he did not know that it was organized. He suggested that possibly Director Peteet could give more information on that subject. He said he did not come to the patrons' meeting at the suggestion of anybody, but on the way to the commencement exercises that he heard there was to be a meeting and that he had attended.

The remainder of the questions asked the witness were hypothetical. Here was one of them: "Suppose the President of the College did not have the moral support of half of the Faculty and the boys had been induced to believe that this was a fight of the President upon some members of the Faculty and they knew the sentiments of that part of the Faculty and the boys had been assured that a number of the Alumni and ex-students were backing them in the strike and encouraging them to have no respect for the President of the institution, do you believe it would be possible for the head of any institution in such circumstances to have discipline?"

"If you can prove that," said the witness, "I will voluntarily assist in defending Dr. Harrington. I want to place the institution upon such a plane that our sons will have the fatherly care of a capable man."

Judge Rogan suggested that this did not answer the question. He repeated it, and the witness replied: "Undoubtedly not, but he ought to have found out and fired the Faculty."

"You blame the President for not discharging the Faculty?"

"Yes, if he has the power."

"Don't you know he hasn't the power?"

"Then let him get the Board together."

Judge Rogan then asked the witness if he didn't think that if a student held grievances he should appeal to the Faculty and then if he did not get redress appeal to the Board. Witness said he certainly so believed.

"If your son had joined in a strike would you have justified his actions if he had no personal grievance? Do you justify the action of any student in taking a class oath in joining in a strike, in defying the constituted authorities? Do you not understand that the taking of class oath is a defiance of all authority, including parental authority?" asked Judge Rogan.

"I don't believe a boy has any business to take any such oath or join a secret society to do either good or harm, but if you give me the facts in this particular case I will answer your question."

Witness said that he recognized the fact that when a student went on strike he placed himself against all constituted authority. Asked how his son was getting along before the strike, he said all right, but he had made no complaint whatever.

Mr. Burmeister did not regard the hanging of the President in effigy on April Fools Day as a serious matter.

On re-direct examination he said that he did not indorse a condition which drives the students to strike. Mr. Summers put a hypothetical question reviewing the work of the Alumni, asking if the witness regarded the securing of the boys to return to their studies, promising to right their wrongs, but telling them that the strike was wrong as not backing the cadets up in the strike. The witness said he did not.

The committee adjourned till morning.

After the events of the day during which the investigation into conditions at the College opened, the night was one of gaiety. The event was the annual ball and the great hall where the boys have been breakfasting, dining and supping during the year was ablaze with lights.

From all of the sections of the country around came the sweethearts of the students to dance and laugh the night away. Next door sat the President who was under fire. The music and the sound of shuffling feet came across the chasm. That was all.

WEDNESDAY, JUNE 10.

When the Board of Directors of the A. and M. College convened Wednesday morning it was announced by Judge Charles Rogan of Austin that Judge Sam R. Scott of Waco would formally represent President Harrington in the inquiry.

F. H. Burmeister was recalled to the stand.

The witness was questioned with relation to the suspension of the seven Junior students for an article published in the Battalion six weeks before dismissal. The boys were sent home recently. The judgment of the witnesses on such action was sought inasmuch as it is alleged that the deciding vote of President Harrington to break a tie in the Faculty and expell the students is alleged by the President's enemies was done with the idea of breaking up the commencement exercises. The witness declared that the Alumni had acted in good faith.

C. A. Burmeister, son of the first witness was called. He declared that the feeling of the Senior Class toward President Harrington was unkindly and that all but two or three of the upper classmen were without respect for the head of A. and M.

Relations between Seniors and the President have been strained since the strike. They never seemed to notice him when they met him. The head of the institution never assumed the attitude of friendly consideration for the students.

The events of the strike were considered. The Seniors came to Walton Petet, the only member of the Board to be found. Mr. Petet congratulated the boys on their organization and passed cigars. He showed a charm he said had been given him for leading a strike himself. That night he met the entire class. The boys were told to go back to work before their complaints could be considered. After the boys commenced to leave, the witness said, those of the Alumni came.

"What is your attitude toward President Harrington?" asked Mr. Summers.

"I have no respect for him considering the conditions," declared the honor student.

"What would be your attitude with regard to advising your friends to come to A. and M.?"

The witness started to say that he would tell them to stay away when stopped by an objection.

On cross examination the witness stated that he had applied for a position as night guard and was not appointed, while a student who had applied later did get the place. That, however, did not influence the witness, he declared.

The matter of a train from Dallas upon the occasion of a foot-ball game was considered.

It had been reported that President Harrington had attempted to fix the time for departure at 9 o'clock after arrangements had been made by the students to leave at midnight.

The boys objected to coming back at 9 o'clock.

"The unkindly feeling against President Harrington just naturally grew upon us," exclaimed the witness, "and there was a natural feeling of fraternity among us. When one boy had a grievance we all had. I had no personal grievance because I kept away from him. He always spoke in a gruff, haughty, cold manner. I did not want to see him if I could help it."

When questioned as to what President Harrington had said, the witness could not repeat the exact words. The witness declared he had joined in a strike to get the Board to consider the communication asking for the removal of the President.

Mr. Burmeister declared that the strike had been organized by mem-

bers of the Senior Class without consultation with the professors. The boys wanted Dr. Harrington removed because of the general feeling that grew between the boys and the President. There was a lack of sympathy.

"Did Rev. Nathan Powell try to get the boys to rebel against the President?" asked Judge Rogan.

"I never even talked to him and don't believe he did. As far as I know he had nothing to do with the organization. Some of the Senior Class had called upon Rev. Mr. Powell to return at the time of the investigation. The Board had announced that reasons for removing Dr. Harrington were wanted. The students had been given two days in which to prepare their charges. They presented all the charges they had evidence upon.

It was explained at one time the entire student body had been before the President and the boys had been called cowards and sneaks. Freshmen had been hazed by being strapped with belts; if the boys submitted they received two or three licks. Otherwise they received more.

The witness had participated in this hazing. The father of one boy who had been hazed had written to the President.

"How long has this been going on?" asked Judge Rogan.

"Ever since I've been here."

"You became offended when the President reprimanded?"

"That's no grievance."

"But you objected to what he said?"

"He called us cowards and sneaks."

"You believe in hazing?"

"Yes, it makes a man of the fellow hazed."

"Who does most of this?"

"Generally the Sophomores. Sometimes the Juniors. We never strapped a boy unless he had been fresh."

The matter of the trip to the foot-ball game last Thanksgiving at Austin was considered. The boys wanted to go by the International and Great Northern, but found that arrangements had already been made for special train via the Houston and Texas Central. The students believed that Prof. Harrington was responsible for selecting the road, although the Dean made the arrangements. Service had been poor and the Central train left Austin earlier than might otherwise had been on the other road. The witness stated that the effort to straighten out affairs at the College had been left in the hands of the Alumni since the strike was called off.

"Was the investigation of last February full and complete?"

"As much so as the students could make it at that time."

"And the Board indorsed the President?"

"Yes."

"Did not the students agree that they would not give up their efforts until Dr. Harrington was discharged?"

"I believe so."

"What did the Alumni promise?"

"An investigation," continued the witness. "There had already been one, but the Alumni did not know whether it was fair or full enough."

Class meetings had been held almost every day. Under the rules no such assemblage is permissible except under the authority of the President and as far as the witness knew no such authority had been obtained.

On re-direct examination the witness stated that President Harrington had never made an effort to prevent class meetings that were unauthorized.

Nothing had been done, said the witness to establish cordial relations between the President and students since the strike.

J. H. Furneaux, of Dallas, one of the patrons of the school, was next called to the stand.

He had issued the call for the meeting of the parents. Seventy-five or more came personally and one hundred and fifty letters had been written.

"What is the attitude of the patrons?"

"They believe Dr. Harrington has lost control of the school, and should be removed."

"What was the expression of patrons regarding sending their sons back to school?"

"They would not return their boys under Dr. Harrington.

"Why?"

"They do not believe that the students can do good work under the present conditions."

It was explained that there were six hundred patrons of the Agricultural and Mechanical College last winter, which had now dwindled to three hundred and seventy-five.

"Have you any grievance against Dr. Harrington personal in its nature that you would like this board to hear?" asked Judge Scott.

"I have a boy to educate. My son called my attention to the matter of the maintenance fund."

Mr. Furneaux explained that he had believed Dr. Harrington would resign or the board would remove him before summer.

"Could you, as a father, return your boy to school, Dr. Harrington remaining?" asked Mr. Summers.

"I could not."

"So you endorse the action of the boys in striking?"

"I don't see what else they could do. I do indorse it."

"How about the class oath?" asked Judge Scott.

"As to the action of the boys, yes."

J. H. Jennings was called. He is from Martindale, Texas, and a patron of the school. He had been at College at the time of the strike and said that the President and the students were not, and have not been, in harmony.

"What is the general condition as far as harmony is concerned?" asked Mr. Summers.

"Badly broken."

"Would you send your son back?"

"He couldn't get the good out of attending this school. It seems that the doctor has lost his influence over the boys. That places the school in a bad condition in the future."

"Do you know whether or not President Harrington is to blame for the lack of discipline?" asked Judge Scott.

"I do not."

In regard to hazing, Mr. Jennings said that he agreed with President Harrington in lecturing the boys, but should not have been so harsh in his language.

"We've all been boys," he explained.

George Brundette of Dallas was the first witness called at the afternoon session. His son was a graduate, receiving his diploma at the last commencement.

He declared that there seemed to be no respect for President Harrington among either students or patrons. Mr. Brundette said that he would not send another of his boys to the Agricultural and Mechanical College until the situation was changed. His son, who had graduated, had explained that the boys did not like the way Prof. Harrington had treated them.

In regard to hazing, he upheld the President in denouncing the practice, but did not endorse the way it was done because of the effect the words had on the lads.

The witness had never communicated with either the President or the Board upon the subject. The conclusion was held that affairs had gone too far to permit of another course than that adopted by the patrons' association—the removal of the executive head of the school.

Paul D. Casey, a graduate, described conditions at the College from the view point of the boys, declaring that harmony did not exist.

On cross examination it was stated that the cadets were unalterably opposed to President Harrington.

"Haven't you been active in keeping this spirit alive?" asked Judge Scott.

"I have not been idle."

"Were you determined, in connection with others, to force the president out?"

"Yes, I believe that is the only solution of the problem of how to improve conditions. Other men are better fitted for the place."

The witness told of the President visiting his room one night some time ago. Another cadet was present. The next day the witness was reported for not giving the name of the cadet visiting in his room. An explanation in writing was submitted by the witness. Mr. Casey declared that the president did not ask the name of the visiting boy and had looked at him when in the room. The explanation had been received coldly. President Harrington was said by the witness to be distant in demeanor, stinging in his remarks, and out of harmony with the boys. The student directly criticised the head of the institution. The witness recounted the events of the strike. He declared that if the Board of Directors had not entirely disregarded the petition of the students there would have been no strike.

#### THURSDAY, JUNE 11.

W. H. Furneaux ("Jack") of Dallas, was the first witness called to the stand. He is president of the Junior Class. On direct examination by Hatton Sumners, Mr. Furneaux testified that the feeling and mutual regard existing between President Harrington and the members of the Junior Class were otherwise than cordial, and kindly; that he knew of a great many cases where the boys did not think they had been treated with very much respect; that the President's attitude when he met the boys on the campus was cold; and he appeared not to care whether he spoke to them or not. Mr. Furneaux testified that he had no personal grievance against President Harrington, but that under the conditions existing at the College with Prof. Harrington as President he did not think it would be a wise expenditure of time or money for him to return as a student another year, and that that feeling was very general.

Cross-examined by Judge Sam R. Scott, Mr. Furneaux reiterated that he had no personal grievance. His father had been in attendance at the investigation, but had gone home. The witness had been one of the strikers, and when he had gone home on the occasion of the strike had talked a good deal with his father. The witness cited as one of the grievances of the students the case of Lemmie Jones, about which he had no personal knowledge, but had been informed that Jones, having been sick in the hospital for some time, wanted to go home and handed in his resignation; that a student leaving under such circumstances had some part of the maintenance fund coming to him, which the witness' information was that Jones had trouble in getting, and that when he did get it President Harrington signed the resignation and told Jones he was glad to get rid of him. The witness was satisfied his information about the Lemmie Jones case was the truth.

Mr. Furneaux testified to the causes and objects of the strike. He said the students had signed a petition to the Board of Directors, which the Directors do not recognize it at all, but turned it down and never said anything to the boys, and thereupon the only way the boys knew to get the Directors to recognize their petition was to go on a strike.

"The purpose of the strike was this," said the witness. "We had petitioned the Board of Directors to remove the President, and had given sev-



eral reasons, and it was pretty serious as far as the boys were concerned, but the Board of Directors did not look on it that way, I guess, and turned the petition down and never said a word to anyone, and the boys certainly thought they ought to be recognized and went on a strike. We did not know what we would accomplish by the strike. We thought as long as we were going to a school of this kind and could not get recognized at all that there were plenty of other good schools we could go to."

Judge Scott asked what the alternative was to prevent the students from quitting the school. The witness said: "We wanted the President removed. I would not say we wanted to break up the school if the President was not removed, but we were going somewhere else to school, and I guess if all the boys had left the result would have been to have broken up the school."

When the strike was started the witness expected all the boys to leave the school. He said he knew when the boys went into the strike it was in a way open defiance of the constituted authorities of the College, and pressed on that proposition by Judge Scott he said he guessed it was ourright defiance.

"You meant you were going to run this institution instead of the Board of Directors? It had to be run as you wanted it run or it was not going to be run at all?" questioned Judge Scott.

"We did not have that in our minds at all," said the witness.

"Wasn't that the effect of what you proposed to do?"

"It might have been, but we did not have anything like that in our minds at all. All we wanted was a square deal."

After the strike the witness said the Board gave the students a hearing. He was not present at the hearing, but his information was, and his belief, based on his information, was that the hearing granted by the board had not been fair and impartial. He said he did not know, however, of any circumstances that the students could have offered the Board which they were not permitted to offer. "All I know," said the witness, "is that the boys were not satisfied with the trial at all; they did not think they had a fair trial, and I was not satisfied, simply because the boys said it was not fair."

The witness reiterated that not having been present at the hearing he could only speak from the information that had been given him by the class representatives who were present. He said he had been told that a representative of the students got up after the hearing and thanked the Board for the fair and impartial manner in which they had considered the students' demands and expressed perfect satisfaction, but the witness could not tell why that had been done.

"Isn't the sole reason why you are not satisfied with the hearing because they did not remove President Harrington?" asked Judge Scott.

"No, sir; I would not say that."

"That is one reason, isn't it?"

"Yes, sir."

"Can you give any other reason?"

"Well, no, sir; I don't guess I can."

Mr. Furneaux said that when the strike was declared the Faculty sent for the class leaders and asked them to give the reasons why they wanted President Harrington removed, and they refused to give any reasons; that this action was taken because the students had already taken the matter up with the Board of Directors, whom they looked upon as the proper authority to pass on the matter.

Judge Scott inquired about the witness' participation in some hazing episodes, and the witness said: "When I was a Sophomore I strapped a few men. I just struck them a few times with a belt. It was all in fun, and I was treated in the same way when I was a Freshy."

Judge Scott wanted to know whether the boys who were subjected to the hazing submitted without being tied down and the witness said:

"Boys, as a rule, who come to this place know what to do when the boys come in to haze them, and they got down over a table," the answer creating considerable merriment, which was increased when the judge asked: "Which side up?" and the witness answered: "Bottom side up," the chairman having to rap for order. The witness said he had been the man who handled the lash on some few hazing occasions; that he knew hazing was against the rules of the Faculty, but the boys did it for the fun they got out of it, and for the good it would do the new boys who generally wanted to run the school, and he had never known a student to be hurt.

Mr. Furneaux said he went to the foot-ball game in Dallas, and that in his judgment it was a cause of complaint against President Harrington because he tried to have the train come back from Dallas at 9 o'clock instead of midnight. The witness also went to Austin, and he said he had a grievance against the President because of the handling of the trains on that occasion.

The witness said he did not know of a single student having been coerced into the strike.

"Do you know of a single, solitary one member of the student body outside of the Lemmie Jones circumstance that you mentioned awhile ago, who has any cause personal to himself to complain at the authorities?" the witness was asked.

"Let me see," he answered. "No, sir; I can not recall him right now. There are some, though."

Mr. Furneaux being excused Mr. Sumners said that he desired to inquire if a record had been kept relative to certain moneys of the maintenance fund being returned by order of the Board.

Judge Leggett stated that no record had been made of it, but that some member of the Board could make a statement concerning such order.

Mr. Peteet suggested that Mr. Leggett make the statement.

Judge Scott—It could be prepared in writing and filed later.

Judge Leggett then said he would state it briefly. He said it had been shown to the Board at a former sitting that owing to the epidemic of typhoid fever, commencing on May 20, 1907, the Faculty decided to dispense with commencement exercises. The President at that time was dangerously sick and was not conferred with relative to such action. The maintenance fund paid in by each student is the one in question. The school closed ten days before the end of the scheduled term. The President was sick some time after the close of school and did not attend to business until the middle or latter part of the summer. That the President was in doubt as to what disposition to make of the unused maintenance fund and refused to act without action by the Board of Directors. And that owing to the sickness of himself and family and other pressing matters, overlooked presenting the matter to the board. That several complaints or requests had been made for the return of the unused fund and the Board ordered it refunded because the school closed before the fixed time. It was only the unused portion returned.

Mr. Peteet—I would add that no person profited by the retention of the money during the time in question, as it was in the College treasury.

Judge Rowell—And it was never in the President's control, nor subject to the order of the President, as it was in the treasury of the College.

Judge Leggett—Mr. Peteet's statement covers it entirely.

Judge Scott—But is it a fact that the money was not subject to the order of the President?

Judge Leggett—The President doubted his authority in the matter, which was his reason for waiting for some action to be taken by the Board in regard to disposing of this unused portion.

Then Capt. Andrew Moses, U. S. A., was sworn as a witness. He was detailed by the War Department as professor of military science and tactics, and also served as commandant of cadets. He had entire charge of the military instruction of the student body under the President of the College, as executive head of the institution. The military rules required the boys to live in barracks, or dormitories, quartered by companies, seated in mess hall by companies and march by companies. They are under military discipline on the campus, and with the exception of the Senior privates, were under his immediate supervision at drills three times weekly, also while in the dormitories and mess hall.

Mr. Sumners—What is the general standing of the men in the corps as to decency and gentlemanly conduct?

Capt. Moses—From my personal knowledge and contact with the students I found them on the whole to be a splendid lot of young men, who, I believe, intend to do right with the light before them.

He then answered that it had never been difficult to enforce his rules; that by an appeal to the reason, sense of self-respect and duty to the institution they had supported him in good order and discipline. That at some times they have not agreed with him as to the best course to follow, which was especially true as to the strike, he said, but that their normal behavior was excellent except the refusal to attend classes during the strike, and that all of the cadets understood his position on that point.

Answering Judge Scott, Capt. Moses said that the commandant was immediately responsible to the President for the discipline of the corps while on the grounds and while off the grounds, if offenses were discovered.

“Does failure to attend classes come under your supervision?”

“All reports of absences and delinquencies are reported to the commandant and demerits entered, according to the rules.”

“Is it part of your duty to see that cadets attend classes?”

“I deem it part of my duty to know of absences. When absences are reported to me by instructors two days are allowed for the student to make explanation of such absence. If he fails to do so within that time it is understood that he acquiesces in a willful absence, and demerits are charged accordingly.”

“In case of continual absences, is a report made to the President?”

“In breaches of discipline report is made to the President and to the Dean, and such reports are referred to the discipline committee and then to the Faculty, who determine what punishment shall be meted. The President does not decide the punishment. The Faculty committee on discipline is composed of Profs. Alvord, Fermier and Commandant Moses.”

“What is the punishment for willful violations of discipline?”

“Graded demerits up to ten, and when that number is exceeded it goes to the Faculty.”

“No, but what can the Faculty impose as a penalty?”

“Each case is decided upon its merits, and no mandatory dismissal is provided. A number of offenses are subject to dismissal, but the punishment is optional with the Faculty. The circumstances usually govern each case.”

“But a deliberate violation on part of a cadet?”

“The regulations would authorize dismissal.”

Capt. Moses was asked as to the number of Faculty members, and said there were about twenty. He said he was present at the strike of the students and went before a portion of them.

“I understood that some members of the Senior Class felt that they could not stay at the school and intended returning to their homes. I asked the

members of the Senior Class to meet me, and they did so in a section room. I urged them to make no mistake, but to perform their duties and stand by the institution; that full justice would be given them in any grievance they might have. I talked thus to them the night before the strike, and had no further communication with them before the strike. I was never more surprised in my life than when I found the cadets on a strike the next morning."

"Yes, the strike might be said to be in direct violation of my recommendation," was an answer to a question by Judge Scott.

Capt. Moses testified that in his talk to the Senior Class he had pointed out how foolish it would be for them to leave the school only three months before the close and just when their College careers were to be consummated by the reception of their cherished degrees, and assured them that they would be given fair treatment. He said he had conferred with Cadet Major Standifer and Senior Class President Beesley previous to his talk, and requested the meeting through them. He also stated that he had talked with and advised the cadets at different times, and that some talked with him in confidence.

Judge Scott—Who gave you the first intimation of the prospective strike?

Mr. Sumners—I would suggest that Capt. Moses be not required to divulge what was communicated to him in confidence, as that matter has been considered favorably by the board on yesterday.

Judge Leggett—Such confidences will be protected, as agreed yesterday, when it was mentioned, and Capt. Moses is not expected to violate any confidence.

Judge Scott—Can you tell me who first informed you that there might be trouble?

Capt. Moses—I was told by President Harrington that a petition had been handed in to the Board of Directors by the Senior Class requesting his removal. That was the first intimation I had that there would be trouble. That was in the morning of the day I talked with the Senior Class. After that I saw Cadets Standifer and Beesley, as above stated.

"I learned of the strike at 7:45 a. m., fifteen minutes before first call. I went at once to the President's office and saw the Dean, who deplored the situation. I then went to the President's residence, where I discussed the matter with Dr. Harrington. A committee of three, Cadets Adams, Dale and another whom I can not just now recall, informed me of the action taken in deciding not to attend class. I told them that I would like to talk with them—that is, the class or whole corps—if they thought I could do any good or accomplish something. Their answer was that it would be useless, as they were determined in the matter and would not go back to class."

His impression was that the strike started February 6th and continued five or six days, the reply or report of the Board having been read to the Senior Class on February 13th, after which a large number of students left. He thought the school resumed normal about March 1st.

The commandant said he reported the facts to the President and subsequently talked with many members of the Senior Class, believing the under classmen recognized them as spokesmen. He said he had gone before the Senior Class and told them to return to their duties, otherwise they would be regarded as hostiles without the walls and could not be treated with. Thereafter the Senior Class committee saw the Board and the class returned to work the next morning.

"You thought the situation controlled by the Senior Class?"

"I believed it absolutely the afternoon I went before them, but I learned subsequently that such was not the case, as the three under classes could not be controlled by the upper classmen. I really thought I was addressing the whole corps at the time." He said he had had nothing to do with the former investigation and had not been a witness.

Mr. Sumners—What was the character of discipline during the strike?

"Excellent. The conduct was above reproach, except they would not attend classes."

"Were there any violent demonstrations or overt acts?"

"There was a parade started the night before the strike while I was talking to the Senior Class. The under classmen were parading with brooms, and when I addressed the head of the procession telling them it was improper, etc., all disappeared and returned to their quarters."

"Did you hear it said that militia was to be sent to the College at the time of the strike?"

"I did not hear it mentioned by anybody and do not know that it was discussed by President Harrington or others at the College."

"What was the attendance this session, at stated periods?"

"On the first morning report, made October 1, 1907, a total of five hundred and eighty-three students were on the rolls, on February 13, 1908, there were five hundred and fifteen, which was the last day of the strike; on March 1st, there were three hundred and eighty-three; on March 14th, four hundred and fourteen, and at commencement about three hundred and seventy-five, the numbers varying slightly owing to some going and others leaving."

Judge Scott—You have examined last year's attendance sheets and know the relative comparison?

Capt. Moses—I have looked at it, but can not remember the figures, but up to the corresponding period in question the attendance was about one hundred less. There is usually a less number at the close than at the opening and during the middle of the term.

Mr. Sumners—Was the difference at the close comparatively greater last commencement than that of a year ago?"

"Yes."

Judge Rowell of the Board then asked as to rules or customs in other colleges about the contact of students and President, whether it was personal or not.

Capt. Moses answered that he could only tell about that at the United States Military Academy at West Point; that there the cadets saw the commandant directly and rarely had personal communication with the superintendent of the academy, who occupies the same relative position as the President of the Agricultural and Mechanical College.

Continuing, Judge Rowell asked:

"Were there any regulations governing the publication of unauthorized or offensive publications in the College paper?"

"I am not familiar with them, but understand that there is such a rule. In the Agricultural and Mechanical College such a rule is to be found in the rules and regulations governing the students." (A red-bound booklet was handed him.) On page 51 he read paragraph 13 of regulation 7, which defines certain offenses as misdemeanors and punishable in different ways. Paragraph 13 read, in effect, that the publishing or causing to be published any newspaper article without the consent of the Faculty or President constitutes a violation of rule 7.

Capt. Moses did not think that all offenses under rule 7 were punishable by dismissal, but that they were punished according to the gravity of offense, though he was inclined to think it less than dismissal, but said it was purely a matter of interpretation and that had not interpreted it absolutely; that the Faculty could do it, but did not know if it had ever done so.

Judge Rowell—Could a dismissal occur for unauthorized publication under the rules read?

"Per se, no, unless some other offense was involved." He added that

there was no fixed punishment which, therefore, would permit each Faculty member to vote for the punishment he saw proper.

"Do you know of any rule requiring publications in the College Battalion to be submitted the Faculty?"

"Yes," from the minutes of the meetings."

"Do you know whether it was enforced this session?"

"It was not enforced this session so far as I know, and I had heard that it was not."

"Whose duty is it to take notice of such unauthorized publications and report same to the Faculty?"

"Had I felt that I was the only member of the Faculty who knew of such objectionable article I would report it to the President."

"If an article is censored and published and found objectionable no punishment can be inflicted," he said in reply to a question.

Judge Scott—Under article 7 there is no specific punishment prescribed; therefore could not anything from reprimand to dismissal be inflicted?

Capt. Moses—No, because another rule prescribes what offenses are subject to dismissal, and as rule 7 mentions a number of minor offenses, it would be absurd to think they would be subject to dismissal.

Judge Scott—I see the point—it is right.

Judge Scott—But is it not the publication of an article attacking the President of the College a grave offense?

"It is, most assuredly."

"What is the difference between suspension and dismissal?"

"I understand that under an agreement with the State University, and possibly with other state institutions, a student dismissed at any of these schools will not be accepted at the others, but a suspended student may attend other colleges." (The seven Juniors of the Battalion staff were suspended.)

Mr. Sumners—Has the rule for censoring the College publications been enforced?

"Of my own knowledge I do not know."

Judge Rowell—Does the United States Military Academy have rules regulating publications similar to this College?

"I am not prepared to say. It has been a long time since I was there, but I believe there is, but am not willing to say what regulations or what punishment prevails at West Point for such offense."

"What would have happened at West Point if students had refused to attend class?"

"The cadets would have been charged and tried by court martial for willful disobedience of orders."

This concluded Capt. Moses' testimony.

#### Harrington's First Witness.

Charles H. Alvord was the next witness. He was assistant professor of agriculture at the Agricultural and Mechanical College from Sept. 15, 1899, to June 15, 1902, when he left on other business and returned to the College March 26, 1907, as professor of agriculture. He had been acquainted with President Harrington since 1899, at which time the President was professor of chemistry, and was connected with the chemical work at the experiment station. The witness said, in answer to questions by Judge Scott:

"What I know of Prof. Harrington's work in that position was gained from an intimate relation with the students who were working under him, and I remember that it was considered at that time that a man who took work in the chemical department was certain to get good instruction, and looked upon that work as some of the most valuable work he could get in the school. I know the work was held up to a very high standard, and the

Seniors, especially, considered that their work over there was of great importance to them. I remember particularly some of the boys in my classes speaking about the work they were getting in the chemical department."

"I never heard," continued the witness, "of any trouble between President Harrington and the students until the morning of the strike. I opened my class-room door and took my place at the desk, but no one appeared. I stepped out in the hall, and one of the instructors told me, 'There is nothing doing this morning,' and further told me that the students had agreed not to attend classes until the Board had reconvened and granted their petition. I met one of the Seniors in the hall and asked him what the trouble was, but I could get no answer from him or any other Senior as to what the trouble was.

"As soon as the trouble arose I considered it my duty as a member of the Faculty to try to get the boys to stay by their work, and I talked with a number of them, not to coerce them in any way, but to show them, if possible, the fallacy of the position they were assuming. I talked with a number of them from time to time, and I remember distinctly one of them who was working for me during the strike, whom I talked with kindly and entreated him to tell me what the trouble was, and I could not get anything out of him except that he could not stay at the College, and the fellow would choke and burst out crying. Apparently he was wrought up to such a pitch that he had lost control of his emotions. He had no personal grievance against President Harrington that he would state to me. None of them ever gave me any reason for the action they were taking except that the Board did not grant their petition. I have asked them, 'What have you got personally against the man you are so bitter against?' and it was always some one else that had been aggrieved."

"I will ask you to state whether or not," said Judge Scott, "you found the condition existing from your investigation among these students that there was a portion of them who were not in sympathy with this move, but were taking the course they did by reason of an obligation which they had taken, which was in the nature of a coercion?"

"I am inclined to think that is true, not particularly from what they told me, but from my observation. When the Faculty gave the ultimatum that the students must attend their classes or be suspended I noticed there were a good many boys standing around the doorway of the dormitory, and if a man started out with his books they shouted 'piker' at him, and it would require a boy of a good deal of will power to go out of the dormitory with his books in his hand and attend class, and there were very few who did, but I noticed in every doorway there were a number of men standing around."

The witness said that when the strike was started the Faculty did everything in its power to ascertain the seat of the trouble, but no attempt was made to prefer any charges against students or handle them for the things they were doing. "We did all we could with the men personally," the witness stated, "to get them to stay here, but the movement had grown so strong at that time that it could not possibly be stopped, and they went home."

Judge Scott asked Prof. Alvord about his observation of the conduct of President Harrington. The witness replied: "I have not been any closer to Prof. Harrington than any other member of the Faculty, but in the regular routine of work I had business in his office, and I have been there when cadets came into present petitions for furloughs, and I never saw anything that gave them cause for grievance as far as President Harrington's demeanor was concerned. Boys would come in and he would speak with them about their work and ask how they were getting along, and invite them to come back again, and I never could see any reason for any chilly feeling. I have not observed any difference between Prof. Harrington's conduct during the last session and his conduct formerly."

Judge Scott then questioned Prof. Alvord categorically about the allegations of charge No. 13, made by the committee of the alumni.

"Is it a fact or not in your judgment that 'the President of the Agricultural and Mechanical College has lost the respect of the student body?'"

"I think it is not a fact."

"And does not possess their confidence?"

"I presume there are some men in the corps of cadets who have separated themselves from his influence voluntarily, but I do not think he has separated himself from them when they are in their proper sphere."

"That there is a bitter enmity between them and him, and discord, strife and discontent prevail.' What do you say about that to the Board?"

"I think there are some cadets here who have an enmity toward the President, but I have not seen anything to indicate anything but the utmost forbearance on his part toward the cadets, as long as they were within their proper sphere."

"Do you know of any unkind feeling between the instructors and the President such as would render him unfit to discharge his duties?"

"No, sir; I think the President of the College has treated every one with the utmost consideration, and has been especially attentive in a number of instances to the welfare of different departments in the College."

Judge Scott then took up the methods of discipline in the College. The witness testified:

"As I understand it, the regulation of the student body and the regulation of the College academic affairs is vested in the Faculty. I think the Faculty is responsible for the enforcement of the rules and regulations of the institution."

"If the rules and regulations are properly enforced," questioned Judge Scott, "tell the Board whether or not in your judgment the school can be continued in its normal condition with Prof. Harrington as its President."

"I see no reason why it should not."

"In your judgment, can it?" persisted Judge Scott.

"It can; yes, sir."

"And in your judgment, will it?"

"If men will do as they say they will do, this trouble will never occur again."

The witness said he had never observed any disposition on the part of President Harrington to be dictatorial, but had found him otherwise. As a member of the Faculty he had submitted propositions which he wanted to carry through to the President, and had always found him ready to discuss them with him. The witness said, however, that he had known of some cases of dissatisfaction with the President's work. "I looked upon that," the witness said, "that the man was a little petulant because he had not gotten something that he wanted for his department, and felt a little bit aggrieved about it, but I always looked upon that as a natural sequence of a man not getting what he wanted. It has occurred with me several times that I have had propositions that I wanted to carry through and I have not succeeded in doing so, but there was no occasion for my getting mad or surly about it."

The witness said he knew Nathan Powell, who had previously been chaplain of the College and also professor of modern languages. Prof. Powell is not now connected with the College, but the witness did not know the cause for his retirement. The witness said Prof. Powell had been a little bit put out about some movement he had on hand to purchase a pipe organ for the assembly hall, and claimed to have a grievance because the pipe organ was not purchased, but the witness did not know exactly what the circumstances of the grievance were.

The witness said he knew Prof. E. C. Green, who had formerly been con-



nected with the College, but is now connected with the United States Department of Agriculture and stationed at Brownsville.

Judge Scott then made a statement to the Board that he wished to prove that the witness Alvord had heard read a letter purporting to have been written by Prof. Nathan Powell to Prof. Green bearing upon the removal of Prof. Harrington from the presidency of the College, and then he wished the witness to state his recollection of said letter. Judge Scott explained that he asked permission to take this course at this time because of the intention of Prof. Alvord to leave for Panama today, and that Prof. Green had been wired to send the original letter to the Board; if the letter should be forthcoming, then Judge Scott would ask that Prof. Alvord's statement of its contents be stricken from the record and the letter itself inserted. Some difference of opinion developed among the members of the Board as to the propriety of this procedure. Mr. Hatton Sumners having objected to it, and the matter went over for discussion in executive session at the noon recess.

Prof. Alvord was then examined concerning the return of the students after the strike, and the discipline maintained since that time. He said:

"My understanding was when these boys were taken back they were taken back on an individual pledge that they agreed to support the discipline of the College. I was in the dean's office when they came back, and he read the pledge from the book, and each one answered for himself. My understanding was that we were to take them at their word and give them all the freedom they deserved, and even more, because we had each man on his individual honor, and a great many different things were passed over by the Faculty with the full knowledge of what was going on and for the purpose of continuing things without any outbreak until school was out, but each time the thing was passed over it seemed to be worse, and finally the matter was brought to a focus by the bringing of the staff of the Battalion before the discipline committee on a charge of publishing articles which were offensive to the Board."

Witness was further interrogated by Director Rowell as to the publication in the Battalion, which article reflected upon President Harrington. He said the article was considered a misdemeanor under the rules and also an infraction of the individual pledges given by the students at the time they returned to work after the strike.

He was asked by Mr. Sumners if any of the members of the Faculty in voting upon this question were guilty of disloyalty. He answered that he accorded to every one of them the same freedom of thought that he claimed for himself. It was a question of judgment and discretion as to what punishment they ought to inflict upon the offending students.

Director Rowell here took up the memorial of the alumni and questioned the witness as to the charges which the alumni presented upon its responsibility. He said he had never observed that President Harrington was high-tempered, domineering or offensive to a majority of the Faculty. If members of the Faculty were not in touch with him then it was due to their own conduct. He had heard it intimated that some of them were out of touch with the President, but give positive assurance that only two members of the Faculty were fighting him. He knew of no instructor or professor having left the College because they could not yield to Harrington's wishes except at the sacrifice of the College's good.

Witness was then questioned about the meeting of the faculty which considered the objectionable article published in the Battalion. He was asked when and for what purpose Dr. Harrington had left the chair. He said President Harrington left the chair because some members of the Faculty had suggested the grave possible consequences which might ensue from the action they might take, and Prof. Harrington took the floor and said that he had a letter from the Board expressing the desire that the matter should be investigated and that the guilty persons might be adequately punished. He

said the Faculty had been considering the possibility of the boys striking again if the Faculty should punish some of their number.

Adjournment until 2 p. m.

Prof. Alvord was recalled in the afternoon and Mr. Sumners asked him a number of questions about his college career to show that the crime of hazing, charged up to some of the cadet witnesses, was practiced generally in American colleges, and at those attended by Mr. Alvord. The latter said he had been a student at the Michigan Agricultural College and two others; that they had rules against hazing, but nevertheless it was practiced there. He said he had never been hazed because he had entered the Junior Class, though the Sophomores did interview him one afternoon. He said that the extent to which it is carried and the element of viciousness in it was what caused its condemnation, though otherwise it was not so bad.

#### Editor Holloway of the Battalion.

T. E. Holloway of Dallas, just graduated, was the next witness. He had been editor of the College paper, the Battalion, in 1906-07 and last fall, and since then had been an editorial writer on it.

Mr. Sumners—Have you ever discussed any editorial in it with Dr. Harrington?

"Yes. He called me up and spoke to me about something last fall."

"Do you know the feeling between the student body and Prof. Harrington?"

"Yes. It is one of dislike and disrespect, I think."

"What was the article in question?"

"I'll read it. It was published Oct. 10, 1906." Mr. Holloway then proceeded to read it, it being reproduced from the Uplift Number of World's Work, and was most laudatory of Dr. D. F. Houston, President of the University of Texas, former President of the Agricultural and Mechanical College, and of Dr. Edward Alderman, President of the University of Virginia, giving them high rank as educators.

"What did Prof. Harrington say about the article?"

"He said it contained false statements."

"In what way did he talk to you?"

"In a cold, gruff manner."

"What effect did it have on you?"

"It made me mad at the time, and I said little in reply."

"Did Prof. Harrington make any other criticism of it?"

"He did by stating that if the Battalion was to be run that way it would do the College no good and that a man of average intelligence and information would not do it."

Cross-examined by Judge Scott the witness said that he had no personal grievance against Prof. Harrington other than the one he had named. Dr. Harrington was never discourteous to him except at the time mentioned, and he had never been discourteous to Dr. Harrington. He did not personally know of any disrespect shown by the student body toward Dr. Harrington or of any personal disrespect shown by Dr. Harrington to any of the students, except when he was talking to them upon the subject of hazing, when he spoke in a cold, gruff manner. It developed upon further questioning that witness had reference to a talk which Dr. Harrington made upon that subject in 1905, and he said he was not present when Dr. Harrington lectured the boys upon the same subject last fall. He admitted that it was well known as early as 1905 that Dr. Harrington was very much opposed to hazing, but he denied that hazing had been going on "just the same." He said there was very little hazing in the session of 1906-07, only some isolated cases, but in the session just closed hazing took place frequently. Witness had never taken any part in hazing. He was pressed to say that he knew it

wouldn't be well for him to do so; also that if he had reported such violation of rules and defiance of discipline to the President or Faculty, he would have been punished by ostracism. He said he did not know that such was the case, but admitted that ostracism was the punishment visited upon a boy who had been hazed and made complaint of it.

Concerning the investigation made in February last, witness said that he had presented to the Board the grievances, which he had told of here, and there was nothing to prevent his giving the Board any other information he might have possessed.

At this juncture Judge Scott handed the witness a newspaper, calling his attention to a certain article, which he said had been forbidden publication in the College paper, the Battallion. Witness said he understood it was gotten up by the Sophomores, and he was present when Prof. Fountain threw it out for publication in the Battallion.

"Did you afterward have something to do with it, or a part of it?" he was asked.

"Do I have to answer that question?"

Chairman Leggett—Yes, sir.

The witness repeated his question to Mr. Sumners, counsel for the Alumni, who said it would make a bad impression if he did not answer.

"The Board has no power to make you answer", said Chairman Leggett, "but so far as I am concerned, if you do not answer I think the Board should throw out all your testimony."

The witness then answered: "In regard to Brannin's article, I copied it without his knowledge or that of anybody else and got it into the newspapers."

Brannin, he explained, was the editor of the Battallion, and had written only a part of the article which had been referred to.

The witness Holloway said that he got the article that he had copied into the papers through a correspondent. He refused to say what correspondent, but there was an agreement with the correspondent to get the article into all the papers, if possible.

"I thought the article should go before the people," the witness said. "It related to the Agricultural and Mechanical College situation and it ought to be put before the people so that the people of the State should understand the censorship of the press going on at the College and should know what the students thought about the same. I indorsed the article and it was true in all respects."

"Was that correspondent a man who was connected with the school in any way?"

The witness appealed to President Leggett to know whether he had to answer the question. The ruling was that the Board considered it was a question which ought to be answered, but the witness had the privilege of refusing to answer. This course the witness took. Thereupon there was a conference between the Board and attorneys as to whether the entire statement of the witness should be excluded, and the final decision was that the testimony of the witness should remain in the record. Then the witness refused to answer the following question propounded by Judge Scott:

"Is your refusal to testify and answer these questions I put to you based on the violation of a confidential relation that you occupy with reference to those who are interested in this matter?" and "Do you put it upon that ground?"

"Is it not a fact that there is a compact, agreement or understanding, to which you are party, together with others, that you will not divulge the true facts of how this matter has been arranged and formulated, and is not that the reason why you decline to answer this question?"

Mr. Sumners said he had information that the witness believed he should not answer the question until he had an opportunity to consult with a fellow

classman and get his permission to reveal the information asked for. Judge Scott called attention to the fact that the witness had not asked for that privilege.

#### Prof. Blake Examined.

The witness was excused temporarily at this juncture in order to examine Prof. J. C. Blake, who would be inconvenienced by remaining longer in attendance upon the investigation. Prof. Blake is professor of chemistry and mineralogy and has been such two years. He has become acquainted with the existing conditions. On direct examination he said: "I believe there is entire discord between President Harrington and the student body. In my judgment good work can not be expected in the institution with the present body of students, if President Harrington is continued in that position."

Cross-examined the witness said he had reached his conclusion because of the bitterness that has been engendered since the strike. As a member of the Faculty he voted originally to suspend the boys who refused to return to their studies, and to suspend those who had violated the rule against the publication of articles and would have voted in the same way in all other matters of discipline if they had been taken up, but they were allowed to lapse by the Faculty.

Prof. Blake was asked: "Is it not a fact that President Harrington had used all the efforts he could that you thought were proper to enforce discipline among the students since the strike?"

He answered: "I will have to give you a conditional answer. I believe if he had done anything more it would have made matters worse instead of better. Looking at it that way I voted as I did. I believe that under present conditions, the students will not obey the school authorities with Prof. Harrington as President."

The witness would not say that President Harrington should be removed in preference to sending the students away.

Taking up his personal relations with President Harrington, Prof. Blake said that sometimes the President was very pleasant, but at other times more morose, but he had never made any demands on Prof. Blake that were unreasonable, and the witness did not know of his own knowledge of any unreasonable demand on any other member of the Faculty. He knew nothing of the charge of a murderous assault by Harrington upon a student, nor the use of profane and obscene language. As a teacher the witness believed that up to the time of the strike affairs at the College were in a normal condition. There were two members of the Faculty with whom Harrington had not been in touch, these being Prof. Hutson and Dr. Gilbert, but he would not say the President did not have the esteem and confidence of the others. There have been three or four of the Faculty leave, but the witness did not know that Harrington was the cause of their leaving. Prof. Nathan Powell, Prof. Marshall and Prof. A. A. F. Conrad were remembered by the witness as having left the College.

#### Harrington on the Defensive.

As to the charge that President Harrington had used the methods of a politician in endeavoring to retain his position, the witness testified that he had received the impression that Harrington felt his position was threatened and has been more or less on the defensive. He gathered this impression, he said, from a sort of guarded manner at times on the part of the President, and the witness believed there was some truth in the charge that Harrington had been trying to retain his position.

Prof. Blake knew nothing of the withholding of any portion of the maintenance fund by the President, nor about his drawing salaries from more than one position. He knew nothing of the purchase of intoxicating liquors.

The witness then testified to the disrespect shown by the students to the President, as has been told by others, and that no action has been taken by the Faculty because the Board of Directors had readmitted the boys without the consent of the Faculty, and as the Board had taken the matter in hand they ought to settle it. He did not think that Harrington had done any worse in the steps he had taken to maintain discipline than the witness himself had done.

Mr. Holloway was recalled to the stand by Mr. Sumners. Judge Scott asked him to name the members of the committee to whom the students turned over their grievances after the strike. The witness hastened to ask, "Do you want the name of the correspondent?"

Judge Scott told him to wait with that, and the witness then said that the alumni committee referred to consisted of Messrs. Law, Tarver and Tabor.

Judge Scott then said witness might give the name of the man through whom he had secured the publication of the article referred to when he was upon the stand before and whose name he had previously declined to give.

Witness said that the man was Mr. Casey, a student at the College, who had just graduated. He added that he divulged the name because Mr. Casey had given him permission.

Judge Scott then said that he would take up other questions that the witness had declined to answer. He asked if there was not an agreement that none of these facts should be disclosed without violating their word. Witness replied that there was no such pledge, but that there was an intangible understanding which amounted to about the same thing and was binding upon all of them. They were to support each other. He said he did not understand that they were to decline to give their reasons for the demand which they made upon the Board. He admitted that they did refuse to tell the Faculty about it, but he declared that this was not the result of an understanding, but because they expected the board to act upon the matter. He admitted that the Faculty had a right to demand the reasons for refusing to attend classes, and that this was in defiance of constituted authority.

He said that they did not refuse to give the information to the Faculty because they wanted to defy authority but wanted the Board to act upon the matter. They believed it was unnecessary and would be unprofitable for the Faculty to act upon the matter. He said it was not his understanding that they were to continue their action until Harrington was removed. He said he recognized Dr. Harrington's authority all along and had not broken the rule. That was generally true of the other boys, although the hanging of the President in effigy would come under a violation of the rules. He said he did not take a part in this but witnessed it, and while he did not approve of it, he did not express his disapproval. He was asked as to the names of the men who had committed this act, whereupon he said he was mistaken, that he had not witnessed it but had gotten it confused with the so-called dedication of Harrington Hall on April Fool's Day.

In reply to questions witness said that he had a conversation with Dr. Harrington some time after the strike, when Dr. Harrington showed him a letter offering \$60 a month and board for a man to be the principal of the State Orphans' Home. Dr. Harrington offered to recommend him for the position, but the witness had made other arrangements and declined it.

"How about the coercion of students?" was the next question asked by Judge Scott.

The witness evidently misunderstood the question. He answered:

"The Seniors had the advice of one person about getting up the petition for the removal of President Harrington."

"Who was that party?" asked Judge Scott, betokening some surprise.

"I don't know that I am at liberty to give his name," the witness answered:

"I ask you for his name," said Judge Scott. "This is a fair, full and open investigation. We want the facts, all the facts, everybody that had anything to do with it. You know whether you got that in confidence or not, and I ask you to answer that question."

"I refuse to answer."

"Was he a student of the College?"

"No, sir."

"Was he an instructor?"

The witness hesitated for a moment and then blurted out the answer:

"Well, he was an instructor. He occupied a minor position."

In response to further questions the witness said this man came before the Senior Class. They had been informed that the Board at that time was conducting an investigation of Dr. Harrington in regard to irregularities in College. He had no personal knowledge about the matter. The class assembled to decide what action they would take in connection with the matter. Witness did not know whether the man in question had been sent for to advise them, as witness came in after the class had assembled. The man advised them to present the petition, which they did present. Witness declined to say what department this man was connected with.

"Is there somebody behind you that you do not want to uncover?"

"May I speak to Mr. Sumners," asked the witness.

He was given permission to do so, and Mr. Sumners said that it was a matter he could not advise him about; that he must consult his own conscience and judgment. He suggested that Mr. Holloway might see his informant as he had in the other case.

Director Rowell in the chair said that he felt that the Board wanted all the facts to come out and that the name ought to be given, but that he had no power to compel this to be done.

In response to questions asked by Director Poteet, witness said that he felt bound by an agreement made at that meeting and felt that he had already given information that he should not have given.

Judge Scott addressed the Board. He said he did not feel that in an investigation of this kind anything should be kept back. The students had demanded a full investigation. There was reason to believe that there was an influence behind this entire thing and responsible for it. If those engaged in it had gone into an agreement not to disclose the facts and that agreement was respected the Board would never get at the truth. The very fact that they had entered into such an agreement was in violation of the rules of the school. He insisted upon the question being answered.

Judge Rogan said that the alumni in the memorial they had filed with the Board had offered their assistance in bringing out the facts. That memorial had been sent broadcast to the press. It had been said that the investigation in February was not full and fair. He insisted that this investigation should unearth everything. Let it hurt whom it might. It was the duty of the alumni committee to tell these witnesses to tell the truth, the whole truth and nothing but the truth.

Mr. Sumners, counsel for the alumni, said his clients had employed him to do everything possible for the interest of the College regardless of whom it might hurt. And he thought he could speak for the sincerity of the membership. He resented what he termed the insinuation that the Alumni Association was endeavoring to suppress the truth.

Judge Rogan disclaimed that he intended any such reflection. Mr. Sumners said that it might be a misguided notion, but if the witness felt that he could not divulge the confidence his notion must be respected. He said the boy was the son of a brother lawyer in Dallas, and when he asked for advice he felt it his duty to tell him that he must consult his own conscience.

Director Haidusek said that the witness ought not to be made to answer unless he wanted to. This is a free country.

The chair, Mr. Rowell, repeated what he had said before. He said that he was urging that the witness violate a confidence.

Judge Scott suggested that a precedent might be laid which would render the managers of any educational institution powerless to lay bare any conspiracy, but the chair said such is not the case. The Board undoubtedly had power to compel the students to testify, but Mr. Holloway was no longer a student, having graduated.

At this juncture the witness asked permission to confer with the Senior Class, but just as he was leaving the stand one of his classmates whispered to him that he was mistaken about any understanding of secrecy. Young Holloway faced the Board with a look of relief upon his face and advised that he would answer the question. He said he had gone to the class meeting on the night in question after it had been in session for some time. After he reached there Felix S. Puckett of the farm husbandry department, advised them to send their petitions to the Board. He understood that two Seniors had just had the petition typewritten and brought it with them. Witness did not know whether Mr. Puckett had been sent for, but thought he was acting in pursuance of a request. The next day the petition was presented to the Board and the next night the agreement to strike was entered into.

At this juncture Mr. Sumners said that an entirely new matter has been opened up, and he suggested that all students should be excluded from the room, as any of them might be called as witnesses. This suggestion was acted upon.

Witness was then questioned about the strike. He said the students had two meetings the night before the strike. At the first meeting it was decided to continue attending classes. Late that night there was another meeting which witness did not attend, thinking the matter had been settled. Witness denied that there was any agreement or understanding to make an effort to oust others connected with the College after disposing of President Harrington. He was asked if there were any other caucuses or meetings where professors and instructors advised the students. In this connection he told of the advice which Prof. Alvord and Capt. Moses and Physical Director Larsen had given the boys, his testimony upon that subject being a repetition of what Messrs. Alvord and Moses had testified.

Mr. Holloway said: "At the time we went on strike we expected the support of Prof. Kyle and Dr. Gilbert. Without having any pledge as to the support, from what we knew already we supposed in a general way they would support us. We did not have any promise to that effect. When we were at the meeting at which Mr. Puckett was present he told us that if President Harrington was not put out Dr. Gilbert and Prof. Kyle would be fired at once. I think, or at least sooner or later.

"That was one reason," continued the witness in response to questions by Judge Scott, "why we prepared that demand and gave it to the Board at that particular time. It was the main reason, I may say, backed up incidentally by these other things.

"Mr. Puckett did not tell us that we would have the support of Kyle and Gilbert, but general rumors gave me the impression. The last day of the strike when everybody was leaving, Prof. Kyle saw some of us who were in his section and told us to come down to his house that night to dinner, as it seemed we were all going to leave, and we went down to his house to dinner, and he was very much against Prof. Harrington, but he did not say anything about his support. In fact, we thought everything was ended at that time, and we were all going home and not coming back. We had a general conversation about the state of affairs and about Prof. Harrington, and we discussed the article in the Battallion and the old details."

### Praise for Gilbert and the Nurse.

The witness further testified: "Some weeks before the strike the boys understood that Dr. Gilbert was to be fired then and to express our opinion about it. The Senior Class fixed up some resolutions concerning the work that Dr. Gilbert and the nurse had done for the boys during periods of sickness in the hospital and on the campus, and we took the resolutions down to Dr. Gilbert and the nurse, the resolutions being in praise of the work they had done, and Dr. Gilbert thanked us. We wanted to publish them in the Battalion and the daily papers, but Dr. Gilbert objected and said he would not have anything published".

The witness said the boys believed that Mr. Abney, an instructor in the civil engineering department, was in sympathy with the boys, but did not know that Abney ever gave them to understand that.

"Did you understand, Mr. Holloway, whether or not Mr. Puckett, when he mentioned Dr. Kyle and Prof. Gilbert to your meeting, was representing them in any respect or was kind of speaking for them, or pretending to represent them in any capacity."

"I think he was representing them—at least, representing Prof. Kyle."

"What did he say that makes you think he was representing Prof. Kyle?"

"Well, I do not remember exactly what he did say, but I got the impression that he came from Prof. Kyle."

"Do you understand that these gentlemen, who brought these papers, came from Prof. Kyle's house?"

"No, sir."

"Where did they come from?"

"I think they were having the petition typewritten."

Director Walton Peteet then examined the witness and ascertained that the meeting at which the petition was prepared was a class meeting, but the witnesses did not remember how the men had been called. The Board was in session at the time and it was rumored on the campus that they were investigating President Harrington. Up to that time it has been the intention of the boys by common consent to wait until commencement and then present the petition for Harrington's removal, but the rumor that the Board was investigating the President and the information brought by Mr. Puckett about Kyle and Gilbert caused the petition to be filed at once.

Mr. Peteet drew out the fact that up to the time the Seniors decided to go out on strike there had been no meeting of the Junior Class, but when the Seniors reached their decision they notified the Juniors and the Juniors followed the Seniors. After the Senior Class resolved to go back to work pending an investigation by the Board of Directors, the Seniors tried to get the Juniors to go back, but were not successful.

The witness said that the committee of the class which was appointed to prepare the charges reported, "That they had seen members of the Faculty, at Director Peteet's suggestion, Prof. Hutson and probably Prof. Kyle and Dr. Gilbert, but I understand that these members of the Faculty did not act with the students. I know Prof. Hutson did not, and I think Gilbert and Kyle did not, either. The committee did not report having conferred with any other members of the faculty."

On re-direct examination by Mr. Sumners, Mr. Holloway said that a strike was never contemplated till this year, but at the end of the session of 1906-07 there were rumors that the Senior Class of 1907 would present a petition to the board immediately after commencement asking for President Harrington's removal, and that in 1906-07 the students did not have confidence in the President. When the petition was circulated for the President's removal there was no difficulty getting signatures and the willingness to sign the petition had existed before. Mr. Puckett never made any talk to the students. The witness did not mean to say that Kyle and Gilbert precipitated the strike,



but that the strike was precipitated by the knowledge that they would be removed in a short time, and they were popular among the pupils, especially Dr. Gilbert, who was better known than Kyle, and nobody knew of any reason why he was to be removed except personal differences with Dr. Harrington.

Witness said that when they signed the petition they believed that the Board would remove Harrington and they could save Kyle and Gilbert. After the investigation, they concluded that the Board could not under the circumstances, remove the President at that time, but they nevertheless felt it should have paid some attention to their petition. Profs. Kyle and Gilbert, he said, were members of the Alumni Association. He said that afterward they did not enter into any formal agreement to renew the fight upon Harrington, but it never was their intention to drop the fight. Asked if it still was their intention to save Kyle and Gilbert, he said that matter was scarcely considered at this time. He admitted that the Seniors practically controlled the action of the lower classes whenever they desired to do so.

Adjourned at 6 o'clock until 8 o'clock tonight.

#### Letter From Marshall Excluded.

At the night session Mr. Sumners offered in evidence a letter received from Prof. F. R. Marshall, formerly of this College, now of the University of Ohio, which, he said, purported to give the reason why Prof. Marshall left this College. It was excluded upon the ground that it was entirely a statement of conclusions.

Mr. Sumners moved that all of the testimony of the witness Holloway be excluded except that which he stated of his own knowledge, and asked that the newspapers be instructed not to print same. Just as the chairman ruled his motion came too late, Mr. Sumners withdrew the request, saying the matter had already gone to the papers.

Jesse Dale of Chillicothe, just graduated, told of the meeting of the Senior Class when the petition to the Board was signed and about Puckett's presence. Did not know who wrote the petition and did not care. Had expected such action since his Sophomore year. He said the reputation of Holloway for truth and veracity was good. He was the first witness excused without cross-examination.

C. M. Evans of Talpa, one of this year's graduating class, testified about the signing of the petition to the Board and about Puckett's presence. He thought the general feeling of the students was that Harrington was not the man they would like to follow, but for himself he had no grievance, and the President had done him a good many favors. Holloway's reputation for truth and veracity was good.

E. J. Fermier, professor of mechanical engineering, testified at some length. His statements were unfavorable to Dr. Harrington. Conditions were normal before the strike. There were no outward manifestations of disrespect for the President. He did not believe there was an outlook for good work with Harrington as President and the present students returned here next year. He was asked if the student body compared favorably with that of other institutions as to common decency, and he said it did.

Judge Scott remarked that no issue had been raised upon that point. Class work had been good since the strike until the suspension of the Junior Battalion staff. Discipline had been fairly well enforced by the Faculty.

N. H. Brown, professor of physics and electrical engineering, testified that the attitude of the students toward President Harrington was antagonistic; it had been general since the strike. He did not believe good work could be done if the present students should return and Harrington should remain President. On cross-examination witness said relations between himself and President Harrington had been entirely friendly. Thought he should be classed as a supporter of the President. Had at no time discussed the ques-

tion of Harrington's removal until after the strike, and then he did not suggest that he might get the place. Witness said he was president of the telephone company at College. Had no difference with any officer of the college because of that company. Had as officer of that company sold the College storage battery needed by his department. College treasurer refused to pay the company treasurer for same until he could see the President. Then he refused outright. He saw the President, who said the battery was no doubt needed and worth the price, but he did not want the appearance of it being sold for that department by the company in which the witness was interested. Witness said no meeting of the boys while on strike was held in his department.

**Prof. Kyle on Stand.**

Prof. Kyle said he was the same who had been referred to by the witness, T. E. Holloway. He first became acquainted with Dr. Harrington when he entered Agricultural and Mechanical College as a student in 1897, and for a long time their relations had been very close, during his student days, during three years at Cornell University and after he returned to Agricultural and Mechanical as an instructor and member of the Faculty. Prof. Kyle testified that there had been a gradual change in the relations existing between himself and the President, which had been brought about by a great many causes, beginning a year or more ago, at the time when J. W. Carson was making the race for director of the experiment station, which position the testimony shows is held by President Harrington.

The witness then detailed certain information which had been given to him, from which his change in feeling toward Dr. Harrington had begun. After listening to the statement the Board ordered it expunged from the record, because all the parties making the statements testified about are accessible and can be brought before the Board to testify in person. The Board allowed the statement to remain in the record, however, that the first cause of the change of feeling existing between the witness and Dr. Harrington was some of the things the witness had heard from J. W. Carson and B. Sbisca concerning "grafting" by Harrington.

Prof. Kyle testified that the relations existing between Dr. Harrington and the students were not cordial nor kindly.

Asked about his stand in the recent troubles the witness said:

"With the exception of testifying against Prof. Harrington before the Board I do not know that I have ever taken any stand against him. I will say that there has never been a cross word passed between us, and I have no reason to believe that he ever did me a wrong up to the time that the strike began. On the other hand, he had my salary increased both years that he was President."

Prof. Kyle said he did not believe there was any probability of cordial, kindly and respectful relations becoming established between the President and the students, as long as the students, who are now in attendance at the College remain here. He did not believe it possible for good work to be done another year if any considerable part of the present students return with President Harrington remaining at the head of the College. He was asked:

"Take the students as a whole, how do they compare in point of general decency and character and manly traits with other corps of cadets that have been here in the years gone by?"

The witness answered: "I think, and I believe a good many of the alumni agree with me, that we have the finest body of young men in the College that we have ever had, mentally and morally."

"Have they, outside of their conduct toward the President, demonstrated any unwillingness to submit to discipline and to be governed by proper authority—outside of their relations to the President and the conditions which have grown out of it?"

"Not that I know of," said Prof. Kyle. "I have had a good chance to draw them out on that. I have them in outdoor work in the orchards, and I have carried them in their classes into the woods, working on pecans and hickories, and remained with them the entire day, and I have never had the slightest trouble or difficulty with any of them."

The witness said further that he had never heard any complaint by professors or instructors that there was difficulty in controlling the affection and inviting the esteem and regard of this year's students, and that in their general demeanor the students had not evidenced any recklessness or lack of interest in their future welfare and the weightier problems of life, "not any more than any other body of students."

"What, if anything, did you have to do, directly or indirectly, toward causing this strike, or the signing of the petition which led up to the strike?" asked Hatton Sumners.

"I had nothing to do with it."

"You heard the testimony this afternoon. Did you send anybody to a meeting of the Senior Class?"

"I did not."

"Did you ever consult with or advise with any of the Seniors prior to the strike with regard to any plan to be pursued that might get Prof. Harrington out of here?"

"I did not. On the other hand, I refused to even discuss the matter with two Seniors who approached me."

Prof. Kyle said the Seniors who approached him and who he supposed wanted to discuss the situation with him were T. D. McElroy of San Marcos and Mr. Adams. This occurred on the morning the full board were in session and at a time after the petition to remove the President had been submitted by the students.

Prof. Kyle's cross-examination by Judge Sam Scott was brief. He had heard a number of the alumni, the witness said, speak highly of the demeanor and appearance of the students at the commencement, and had been particularly attracted by the favorable expression of J. S. Radford, an attorney of Houston, who was supposed to be rather a strong Harrington man. The witness had never known of any other body of students going on a strike in any college because the Board of Directors refused to consider a request made by the students.

Prof. Kyle said that at the time the two students came to talk conditions over with him he did not know exactly what the requests contained in the petition were, but that he knew the object was to remove the President.

"You told them you would not allow them to talk to you about it?" asked Judge Scott.

"Yes, sir."

"Is that all you said?"

"Yes, sir."

"You did not advise them against their course?"

"I did not."

"You knew the demand they were making was to remove the President?"

"Yes, sir."

"But on what ground, you did not know?"

"No, sir."

"You did not ask them what the ground was?"

"No, sir."

"And you are a member of the Faculty?"

"Yes, sir."

"Why didn't you ask them their reasons, Prof. Kyle?" inquired Judge Scott.

"Because," said the witness, "I thought if I discussed with them the matter in any way it would be misconstrued, or if any one should see us, or if

the fact should come out that we had been talking together. For that very reason I have been very particular."

"If you had openly and positively instructed them not to do such a thing as that there would not have been any danger of misconstruing that, would there?"

"Probably there would not."

Prof. Kyle said at that time he did not have any reason to believe that Prof. Harrington would oppose him in any way or would undertake to have him discharged from the college, and he asked that he be allowed to place in the record the fact that some time before the petition he had written a letter stating positively that there was no personal difference between himself and the President.

Prof. Kyle also stated that when the troubles arose he did not know that he had reason to suspect Dr. Gilbert would be removed by President Harrington. He knew the President did not have the power of removal except through the action of the Board of Directors. The witness knew Mr. Puckett. A few days before the first investigation the witness had heard that the Senior Class had indorsed the work of Dr. Gilbert and the nurse, and he thought it ought to be stopped. The witness said:

"I went to the Agricultural building and asked Mr. Puckett to go and see if he could not stop the publication in the papers of the action by the Seniors about the nurse and Dr. Gilbert, as I did not believe the students had any right to take up any matter concerning the Faculty."



PROF. E. J. KYLE



DR. JOE GILBERT

Director Walton Poteet examined Prof. Kyle as follows:

"You heard an indorsement was being prepared indorsing the work of Dr. Gilbert?"

"Yes, sir."

"And you sought to have that stopped?"

"Yes, sir; from going into the newspapers."

"For what purpose?"

"Because I thought that it would show that the boys were taking the side of Dr. Gilbert."

"And you did not want that to appear?"

"No, sir."

"What did you do when you heard they were getting up a petition against the President?"

"I did not hear it until it had gone in."

"That is all," said Mr. Poteet, and then Director Green asked some questions:

"Don't you think as a general proposition that students have a right to express their approval of any service to them by resolution?"

"Yes, I do."

"Then was your effort in this behalf, to keep those resolutions from being printed, a fear that it might accentuate some little trouble that was brewing between Dr. Gilbert and Dr. Harrington?."

"That was my purpose."

The hearing was adjourned until the next morning.

#### FRIDAY.

The Board called for Rev. Nathan Powell, and they were informed he was gone.

Mr. Sumners said that he talked to Mr. Powell and found what he understood to be true that he had been discharged from the Board. He discussed his testimony with him and told him he wouldn't be needed. He might have understood that he could have gone home. He made up his mind that he wouldn't put Mr. Powell on the stand.

Judge Rowell said that he has a letter written to him by Mr. Powell before he left the College. Had been a stranger and only talked to him once. This letter, if true, would make him important witness for prosecution. He makes damaging charges against President. Powell ought to be here to prove them or to prove they are untrue. He had letter and it would be submitted to the Board and wouldn't be made public unless the Board so decided.

Judge Sumners said that letter should be left out of record in all justice if the man who wrote it will not testify.

Judge Rowell moved that Board send a telegram to Mr. Powell at Chapel Hill requesting him to be present and pay his actual expenses. The resolution was passed unanimously.

Judge Green of Yoakum took the chair.

#### One of the Seven Suspended.

The next witness called was R. F. Miller, member of the Junior Class, of New Ulm, Austin County. He was one of the seven on the Battalion staff who were suspended and had had a conversation with Prof. Alvord about same, as mentioned by Prof. Alvord in his testimony. Recounting the circumstances of the conference, he said that while on the way to class he was met by the officer of the day and told that Prof. Alvord wanted to see him at once at his office, and that upon his arrival there found another gentleman present, who retired, whereupon Prof. Alvord closed and locked the door, that Prof. Alvord said he was very much interested in his education, and that he could clear himself by telling him who wrote the objectionable article in the Battalion, and that it would be in confidence and never divulged. Witness replied that he did not know what to say and said little or nothing. Again Prof. Alvord asked him, he said, assuring him that it would be strictly between them, and nobody would ever know anything about it, but he was obdurate. About this time the commandant, Prof. Fermier was telephoned for, and when he arrived the College discipline committee was present. Then Prof. Alvord remarked that he would now speak as a member of the discipline committee and not privately as a few minutes before, and asked who wrote the article, but witness did not tell him.

What is the state of feeling of the students to the President? Is it one of cordiality?

"I would say there is a great deal of dislike and absolutely no cordiality. I have been with them all the time and all speak against him."

Judge Scott asked the question of yesterday relative to the rules requiring the submission of articles for censor before appearing in the Battalion, and Miller stated that it had grown into disuse and had not been in vogue for some time. But that when it was followed the articles went to the head of the English department, Prof. Fountain, if passed by the cadet editor in chief of the Battalion. If turned down by the editor in chief that ended them. He said the rule had not been used.

Judge Scott then took the witness and asked if he had seen an article published attacking the President or any member of the Faculty?

"Possibly in some joking way."

"But was there any serious reflection cast or insult offered?"

"No insult was ever intended."

"Do you know who wrote that article?"

"Yes."

"Who wrote it?"

"That has never come out."

"Now is the time to tell it."

"Well, it was Dave Shearer and "Huck" Huckabee. Dave was a first sergeant and a prominent member of the Junior Class, while Huckabee, whose initials I do not know, was a private."

"Did you know the article was being prepared?"

"Yes."

"Was there any meeting of any kind relative to the preparation of the article?"

"None was called, but the boys talked it over several times, and read and approved it before it was published."

"Were the two young authors selected, or did they act on their own motion in writing the article?"

"They were not exactly selected."

"But they were commissioned to write it?"

"Any of us could write articles and submit them."

"No, but about this particular article I am asking."

"Well, in a way they were selected."

"How?"

"I think they were suggested by some of the boys, and they half-way volunteer to do it. They were recognized as the smartest men in their class, and it was understood that they would write it."

"What was the object of the article?"

"To correct untrue statements which appeared in two prominent state newspapers."

"After the article was prepared, did you meet and approve it?"

"Only at informal gatherings in the boys' rooms, there having been no special meetings. All who saw it approved it, as it was to correct untrue statements in the state newspapers. We waited some time for President Harrington to correct it, and when he failed to do it, we did. It was only to protect ourselves."

It was developed that the statement in the papers was a reported interview with President Harrington following the strike, stating that the strike was broken and that class work was up to the usual standard, and that everything had been forgotten. The witness stubbornly stuck to the assertion that such a statement reflected on the boys at the College, declaring that no work was going on and such statements were all talk.

Judge Scott—But how could a statement that you were doing standard work be a reflection on you? Was it not a compliment?

"No, because it was untrue, and the people of Texas were being misled into believing that a few boys had been rioting and that it was broken up."

"You did not like the impression, then, that you had laid down?"

"Yes, and the general situation."

"You wanted the public to know that you were still in open rebellion against the constituted authorities."

"Not that exactly, but after the Alumni came here and begged us to go back, and succeeded in getting us into line, we did not want it understood that we were at all satisfied with conditions at the College. It was that impression that we desired corrected."

"In other words, that you were still in revolt?"

"We simply wanted the people to know that we could not do the best or standard work under President Harrington."

"Then you wanted the public to know you were not doing the best work?"

"Exactly, for the President's statement that we were doing the best work was untrue, because we were not."

"You had to have the public know it?"

"Yes, so they would know that things were not as they should be."

Then came testimony relative to the visit of the Houston and Bryan Alumni, promising the cadets a full and fair investigation and begging them not to go home. Some time was spent on the opinion of the witness that the investigation at that time was not full and fair, he insisting that it was not, but blamed the Directors for it. His principal grievance was that the Board did not wait and see the cadet body after the investigation, but left its findings on a piece of paper and departed for their homes one night. The next morning, he said, the findings exonerating President Harrington were read by Commandant Moses, and that such a method of informing the Cadet Corps was unsatisfactory.

Judge Scott—Was not the investigation full and fair, as you had every chance to go before the Directors?

"No; because the little piece of paper left by the Board did not satisfy us."

"Then why did you not see them?"

"Because they had gone."

"But while here?"

"We did not know what they had done until the notice was read after the Directors left."

Some testimony was adduced as to what was expected of the Board in the matter, and the witness strongly insisted that the Board should have communicated its findings in person by having the cadets assembled in the chapel, as upon other occasions when members have addressed the students; that their leaving at night and having the decision read the next day did not set well with the students. He asserted that if the Board had called the cadets into the chapel and personally treated with them it might have turned them a different way and somewhat satisfied the corps.

"Then you had some notions as to how the institution should be run?"

"Yes. We thought it not being run properly, and we have a right to our opinion. Every man has."

Judge Scott—What would the result be with discipline in any College if the boys go in open defiance of constituted authority to compel the removal of the President or some professor?

Mr. Sumners said he would not object to the question, but simply wanted to reserve the right to pursue the same line of questioning later.

Director Green, presiding, held that the boys were of immature age, were pupils and not patrons of the school, hence the question should be eliminated, and it was.

Going back to the Alvord interview, young Miller said he did not tell

Prof. Alvord nor the discipline committee the name of the author of the article, because he was no "tattler."

After the discipline committee took cognizance of the article it was developed and the seven Junior staff members suspended, the Junior Class placed itself in entire responsibility and asked for the protection of the seven members serving the class on the staff. The witness said he had no kick on the suspension, and left the campus as directed, as he could do nothing else. He declared that he was under no agreement, personal or class obligation not to tell the name of the author of the article. He also testified that no outsider was consulted in the preparation and publication of the article, but that its authorship and conferences thereon were confined exclusively to students and entirely to those in the Junior Class.

He said he had had two personal grievances against President Harrington. The first was that he had made an arrangement to do some work for Dr. W. R. Clifton of Waco and had obtained his furlough from the commandant and took it to President Harrington for approval. The President did not want to grant the furlough at all, and he had to talk for an hour before he could get any understanding with the President, and then the President cut the furlough a week shorter than the witness was proposing to be gone, which was a month. "Harrington," as the witness referred to the President without the use of any title, objected to his month's absence from his classes and thought he ought to be at his studies. The witness said he had made his arrangement to be absent before submitting the matter to the President. The witness had secured his parents' permission to absent himself, and Commandant Moses and the head of his department had granted the furlough. The witness considered the action of the President toward him as cause for a personal grievance, because the same privilege had been allowed other students and he did not see why it should not be allowed him, and also because of the "way he talked to me about it."

Mr. Miller said that after his interview with the President which was so unsatisfactory to him he went to the commandant and explained to him that he could not be back on the date his furlough run out. "I asked him what action I should take if I should not be able to be back, in order to avoid being reported for overstaying my furlough, and the commandant said to write him and explain the conditions and he would extend my furlough."

"So you fixed yourself with the commandant before you left?" inquired Judge Scott.

"Yes, sir; I was on the safe side."

"And you were absolutely disregarding the President's wishes and express directions to you at that time, weren't you, Mr. Miller?"

"Yes, sir."

"And you knew it?"

"Yes, sir."

The other grievance witness Miller complained of was that at Christmas he wanted to leave to go home on the 3:40 afternoon train, Friday, and the President would not let him go until Saturday afternoon, at which time the class had been told they could all go. The Saturday afternoon train was late, and the witness missed connections at Houston and did not reach home until Sunday night, whereas the Friday train had gone through on time and would have put him at home Saturday morning, and thereby he lost two days. He was wanted at home to help in his father's store during the holiday rush, and he had his examinations completed so that he could have gone Friday, although he did not think the class as a whole had completed the school work. "It certainly was not agreeable to me," said the witness, "to have to stay over." The President's talk was "harsh" and "not like some real friend's," and he "not only didn't fix things up, but he didn't use the language the commandant did, nor the tone of voice."

Re-examined by Mr. Sumners, Mr. Miller was asked:



"As I understand your testimony with regard to the Board of Directors and your explanation, you know now that the Board of Directors could not afford to grant you boys' request for the removal of Dr. Harrington? You understand that now as you look back over the situation, don't you?"

"Yes, sir. I see into the matter, I think, pretty well at this time."

"At that time, though, the fact was that you boys, had made up your mind that you didn't want Prof. Harrington? That is the truth about it, isn't it?"

"Yes, sir; that is it, just stating it, straight out.

"And you think if the Board of Directors had come before you and you had been able at that time to have known what you know and realize now that the action on the part of the boys would probably have been different?"

"Yes; if they had talked to us as a student body."

"You do not mean to say that you boys, since the opportunity of deliberate judgment on this matter, now think that the Board of Directors treated you wrong in not granting your request for the dismissal of Dr. Harrington?"

"No, sir."

The witness did not think there was a better friend of the boys on the campus than the commandant, and he had the proper way of going about things. The spirit of antagonism toward the President, however, was "more the manner than anything else; the general way he goes about it, and the way he comes in connection with the boys."

On recross-examination by Judge Scott the witness admitted that if the commandant had advised them not to strike it would not have changed their course, notwithstanding the students' regard for his views.

Director Haidusek asked young Miller if he was not present at the chapel when Director Rowell talked to the boys during the session of the board. The witness said he was there.

"Didn't Judge Rowell appeal to you and explain matters as fully as a man could explain about your wrong acts in that speech?" asked Mr. Haidusek.

"Well, he didn't exactly leave the impression with me. I could not talk for any of the others."

#### Why Juniors Reversed Seniors.

Then Director Peteet took the witness, and drew out the feeling of the Juniors after the Seniors had agreed to call off the strike. At first the Juniors acquiesced in the action of the Seniors and consented to return to their studies, but in a meeting held at 8 o'clock the boys talked it over, and two hours later had another meeting and unanimously concluded not to follow the Seniors back. "There was quite a little bit of discussion about the Seniors having cold feet, and we fellows would show them they couldn't lead us; that the Juniors as a class resented the Seniors' wanting to take us back."

The witness said another thing that caused the reversal of the Juniors' policy was that after discussion of the matter they considered they had made a mistake in agreeing to go back. "One of the main reasons was that they thought if they went back they would lose out altogether," said the witness. Asked by Mr. Peteet to explain what he meant by that, the witness said: "We thought we would lose our cause in trying to get the President out."

Mr. Miller said that the "ironclad oath," as Mr. Peteet called it, which the Juniors took not to divulge the proceedings of their meetings, was only a motion or pledge to that effect, and not an oath really, and no holding up of hands in making it.

The Juniors designated two of their members to serve on the committee which prepared charges against the President, but they were not allowed

to appear at the trial because the Juniors had not gone back to the classes. These two Juniors were Messrs. Gilbert and Leggett. Mr. Gilbert is a brother of Dr. Gilbert.

The witness finally came back and took the obligation which was required for reinstatement. As to the discipline before Christmas there had been some pranks, the principal one of which was the fixing up of a dummy and hanging it out of Gathwright Hall with a ticket on it saying: "Send me over the I. & G. N." because the boys had wanted to go home on the Houston and Texas Central road, but President Harrington wanted them to go by the International and Great Northern. Afterward the President let them go on the Houston and Texas Central. The witness denied having anything to do with this dummy, as he roomed at another hall.

Young Mr. Miller on several occasions referred to the President as "Harrington." Judge Green of the Board said he wished in all kindness to suggest that President Harrington should be referred to by some title, as he was President of the institution which the witness was attending as a student. Mr. Sumners said he thought the young man wanted to show the proper respect to the President, but overlooked the use of the title, to which the witness assented.

Mr. Miller had not heard that President Harrington was trying to get rid of Dr. Gilbert and Prof. Kyle, but had just heard that the President had stated "that Dr. Gilbert and Prof. Kyle would leave, as they could not agree," and the students had talked about that some after the strike was on. The grievance the students had because of Dr. Harrington's interview at Austin was that they thought it might keep the public from helping the students win their cause. "That was it somewhat," said Mr. Miller, "and at the same time some of the parents would feel ashamed of their sons' forgetting a cause like that so soon. The students did not want to forget their cause. With this Mr. Miller was excused.

#### Adams Started the Petition.

Lem Adams of Buda, member of the Senior Class which graduated this year, testified in substance as follows:

"I started the petition which was presented to the Board in February for the removal of President Harrington. We had heard that the Board had assembled for the purpose of investigating the President, and it was talked around among the students that we should get up a petition asking for the President's removal. The President of the Junior Class came to me and said he thought it would be best for the Seniors to start the petition, but if we did not do so the Juniors would start it. That evening Cadets Warden, Skaggs, Tom Adams and myself met in my room. I was asked to write the petition, and did draft the introduction. It was decided then that we should put in some reasons for the request that the President be removed, and Tom Adams wrote these. Mr. Skaggs and I went to Mr. Louwein, who acted as stenographer to Dr. Brown of the electrical department, and had him make several carbon copies of the petition. In the meantime the class had been called to assemble in my room, and was there when we returned.

"We voted to present the petition. After we had done so, Mr. Puckett came in. He is 23 years of age and I am 22. We are from the same town and I have known him intimately ever since we were small boys. He is taking postgraduate work here and is an instructor in the agricultural department. We had voted to present the petition before Mr. Puckett came in. He made some statements, but they did not influence our action, because we had already decided to present the petition. The petition was then signed. I asked Mr. Puckett to present the petition to the Board, but he decided not to do so and sent it by the sergeant of the guard. None of us, so far as I know, was influenced in this action by any member of the Faculty. President

Harrington does not possess the respect, confidence and esteem of the student body. The antagonism has grown gradually. He was popular during the first year of his incumbency of the office of President. Since then I have not personally liked him, and I suppose that the sentiment of the corps has been against him."

Upon cross examination by Judge Scott the witness testified: "Louwein, who acted as stenographer to Dr. Brown, was on sentinel duty on the night we held the meeting and decided to present the petition. Mr. Skaggs engaged him, while he was on sentinel duty, to copy the petition on typewriter after he should be relieved. Yes; it is a breach of discipline and in violation of the rules for anyone to speak to a sentinel while upon duty, or for the sentinel to converse with anyone else. I did not see Louwein upon that occasion until Mr. Skaggs and I went to Dr. Brown's office. Mr. Skaggs is a student in electrical engineering in Dr. Brown's department. I do not know that he is engaged by Dr. Brown for any other service. I do not know that he is connected with the telephone company's service of which Dr. Brown is the head. He may be, but not that I know of. I do not remember that our class took some action enjoining secrecy at the meeting when we voted to present the petition and signed the same."

Judge Scott—Why, then, was it necessary for Mr. Holloway upon yesterday to get the consent of the class before he would give information as to what was done at that meeting?

Judge Summers—There is no proof that it was necessary.

Judge Scott—You suggested that he should obtain such consent.

Witness said he did not know whether or not it was necessary for Holloway to have gotten such permission. He said that he didn't know why Puckett came to the meeting; whether he had been sent for; how he happened to know that a meeting of the Senior Class was being held, nor what his mission was. He thought Puckett made a statement to the effect that unless President Harrington was removed, that unless the petition should be submitted immediately, Dr. Gilbert would probably be discharged. Witness knew that Dr. Harrington did not have power to remove Dr. Gilbert, but didn't know, but he might have influence with the Board of Directors. He said it was not discussed at that meeting that Prof. Kyle was also involved, but such had been rumored around the campus a few days before the strike.

"Is it not a fact that that was the principal cause, or one of the causes, of the strike?"

"I don't think it was the direct cause of the strike."

"Wasn't that considered by the students as one of the causes?"

"That fact probably led—I will say yes to that question."

#### Strike Agreement Was Unanimous.

Director Peteet asked the witness a number of questions as to the time it was decided to go on the strike, he answering that it was at the second meeting of the night following the drawing of the petition. Witness said that at the first meeting of the night it was decided not to strike, but two hours later the second meeting unanimously decided to go out.

Prefacing other questions Mr. Peteet asked the witness if there was any secrecy to be maintained about any of the events incident to the trouble and received a negative answer.

Answering Mr. Peteet further, witness said he did not call the meeting which originated the strike, but got there after the cadets were assembled. He presided, but somebody else stated the purpose of the meeting upon his invitation, but he could not recall who it was. But it was unanimously agreed to strike. He replied that he was on the committee which formulated the first charges, but could not remember if they were presented to and approved by the class before they were filed with the Board of Directors.

## Puckett on the Stand.

The next witness was Felix S. Puckett, several times mentioned in the testimony as having made a statement to the Senior Class when it signed the petition. He was 23 years of age, a resident of Buda, Texas, and returned to College last fall as student assistant under Prof. Alvord, but later Prof. Welborn placed him in charge of the work on the experiment farm where he has since worked. He also takes some class work.

Mr. Sumners asked him to detail his presence at the Senior Class meeting, how he came to be there and what part he took. Mr. Puckett stated that he had a younger brother in College, a member of the Freshman Class, and whose room was next to that in which the Senior Class meeting was held on the night in question; that he was visiting his brother, when Charles De Ware came in looking for McElroy, and they went out together. Hearing the noise in the adjoining room they attempted to enter, but found the door barred. They knocked and were finally admitted, finding the room filled with Seniors. Continuing, he said that he was asked if Dr. Gilbert was to be fired, and that he answered he had heard such a rumor that night; that it was to the effect that there had been some differences between President Harrington and Dr. Gilbert, and that President Harrington had asked for Dr. Gilbert's resignation. He had heard this in the barber shop.

Judge Scott then asked if he made a similar statement or any kind about Prof. Kyle, and he said he did not think so.

"Be sure," urged Judge Scott.

After waiting a few minutes he said he might have mentioned Prof. Kyle's name, but did not recall doing so, for he was there but a very few minutes.

"What time did you learn this information at the barber shop?"

"Between 7 and 8 o'clock."

"What time were you at the meeting?"

"I do not remember exactly, but between 8 and 10."

"Did you have previous knowledge or suspicion of such a meeting being called?"

"None."

"Do you know if the students had any outside assistance in the organization of the strike?"

"I know nothing whatever about it."

"Did you ever talk to R. J. Potts about it and say that the students did have outside assistance?"

"Never."

He (Potts) had known of the preparation of the petition and that it would be presented the next day, but that night had talked about it only to Post Graduate Students Hill and Smith, the latter now being a member of the Galveston baseball team.

The next morning he had casually mentioned it to some of the students but had informed no officer of the College or member of the Faculty.

"Why did you not tell some member of the Faculty, Prof. Alvord, your superior, being a member of the discipline committee?"

"Because it was not my business nor my duty. I was also a student."

"Would you have reported any infraction of the rules to Prof. Alvord?"

"I would not."

"Were you in sympathy with the boys in their strike?"

"Yes."

"You knew it to be in open defiance of the administration of which you were a member?"

"Yes."

"You were drawing pay from the institution at that time?"

"Yes."

In conclusion he said he had no other information as to who planned the strike or where it was framed and had never made any efforts to find out.

#### Warden.

John M. Warden, a member of the last Senior Class, from McKinney, Texas, was sworn. He was one of the committee who drew the petition. It was drawn on the Wednesday before the strike, when four or five gathered in Cadet Beesley's room. He said they were there discussing conditions at the College, with a view of bettering them; also President Harrington and members of the Faculty were mentioned. It was there decided to draw the petition asking for the dismissal of President Harrington.

"Did you arrive at that conclusion among yourselves, or were you aided by outside advice?"

"Entirely among ourselves. We had no outside advice."

The witness said among those present were Lem and Tom Adams, George Skags, Nestor, McGinnis and himself.

Further testifying, Mr. Warden said that there was no difficulty in obtaining signatures to the petition. The only question was who would get to sign it first. While they were signing the petition Mr. Puckett knocked on the door and was admitted. He wasn't positive, but thought they had already voted to sign the petition before Puckett came in. Asked what was the state of feeling as between President Harrington and the student body, he said he didn't think Dr. Harrington had a friend in the corps.

Cross examined by Judge Scott, witness said he was in the hearing room at one time yesterday, while Mr. Holloway, his classmate, was on the stand. The testimony given by the witnesses had been discussed on yesterday and today among the members of the Senior and Junior Classes. Some of them had been used as witnesses, and others he thought had not been used. He said he was present on yesterday when the board requested the students to withdraw from the room, as they might be used as witnesses, but not when they were told not to discuss the testimony with each other or with other persons.

(As a matter of fact the latter part of the rule was not explained at that particular time, although it was so explained upon previous occasions.)

He said if there was a special meeting last night to discuss the testimony of Mr. Holloway, he had not attended it.

Cross examined as to the meeting between himself, Lem and Tom Adams and Mr. Skaggs when the petition was drafted, he said they were discussing the men whom they understood that the Board was at that time investigating, namely, Dr. Gilbert, Prof. Kyle and Mr. Neff, and they decided that it was a good time to put in their petition. He could not say that they considered that the presentation of the petition would prevent the Board from discharging those men, but they felt that if the petitions would do any good they wanted it in in time to save those gentlemen. "You might say that that was one of the reasons for presenting the petition," said he.

Witness said that they did not at that meeting decide not to give the Board their reasons for asking the removal of the President nor did the class ever reach such decision. He further testified that on the Saturday morning when the students went on strike a committee from the Senior Class met the Faculty and informed them that the students had suspended their duties. Afterward the Faculty requested them to send a committee to meet with it, and they did so. Yes, they had instructed their committee not to give the Faculty committee any of their reasons for asking for the removal of President Harrington. The strike had been inaugurated to bring the Board back, and they didn't think it would be any good to treat with the Faculty. Yes, they knew the Faculty had authority to ask for the information and that it was entitled to it, but they had taken their case to a higher court (the Board.) Yes, they had ignored the Faculty. No, he did not con-

sider this gross disrespect to the Faculty. It was a breach of discipline, he admitted but he did not think it constituted gross disrespect. Witness did not go before the Board of Directors when they came back. The Board had ignored the petition in so far as the Senior Class was concerned. When the Board returned the class did not instruct its committee to refuse to tell the Board why they desired Dr. Harrington removed. Witness denied that he had said upon direct examination that he had no respect for President Harrington. Asked as to what he said, he asked that the stenographer should read his answer, but Judge Scott pressed him to answer the question now. He repeated that he had not said that he had no respect for President Harrington, but had said that in his opinion the President didn't have a friend in the corps.

"Haven't you been a guest at his home since the strike and received the hospitality of his home?"

"I have."

"In company with another young man?"

"I have."

"You went at his invitation?"

"No; upon the invitation of his wife."

Getting back at the meeting where the four Seniors prepared the petition he said they had discussed the matter of members of the Faculty who had left the institution, naming Profs. Bennett, Marshall and Conradi. It was generally understood that they had left because they were not in accord with President Harrington, and that he had them leave. Asked from whom he got his information, he said that in the case of Prof. Marshall he got it from a young man who was related to Prof. Marshall. He didn't remember from whom he got the information as to the others, but they were members of the Senior Class who had worked in the departments of which these professors had been the heads. He did not know that these professors had resigned and were not discharged.

"Wasn't Prof. Bennett here in the employ of the United States government?"

"Yes."

"And don't you now that President Harrington had no authority over him?"

"I don't now that."

"Do you not know that Prof. Bennett is still in the employ of the government and at this time is doing work for this College?"

"I don't know."

To Mr. Sumners: "I know that he is not now here and is not in personal contact with President Harrington."

To Mr. Peteet: "When we prepared the petition we did not ask for an investigation, but supposed that an investigation would result. We always intended to formulate charges. I think Nathan Powell was on the grounds two days of the strike, but I had no talk with him."

Chairman Leggett here said that he had been informed that both Judges Scott and Sumners had pressing duties at their respective homes and that it was urgently necessary for certain members of the Board to go to their homes. If there was to be an adjournment this evening until next week, he suggested that it be taken at once, so that those who were going north could leave on the 12:30 train. This suggestion was acted upon, and the Board at 12:15 adjourned until 4 o'clock p. m. Wednesday, June 17. The Board notified all witnesses that they are still under the rule and must not talk about their testimony.

At the suggestion of Director McGinnis an executive session of the Board was called for at 2 o'clock.

**BOARD REOPENS INQUIRY.  
WEDNESDAY, JUNE 17.**

The Board did not open inquiry until 5 p. m., as Director Rowell did not make his appearance. Later it was learned that sickness in his family detained him.

**J. S. Wier.**

The first witness placed on the stand was J. S. Wier, who, in response to interrogatories from Mr. Sumners, said that he was the professor of textile engineering, having been in the school since August, 1904. He stated that he knew in a general way the conditions that then existed, that now exist and what have existed since he became a member of the Faculty.

"Do you know the condition that existed," asked Mr. Sumners, "just before the commencement exercises? What was that condition with respect to the cordial relations that existed between the President and the student body?"

"It was decidedly not friendly. It was strained, very tense."

"Do you know what was the condition just prior to the strike?"

"It was not friendly."

"Do you know any reason for that condition?"

"I accept the reason that is generally given, that there was an intense dislike on the part of the students for the President, but as to why I can not say."

"If there was an objection urged by the students, was it based on specific acts or general antipathy created by their contact generally with the president?"

"From my personal knowledge, I haven't any definite information, I was not in a position to know the reason or the cause for this feeling by the students."

"During the last year did you observe any change in the feeling of the students for the President?"

"Yes, sir; I thought I noticed a tendency toward slight dissatisfaction on the part of the students."

**Satisfactory Work Improbable.**

From your knowledge of school affairs, as a school man, what is your opinion as to the possibility of there being good work done here next year if the present President shall retain his place, and the present student body return?"

"I don't see how it would be possible to conduct satisfactory work."

"Speaking as a school man, how does this student body compare in point of intelligence, earnestness and morality with other school bodies you have known?"

"Most favorably. I have often spoken of these fellows very kindly and favorably. Their general conduct has been excellent and they have always done most excellent work."

"Do you know whether or not any of the other professors have had any trouble maintaining discipline?"

"No, sir."

At this point the witness was turned over to Judge Scott.

"The young men never undertook before this occasion to run the school, did they?" asked Judge Scott.

"Not to my knowledge."

Questions elicited the information that there were three classes under the supervision of the witness, Sophomores, Juniors and Seniors, and that the number in the three classes aggregated thirteen students, seven of whom were juniors; six falling to report after the strike.

"When you speak of the students," inquired Judge Scott, "do you refer to the entire student body or the small number under your supervision?"

"I speak of both. Some of the answers referred to the whole and some of those under my charge."

Judge Scott asked which answers referred to the thirteen and which to the entire student body, and the witness asked that the questions be read again.

"Well," said Judge Scott, "you said there was ill feeling for some time before the strike. Did you refer to the entire student body then or those in your charge?"

"To my classes."

"You say you had heard some refer to that unrest. Did that refer to the entire student body or to those in your classes?"

The witness was unable to remember his answer, and the particular question referred to could not be located, Judge Scott finally asking witness to give the names of those he had heard speak of the unrest.

"There was T. A. Adams," replied the witness.

"He is one of the leaders in the strike at this time, is he not?" asked Judge Scott.

"I don't know."

Witness then mentioned P. D. Casey, C. H. Fleming and a student named Lipstate as others having made remarks. Asked what was the occasion of the remarks, witness replied that it was during a class period and that it was concerning a privilege they wanted granted concerning a change in study.

"I suggested that they go and talk the matter over with the President."

"Was it something they had already asked the President to do or expected him to do?"

"I would judge they had not asked him to grant the request at that time."

"And you were talking with them about the course to pursue?"

"Yes, sir."

"Was that the cause of their complaint at that time?"

"I shouldn't judge so."

"Did they at that time state to you what the cause was?"

"Not that I can recall definitely."

"Did they express themselves to you that they disliked the President?"

"Not in so many words."

"Did you draw that inference from what they did say?"

"Yes, sir."

"Did you discuss the matter with them?"

"Not exhaustively, no."

"Did you discuss it at all?"

"I said I thought they would get fair treatment?"

"Did they claim to have ever been denied any privilege by the President?"

"It seemed to be the general sentiment that their petition would not be treated with the consideration they thought it deserved."

"Did they recite a single circumstance that had ever occurred previous to that time as a basis for that conclusion?"

"I think they did not."

Questions concerning the exact time of the occurrence drew the opinion that it was after Christmas in 1906 and before the spring term of 1907.

"Did you ever go and discuss the matter with the President?"

"No."

"Why didn't you?"

"I didn't think it was wise."

"Why not?"



"Well I am not an advocate of carrying trouble around. I don't know that this condition existed to any great extent. There might have been something wrong with these men."

"Well, isn't it a part of your duty to try and keep harmony between the Faculty and individual men?"

"I think so."

"Then, did you offer to go with the young men to the President and present the petition and try to create a good feeling if there was any other kind of feeling?"

"I did not."

"As a matter of fact, professor, you didn't care much?"

"Certainly I cared."

"Then if you cared, why didn't you offer to go to the President and offer to speak to him for them?"

"I had suggested to them that they pursue that course and if they didn't see fit to take it up, I thought it better to let the matter pass over."

"When was the first time you ever mentioned that fact to anybody and to whom?"

"I couldn't say; I don't remember any first time of having mentioned it."

"Is today the first time that you have ever mentioned it to anyone?"

"No, I have mentioned it since then."

"When did you first discuss it?"

"I don't remember."

"Do you remember that you ever spoke to anyone about it?"

"In a general way, yes. I have not made it a practice to discuss these matters. They passed off."

"Well, when and where did you discuss them? When, to any students, professors or members of the Faculty?"

"When did I discuss it first?"

"At any time."

"I do not remember."

"You say you don't see how it would be possible, if the president is retained here, to do satisfactory work?"

"Yes, sir."

"Your answer is based on what?"

"Conditions now extant."

"To conditions that exist now and that have existed since the strike?"

"Yes, sir."

"Don't you know that since he strike the Faculty has not enforced discipline in this school?"

"I can't say that it is responsible for the lack of enforcement."

"But isn't it a fact that they have not been enforced as they should have been?"

"I can't say."

"Will you say to this Board that the Faculty has endeavored to rigidly enforce the rules and laws of the institution?"

"As far as it was practicable to do so?"

"As far, you mean, as it was practicable to do so, at the same time keeping on the good side of the boys?"

"Well, to do what it ought to do conscientiously."

"Well, I mean strictly right up to the —?"

"Yes, that was my answer?"

"I am not asking a question. You know whether they were enforced as they should have been."

"Answering the question in its liberal sense, I feel the rules have been enforced as far as possible."

"Were the students ever punished for going out on a strike?"

"They were suspended, yes, sir."

"All of them?"

"Those who remained out after a certain time."

"Yet some of them were not dealt with?"

"No, sir."

"Not until this day?"

"No, sir."

"Professor, isn't it your judgment that these boys, in their undertaking, whatever may have been their motive, have had to a certain extent the sympathy of the Faculty?"

"To an extent, yes, sir."

"Well, to what extent?"

"Well, while no member of the Faculty ever came to me and said the student body has my sympathy, I don't know that I can recall a statement of the kind, yet I feel that there was a sympathy in the minds of the Faculty for the students."

"Was that sympathy on the part of the Faculty as a whole?"

"No, as individuals, for individuals make up the whole."

"Did you share in that sympathy?"

"In the sense you think."

"Well, to what extent did you sympathize?"

"Well, I deplored the existence of conditions."

"That was sorrow for the College, wasn't it? I understand you, professor. I wanted to know whether or not you entertained any sympathy for these young men in going out against constituted authority."

"No, I did not."

Further questions by Judge Scott obtained the replies that the witness never expressed his approval of the course of the students that he did not discuss it, that he didn't take the matter up to effect a reconciliation between students and President; that he met Howard Everett Weed during his visit here; that Mr. Weed called upon him, but that Mr. Weed never said to him that an uprising was about to occur.

"Didn't he express to you his opinion what would occur?" asked Judge Scott.

"I think not."

"Let's be sure; didn't he express his opinion to you about what was going to occur?"

"I don't think so."

"Would you say that he did not?"

"I said I don't think so."

Witness then, in response to questions, said that there have been three teachers in his department, but that two of them had gone, one of them having accepted a position in Mississippi, while the position of the other had been abolished. Witness testified that there were these three teachers for about fifteen students. He said he had applied for a raise in salary to the President, but had failed to get it. Asked what were the relations of the witness and Dr. Brown, the reply was, "Very friendly."

"Do you or do you not regard him as friendly or unfriendly to the administration?"

"Do you mean in a personal way?"

"Well, personally, or as a member of the Faculty."

"As a member of the Faculty he is very loyal; personally, I should say they are not very pleasant."

"Do you know of your personal knowledge what it is based on?"

"I wouldn't undertake to say."

"They had a Faculty meeting, did they not, about the time the Juniors were suspended?"

"Yes, sir."

"Did you attend the meeting?"

"Yes, sir."

"Were you there all the time?"

"Not all the time."

"Did you leave before it was finished or come in late?"

"I came in late."

"Before or after the vote was actually taken?"

"Before."

"Did you talk to anyone about your going there? Did anyone remind you of the meeting?"

"No one at all."

"Where were you immediately before you went to the Faculty meeting?"

"I came from the textile building and went to the postoffice, and there found a notice of the Faculty meeting in the mail. It was held at 4:30 o'clock, and it was perhaps 5:15 o'clock when I got the notice."

"Did you go immediately over?"

"I did."

"Did some person remind you of the fact that the Faculty was in session? Didn't you say to him that you were in no hurry to go into that meeting?"

"I don't remember any such statement."

Witness testified that he had been in school work since 1893. Asked if he did not think that the permitting of students to go unpunished after such conduct as these have been guilty of would enable them to break up any school or succeed in their object of getting any one member or all of the members of the Faculty removed, witness stated that he wouldn't be willing to answer the question.

Mr. Sumners objected to a repetition of the question, but the chair ruled that the question could be put. Judge Scott then asked:

"As a school man of fifteen years' experience, is it not your opinion that the boys could break up the school any time they saw fit, or secure the removal of any man against whom they held a real or fancied grievance?"

"In my opinion public sentiment would prevent them from succeeding."

"Would public sentiment prevail when the students had gone into an oath not to return to school until the party had been removed?"

"I couldn't say."

"It would either break up the school or mean the removal of the man they were after, wouldn't it?"

"They might break up the school."

"Don't you know that they would do one of the two?"

"I don't know that they would."

"Ahem."

"There is another possibility that the conditions might be harmonized."

"How could they be harmonized when the students had taken an oath not to go back?"

"I don't know about that."

"She would pretty near bust, wouldn't she?"

"Reckon she would."

Judge Scott then asked the witness if he didn't know that the school had been growing constantly in attendance since Dr. Harrington had been in charge, and replied that he believed it had. He also testified that as far as he had heard, the course of study had steadily improved.

On redirect examination, witness said that Prof. Harrington does no teaching, but it is done by professors and instructors. The idea was to show that these latter came more in contact with the students. He did not know that President Harrington was responsible for the increased attendance at the schools. Such increase is ordinarily due largely to the ex-students. Answering questions, he said the last Legislature had made appropriations for improvements at the College; that the holding of the Farmers' Congress here had attracted much attention to the school, and

that the great activity in industrial lines in recent years had created a demand for the kind of training given at the institution. Love and respect, he said, were the greatest factors in the control of a student body. He knew of no school controlled by brute force, and he knew of nothing which would restore the power of the head of a school who had lost his grip upon the situation, whether because of wrongdoing or as a victim of circumstances. The President of this College, he said, is responsible under the regulations for discipline. He had never known of any official action taken to call any member of the Faculty to account for refusing to assist the President.

Mr. Debenport, of Pittsburg, then took the witness. Mr. Debenport made a prefatory statement, saying that he represented patrons of the school. He said he hoped to appear neither as defender or prosecutor, but as a seeker for the truth. In response to questions asked by him, witness said he had heard of no dissatisfaction about the trip to Dallas holiday recess, but had heard some complaints because of the fact that the students were routed to Austin over the Central instead of the International.

#### Responsibility for Discipline.

Judge Scott then took the witness and brought out the fact that President Harrington had asked for the appropriations and assisted the Farmers' Congress. The witness was submitted to a grilling examination as to who is responsible for discipline. He insisted that according to the rules the President was, while Judge Scott sought to show that the same book of rules from which witness said he got his information provided for the administration of discipline permanently through the commandant, and next through the Faculty, the President having but one vote in the Faculty. He denied that he had just looked in the book for the rule as to the President and then stopped, but said he did not know about the rules referred to. He was asked why, if the responsibility rested upon the President, the Faculty was recently called together to act upon the case of the seven Juniors charged with publishing an article in breach of discipline. He answered that they passed upon breaches finally when referred to them.

Answering Mr. Summers, witness said the President should not consider it an unfriendly act where a member of the Faculty voted his judgment as to punishment to be inflicted, even though it was contrary to the president's vote.

Witness was asked pointed questions by Director Peteet as to his ideas of his duties with reference to discipline. He said he considered it his duty to report serious breaches not known to others, but did not consider it his duty to report those of which there was common knowledge of the authorities. He did not consider it his duty to report minor breaches, because such matters were handled by the discipline committee. He would report a student leaving without a furlough, but not for appearing in civilian attire. He declared that his influence was for discipline, but he paid no attention to the trivial matters..

Adjourned until 8:30 p. m.

#### A Patron.

The first witness placed on the stand at the evening session was R. B. Shearer of Lufkin, who testified that he was a contractor and builder, that he was the father of one of the students; that he came here during commencement and participated in the patrons' meeting at Bryan.

He said he did not feel as a parent that it would be a fair and just thing to return the students to the College under Dr. Harrington's administration. He said the patrons came to the conclusion that the administration and

student body were irreparably at loggerheads; that although Dr. Harrington was a highly educated and estimable gentleman, the situation had gotten beyond his control.

Judge Scott took the witness and asked if, at the time the patrons met, they knew of any specific charges that had been made or if action had been taken wholly on hearsay among the students. After several questions, witness said the information had come from the students to the patrons, and that he had not called upon any members of the Faculty or the president before he met with the patrons or took the action recorded. He said he did not know that one of the charges was that Dr. Harrington had wanted to change the schedule of a game at Dallas contrary to the wishes of the students; that he had routed them over another railroad to Austin than the one they had wanted to travel over; that the students had wanted to go to a circus at Hearne and had been denied that privilege, and that one of the students had asked for a three weeks' furlough and been denied a leave of absence that long. Witness referred continually to a "condition which he and the patrons found to be extant, a condition that they felt could not be eliminated."

Judge Scott asked the witness if he knew at the time the patrons acted that the boys really went on a strike because the Board of Directors had failed to act, and not because of any specific act of Dr. Harrington. He also asked witness if he knew at the time that the boys felt they would have the sympathy and assistance of the Faculty if they went on a strike. Witness replied in the negative to both questions.

"Did you know at the time of the patrons' meeting that the object of these young men in getting up a strike was to prevent the Board of Directors from discharging Prof. Kyle and Dr. Gilbert?"

"I did not know that."

"If you had known these things, would you have taken the same action you did?"

"I would."

"Do you not feel that if the students succeed in getting the President discharged that they can have any man they please discharged in the future if he happens not to please them?"

Witness replied that he did not feel that way about it, and further felt that the students would not become aroused in a body unless the transgressions of the one sought to be removed were wholly unbearable. Witness said that he felt things had reached that point where it was either necessary to fire the student body, retaining the President, or vice versa. This statement was made on re-direct examination by Mr. Sumners. Continuing, he testified that he knew of no professor or student unwilling to submit to reasonable authority. His son had not disobeyed him.

His son had never claimed the professors had assisted the students in the strike, but that acts of the students were voluntary. Witness said that only since the controversy came up had he heard rumors of an attempt by President Harrington to shove the responsibility of the unfortunate affair off onto other professors in the institution. He believed that the President or the boys must suffer, he thought the president should be the one to suffer.

Mr. Debenport received an affirmative answer to the effect that great differences grow out of the trivial ones, and then he proceeded to exploit the refusal of the President to allow the boys to stay later at Dallas after the varsity foot-ball game, asking if it was poor judgment on the part of a man in authority to control boys of that age and deprive them of "the pleasures of the night." The witness answered in the affirmative, and later said that the College authorities should not draw the rein as tight as parents. To Judge Scott witness answered that he had never taught school and did not ex-

pect the President to give personal attention to five hundred boys.

Then came a brush between Messrs. Scott and Sumners as to the implication of members of the Faculty, Mr. Sumners denying that his witnesses had ever made any statement indicating such implication, and asked that the record show such denial.

Again Mr. Debenport asked about the Austin trip, witness answering that it looks natural that the boys took umbrage at being forced to go over the Central, when they wanted to use the International, and that they thought it further "nagging" when the President forced the train to leave earlier than was customary, and that it was adding "insult to injury" when he refused to permit them to go home directly after their examinations for the Christmas holidays.

"You would kick at your own father if he treated you that way, wouldn't you?" asked Mr. Debenport.

"I certainly would."

"But you wouldn't want your daddy removed because he did it, would you?" interrupted Judge Scott, and the answer was lost in roars of laughter. He also replied to Judge Scott that he assumed as true the statements made in the questions of the opposing counsel.

#### Prof. F. E. Geisecke.

F. E. Geisecke, member of the Faculty, was placed on the stand, saying he had been a member for twenty-five years, except that he has been absent for fifteen months, returning to the College last September. When he went away he said the relations between Dr. Harrington and the student body were very cordial, but that on his return he noticed a coldness and dissatisfaction. He said that after the strike the president was shown no respect at all, and that the students did not even salute him. He had never known that condition in his twenty-five years of service here. He said he did not think it would be possible to do good work next year with Dr. Harrington at the head. He did not know of his own knowledge what caused the feeling against the President. Asked if the president had the warm personal regard of the members of the Faculty, witness replied that some of the Faculty liked him and others did not, and that his conduct was responsible for the failure of some of them to regard him as highly as formerly; that he was somewhat cold. Witness testified to the good character of this student body, saying the standard had grown higher each year.

Mr. Sumners asked if it is not easier to control a body of students by good will than by force and the reply was in the affirmative. He said that it was the best policy to get the support of the upper classmen and their influence was powerful in controlling the lower classmen for good. He was later asked by Judge Scott if the upper classmen could not control the lower classmen for bad if they desired to do so, but witness said that would be hard to do.

"Isn't it a fact that a few upper classmen can control the entire school if they desire to, and isn't it a fact that some of the leaders of the Senior Class took a prominent part in the strike, probably influencing the lower classmen to act against their will and judgement?"

"I think the influence of the upper class for good would be far-reaching, but I don't think their influence for bad would be so effective.

"You admit, however, that the upper classmen have a deep influence upon the lower classmen?"

"Yes, sir."

Judge Scott asked witness if it was not the duty of the Faculty as well as the President to promote good feeling and harmony. The reply was affirmative. Asked if the Faculty tried to promote harmony, witness replied that Faculty tried to get the students to return to classes Monday morning after the strike. Witness later testified that the Board of Directors met and

ruled that all students who did not return to classes on Tuesday after the strike, at 1 o'clock would be expelled, but that the penalty should be modified to suspension. Witness replied in the affirmative. Judge Scott asked if, therefore, it was not the desire of the faculty to be less harsh and forceful in enforcing the rules of the school than the Board had desired to be. Again the reply was affirmative.

To Judge Scott witness said he could remember no specific instance of President Harrington giving offense to students. Witness said to Mr. Sumners that President Harrington had made no effort to straighten out conditions; asserted that the President is unfortunate in his manner or method in treating with men, young or old, though not meaning any harm, but is just temperamentally unfortunate; that there was no definite complaint, but a growing feeling of ill-will.

Answering Mr. Debenport, witness said President Harrington is competent intellectually and presides over Faculty meetings fairly, but declined to say whether the President is interested in members of the Faculty. Witness asserted that there was very little mixing and mingling of the President with the Faculty and he had never seen the President mixing with the students.

He believed that former Presidents mixed with the boys much more than Prof. Harrington. Witness then explained that the boys do not associate with their teachers very much because of the general belief that in such instances the students are seeking favors, adding that that was all the more reason the President should be amiable and easily approachable, so that the boys would have a sympathizer and friend to go to. And that the strike came after the Austin-Dallas and holiday trips.

Judge Scott sought to specifically show when President Harrington's demeanor changed, witness stating that Prof. Hutson was not treated right last Christmas, nor was Prof. Mitchell about two or three weeks ago, by the President. The only reference to the Hutson incident was that there was a case of whooping cough at his house, and Prof. Harrington ordered a strict quarantine against the Hutson home. The Mitchell incident was not explained, it being agreed that Prof. Mitchell, who is still on the campus, would be the best witness to relate what occurred.

Adjourned until 8 o'clock Thursday morning.

#### THURSDAY, JUNE 18.

When the Investigation Board convened at 8:15 on Thursday morning C. B. Campbell, professor of modern languages, was the first witness called to the stand. He said he had been here about five years, that he came daily in contact with about one hundred and thirty students under him, and said that the feeling by the student body for the President was not at all cordial. He expressed the opinion on the direct examination by Mr. Sumners, that the institution could not do good work next year under President Harrington's administration. He said the Faculty, when the trouble arose, did everything that it could to maintain order and enforce discipline.

Judge Debenport took the witness and undertook to get him to express an opinion as to the manner in which men, and especially College heads, manifest good feeling toward the students. Witness replied that it was manifested in the usual manner, by word or smile and in general mingling with the students. Judge Debenport asked how a dumb man would manifest good will and gain the confidence of the students. Witness replied that it would be by smiles and a general friendly demeanor.

"How should the President cultivate good will among the students?"

"I should say by attending athletic games and participating in their institutions." Witness further testified that he did not feel the President had done all that he could have done to maintain the good will of the students;

that he was of strong, cold type of men, as distinguished from the warm-hearted, friendly men. Counsel asked if it was not necessary many times for a college official to make speeches to the boys and the reply was in the affirmative.

Judge Debenport then sought to question the witness as to the change that has come over the management of children and the discipline of the household of today as compared with twenty years or ten years ago. Judge Leggett objected to the question, saying it was not necessary to go into such foreign ground. Judge Debenport said he desired to show that the manner of handling boys had changed and that, whereas Dr. Harrington might have been a good leader several years ago, his ideas are antiquated. The objection stood on the vote of the Board.

Judge Scott took the witness and asked if Commandant Moses was not the chairman of the discipline committee. After several indirect answers he said such was the case. He said, on question, that he did not include the Faculty in the statement that President Harrington's administration would not be good for the school. In reply to the question had the Faculty done anything to restore order, witness said it had done nothing except what the Board had ordered; that it had done nothing of moment on its own initiative.

"New sessions are made up, in part at least, of new students, are they not?" asked Judge Scott.

"No, sir."

"If the Faculty should attempt to enforce discipline next year and the students should abide by the rules, would there be any friction?" Mr. Sumners objected to the question, saying that anyone would know that if the rules were obeyed there would be discipline and order. The objection was overruled.

"There would be a grave doubt," replied the witness.

"What makes the doubt if the rules were obeyed?"

"Do you know of anything on the part of President Harrington during the entire time that you have been here that would justify the complaint of the students?"

"I know of only one case, I believe, and that was over the matter of supplying a room to a physical director."

"Is that the only one?"

"The only one so far as I know personally."

Witness was then asked to explain that instance, and replied that last summer, during the absence of President Harrington, and when the Dean was acting president, arrangements had been made to employ a physical director, that the Board was to pay him \$900, the athletic department and students to pay him \$400, and that the acting President agreed that he should be furnished a room free of charge. Witness said he was in Chicago at the time and recommended a man there who was going to get married. His name was Larson. It was understood and agreed by the authorities through the Dean that his marriage would make no difference, although parties unmarried were usually given preference owing to crowded conditions at the College. When he arrived, according to witness, President Harrington had returned and he was not furnished a room. He had to rent one.

"Did you go to the Dean?"

"Yes, I went to him, as did other instructors, and he said he would see the President and see if the room could not be furnished as promised."

"Did you feel that there were sufficient grounds for complaint?"

"I felt that as the room had been promised it should be supplied."

Asked if he went to the President, witness replied that he did not; that he left it for men who stood closer to the President than he did.



"You did not fail to go because you thought that the president would refuse your request?"

"I didn't feel at first that he would refuse it, but after others had gone to him, I felt different about it."

"Do you know whether or not President Harrington was advised of the contract before it was made?"

"I can't say as to that."

"Had you in mind any room when the contract was made and was there a room available so far as you knew?"

"No, sir."

Judge Scott then asked witness the duty of the Dean, and the reply was that he relieved the President of many of the routine duties, that he signed furloughs and relieved the President of quite a few affairs that previous to that time brought him in contact with the students.

Mr. Sumners asked if it wasn't true that the Dean was supposed to relieve the President of a great many of the duties that he had formerly been called upon to discharge. The reply was in the affirmative. Asked as to the character of the last year's work in his department, witness said that it had not been of a standard as high as formerly. He said as much ground had been covered as in former years, but that the percentage was not as high.

"Is it essential to the maintenance of this school," asked Judge Scott, taking the witness, "that the boys who have been in open defiance of this school should return here at all?"

"It seems to me it would be very costly if they did not."

"Don't you think you can fill the school without them?"

"No, sir."

"That is your deliberate judgment?"

"Yes, sir."

Mr. Sumners took the witness: "Is it not a fact that most of the new students go into the Freshman Class?"

"Yes, sir, with the exception of a few Sophomores."

"You have teachers here, have you not, who have been here for years?"

"Yes, sir."

"What effect would it have on the College and on the State if for three years this school failed to turn out graduates?"

"It seems to me that it would be a setback, giving some of the other institutions in other states the advantage of this one."

"Have you ever heard the fact that the Shirley Hotel here has a tendency that is bad upon the institution generally?"

"No, I have not."

Witness said the hotel was built and owned by persons primarily for the accommodation of such as had no families. It had paid one dividend of 5 per cent in two years.

"Would it not be a calamity to dismiss the pupils?"

"Undoubtedly."

"Which, in your mind, would be the greatest calamity, dismissing the students or the president."

Mr. Sumners objected to the question, saying that the witness and Dr. Harrington might be associated together next year, and that such questions were very embarrassing and should not be propounded. Judge Legett sustained the objection.

Mr. Peteet wanted to know if Mr. Larson ever got the room. Witness stated that it was finally placed at his disposal in November. He was assigned to it by President Harrington.

Prof. J. C. Nagle.

The next witness was J. C. Nagle, head of the department of civil engi-

neering, and for eighteen years connected with the College. Necessarily he is acquainted with the student corps and believed it compared very favorably with any preceding it for decency, study and discipline. He had seen no evidences of obstreperousness or unwilling spirit, but called them a splendid set of young men.

Mr. Sumners—Is the feeling of the student body toward President Harrington one of confidence, esteem and kindly?

"It is not, but prior to the strike I knew of no strained feeling at all."

Prof. Nagle testified that before the strike he had not seen any evidences of a strained relation and had known of none, and that he knew of no member of the Faculty who had aided or encouraged the strike. Witness further said that the Faculty expects the President, as executive officer, to take the lead in shaping the policies of the College and in matters of importance in the institution.

"Is there anything he has undertaken to improve conditions that the Faculty has failed to render him its support and assistance?"

"A majority of the faculty has always sustained him in his undertakings, although personally I disagreed with him on one occasion, and every man reserves the right to exercise his own judgment in casting his votes in Faculty meetings."

Mr. Sumners was desirous of showing that President Harrington had been absent from a large number of Faculty meetings since the strike, which was agreed to by witnesses, but it was thought best to have the Faculty secretary, Prof. Spence, look over the minutes and see the exact number of absences.

"You know the feeling of the student body and the conditions over the State generally, hence I will ask you what is the possibility of doing normal work in the school next session?"

"With the temper of the present corps prevailing I would say that no very harmonious work can be done."

The witness said he had known of nothing being done since the strike to harmonize the feeling between President Harrington and the student body, and that while things were quiet and not active, he thought the same feeling exists, but is dormant. He had never known of similar conditions existing at any other school with which he had been acquainted, and believed that school methods and experience shows that the most effective way to deal with the young men is to appeal to their better side and treat them as other men are treated, and they would respond accordingly. He had always found, with some few exceptions, that students stand ready to meet you in the spirit in which they are approached.

Mr. Debenport then took the witness and plied questions as to President Harrington attending student meetings, rallies, etc., and Prof. Nagle replied that he did not know if the President went to such places, as he (the witness) did not attend them himself, not having time to do so, but he had seen President Harrington frequently at the general meetings.

Asked about the action of the boys generally he replied:

"Up to the time of the strike I thought I knew boys pretty well, but since then I concluded I did not."

### New Boys With Prejudices.

"You know that the press dispatches have informed the whole State of this proceeding and the events at the College during the trouble, and in view of this condition don't you think that the new boys coming next year, even if all the old boys remained at home, would come with a feeling of prejudice?"

"A few germs soon spread the disease generally," was the reply.

Mr. Debenport then asked for an expression of opinion of the President's

ability as an executive officer and disciplinarian, and the witness said that he would prefer not answering the question, that he preferred to be asked for facts, and Director McInnis, acting chairman, ruled it out.

Judge Scott then cross-examined the witness, eliciting the fact that he had never been instructor in any other college except the University Summer School, hence had no opportunity of observing the conduct in other colleges. He said the strike was a great surprise to him.

"Have you ever noticed any change in the attitude of the President toward the institution in the management of its affairs?"

"There has been absolutely no interference in my department, which has been permitted to run smoothly and satisfactorily, I could not answer as to the other departments, but have heard some rumors." He was not asked about the rumors.

"Have you noticed any change in the President's attitude toward the students during the two years preceding the strike?"

"None. I have seen the President among the students very little."

"Have you seen anything done by the President to restore order and preserve discipline?"

"Nothing."

It was the opinion of the witness that the President should have done something to attempt to reconcile the students, but admitted that it was extremely difficult for members of the Faculty to get close to the students at the time of the strike and that it would have been even more so for the President to have attempted it. He said the President did call upon the Faculty to assist in restoring order and discipline and that witness had responded to the best of his ability.

"What in your judgment would have been the result if the President had taken the active initiative in having the boys punished after the strike for their conduct during it; would it not have aggravated the situation rather than alleviate it?"

"We wouldn't have had any students here."

Mr. Sumners asked: "Do you know if the President entertained that idea of the situation?"

"I cannot answer as to that."

"You do not know that such a fear by President Harrington prevented him from enforcing discipline and thus cause the boys to leave, do you?"

"I don't know."

Picking up the red book, the rules and regulations governing the College, Mr. Sumners asked the question: "Is it not a fact that these rules have not been enforced since the strike?"

"That has been the current report, but I have seen no breaches except the strike."

"Prof. Alvord of the discipline committee testified that professors had seen breaches of the rules, and I want to know if you have known of President Harrington having the offenders punished?"

"Only the seven Juniors who were on the Battalion staff."

Witness then testified as to those in authority losing control of situations and efforts to regain same, stating that the recent experience in the College was novel to him and he did not know what effects would come.

"Do you know," asked Mr. Sumners, "whether or not there is any considerable feeling of unrest here on the part of any considerable number of the Faculty?"

"There must necessarily be a feeling of unrest when conditions are as they are now."

"Is it possible for members of the Faculty to do their best toward members of the student body when these conditions exist?"

"Certainly not, if they permit the matters to weigh upon their minds; personally, I try to keep it down."

Mr. Sumners started to ask another question, then laughed and said he would not ask it as it was too psychological. The witness thanked him and Mr. Sumners again laughed, saying he was about to ask if it was possible for members of the Faculty to keep such matters from weighing upon their minds. There was a general laugh.

"The Board of Directors didn't indicate the kind of punishment to be assessed at that meeting you referred to awhile ago, did it?" asked Mr. Sumners.

"They merely issued orders to mete out summary and adequate punishment."

"You considered that to be left to the judgment of the Faculty, did you not?"

"Yes, sir."

#### Prof. O. M. Ball.

The next witness placed on the stand was O. M. Ball, professor of botany and State botanist of Texas. He had been at the school five years. He said the students had a lack of esteem for the President and asserted that unrest certainly had to exist among the members of the Faculty under the conditions that had existed.

"Can anything like good work be expected at this school," asked Mr. Sumners, "if President Harrington is here again next year?"

"If any considerable number of the students here during the past year return next year, I don't see how there can be good work."

"Do you know of any members of the Faculty that had any part in instigating this strike?"

"I do not."

"Did any members of the Faculty that you know of try to get the students to come back and restore order?"

"Yes, sir; Prof. Kyle and Dr. Gilbert tried to get them to come back."

"What was their attitude?"

"They deprecated the tenor of conditions here and so expressed themselves to me."

"Since the inception of the strike, do you know anything that President Harrington has done to restore normal conditions?"

"I don't know of anything with the exception of the action regarding the seven Juniors."

"Do you think it is indispensable in the control of students to keep in touch with them, to go to their games, and to make speeches to them occasionally?"

"Yes, sir."

"Has the President endeavored to do that?"

"I don't think so."

#### Cold and Austere.

Mr. Debenport then went into a psychological discussion as to the impression that a man makes upon another, asking witness whether when he first met a man he did not size him up as a warm-hearted or a cold man. He finally got from the witness the opinion that Dr. Harrington was cold and austere. Mr. Debenport asked, in view of the fact that dissatisfaction has existed, if it wouldn't present itself in the future, even if the students were changed. Judge Green objected strenuously to this question, saying that it was an utterly unreasonable invasion of the realms of psychology. The witness was then excused and the committee recessed ten minutes, as the next witness was not ready.

## Prof. "Bob" Smith.

R. F. Smith, associate professor of mathematics, and for twenty-six years connected with the College, was sworn and asked the usual question as to his observation of the feeling of the students toward the President, whether it was one of esteem, confidence and respect.

Director Haidusek immediately interrupted with this statement, which caused looks of surprise: "I object to that question, because it has been asked of every witness who has been on the stand, and the facts therein established in our minds, and it should not be repeatedly asked after having been gone over so elaborately."

Quite a commotion was made both in the audience and Board and Mr. Sumners was on his feet instantly, stating: "All right. We think if it is conceded that that fact is established, as we think it is, it is unnecessary to continue that line of questioning, and we tender the witness to the Board to show that good work can not be done next session under President Harrington because of this feeling of the students."

Director McInnis, presiding, ruled that cumulative testimony was entirely permissible.

Mr. Sumners—If the Board will concede that condition of feeling firmly established, further questions along that line are unnecessary.

Director McInnis—The Board can consider nothing proven at this time.

Then both Messrs. Legett and McInnis urged Mr. Sumners to go ahead with his line of questioning.

The original question was repeated and Prof. Smith answered that the feeling was not one of accord, not so much of disrespect, but, in his mind, one of dislike.

"Is it mild or deep-seated and apparently fixed?"

"Well, it looks as though it was fixed."

"Have you ever seen such a condition exist here before before during your twenty-five years of service?"

"No."

"Is it your opinion that normal work can be done here next session with President Harrington in authority?"

"I really cannot answer that question."

Judge Scott then cross-examined the witness, asking him how long he had observed the feeling of dislike.

"I think it of recent origin, but can not say just when. But in justice to President Harrington, I will say that his first year as President was one of accord, but that since then it has gradually changed, first by occasional conversational reference, and then open talk. It became marked last session, and grew more intense as time passed. I had even heard last summer that a petition asking for President Harrington's removal had been prepared in May of last year, but can not recall who told me of it. I heard it last summer some time."

Witness said his personal and official relations with the President were pleasant, and that he could recall no serious trouble in the past history of the school. When asked if he remembered the trouble led by a student named E. J. Smith in 1888, he said he did not. He said there was no President then, and that the chairman of the Faculty died that year.

Mr. Debenport brought out that the feeling between the President and most of the Faculty was affable, and that it has been more natural than otherwise for previous Presidents of the College to be affable to the students; that it was not necessary for them to strive to show affability.

The old question of mutuality was threshed out, and finally stopped by Director McInnis, presiding, because of its length and repetition.

Mr. Sumners then said he had run out of witnesses and that he would suggest a conference of attorneys to see if they could not agree on a lot of

cumulative testimony he had to offer, and thus save time, adding that he believed that the charge of the Alumni Association had been abundantly proven."

Judge Scott said such a conference would be entirely agreeable, as he would like to know when the other side would finish its testimony, in order that he might have some idea as to his own time.

Director Haidusek interrupted to say that he would continue to "butt in," and that he could be put down as an objector from that time on.

Judge Scott said that he expected to get at the bottom of the charges pending; that he came into the investigation late, and discovered that the charges, save one, had been filed after an anonymous fashion, no one apparently standing for them. He said he would insist that these charges be expunged from the record, unless somebody fathered them and unless somebody got behind them and stood for them. It was agreed that the matter could be taken up later.

Mr. Sumners said that he had in mind the calling of a witness from a distance to testify concerning the charge that President Harrington had at one time made a murderous assault upon a student with a shotgun, using profane and obscene language. He desired to have a ruling on the advisability of this testimony before sending for the witness. Judge Haidusek said he would move not to admit such testimony. Mr. Sumners suggested that it was a matter which the Board should go into and listen to argument upon. This feature went over. Mr. Sumners suggested that he would cooperate as far as possible to make the investigation short, and that, although he didn't mind spending the summer here, he wanted to be at home during the Christmas holidays. Mr. Peteet moved recess of the Board until 2 p. m., which carried.

#### Rev. Powell Examined.

When the committee reconvened at 2 p. m. Rev. Nathan Powell was placed on the stand at the suggestion of Judge Legett, who asked that, inasmuch as Mr. Powell had to leave on a train, the counsel take up his examination. Judge Scott informed him that after his departure last Thursday night, when it was desired that he go on the stand, some remarks had been made concerning conversations he was said to have had with members of the Faculty. Judge Scott asked Mr. Powell to explain why he had departed Thursday night without giving the committee notice. He said in reply that he had some important engagements at Chappell Hill, where he is pastor of the Methodist Church; that he had to catch a night train, and that he did not come around to the investigation as he had been around for three days, and did not desire to be put on the stand Thursday night, not wanting to be broken off in the middle of his testimony.

"Did the secretary of the Board tell you to be here at 8 o'clock Thursday night?" inquired Judge Scott.

"Yes, sir."

"Did you tell him you would be here?"

"I came here and asked Mr. Sumners, and he told me that I could go if it was important. I understood that that excused me."

"Did you tell Prof. Nagle that the prosecution had decided not to use you, and that you did not propose to testify for the other side?"

"I did not."

"Did you tell him in that conversation that you were hiding out?"

"I did not; I told him that I would be walking on."

"Did you tell him that you did not want to be found?"

"Yes, I told him that I did not want to be found that night."

"It appears here that you have lodged with the Board of Directors some very serious complaints. I have'n't seen the letter; it is in the hands of Mr.

Rowell and he is unable to be here. The Board has a hesitancy in taking this matter up in the absence of Mr. Rowell, and I will therefore ask you to state what the complaints made to him are."

"I had a conversation with Mr. Rowell and also wrote him a letter and do not remember what I said in it."

"Is there anything in your mind now relative to that letter that you desire this Board to consider?"

The witness replied that there was, saying that he had been in the employ of the college in the capacity of chaplain; that he had been discharged by Judge Leggett, and that the reason given for the discharge was that he had kept a stallion on the college grounds for hire.

"I did not say anything about you keeping him on the College grounds for hire," said Judge Leggett. "I merely said that you were discharged because you had the horse and were keeping him for hire."

The witness then explained how he got the horses; that he still has them and hires them out, and helps to make his living that way, and that at the time they were on the A. and M. campus they were in the custody of Professor Marshall, who was using them in connection with the college exhibit, and that after Professor Marshall released custody of them they went to a man named Tucker in Bryan to keep. "I would like to say," added the witness, "that when I was employed here nothing was said about property qualifications."

"What connection did Dr. Harrington have with all this?"

"I understand from Judge Leggett that Dr. Harrington had told him that I was keeping a stallion on the College grounds for hire."

"So that was your complaint; is there anything else?"

"Yes, there is; I have one other." The witness then testified that soon after he came to the college he went to Dr. Harrington and suggested to him that it would be a good thing to buy a pipe organ for the assembly hall. "Dr. Harrington agreed with me thoroughly. I told him that I would suggest it the next Sunday; that I would contribute \$100; would call upon the students and Faculty members to contribute \$900, making it \$1,000, and that the Board of Directors might contribute \$2,000 to make up about \$3,000, which was necessary to make the purchase. I announced the plan as I had suggested, and it met with approval. The \$1,000 was raised. Dr. Harrington came by my house one morning, congratulated me on the success of the plan and said he was going to a Board meeting at Fort Worth and that he would write out the specific plans, cost, etc. Later I went to Dr. Harrington and told him that writing was cold and unsatisfactory, and suggested that he permit me to go to Fort Worth with him to present the case to the Board in person. He agreed with me that it would be a good plan, saying that he, however, had no fund from which to pay my expenses. I told him that I would pay them. I went to Fort Worth. The Board met on the North Side. Dr. Harrington and myself appeared before the body. I presented the case, Dr. Harrington sitting idly by, and after I had finished Judge Leggett announced that he was ready to vote if there were no more remarks. Dr. Harrington took the floor and said that he did not think the Board was ready to vote upon the question.

"He told the Board that there were other things needed at the College worse than pipe organs. I charged and now charge Dr. Harrington with gross duplicity. To show that Dr. Harrington was committed to this purchase and this plan, he wrote me a note saying that he would contribute \$50 to the fund, that he had to leave the city, and suggested that the matter of placing the organ should be left to the committee in charge of the assembly hall. I maintain that he acted with duplicity when he was honor-bound to use his influence with the board. He broke confidence with me in a very flagrant manner."

Witness said Mr. Neff had made some charge about the laundry service, but it was agreed that Mr. Neff should testify as to that. Witness had written Director Rowell in November, 1907, while the stallion matter came up in February, 1908. He said that when President Harrington told him that the Board had let him out as an officer of the Agricultural and Mechanical College, no reason was given for such action, nor did the Board ever give him its reasons therefor. The way he found out was that when he went out to Austin the Governor told him that Director Milner said the reason was for standing a stallion on the College grounds. He said the Governor did not mention President Harrington in connection with the matter and the first he knew of President Harrington's part in it was when Chairman Legett of the Board told him.

Witness said that the Board decided to let him out at its January meeting, but that he was not advised of it until August 7, last, President Harrington informing him of it, and adding that the secretary was sent from the room and no minute made of the proceeding. He and the President agreed that his connection with the College should cease on December 1, 1907. He had written letters to Directors Peteet and Legett, the latter containing his resignation. Another series of letters were to Prof. Connell, then in South Carolina, John A. Craig of San Antonio, Mr. Green of Brownsville and Prof. Conradi, all formerly connected with the College work. These letters advised them of the situation at the College and urged them to write to their friends in Texas to demand that the Board of Directors investigate conditions at the College and see the conditions as they existed, that they were severely strained and needed adjusting and could not be seen by the Board when staying only a day or two at a time. He might have said President Harrington should be removed, but that the primary purpose was to have the Board ascertain the true conditions, though he believed President Harrington was not a suitable man for the place. He stuck to his position that the intention of the letters was not to have Harrington removed, but to force a full investigation.

He was not sure that he did not predict the uprising. He acknowledged that he did so in his letters to the Governor and to Director Rowell. His letter to the Governor contained information as to the conditions at the College and prophesying that the students would revolt unless the tension was relieved. He came to the College on Monday, while the strike started on Saturday previous. He had had no intimation that the uprising would take place, nor that the students would ask for the removal of the President. He had come in response to a telephone message from W. H. Telfair, a member of the Senior Class, who told him that the invitation came from the entire Senior Class.

At this point the witness volunteered the statement that he went to Austin to see the Governor in response to a letter from the Governor and urgent letters from two citizens of Bryan, laying stress on the strained conditions at the College, and insisting that he should go to Austin.

"Do you mind telling us who those two citizens were?" asked Judge Scott.

"Certainly not. They were J. Webb Howell, an alumnus of this institution and a prominent and substantial citizen of Bryan, and Dr. Eaves of that place."

Witness said he wrote the Governor, telling him of conditions at the College, and that a reply was received stating, in effect, that it was the first information of unsatisfactory conditions at the College; that the Governor was interested in the institution, and finally suggesting that the writer come to Austin and discuss the situation with his excellency.

"Did you ever tell the boys to go ahead with their strike, as the Governor was behind them in their fight?" queried Judge Scott.

"I did not. The Governor appeared not to agree with me, but seemed to



sustain President Harrington and accept the latter's side of the controversy."

Witness had not consulted or discussed the trouble with any professor or instructor, except casually.

Judge Scott asked if he had not received a reply from Director Green refusing to come to his aid in an attempt to remove President Harrington, and witness replied that he had never received an answer to his letter even up to this day.

Mr. Powell was acquainted with the Senior student Casey, then engaged in writing a history of the trouble at the College, but denied having financially assisted him, stating that Mr. Casey wrote asking for \$100, to be returned, but witness did not have the money then. He said he referred him to the First National Bank of Brenham, advising that the money could be gotten on a note with good security, and offered to sign it with other friends of Mr. Casey, and he sent Mr. Casey's letter to the cashier of the bank with the same information. He kept an account with that bank. Had not otherwise assisted Casey, but a patron of the school in Brenham had offered to advance the money for Casey.

"Who was that patron "

"Mr. H. C. Miller."

Further questioning developed that Mr. Casey desired the money mentioned in his letter to pay maintenance he owed the College, since writing the book caused him to give up work by which he was paying his way through College.

Witness was asked if his solicitation was through the fear that something would happen to the institution. He replied in the affirmative, and was asked what happened to make him fear that something would happen to the institution. He replied that as leader of the Y. M. C. A. he came in contact with many of the students; that he heard expressions of discontent, and that the leaders were constantly complaining.

#### Strike Was Long Contemplated.

He said that on June 12, 1907, a young man named Caldwell, who was staying at his house, remarked that it was a good thing the usual closing exercises had not been held, as there was a plan on foot to issue a petition signed by the students demanding the resignation of Dr. Harrington. He said that later in the summer while in Houston he had met a young man who had just recovered from the typhoid fever, who remarked: "We will have but one more year of Harrington." Witness said that in October following he had arranged a Y. M. C. A. entertainment and had placed the name of Dr. Harrington on the program and that a number of the students on seeing it insisted that it be taken off, saying that it would place the Y. M. C. A. in bad odor with the College generally to have a program with Dr. Harrington on it. Dr. Harrington was kept on the program just the same, said the witness. Witness said that he did not do anything to induce the strike, but that on the other hand he did everything to prevent it.

Judge Green took the witness and developed the fact that he had been a minister for eighteen years; that he had been breeding stallions for four years, and did not think there was anything incongruous between the two. He said his conference and his bishop did not object to the stallion feature of his work.

Judge Green asked if, in the event Dr. Harrington reported the matter of stallions to the Board and recommended no action, and if the Board, when Dr. Harrington was not present, took the matter up and decided to get another chaplain, feeling that there was something incongruous between preaching the Gospel and standing stallions for hire, if the witness would blame Dr. Harrington. Witness replied that, if Dr. Harrington had revealed every feature of the case to the Board and the Board had taken

such action, he could not, of course, have any feeling toward Dr. Harrington, "but," he said, "I would be convinced that the members of the Board were mossbacks."

Mr. Peteet took the witness and asked if when he discovered the ill will on the part of the students toward the President, he reported the matter to the President and talked with him about it. Witness replied that he did not, that he felt that it was none of his business. Mr. Peteet suggested that, as the religious keeper of the College and the missionary of peace and good will, that it was his duty to keep down anger. Witness said he did not think so, and Mr. Peteet said, "I merely wished to get your viewpoint."

Mr. Peteet asked witness if he made the complaint merely for the good of the College, or to satisfy a grievance against Dr. Harrington. He said it was for the good of the College and that he never cherished animosity and therefore had nothing against Dr. Harrington. The witness was excused.

#### Howell Saw the Unrest.

The next witness was J. Webb Howell of Bryan, formerly a grocer but now an oil mill manager. He said he used to visit the College regularly and commented upon the state of unrest here. He referred to Rev. Mr. Powell, saying Powell had approached the witness one day and told him that he had been to see the governor concerning conditions. "I told him a short time later," he said, "that he should go to see the governor again." Witness kept in close touch with the College, and while he might have thought of removing Prof. Harrington when he wrote the governor, he did not have any conversation to that effect, that a possible removal was uppermost in the minds of all. Bryan and the College being the same as one place, he declared.

To Director Peteet witness answered that he had no intimation of a strike, and that he was opposed to striking and that the strike was a surprise to him.

"You spoke of strained conditions to be relieved. What form of outbreak did you expect?"

"I thought the Board would do something."

"But I mean on the part of the students?"

"They surprised me. I did not think they had the nerve to strike."

Witness said that he wrote the governor stating that the students were mad, the Faculty dissatisfied and a general unsettled condition prevailing.

"Did you say President Harrington ought to be removed?"

"I might have."

"Who of the professors have stock in the oil mill with which you are connected?"

"Dr. Brown and Profs. Nagle and Spence."

#### Prof. Mitchell's Grievance.

The next witness was Prof. A. Mitchell, an alumnus of the College, but for the past six years instructor in the department of architectural drawing. His relations had been pleasant with Prof. Harrington until recent events showed otherwise. On business matters he said he was not treated right. As secretary of the Alumni Association he had been asked by Dr. Brown a year ago if copies of the program were desired to be mailed to the Alumni, the doctor promising to see the President and secure about four hundred copies free, which was done, the President having been too sick, however, to be seen. This last commencement he asked Prof. Brown if free programs could be gotten again, asked Mr. S'bisa if the \$3 per plate Alumni banquet could not be reduced and asked Mr. Watkins where were the cots used by the Farmers' Congress. That shortly afterward, Mr. S'bisa told him President Harrington desired to see him and he went to Prof. Harrington, asking if he wanted to see him and that Prof. Harrington bluffly replied:

"No, I do not want to see you. You want to see me. You saw Dr. Brown for programs, the janitor for beds and the steward about the banquet. I am in charge of all that and you should see me about it."

Witness then testified to Mr. Sumners that the method of arranging the banquet as outlined did not differ from previous years, that he had been on at least two other committees arranging them, and that the secretary always attended to the alumni banquet without consulting the President, that he meant no disrespect but followed precedent.

#### Differences Between Families.

Here was given some testimony as to why the President got mad, there being a distinction as to his getting mad and being mad at Prof. Mitchell, it being asserted that he claimed to be just mad about some differences between the families, the primary cause of which was stated, but on motion of Director Peteet it was expunged from the record and the newspapers requested not to use it. His motion was that all references to social differences be ruled out and the record refer to personal differences." Answering Judge Scott, the witness said he had no other personal differences with the President; that the President's language on the occasion in question was improper and made him mad, but that he did not discuss it with the President, though mention of it was made to President Law of the Alumni and Prof. Giesecke. Witness asserted that he had not discussed his testimony with anybody before going on the stand. He was an ex-officio member of the Alumni executive committee, but denied that its meetings at the College in which he participated were to secure petitions and evidence seeking to remove President Harrington, averring that they were held to devise means to relieve conditions at the College and restore the normal status, but the Houston meeting of the Alumni took things into their own hands.

"Were you expecting the strike?"

"No, sir. It was a complete surprise to me."

Judge Sumners here made a statement that his side was tentatively at rest on the thirteenth charge. Judge Scott made inquiry as to the other twelve charges, and said that unless some one assumed responsibility for them, they should be dismissed. A long argument followed as to this matter, as is reported elsewhere. At 5 o'clock the Board went into executive session, adjourning the hearing until 8 o'clock.

When the Board reconvened in open session at 8 o'clock it reported a resolution declaring that the Alumni Association should present any evidence it had in support of charges 1 to 12, and ruled that it should make this presentation before resting. Judge Sumners, for the Alumni Association, protested against being compelled to thus proceed, instead of first finishing with charge No. 13, which the Alumni Association had presented upon its own responsibility.

Judge Sumners announced that the evidence upon the first charge as to the irregularity of accounts would necessitate the production of the books of the institution. It was finally agreed that the books should be presented at 9 o'clock Friday morning. The treasurer was notified to be on hand with such books. Mr. Sumners insisted that the books be brought, in spite of the fact that the Board told him that at the close of the present fiscal year the accounts of the school would be gone into by an expert auditor.

Judge Scott said that it was evident to him that the writers of that charge when they had made it, had in mind no specific charge, but only had in mind a charge in general, and said that the Alumni Association in making the charge was "going fishing." He asked that the books be brought and any special features in connection with the accounts be examined.

Mr. Sumners was then instructed to present his other witnesses, that the investigation might proceed with no loss of time. Mr. Sumners said he

had no witnesses that he could introduce at that session, but that he would have to ask an adjournment until Friday morning. Judge Scott had previously refused to go ahead with the examination of the witnesses of the defense until the prosecution rested. The Board retired to consider the matter in executive session. When it returned to the room it announced that it was sorry to order on adjournment, but not desiring to refuse either side a privilege asked for, it would adjourn until Friday morning, with the request that the prosecution furnish the committee with the names of all witnesses desired, as the committee would not again adjourn to permit witnesses to be on hand. The Board also announced that Mr. Sumners would be expected to name the charges upon which he rested. Mr. Sumners announced that he would withdraw his statement of withdrawal on any of the charges, reserving the right to introduce testimony on one and all of them.

The committee then adjourned until 8 o'clock Friday morning.

#### FRIDAY, JUNE 19.

##### D. W. Spence.

The Board of investigation convened at 8 o'clock Friday morning, and Mr. Sumners, representing the prosecution, placed upon the stand the secretary of the Faculty, D. W. Spence, who testified on the minutes of Faculty meetings as to action taken and absences. Mr. Sumners asked what action was taken by the Faculty between the time the petition for the removal of Dr. Harrington was filed and the present time. The reply, after an examination of the minutes, was that there had been twenty-four meetings. Mr. Sumners then asked from how many meetings Dr. Harrington had been absent, and the reply was as follows: February 18 and 25; March 3, 10, 17 and 31; April 28; May 19, and June 8, 10 and 11. Dr. Harrington, he testified, was absent from eleven meetings out of the twenty-four.

Judge Sumners instructed the witness to look over the minutes and see what was done by the Faculty to eliminate untoward conditions at the College. Judge Scott interjected a question, asking if witness knew any reason why the usual punishment in case of strike was not inflicted.

"It was," said the witness. "They were suspended."

"Were they ever reinstated?"

Witness referred to the minutes, and read where a telegram had been sent by the Board to the parents of students, saying that if students would return they would be reinstated, provided they pledged themselves to conform to the regulations. The witness was then excused.

S. E. Andrews, secretary of the College Board, was the next witness placed on the stand. He was asked concerning the salary of the President, and said that it was \$4,000 a year. "Of the amount," said the witness, "\$3,500 is paid out of the maintenance and support fund supplied by legislative appropriation. Prior to June 27, 1907, all of the \$4,000 was paid out of the maintenance and support fund. At that time, however, the feed control law went into effect, and it was provided that the work should be under the director of the station. The sum of \$500 was deducted from the President's salary that came out of the maintenance and support fund, and the salary of \$4,000 was apportioned, \$3,500 to be paid out of the maintenance and support fund and \$500 to be paid out of the feed control fund.

"Then he is only receiving \$4,000 a year, as did former Presidents of the institution, and as he received before it became his duty as director of the station to administer the feed control law?" The answer was in the affirmative.

"Then he receives no other compensation, directly or indirectly, in connection with the College work?"

"No, sir."

"Was he elected on a salary of \$4,000?"

"Yes, sir."

"Were these duties added to his position without additional compensation?"

"Yes, sir."

"Are the other salaries paid members of the Faculty apportioned out of the maintenance and support fund and the feed control funds?"

"They are apportioned out of different funds."

The witness was then excused, and Chairman Leggett asked that Mr. Milner occupy the chair for a while.

#### J. M. Carson Jr.

The next witness was J. M. Carson, Jr., treasurer of the College, who testified to Mr. Sumners that the session of 1906-07 closed on May 25, 1907, because of typhoid epidemic, when the regular closing time was June 10 or 11. The students pay a total of \$155 annually, of which \$5 goes to the trust fund, and small bills have been paid out of this fund. He was asked who draws the vouchers for expenditures out of the trust fund, and by permission explained that heretofore the funds paid by students have gone into the general subsistence fund and the disbursements made out of it as a whole. His books carry three distinct funds, namely, subsistence, medical, and trust—there being no special funds.

Witness said that the medical fees did not go to the campus physician, as he receives a fixed salary, but that they go to the hospital fund, and all used by it. That of the \$155 paid in by students, \$137 goes to the subsistence fund, \$46 for the winter term and \$45 for each of the spring and fall terms, \$5 to the students' trust fund and \$8 to the medical fund. It was estimated about \$11 per capita per month comes from the boys for the mess hall, and said that more than that is sometimes used, but that as a rule the expense breaks about even in that regard. He said the unused portion of the trust fund at the end of the scholastic year is returned to the students, but that out of it must come all charges for breakage and other damage to the College property; that the person guilty of committing the damage is charged with it, and sometimes it is chargeable to a room, a stoop (floor) or building. That the responsibility is determined in his office after the report of the janitor is made. The record of amounts returned to students was requested, and Mr. Carson said he would bring his books later and have a statement giving the information desired.

Judge Scott then cross-examined the witness, asking him if there was any claim pending against the institution by any parent or guardian for any amount claimed as due on the terms of the recent session, and the witness answered that the trust fund credits have not been allowed as yet.

"Has any person made claim for his share of it?"

"Some few have written asking for their amount of the fund."

Witness then explained that the reason the unused balances had not been remitted was because the amount of breakage by students had not been determined, and that usually the unused part is not sent out until the latter part of July, though last year it was in August, due to some delays in reports on damage to guns and accouterments, explaining that each gun is numbered and that the number and gun assigned each cadet are carefully recorded and complete track kept of the arms.

The witness said that the \$155 paid by the students included all of his necessities at the College, such as tuition, laundry, lights, fuel and board and lodging, the student being required to pay for his clothes and books separately. He said there were laboratory fees of \$1 to \$2, never to exceed \$5, which are prescribed by the Board of Directors, and that the amounts can easily be ascertained by referring to the catalogue and rules. That no change in that respect had been made during the present administration.

He then answered that no parent had ever claimed that these funds were improperly used nor had anybody ever asked to investigate the books or accounts, not even the members of the Alumni committee who came to the College during the trouble, and who saw him almost daily. And that none of them asked any information of him about the matter and did not intimate that there was anything wrong with the funds. He knew of no reason why they should not have asked him about the funds and accounts.

Mr. Sumners—When was all of last year's excess in the maintenance fund returned or paid back—before or after the strike?

“After the strike.”

“Was there any demand for it then?”

“Not to me. I refunded it in response to an order from the Board of Directors.”

Mr. Carson was here excused with the understanding that he would be called later and asked further about the accounts, which he was to arrange for. But before he left the stand Director Rowell secured answers to the effect that the only fund parents expect any return from was the trust fund and that other funds were to be entirely exhausted. Witness also explained how the accounts are finally rendered and how it was impossible to ascertain the breakage, etc., in such a limited time. Also that his books were examined last year by an expert accountant from the Auditing Company of the Southwest of Houston, who spent some two or three weeks on the work. And that the rule observed in the past is to have the books thoroughly checked once every year, and that no exception had been made with him.

“Then if there is any misappropriation of funds,” said Mr. Rowell, “your books don't show it?”

“No, sir.”

“Is it not true that the funds of this College go through your hands?”

“Yes, sir.”

“Is it not true that none of the funds of this College go through the hands of the President except his salary, and that he does not handle that until you pay it to him?”

“That is right.”

“And that if there should be any misappropriation of the funds President Harrington would not be the one to profit thereby?”

“That is correct.”

“What manner of vouchers does the President handle?”

“He handles vouchers for the portion of the fund that is designated to be disbursed on his orders. He merely approves them and they are examined several times before they are paid.”

Judge McInnis interpolated the explanation that when the Legislature makes the appropriation for the College it is divided by the Board among the various departments of the institution, and that the head of each department has the right to disburse the amounts by approving vouchers. That these vouchers are then examined by the President of the Board; that the voucher is then exchanged at the bank for money; that the bank forwards it to Austin where it is examined by the comptroller and then sent to the state treasurer for payment, the treasurer then paying the bank that advanced the money on the paper.

Judge Scott then asked the disposition of the fund paid in by students and asked what was done with the money paid by students in case they left the school. Witness replied that if the student left on account of sickness or was otherwise forced to leave, the money was returned; but that if the student left without being so forced to leave, of his own accord, the money was kept by the college. Witness then retired.

**Powell's Letter to Rowell.**

Rev. Mr. Powell, former chaplain of the College, who was on the stand Thursday, was replaced on the stand in order that Judge Rowell, who was not present at the first examination of Mr. Powell might ask some questions. Judge Rowell explained that he desired to ask Mr. Powell some questions concerning a letter which he had received from witness some time before. Mr. Powell explained that he had first mentioned to Mr. Rowell the conditions existing at the school on an occasion when he talked to Mr. Rowell concerning the standing financially of a certain citizen of his town. When he mentioned to Mr. Rowell the conditions at the school the latter said he had to go at once to a Board meeting, and that Mr. Powell could write a letter embodying the charges. Mr. Powell said that subsequently he wrote the letter to Mr. Rowell.

"You wrote the letter which I handed you this morning?" asked Judge Rowell.

"Yes, sir."

"This letter is strictly confidential, is it?"

"Yes, sir; it is strictly confidential."

"Have you any reason for desiring that this letter be not made public?"

"Simply this, that it was written with the expectation that it would be regarded as confidential to one of the Board of Directors. I do not think the public has any moral right in the premises."

"Did you consider that it would be confidential in so far as the members of the Board are concerned?"

"As a matter of fact, the common acceptance of the term is that it is for the man to whom it is written and to no one else."

"I will say," said Judge Rowell, "that I have read the letter to the Board, but it has not been given to the public."

"Inasmuch as you have read the letter to the Board, I will not condemn your action in that as long as it is not given to the public."

"Is there anything affecting the integrity of any of the members of this Faculty that you know of that you feel like making public?"

"I mentioned yesterday the conversation I had with Mr. Neff concerning a laundry bill. I asked him if he was willing to swear to his statements, and he said that he was. If those statements are true, I feel that they should be thoroughly investigated."

"Do you, of your own knowledge, know anything that you can relate that would involve the integrity of the members of this Faculty?"

"In money matters?"

"In anything."

"Well, as regards financial matters, I relied largely upon the statements of Mr. Neff."

**High Praise for the Students.**

Judge Rowell then asked the witness as to the general comportment of the student body, and how it compared in morality with other student bodies witness had known and come in contact with. Witness said that he had graduated at Vanderbilt, at Yale, had attended the Royal George College of Germany, also Trinity College in Texas and had taught at the San Antonio Female College and Agricultural and Mechanical College here. He said that he had never seen a student body that was so steady and reliable, and that the Y. M. C. A. and Bible class work was the superior of any college in the United States. He said this fact had been testified to by all churchmen who had reviewed the work. He said he had never seen upon the grounds any liquor in a public way that would affect the students, and that the Bible class numbered four hundred students, who attended regularly each Sunday.

Mr. Peteet took the witness and asked him if he thought it was proper to write a letter making charges against a man and not permit that letter to be seen by that man or be made public.

"I wrote that letter," began the witness.

"I just want your opinion."

"As I stated, this letter was written with the understanding that it was to be private and confidential, and therefore the public is not entitled to it."

"Would you think it right for a member of your church to write a letter to your bishop making serious charges against you and refusing to permit you to see the charges?"

Judge McInnis said that the question should not be asked, as there was nothing in the record to show that there was anything in the letter affecting the integrity of President Harrington. Judge Scott suggested that Judge Rowell, before the Board, had said that there were charges in the letter which, if true, seriously affected the integrity of President Harrington. The chair ruled that the question could be asked, and the witness replied that if such a letter should be written he would not expect to see it, and that a member of his church had a right to make such charges and that he ought to do so if his conduct as a pastor was not what it should be.

"Does your objection to the making public of this letter extend to the President himself and prohibit him from seeing it?"

"Yes, sir." Witness was then excused from the investigation.

Prof. Spence was recalled and interrogated as to what the Faculty minutes show from February 8th last to date. He said he did not recall any record showing that the president had made any recommendations to the Faculty looking to the restoration of discipline, except the action taken in the suspension of the seven Juniors, members of the Battalion staff. He could recall no suggestion by the President which the Faculty had not carried out. He said that the Faculty provided for a committee of five, of which the President was chairman, to revise the rules of the College with reference to discipline and general government of the student body. The other members were Profs. Puryear, Giesecke and Fountain and Capt. Moses, commandant. The committee has not reported as yet.

Judge Scott took the witness and developed that the committee was to report only after careful study, otherwise it would not have been composed of as many as five members; that the question of winter drill regulations had been considered once or twice that time and it was merged with the work of this committee of five.

Mr. Sumners—Was it ever suggested by President Harrington that the present rules needed revision?

"The appointment of the committee showed that there was a realization of that condition."

"Was it ever considered by the President, the Faculty or anybody else that immediate conditions demanded attention?"

"Only as shown by such action taken in February to stop the trouble."

The witness said that nothing had been done to effect a revision of the rules up to this writing. The rule book was read to show that the President and the commandant have entire control over certain regulations, and witness said the President was the superior officer, and if there should be a conflict with the commandant the President would prevail. He said that while the President was the executive head of the institution recommendations as to changes could be made by any member of the Faculty.

Replying to Judge Scott, witness said that the under classmen were reinstated only after they had agreed to return and obey constituted authority. Witness said that there were certain acts of the students at that time which would have probably been punished in an ordinary session, but in view of the trouble and feeling incident to the strike and the promise of the boys to study and obey the rules no attention was paid to them.



Judge Sumners—Do you mean to tell the Board that there has been even tolerable discipline since the strike?"

"The boys have been studying and obeying orders, though I have heard rumors of infractions."

"Well, do you know of the hanging of the President in effigy? Was that good discipline?"

"I did not see the incident you mention."

"But you know that such a thing did occur here, do you not?"

"Yes, I heard it on reliable authority."

The witness said his minutes would show that punishment has been inflicted since the strike, one or two cadets having been suspended. He said that the discipline was not so very good since the strike because the boys returned here backed by the Alumni Association, and with the same feeling of prejudice or state of mind as before leaving. He said the President had nothing to do with punishing students for overstaying their furloughs, that being in the military department and presided over by Capt. Moses. In conclusion the witness said the committee of five to revise the rules had not met so far as he knew, and he did not know when it would meet.

#### Cadet R. P. Beauregard.

Richard P. Beauregard of San Antonio, a member of the last Junior Class, was called and recounted an April Fool comedy of two years ago. He said April 1 of that year fell on Sunday and that a large number of the boys decided to have some fun and started out by not going to chapel which is the Sunday religious exercise. They gathered around the barracks and played pranks, until finally the guard, led by President Harrington and Capt. Sargent then commandant of cadets, gave chase, and the boys took to the fields. Some few were captured and placed under arrest, and later all returned for dinner, but the roll call at chapel showed the absentees, and at mess all those who had not attended chapel were arrested and escorted to the guard room, where they sang and otherwise "raised a little Cain." "But I don't remember how much, was the answer when Judge Scott asked about "Little Cain." Continuing his narrative, young Beauregard said that Capt-Sargent came over immediately and stayed with them the entire time they were confined, refusing to let them go to dinner or give them their freedom unless they would promise that they would not do anything wrong the rest of the day. He refused to permit them to have dinner unless such a promise was given, and asked them for it a number of times, but the boys were obdurate. The boys who attended chapel came around later after having had dinner and jollied a little, but President Harrington then came and also asked for a promise to behave during the remainder of the day, and the boys again refused to make it, stating that they had done nothing serious especially requiring the giving of such a promise. And finally President Harrington liberated them and they were marched to dinner. The witness several times referred to Capt. Sargent as "Sargent," and Director Peteet requested him to say "Capt. Sargent," as the person in question was an army officer and entitled to that amount of respect. Resuming his testimony, the cadet said the effect of the episode was to turn the students against Capt. Sargent and make President Harrington immensely popular.

Further questioned by Mr. Sumners, the witness said that it was not long before the boys learned to admire and like Capt. Sargent, and not very long thereafter to dislike President Harrington, and that they liked Capt. Sargent up to the time he left the College. He could not say when they began to dislike President Harrington, and that after the boys learned to know Capt. Sargent they could not help but admire him. He said the boys "woke up." Judge Scott suggested "realized," and the witness agreed that that was what he meant in connection with finally appreciating Capt. Sargent.

Judge Scott—Then it is possible for a student body to finally realize that it has made a mistake and do the right thing?

Cadet Beauregard—I suppose so.

This concluded the testimony for the morning session, and the Board went into executive session during the remainder of the forenoon considering the affidavits submitted by Mr. Sumners, besides other documents on file.

#### Wellborn for "Harry."

When the Investigation Board reconvened at 2 p. m. Prof. Wellborn, who wanted to get away on a train, was put upon the stand by Judge Scott as a witness for the defense, Judge Scott agreeing in order to accommodate witnesses to accept this witness out of order. Witness testified that he had known Dr. Harrington for twenty-five years and that he knew him at the Agricultural College in Mississippi. Witness was a student when he knew Dr. Harrington there and Dr. Harrington was a member of the Faculty. He said, Dr. Harrington was a kindly man. He had been here about eight months, and while he was not an active professor, his work kept him on the campus about half the time and he mingled freely with the students during that time.

"You are familiar with conditions, are you not?" asked Judge Scott.

"Yes, sir; I have seen things that have been going on."

"What character of work can be reasonably expected next year if the students return to the College and obey the laws of the school if President Harrington stays here?"

"I think the institution will run along all right."

"What do you know about Dr. Harrington's disposition?"

"I have always found him patient and kind, I always got along well with him."

"Have you observed any change in him during the past eight months to what he seemed to be before?"

"No, sir; no change."

Mr. Sumners took the witness and asked:

"Knowing what you do, do you think that if the students come back under the present conditions, good work can be expected?"

"If they will obey their pledges they will do good work."

"That isn't my question; knowing what you do, do you think they will do good work?"

"I don't know what they will do about returning, but if they come back I think they will do good work."

"What state of mind do you think they will come back in?"

"I say that if they do not come back in a good frame of mind they should not come back."

"But do you think they will come back in a good state of mind?"

"I think that after being scattered and under the influence of their homes during the summer, they will be in a better state of mind in the fall; but if they do not lay aside their ill feeling they will probably establish a condition such as has existed."

"In your judgement as a school man, if they do not lay aside that ill feeling, will they do good work?"

"I suppose not."

"What is your opinion of the discipline that has prevailed?"

"It has been generally bad."

Judge Scott—Your idea is that if they won't obey the rules and make up their minds that they won't they should be fired out of the school.

"Yes, sir."

"Do you know whether or not there was a sentiment among the students, and whether there was a sympathy among the Faculty for the students in their revolt?"

"I think there was, but I know of no act personally that would make that opinion certain."

"How did you get the idea?"

"From general conditions which indicated the expression, 'We have someone helping us now and we mustn't fail to fight ourselves.'"

Judge Summers—How did you get that idea?

"There was a general condition of defiance (and I heard remarks several times that would have forced me, had I been at the head of the discipline committee, to have taken rigid action to enforce the rules."

"In their reference to having help were they referring to the Faculty or to the Alumni?"

"I suppose they were referring, at least, in part, to the Alumni Association."

"Did not the Alumni Association try to restore order and ask the students to obey the rules?"

"I think they did. I merely expressed the idea that the boys thought they had the assistance and they ought to keep up the fight themselves."

#### T. J. Wertenbaker.

T. J. Wertenbaker, associate professor of history and economics, who has been connected with the College, during the past session, testified that he was here during the time of the strike, and told of a conversation he had with a Freshman named Hart who attended his section. He said he had spoken to the students of his section upon one occasion when they were assembled about a month before the close of the last session, telling them that there seemed to be a spirit in the student body which crushed out the spirit of independence in any individual student unless it was to the liking of the corps. Young Hart came to him and said that he had been ostracised and worse by the corps because he would not submit to its ideas; that he had written to his mother stating the facts and saying that he wanted to go home, and that he had come to the professor for advice. The professor advised him to stay at the College if he could stand it, saying that he thought it would be good for him in the end, but the young man said he could not stand the treatment, and he left for home. This testimony was given in response to questions by Judge Scott.

Judge Summers—Do you think the student body lost anything by a man like that leaving?

The Witness—Yes; I had the very highest respect for Mr. Hart.

Answering Judge Scott, witness said that when his boys were leaving at the end of the session he interrogated them, especially the Freshmen, as to whether they intended to come back. Out of thirty Freshmen thus questioned, twenty said they would come back. He asked one or two Juniors how many of their class would come, and was told about thirty.

Asked by Judge Summers to give the names of these students, he said that he was quite positive as to the replies, but uncertain as to the names, but he gave the names of Cadets Gilson and Gilbert as the Freshmen, and A. McDaniel as a Junior. He said he had no knowledge as to the Sophomores. Asked if anything had been done to correct the conditions which caused Hart to go home, he said he knew of nothing except the talk that was made to his class. Asked if the thirty Juniors should return here would they not be sufficient to inoculate the entire corps, he said they might under certain conditions.

#### Prof. C. W. Hutson.

Prof. Charles Woodward Hutson, professor of history and economics, for fifteen years in this College, engaged in school work for over forty years and now in his 68th year, had never known a better set of students than the

present corps at this College. He had known President Harrington fifteen years.

"I do not know Dr. Harrington's feeling toward me; mine toward him is that of an aggrieved man. It dates from December 16, 1907. Shall I tell the story?

Judge Scott—Does it relate to the school or is it a private difference?

"It has several times been placed as a possible injury to the school."

Prof. Hutson then told his story, as follows: "My third son, Arthur Carey Hutson, on December 16, 1907, came from New York City, bringing his wife and child. He had been absent four years."

Judge Scott—I insist that this is irrelevant. It is a matter of no importance where his son came from. Let him tell what happened.

"My son had been absent from home four years," said Prof. Hutson, with evidences of ire. "It was important that we should see him and his wife and child. It is a matter of importance," said he with much emphasis.

"During the trip the child developed the whooping cough," he continued. "My wife at once perceived that fact. She telephoned all parents of young people on the campus to keep them away from our house. She also telephoned Dr. Gilbert, the health officer. This was at the time of the holiday examination. On my return home my wife informed me that President Harrington had, through the health officers, placed a smallpox quarantine on our house, allowing no one to go to or come from our house. We made no strong objection to that. We made allowance for the panic, thought it would soon be over and that Dr. Harrington would see the folly of it. A day or so later demand was made that my son should take the child away from the campus. That was an invasion of private rights that I would not submit to from any man nor set of men. A day or so later Dr. Harrington demanded that our cook's children should be removed. That I also was unwilling to submit to, but we allowed the cook and her children to leave. That was the only time I received a communication from President Harrington directly. Before that the communications had been indirect. This time he wrote me a letter which I will read."

The witness then read the letter interpolating comment frequently. He called attention to the fact that the letter was written on Christmas day, suggesting that it was a very fond letter for such an occasion. The greeting in the letter was, "My Dear Professor." In this letter Dr. Harrington said that he had asked the health officer to notify Prof. Hutson on the day before that two negro children of Hutson's cook should be removed from the campus; to request Prof. Hutson to have them removed, and so notify the cook also of said necessity. The letter explained that the reason for this was that the continuance of these children in Prof. Hutson's yard would be a menace to the children on the campus, as it was impossible to effectively quarantine negroes, and that he knew that the quarantine on this servant's house had been violated. President Harrington further said: "We want, of course, to prevent the spread of whooping cough on the campus." He added that the health officer informed him that Prof. Hutson's daughter had declined to comply with the request, and he requested Prof. Hutson to advise him whether or not he considered this request reasonable and whether he intended to comply with it.

Prof. Hutson read his written reply to President Harrington. In this he said he did not consider President Harrington's desire reasonable, as the negro children had never been in the house since the arrival of his grandchild. He stated, however, that the servant and her children, upon their own motion, would leave the yard that day.

Continuing, Prof. Hutson said that the quarantine continued during the holidays. His son, Miles, who was a student in the College, was held at home, but was able to keep up with his examination work through the kindness of classmates who brought the questions to him. On January 1st, his

son, Arthur, intended to return to New York, and not knowing what conditions might develop at the College, removed his wife and child to Bryan. His object, also, was to relieve his brother Miles from the embargo and permit him to return to his school work.

Judge Sumners—Do you know whether President Harrington is or is not a man of quarrelsome disposition?

“As far as one can get an impression from remaining in the community for fifteen years, he is decidedly quarrelsome. He has had feuds with a number of persons. Shall I name them?”

Judge Sumners told the witness to name them, and he proceeded to tell about a fight seven years ago, but President Leggett interrupted, saying the Board had upon a former occasion eliminated that matter, because it greatly antedated Prof. Harrington's accession to the presidency.

Judge Leggett said that only specific acts since Harrington had been President would be admitted. Witness said he knew of none. Judge Sumners said there were charges in the pleading that Dr. Harrington was of a quarrelsome disposition and that he had probably not changed his disposition in the past few years. The chairman said that he interrupted merely to limit the specific instances to cases that had arisen since Dr. Harrington has been President. Judge Sumners released the witness and Judge Scott said he had no questions to ask.

J. M. Carson, treasurer of the College returned to the stand in connection with vouchers introduced by Judge Sumners for small amounts representing refunds to students who left before expiration of the school session last year. Asked if he had had any correspondence with parents of cadets relative to retention of portion of maintenance funds, witness said he had letters from a few, and replied to a few of them relating to sick cases, but not to cases where students left the school early, because the session closed early.

Judge Scott—Did President Harrington have anything to do with it?”

“No, the matter was not referred to him at all.”

Judge Sumners showed witness a voucher bearing a notation from President Harrington as follows: “Mr. Carson, please transfer the correct amount to his credit.”

Witness said that Harrington made that statement as the student left before he was sick. Two other vouchers for small amounts drew forth similar testimony. Witness testified that it was not the general rule to refer sick refunds to the President, but that the College physician usually passed upon them. One voucher was in a special case, where applicant said his son did not get medical treatment that he was entitled to, and therefore deserved the refund. Judge Sumners asked if there were any vouchers on hand that the President had not approved, and witness replied in the affirmative. Judge Scott asked if it was not the rule that vouchers were referred to the physician where possible, and if he could not be found then to the President. The reply was in the affirmative. Judge Sumners asked whose business it was to order a refund, and witness replied that in many instances the rules authorized him to make them without consulting anybody.

Judge Sumners—Did you answer the letter requesting refunds because school closed early?

“I think they were all answered.”

“Was the money refunded, and if not, why not?”

“It was not; I did not think the patrons were entitled to refund, because we had gone to the usual expense incident to the closing of the school, and would have sustained a serious loss if the refund was made.”

“Did you refer the matter to the President?”

“No; he was absent about the time the letters came.”

“Did you refer them to the Board?”

“I don't remember that I did. I did not think it was necessary as I felt sure no refund was in order.”

Judge Leggett, after the witness was excused took up the various petitions, affidavits, etc., submitted in evidence by the prosecution and announced that in executive session their admissibility had been passed upon.

"The affidavits of J. L. Jones, L. W. Jones and J. G. Foster," he said, "will be admitted, but this action is not a precedent. Each document will be considered hereafter separately. The resolutions by the parents at Bryan will be admitted. With reference to the matters referred to in the statement of Burt E. Hull, it will not be admitted. Among the reasons might be mentioned the great lapse of time intervening between the time he speaks of and the present. It appears that the matters he speaks of were presented to former President David E. Houston of this College and it is assumed that he and his Faculty gave them their attention. Since that time he has been elected President of this institution, and it appears that since then a state of harmony has existed between him and the corps of professors. The witness, if he were here, would not be permitted to testify along this line. With reference to the statement made by Prof. Marshall, the Board passed upon that several days ago, excluding, and there is now no reason for any change of mind. With reference to the statement of W. L. Maury concerning a check for \$10, the Board decides to admit that, but also asks that the treasurer of the institution be allowed to make an explanation to be entered in the record along with Mr. Maury's statement. Therefore the check will be turned over to the treasurer and he can appear later and explain it."

#### Defense Was Begun.

Mr. Sumners announced that he was practically ready to rest the prosecution, that there might be a few more witnesses to appear later, but that they would not be numerous. Judge Scott objected to this, saying that he desired the prosecution to conclude entirely before the defense started. He said that the prosecution, would, of course, have the right to introduce rebuttal testimony, but that he wanted them to finish their direct testimony. Judge Leggett suggested that Judge Sumners had made about as definite a statement as a lawyer usually makes in resting his case, and suggested that Judge Scott might proceed, as the Board would not permit the prosecution to take an unfair advantage of the defense. Judge Scott decided to go ahead with the defense.

Judge Scott objected to the affidavits going in the record especially the portion of them undertaking to state the result of interviews with President Harrington at the time affiant left College. The statements were ex parte and no reason was shown why the affiant should not be here to submit to cross examination. The objection was overruled by the Board.

Judge Scott offered in evidence the Faculty minutes from February 8th to February 18th, covering the strike period.

#### C. C. Todd.

Capt. C. C. Todd of San Antonio, a member of the Alumni committee appointed to deal with the College troubles and look after this investigation, was the first witness called to the stand by Judge Scott. He was asked if he had prepared the "suggestions" from one to twelve, inclusive, presented to the Board by his committee. He answered that the suggestions were handed to the committee by various persons and the committee had prepared the papers. He could not say who handed them in, except that some were turned in by E. J. Smith of Denison, a member of the committee. He did not know where Smith got them, nor where the others came from. Witness had type-written the matter that had been adopted by the committee in Bryan, but he did not formulate the charges.

Judge Scott then interrogated the witness categorically as to each and every one of the charges or suggestions. Witness could not state definitely

who got up the preamble, but it was his opinion that Mr. Smith had handed it in. It was changed to some extent at the meeting, but he could not say what the changes were. Asked as to the suggestion that there had been charges circulated of gross misappropriation of funds and as to where that information came from, the witness first said that he did not know, but upon further questioning said he saw it in a publication known as the *Hittite of Dallas*, and he thought that Milton Everett stood sponsor for the article. He said he did not know that the Farm and Ranch and its management had all along been opposed to President Harrington. That he did not know anything about their attitude on the subject. He could not recall any other publication about this matter.

Asked as to the suggestion about improper contracts and the source of information as to same, he said he had some clippings questioning the management of the feed control. He did not know what papers these clippings were from. The author of the article, he said was E. C. Ray of Houston, who, in his article, says he is a feeder. He did not know Mr. Ray personally, nor know his sources of information, except as the article stated. Witness had not made any investigation of the matter at the College and did not know of any member of his committee doing so. Asked if that article had formed any basis for this charge, the witness replied that he did not put the charge in. Further questioned he said that while at the college he made no effort to obtain information from the treasurer or any officer in regard to the expenditure of money, nor had he learned of any member of his committee doing so.

Asked as to where the information had come from upon which the charge that President Harrington is responsible for holding the maintenance fund, witness said he did not know. The matter of the proof available had been discussed in the Bryan meeting. He could not recall who stated any facts to show that President Harrington was thus responsible. Asked if he could recall any information referred to by a single solitary individual in that meeting in support of that charge, witness said that as secretary he had taken notes of the meeting including the proof that could be gotten to substantiate the charges. He looked at some papers which he took from his pocket and said that E. J. Smith and parents of the students were listed for witnesses to substantiate that charge. Asked as to the charge about improper use of trust funds, he said he had no information upon it. It was suggested in the committee meeting that it could be proven from the records and by parents. He could not recall who made this suggestion.

Judge Summers here objected to questioning the witness along this line. He said it was immaterial how the pleadings were prepared. The truth or falsity of the charges was the material matter. Judge Scott said that these charges of "suggestions" involved the good name and character of a man occupying a prominent position. Here was a committee of gentlemen supposed to be representing a disinterested body appointed to secure an investigation. They had presented matters for which they refused from the start to assume responsibility, and when he had insisted upon them assuming this responsibility or upon the charges being ignored they had protested against taking the responsibility, but had nevertheless asked the Board to investigate.

"I say they have no right to make charges of this kind," said he, "and publish them broadcast in the newspapers of this state, and then, when we ask for the information upon which they have acted, try to stop us from making our inquiries. There are charges of a serious nature in here upon which they have not offered a scintilla of evidence."

Judge Summers here interrupted. He repeated that the only material matter was as to the truth or falsity of the charges, and he asked that witnesses answer as to his knowledge of how the charges came to be prepared be stricken from the record.

Judge Scott reiterated that if the charges had not been published to the world, his line of inquiry would not be material, but since they had been published he had a right to see what was behind them.

Director Green in the chair said that this was material upon which he would be glad to have an appeal made to the Board from his ruling. The inquiry could be continued along the lines pursued, but for a different reason than that given by counsel. It was the duty of the Board, in its fiduciary capacity, he said, to find out all it could as to the sources of information pertaining to any charge of mismanagement or wrongdoing in connection with the College. Therefore, if witness knew of anything or had learned of anything that these charges were based upon, the Board wanted to know of them so it could pursue the inquiry to the end.

Judge Sumners said he would not appeal from the ruling.

Judge Scott asked witness as to the charges that President Harrington drew several salaries as the head of several departments of the college, which was wrong in principle, if not in violation of the law. He was asked if he knew where that charge came from. He made a comprehensive reply. He said he did not remember who turned in that charge, nor who discussed it. It was stated in the committee meeting that Dr. Harrington, for the first time in the history of the institution, occupied the positions of President and Director of the station, and there was a question as to whether he was drawing more than one salary, and it was thought the matter should be investigated.

"I don't know what information it was based upon," said the witness. "I had absolutely nothing to do with turning in those twelve charges, and know absolutely nothing about them except hearsay. It was suggested in the committee that Dr. Harrington was drawing several salaries, but he did not know that anybody said he was willing to go upon the stand and swear that he knew it. He did not know that anybody in that committee knew that they could come to the treasurer and ascertain the facts."

Witness said that the language in the charges as presented to the committee was not his. He had taken notes of the meeting of the committee and had put the language of the committee into the document.

Asked if any member of the committee had undertaken in the meeting of the Alumni Association which adopted these charges to state the facts upon which the charges were based, witness said they had not, further than to read the charges. Yes; there was discussion. The committee had been asked if there was a reasonable chance to prove the charges, and the committee had replied in the affirmative.

"And you, a member of the committee, present at that time, knew absolutely nothing about it?" asked Judge Scott.

"I did not prepare the charges, but I believed we could substantiate them."

"And yet you say that not a single solitary man mentioned a thing that would indicate that these things were true."

This was Judge Scott's closing comment. Judge Sumners said that he had no questions to ask, but witness might wish to make a statement.

Mr. Todd said: "At a meeting in Houston, it has been the unanimous sense of our body that no one should be condemned, President Harrington or anybody else, but the boys should be induced to return to the institution; that conditions at the College were apparently in such a state that there should be a public investigation felt that something was wrong, and the patrons and the public were entitled to know what was the matter. A resolution was drawn which was not made public, but addressed to the Board of Directors. It was not made public out of courtesy to the Board. The attitude of the committee was simply to ask an investigation, and I believe personally, so far as I am concerned, and I speak for the committee, that to this day the committee has not believed it was its duty to condemn any one; but at the request of this Board it constituted itself a body to receive such



suggestions as should come to them as in its judgment merited an investigation and report back to the board. Personally, I did not offer any of these charges. When I met with the committee in Bryan these matters were produced with some others. The others were thrown out because we did not believe them sufficiently supported by evidence to be presented for an investigation. We believed the committee had the evidence of some of these charges; others we felt the records would show the truth or falsity of; some of the charges had been published and we thought the Board should investigate them and get at the truth."

Answering Judge Scott, witness said he did not know at that time, nor did he know now, the extent of the circulation of the Hittite. In response to the request of Director Peteet, witness promised to give the Board a list of the witnesses prepared at the committee meeting.

Judge Scott offered in evidence two paragraphs from the statements of students published in the papers of the state as showing the attitude of the students. One paragraph read: "Our patience is exhausted. It is preposterous in the extreme to believe that a College with a student body and Faculty completely out of harmony with the President, showing absolutely no respect for the President, and a Faculty torn by dissensions, can accomplish any good."

Judge Sumners suggested that the whole article might go into the record. Judge Scott said he had no objection, but that he desired the paragraphs mentioned to especially go in. The other paragraph he read as follows: "It was with a feeling of confidence in their ability to act for us that we turned the fight over to the committee of the Alumni Association, and in no way do we think that they have violated this confidence."

Judge Scott then offered in evidence about thirty letters received from patrons, expressing their confidence in the ability and integrity of Dr. Harrington. He asked that samples of these letters be read and entered into the record. The Board ruled that none of the letters could go into the record but suggested that they be submitted to the Board as argument, to be considered by the board as such. This action was taken.

#### Adjournment Discussed.

Judge Scott announced that he had a woman in the case whom he desired to put on the stand, but that it would take a day for her to get here, and he desired to know something about adjournment plans in order that he might know whether to summon her or not at the present time. This brought up adjournment discussion.

Judge Haidusek favored working through Sunday, if it was necessary to do so, in order to finish the investigation. Mr. Milner also favored this plan. Judge Green said he wanted to go on through with the investigation. Judge McInnis said he was in favor of working until 12 o'clock Saturday night, and then adjourning, as he was not in favor of working through Sunday. Mr. Peteet was in favor of adjournment some time Saturday afternoon or early in the evening. The matter was not settled, but Judge Scott was given instructions to summon the witness. He explained that he did not desire to have her come here twice, and wished to be assured that if she came she would be allowed to testify straight through and go home. He was given this assurance.

Judge Scott introduced in evidence the resignation of Prof. Conradi by letter to Dr. Harrington, under date of October 1, 1907, and the reply of Dr. Harrington thereto under date of October 5, 1907. After some argument, it was admitted and read. Prof. Conradi in the letter said he regretted exceedingly to leave the College, but that his department was in good shape and that his successor could take up the work readily, as the records of the department were well filled. He said Prof. Harrington had given him the

option of resigning. The writer expressed the hope that the school would continue successful.

Dr. Harrington's reply, written three days later, said that he had not given Prof. Conradi the option of resigning. The letter stated that during the summer Prof. Conradi had actively worked for the position with the South Carolina Agricultural and Mechanical College, and that the President had increased Prof. Conradi's salary from \$1,600 to \$1,800 a year, that the latter had accepted the offer yet continued to negotiate for another position, and finally tendered his resignation. The letter of Dr. Harrington revoked the order raising the salary of Prof. Conradi to \$1,800 a year, saying that the College had no notion of enforcing a contract with a professor.

Another letter from a member of the Faculty who had resigned was ruled out.

A letter was offered under date of December 31, 1907, from E. J. Smith of Denison, a member of the Alumni Association and one of the Alumni committee who prepared the charges. Judge Scott maintained that the letter should be admitted as showing a former feeling of one who had been the most active in trying to get Dr. Harrington removed. After much discussion it was admitted. Mr. Smith wrote the letter with reference to his son, who was a student of the school at the time and was also a student of the school until the close of the term. The letter thanked Dr. Harrington for the fatherly interest he had displayed in the 17-year-old Smith lad, saying that the father had had a talk with the boy, in which the latter had admitted that he had not worked as he should, and expressing gratification that he was under the care of one who took a fatherly interest in his welfare, thanking Dr. Harrington in very generous terms for his interest displayed.

An affidavit of J. B. Rather, who has been attendant upon the Agricultural and Mechanical College until two days ago and who had to leave for Chicago to attend school, was introduced in evidence and attacked by the prosecution. Judge Sumners argued that it should be excluded because it was taken by Prof. Harrington's secretary, who happened to be secretary of the Board of Directors. The vote of the admission was first three to three, four to three, the following voting to exclude: Messrs. Rowell, McInnis, Peteet and Green. The following voted to admit: Messrs. Milner, Leggett and Haidusek. Mr. Peteet changed his vote to admit, saying that however he did not change his opinion. Earlier in the afternoon in executive session the Board admitted several affidavits offered by Mr. Sumners. One was by L. W. Jones of Haskell County dated February 13, 1908, stating that he has been a student at College and paid his maintenance pro rata. He was taken sick on January 12th and resigned on January 30th, asking President Harrington for the return of the unearned part of his maintenance fund, but that the President declined to return him the maintenance fund, but made the following remark: "I am glad to get rid of two such boys," having reference to myself and J. G. Foster. The affiant further states that the commandant signed his resignation, but that the treasurer refused to pay him his unearned fund without instructions from the President, which the President refused.

On the same date J. L. Jones of Haskell County made affidavit that he had a son at the Agricultural and Mechanical College, L. W. Jones, above mentioned, and having been informed by A. C. Foster that there was a rumor that smallpox and typhoid fever prevailed at the College sent the following telegram to President Harrington from Rule: "Is report you have students with smallpox and typhoid fever true?" "Deponent states that he has never received any reply from President Harrington or anybody else to said message, neither by wire or letter." The telegram was dated January 15th.

Another affidavit was that of J. G. Foster, late student of the College, who on June 15th, swears he heard rumors of typhoid fever and smallpox at the hospital, and on January 12 he wrote such information to his uncle and

guardian at Rule, knowing as a fact that there were seventy-five students in the hospital, and received a telegram addressed to J. G. Foster and Lennes Jones, telling them to resign and come home at once. That when they presented their resignations to President Harrington he asked if they had informed their parents of the prevalence of disease and answered in the affirmative, the rumor not having been denied. President Harrington replied: "You ought to have known that was not so." The affidavit states that "President Harrington refused to sign our resignations, though we told him we needed the money to defray our expenses in returning home, but he remarked, 'I don't see how you are going to get it,' and further said, 'I am glad to get rid of two such boys.'" He said the President showed he was indifferent to affiant's feeling and interest.

Another affidavit admitted was that of J. W. Jones of Haskell County, who averred in substance the same things as his son, adding that he wired President Harrington and believed he had written him asking if smallpox or typhoid fever prevailed at the College, "but has never received an answer in any form from him." He and his partner, A. C. Foster, then wired the boys to come home, and that after his son reached home he was confined to his bed for several days under the treatment of a physician, "and I am quite sure I did not act any too soon in wiring him to come home." The letters to his son are attached to the affidavit as exhibits. He heard of the smallpox through the letter from J. G. Foster to A. C. Foster, which also is filed as an exhibit.

Lennis W. Jones of Haskell County makes another affidavit, dated June 15th, reciting the facts stated in his first affidavit, but elaborates them more fully, and confirms his former statement that President Harrington refused to sign the resignation so that the unearned maintenance fund could be returned. That when he asked for it explaining it was necessary in order to defray his expenses home, President Harrington refused and remarked: "I don't see how you are going to get it," and immediately returned to his work on his desk. Affiant says: "Through all my dealings with President Harrington his manner showed he was very indifferent to my interest and feelings, and on this occasion, especially, his manner was not much short of insulting."

The Board adjourned till 8 p. m.

When the evening session convened at 8 p. m. Judge Scott, apropos of the charge that Dr. Harrington does not and never has possessed the esteem of the students, asked to be allowed to introduce in evidence the dedication clause of the Long Horn, the College annual, published in 1906. The dedication clause read as follows, and was admitted in evidence. "This volume is dedicated to a true friend of the student body, our new President, whose sterling qualities as a Southern gentleman of rare ability as an educator merit and win for him the love and admiration of the class of 1906."

Judge Scott then announced the name of the lady he desired called, a Miss Davis, residing at Reagan, the librarian of the school. He asked to be allowed to take her deposition, saying it would be on hand Saturday afternoon. He asked this because he had learned she was ill. The request was granted.

#### President of Alumni Association.

F. M. Law of Bryan, ex-president of the State Alumni Association, was the first witness placed on the stand. The line of questions was propounded to him as similar as that propounded to Mr. Todd of the Alumni. Mr. Law was a member of the committee on charges. He said he did not put forward the charges. He said he did not remember who made them; that they were compiled in the meeting; that there were many discussions, and he could not remember who indulged in the discussion or what anybody said. He

said that personally he did not know that there had been any improper contracts entered into by Dr. Harrington, and that he did not personally know anything against Dr. Harrington.

Judge Scott asked witness if he attended a meeting of the County Alumni Association just after the strike, and if he used these words: "Damn the Board of Directors and damn the Faculty. I am for the A. and M." Witness hesitated, and then replied: "I do not remember to have said that, but I will not say that I did not say it." Judge Scott had included in the question the statement that members of the Senior Class were present at the meeting. Witness said that he did not know members of the class were present.

Mr. Sumners moved to strike that question and answer from the record, saying it had no bearing. Chairman Leggett ruled that it should remain on record. Mr. Peteet asked witness why he could not be sure as to whether he made the statement attributed to him. He replied that he attended several meetings and that feeling ran high at some of them and that such a statement might have leaped forth. The witness was then excused.

#### Chas. Puryear, Dean.

Charles Puryear, Dean of the College and professor of mathematics, was placed upon the stand. His testimony was very favorable throughout to Dr. Harrington. He said that he had been a member of the Faculty for nineteen years, had been eighteen years professor of mathematics, and has been for one year Dean of the College. The office was created to relieve President Harrington of many routine duties; his exercises of such duties relieved the President of much contact with the students that had formerly been necessary. Witness had not observed any change in the attitude of Dr. Harrington in his attitude either toward the Faculty or the students since he had been here. Dr. Harrington had never tried to interfere with the work of the Dean, but had aided materially in the conduct of the department. He said he officed with the President and heard many conversations with some of the students and members of the Faculty and the President treated them all with uniform courtesy. He said that before the strike the relations between the President and the students were very friendly so far as he knew. He noticed an unfriendliness on the part of the students toward the President. He never noticed any discourtesy on the part of President Harrington toward the Faculty. The student body has increased fifty-one per cent since the President had been in charge. The promotion of the past year had been one per cent less than during the previous year, although the past year was 2 per cent above the per cent two years ago. Asked if he believed that good work could be done if the students returned to work next session and obeyed the rules, witness replied that he believed it could.

Judge Scott then asked witness concerning the foot-ball trip to Austin when it is charged that President Harrington arranged to make the trip over the Houston and Texas Central to the dissatisfaction of the student body. Witness said he was manager of the foot-ball team and Dean of the College, and that Dr. Harrington told him to go ahead and make arrangements with the railroads to haul the crowd. He said Dr. Harrington had nothing to do with the making of arrangement for the trip other than to turn it over to him, the Dean.

Witness had nothing to do with arrangements for the Dallas trip and did not know who made them. He thought, as Dean, that 9 o'clock was the proper time for the students to leave Dallas. He had seen no friction between Dr. Harrington and Faculty members before the strike.

Answering Mr. Sumners witness said Dr. Harrington sent for him and said a Dean was to be appointed and asked him to accept the place. This was the day before he was appointed Dean. His duties had never been

fully defined, but he relieves the President of a good many of his duties, and since that time the President has been away from the College more, and on official business. He had no intimation of the trouble with the student body before the petition for Dr. Harrington's removal was filed and had no knowledge of the trouble which caused the petition to be filed. Did not know if President Harrington telegraphed what time the train should leave Dallas. He is a member of the committee to revise the rules, but it has not acted, and stated its purpose was not to deal with the existing conditions, but principally with regard to athletics and military. Witness did not know of anything Dr. Harrington had done to correct existing conditions, but said cadets had been punished since the strike for infractions of the rules, as usual.

Questioned about the effect if students returned and President Harrington is retained, he replied that there would be some difficulties in the way, but that they could be overcome.

"What was done toward overcoming these difficulties during the past session?"

"Nothing."

Witness, however, insisted that the difficulties could be overcome in another session. He had not known of students denying the authority of their teachers. After the Junior staff on the Battalion was suspended an order was issued to the editor of the paper to submit all matter to the head of the English department, Prof. Fountain. A similar rule requiring doubtful matter to be thus submitted had fallen into disuse about a year ago. Replying to Judge Scott, witness said the Battalion article was improper and that it would be "very detrimental" to the school if the president should be removed without good cause just because the students requested it.

#### Two Dromios.

The next witness was Mr. J. W. Carson, assistant to the director of the experiment station and in charge of feed inspection. When he arose to be sworn the room was convulsed for several minutes. His brother, treasurer of the College, was administering the oath to witnesses, and as the two faced each other it reminded one very forcefully of the two Dromios in Shakespeare's "Comedy of Errors." The resemblance was complete. Each was of low build, slightly stout and both of full face, jovial mien and bald pate. The proceedings were delayed by the laughter.

Witness was a graduate of the institution, having been here twenty years ago, but his present position dates a little over a year. He had always liked Dr. Harrington and had seen no change in his attitude toward student or institution, calling him diligent and looking after details as far as possible. And the institution has prospered and advanced in its standing as an educational institution over the state, and he had opportunity to know, for he traveled a great deal, he said.

Up to the time of the strike witness averred he had heard no complaint by the students, and that since then he asked several, and they replied that they had no personal grievances. He had been with some classes over the state and thus gotten close to the boys and they liked him. This last remark evoked a titter from the students present. He testified that President Harrington treats the boys in a dignified, courteous manner, as a President should, and had never heard him speak harshly, nor observed a cold demeanor toward the boys.

Judge Scott then had the witness detail the deliberations in the meeting of the Brazos County Alumni of the College, he being a member. He said it was called to assist Cadets Neal and Dale in removing an obligation the secretary felt they owed the Junior Class before they could return to classes. The Board had designated a Wednesday for them to return and at

the meeting of the Alumni organization, F. M. Law of Bryan, until recently president of the Alumni Association, made a speech and seemed anxious to have the boys return to school, but discussing the date of their return, used the language: "Damn the Board and damn the Faculty; I am for the A. and M. College."

Continuing, the witness said that he remarked at the meeting that he was there to carry out the wishes of the Board and that he believed it best not to cross the Board in their efforts to solve the problem. He said Mr. Law agreed with him.

Judge Scott developed the fact that the witness had been so Southwest Texas and had a conference with Prof. Green, director of the government experiment station at Brownsville, and that while there Prof. Green had shown him a letter written by Rev. Mr. Powell, former chaplain of the College and chaplain at the time the letter was written. Judge Scott asked him to state the contents of the letter. Judge Sumners objected, but the chair ruled that the statement could be admitted. Witness said that as far as he could remember the letter was something about like this:

"Dear Prof. Green: I presume that you know something of existing conditions at the College. I am writing you to urge that you write to every member of the Board except Judge Leggett. Don't write to him. Also write to prominent people in the state and urge them to write to members of the Board asking or demanding the resignation of Dr. Harrington. There will be or is to be a general uprising soon. Act, and act quickly. The Alumni is to have a meeting Thanksgiving at Austin. Arise, knight, and do your duty."

The letter, witness said, was signed "Nathan Powell."

Judge Sumners took the witness on cross examination. Witness said that he had gone to Brownsville to see the letter, and on business of his position; that he might have gone there anyway, he not knowing the letter was there, and he might not. He said he talked to Dr. Harrington and other members of the Faculty before he made the trip. He said the State of Texas paid his expenses.

#### J. L. Thomas.

J. L. Thomas, assistant of the Department of Agriculture, was the next witness. He said that he saw Mr. Puckett with a petition for the recall of Dr. Harrington about 9 o'clock in the morning before the strike the next day; that Mr. Puckett said he would present the petition to the Board, then in session, through the officer of the day. He said the officer of the day was a member of the Senior Class. He also said he heard a phone conversation between Prof. Kyle and Mr. Puckett, who was in Dallas at the time, in which Prof. Kyle stated that Mr. Puckett need not come down, as everything was progressing right.

Judge Scott asked witness if he knew that Mr. Puckett was the Dallas leader of the opposition to Dr. Harrington, and the witness said that he did not know anything about Mr. Pittuck.

Carlos Bee, in behalf of Prof. Kyle, developed the fact that there was no effort to conceal the conversation, and Mr. Bee's line of questioning left the impression that Mr. Pittuck's desire to come here was to get the students to go back to school and that the conversation related to that matter.

E. C. Carlyle, assistant chemist of the experiment station, was the next witness. He testified as to the interest which Dr. Harrington had manifested in him as a student and in his work as assistant chemist. He stated so far as he knew Dr. Harrington's treatment of the students and Faculty had been uniformly courteous.

Prof. N. C. Hamner, assistant chemist of the experiment station, testified that just after the strike he heard L. N. Huff a member of the Senior

Class, state that the strike would not have occurred had it not been for the fight that has been made on Dr. Harrington by some members of the Faculty.

Carlos Bee developed the fact that Huff really said: "The Faculty started the fight and quit." Witness, after a close examination by Mr. Bee, said that the other statement was merely an impression, and he could not be sure.

#### Prof. Spence Recalled.

Prof. Spence, secretary of the Faculty, was again put on the stand and handed in a list of absentees among the Faculty from Faculty meetings during the year, and explained his duties as secretary of the Faculty.

He testified that last year 10.4 students failed, against 11.1 per cent this year. Witness had observed no lack of ability on the part of President Harrington, executive or otherwise, to properly and effectively administer the affairs of the College. Witness said it was a hard question to answer as to whether good work will be done if the usual proportion of the old students return; if they obey the rules and regulations, but believed that good work could be done if normal conditions were resumed, such as prevailed before the trouble.

To Mr. Sumners witness said good work was impossible if the discipline was not maintained. Witness testified that the rules had been in force and observed since the strike, the same as before it, with the exception of the continued disrespect for the president. Out of some twenty Juniors under him all but two passed and they were deficient only in some studies. He had no complaint against the work done this year by the classes in structural, civil and mechanical engineering nor that of the Senior civil engineers.

At 11 o'clock the board adjourned until 8 o'clock the next morning.

### LAST DAY OF INVESTIGATION.

#### SATURDAY, JUNE 20.

When the committee got together Saturday morning after some delay, owing to a very late session the previous evening, D. E. Mackey, instructor in mechanical engineering, was placed on the stand. He said that he came to the College last September; that his relations with President Harrington had always been pleasant; that Dr. Harrington had not been dictatorial and had exhibited a deep interest in his department. He said he had never seen Dr. Harrington do anything that would cause the student body not to esteem him.

Judge Scott asked if witness knew Mr. Lear, instructor in the engineering department, and learned that Mr. Lear lived in the same house with the witness; that he had often heard Mr. Lear express himself as to his views on the strike, and that he was a strong sympathizer with the students.

"State conversations you may have had with Mr. Lear."

"During the strike he was in and out of my place. He said that the students would undoubtedly win, as part of the Faculty was back of them and part of the instructor force."

"Did he mention any Faculty names?"

"He mentioned the name of Prof. Kyle, Dr. Brown and Mr. Kidd, who is an instructor in the engineering department."

Witness said that a student named Ford had said that he would not have gone into the strike had not it been led by the upper classmen. A Sophomore named Blackmon witness said, told him that he would probably be back next year as an investigation was to be held, as the Faculty were backing the students, and as President Harrington would be discharged. Witness stated that Prof. Lear carried meals to two upper classmen in the electric

building while they were under suspension. Witness said that he went to Dr. Brown's room in the electrical building during the strike and discovered Dr. Brown there with Mr. Lear and Mr. Kidd, and a number of Seniors and Juniors; that he backed out, feeling that he was not wanted. He said he inferred that they were discussing the strike.

"Did you ever discuss with Mr. Lear the probable successor of Dr. Harrington?"

"He said on various occasions that Dr. Brown would be the next President. He said he hoped he would be, as he expected to get more out of Dr. Brown than he had gotten out of Dr. Harrington."

"Did he say anything about arrangements for a residence?"

"He said he hoped to get Dr. Brown's house when he became President and took Dr. Harrington's house."

Mr. Summers took the witness and developed the fact that although he lived with Mr. Lear, Mr. Lear probably did not know whether he was a student sympathizer or a president sympathizer. He said that he had tried to break up the strike, and denied that he had told the students he gloried in their spunk "in standing together." He denied that he had said: "When the first trunk leaves the depot Dr. Harrington will be fired" He admitted on cross-examination that when he came to the College he stated that he was a single man, despite the fact that he was married.

Mr. Bee developed the fact that witness freezes ice cream for Dr. Harrington at times; that whereas he was given only one room when he first came here, he now has quarters furnished him and keeps three or four boarders and did have as high as fourteen boarders at one time. He got his meats, etc., from the mess hall, paying for them and running an account as the other professors did. Mr. Bee developed the fact that when witness saw members of the Faculty talking to Seniors and Juniors they might have been urging the students to go back to work and quit the strike.

#### J. T. Cruse.

The next witness was J. T. Cruse, assistant chemist in the feed control department for two and a half years. He testified that he had known President Harrington all of this time, and the President had never attempted to dictate to or interfere with those in charge of his department. He had not seen any conduct of the President to produce an ill feeling or disrespect on the part of the students, nor any unfriendly conduct nor change in his manner during the past twelve months different from that aforesaid. Up to the strike the only grievance he had heard was with regard to the routine of the students to the Dallas and Austin football games and the time of their departure for home, and no personal complaints had been mentioned at all.

Witness said that in a general table conversation on the Sunday before the Board met he heard Mr. Puckett say that the Board was going to settle some differences between President Harrington and Dr. Gilbert. Witness then told of the strike, declaring he was greatly surprised, and that upon meeting the boys at Foster Hall and asking of the matter, was told that they wanted the President out, as he was a thief and a grafter. He asked them upon what proof they made such charges, and they indicated that they had proof, if given an opportunity to present it. He advised them to return to their classes, for if such was true the Board would know it and do the right thing. He mentioned several students who were in the conversation, among them C. Sims of Waco, E. Smith of Denison, Charles DeWare of Jefferson, Cadet Rushmore and T. A. Adams, who came up late.

Prof. Cruse said that the boys told him that Dr. Gilbert and Prof. Kyle were going to be fired, and that they would stick by them to the last and prevent it. Subsequently he saw Dr. Gilbert, who said his resignation had not been asked for. He then detailed the conversation with Dr. Gilbert, tell-



ing him that he believed some professors were helping the boys, and Dr. Gilbert asked who. Witness replied that he believed Prof. Kyle was, and Dr. Gilbert said he (Gilbert) did not know if it were true, but if Kyle was so acting he (Kyle) must be conscientious. Witness said that Dr. Gilbert reminded him that all of them were alumni and should stick together. Witness also testified that Dr. Gilbert in the conversation said that the Board would not see the boys leave, but would remove President Harrington first.

Prof. Cruse next related a conversation with Cadet Tom Adams, in which he asked Adams to use his influence to get the boys to return to work, and Adams said he could not, but, upon request, referred him to some who might influence them, mentioning Seniors Beasley and Lem Adams. This was at night, and feeling that he ought to have some one with him, said he went to the rooming house and awoke R. J. Potts and together they sought the boys at near midnight and talked with them until close to 2 o'clock in the morning. He said they said they had no personal grievance, but reiterated the charges of stealing and grafting and wanted an investigation. He and Mr. Potts argued with them, showing that if they remained out it might appear that it was not an investigation desired, but a forced removal, and exacted a promise from them to put the matter in that light before the class on the next day. Witness said the Seniors did return to class work next day. The Seniors in question made no statement as to the attitude of any members of the Faculty, said the witness, but that Mr. Beasley did say that if the Board did not remove President Harrington he believed the boys would walk out. The attitude of the alumni was discussed with the students, he said, and they returned with the understanding that the alumni had "shouldered their burdens."

Witness had no direct conversation with Prof. Kyle about the removal of President Harrington, but one day he casually met Prof. Kyle as they were going in opposite directions and Prof. Kyle asked if he had heard rumors that he (Kyle) was working with the students in the trouble, and told him he had. Prof. Kyle then wanted to know who said it and witness said he knew who it was, but would not tell him, as it would do no good and create bad feeling. Prof. Kyle asked if an alumnus said it and witness replied negatively. Prof. Kyle then remarked, the witness asserted, that he and President Harrington had been mighty good friends, but that the President was ruining the institution.

Prof. Cruse had conversed with Cadet Jesse Dale, who took a prominent part in the strike, and asked Mr. Dale to prevail upon the boys to return to work. He had no other conversation with students, except as stated, and the impression was that the boys understood that in the strike they had the sympathy of Dr. Gilbert, Dr. Brown and Prof. Kyle. Witness knew Cadet McElroy, but, upon objection, was not permitted to tell of a conversation between McElroy and Dr. Brown, McElroy being present to testify as to that. Witness said Messrs. Dale and Neale told him they were embarrassed about returning to class on the Monday fixed because of obligations made to the boys of the lower classes.

Mr. Sumners did not care to ask the witness any questions, and Mr. Bee took hold of him, and asked if the boys did not leave the impression that they thought Dr. Gilbert and Prof. Kyle would go because they had appeared before the Board and then thereafter President Harrington was exonerated, and the witness said "No."

"Did Dr. Gilbert tell you that he was doing everything possible to get the boys to go back, and did you not know it?"

"I did not, and he did not say that."

Witness was asked as to what Dr. Gilbert did say in that connection, and replied that Dr. Gilbert said he had seen no professors assisting the boys, and "I know I have not done anything." Witness then told of the conver-

sation as related to Judge Scott about Prof. Kyle being mentioned and what Dr. Gilbert said.

The witness then voluntarily explained his bearing in the matter, stating that at first he knew nothing and had no idea about it, except that he did not feel that President Harrington was the bad man pictured by the students, but that the boys were so persistent in their charges of stealing and graft he did not know what to believe, and told Dr. Gilbert that when he did come to a conclusion and make up his mind where he would stand in the matter it would be in response to the dictates of his conscience.

"Is it not true that he, (Gilbert) said in that conversation that it was not true and he was anxious to find out who was creating the false impression?"

"Yes, sir; he said he hadn't had anything to do with it, and he also stated the remedy he would apply. He also stated that he and Dr. Harrington had been very close friends."

Witness was asked if he didn't know that Gilbert, Kyle and Brown had nothing to do with the trouble. He answered that he would not say they had talked with the boys, but his judgment was that they sympathized with them, and he didn't think that was right. Witness said that he and R. J. Potts went to see Dr. Gilbert at the hospital to get him to call a meeting of the local alumni, Gilbert being president of the club, for the purpose of seeing if they could not get the boys to go back to work. Dr. Gilbert, witness said, declared that there was no use to call the meeting and that the boys were right, but he did call the meeting.

Witness denied that it was true that he sympathized with the boys at the trial, but he did not compliment them upon their good behavior. He did not tell Dr. Gilbert that every one on the ground wanted to see Harrington removed, but might have said that all the boys did. He declared that he condemned the action of the students, and told them as much. Asked if Dr. Gilbert had said that the boys were right in the steps they had taken, he answered "No." He was asked about attending the Houston alumni meeting. He said there was much excitement, and the desire was manifested to get the boys to go back. A member introduced a resolution to remove Dr. Harrington at once without investigation. Witness counseled them to go slow, saying that others were implicated. Witness said on his way to the train to go to that meeting, Dr. Gilbert had said to him that the only thing to do was to get him out.

Witness said that he had opposed an investigation, saying that the Board would do the right thing at the right time. He had never submitted his information to the alumni committee. They had asked him for no information. At the meeting of the Alumni Association on June 8, when the charges were read, he asked why they were made so personal, why the demand was not made for an investigation of the faculty, suggesting that it was improper to pitch onto one man. The committee answered that the Board of Directors had instructed them to confine their charges to the President. A Mr. Rollins had then said that a man in Houston had declared "there were others." And Mr. Rollins said if that were true they should be trotted out. Witness said he did not think that was the place to trot them out, but contented himself with the general statement he had made, feeling that if there was an investigation all of them would be trotted out.

#### L. L. Larson.

L. L. Larson, physical director and instructor in English, was placed on the stand. He said he came here in October, 1907, and that he had spent three years in the University of Chicago as a student; that he had been treated with great courtesy and kindness by Dr. Harrington; that Dr. Harrington had co-operated cordially in the athletic work of the institution and was a strong friend of athletics. He said he had no complaint to offer against Dr. Harrington in any form whatever.

Concerning the room problem testified to by Prof. Campbell, Mr. Larson said that when he got here, about October 1, Dr. Harrington was "disappointed and surprised" to find that he was a married man, and that he said things were crowded, but that he would have to make other arrangements, and would furnish a room as soon as he could. He said that at the end of about three weeks a room was furnished him at the home of Mr. Lear, but that he later moved to the Shirley House, preferring to remain there and pay for the room. He said that he realized that conditions were crowded then, and he could not make a complaint and could not feel that he had a complaint to offer or a right to complain.

Witness said that in a conversation he had with a student named De Ware just before commencement, discussing the athletic work for the next year, the student said that athletics would prosper, as Dr. Harrington was a very warm friend of athletics, had been very favorable to it, and would be. Witness said he had never conversed with a student who said that he had a personal grievance against the president.

Witness referred to a time when he had conversed with Students Harris, Allen, Utay and Standifer at his home. One of the four said in the conversation that the Faculty had gotten them into the strike and backed down. Witness said one of the four called the Faculty "pikers."

Questions by counsel developed the fact that "piker" meant "quitter," but Mr. Bee later insisted that piker, as he understood it, either meant a man who did not start or, after starting, quit the game, which was admitted as the meaning of the College term.

Witness said that a student named Utay who went out on strike came back and was reinstated, afterward resigning from the College before the close, said to witness that he "felt ashamed to look the President in the face" after what had happened; that he had never voted at any meeting on any question at all. (Utay was not a Senior but attended their meetings as he had been at College four years.)

Witness said he talked with a number of students concerning their return to school, some of them saying that they could come back and others would not come back.

Judge Scott then asked witness if any members of the Faculty had come to him advising him not to testify in the investigation. Witness replied in the affirmative. Asked for the name of the Faculty member, he said he would rather not disclose it, unless the board insisted. He said that the member of the Faculty giving him this advice had already testified in the case when he gave the advice. Mr. Peteet said that if a member of the Faculty gave any such advice as that he desired to know his name, unless it meant a very great violation of confidence. The Board voted and all wanted the name, whereupon witness said that it was Prof. Campbell who came to him last Thursday morning.

"He came as a fraternity brother, saying he wanted to tell me something that affected me. I told him to go ahead. He said the students felt very bitter against me because of the part I had taken. I said that I didn't think they should feel bitter against me. He said that \$400 of my salary was paid by the students. I said that I didn't think I had anything to fear. He said that he had information that if I testified a bombshell would be exploded under me that would follow me all my life. I said: 'Professor, I have tried to act straight since I have been here, and have tried to do what was right. I have no physical or moral fear.' It is my personal opinion that Prof. Campbell is very easily frightened and that he had talked to some persons of irresponsible nature, and had begun to fear for my welfare. I don't think the warning was well grounded." It was thoroughly developed to the satisfaction of the Board that Prof. Campbell did not give witness the advice in order to suppress any testimony. It was established that his motive was

one of friendliness toward the witness, and he was afraid that something would happen to witness if he testified.

Judge Summers took the witness and asked him if he expected to remain connected with the College. He said he could not say definitely whether he would be here next year or not. Witness stated that he was the fraternity brother of Prof. Campbell, and when questioned by Judge Green, said that the "frat" was the Phi Delta Theta. Judge Summers asked how it happened that the confidential communication from his fraternity brother got to the attorney for the defense. Witness replied that he gave the information to several people, speaking of it laughingly, saying that among those he spoke to were Mr. Carson, Dr. Fountain and others. Asked if he knew that Dr. Fountain was closely attendant upon the investigation as a friend of Dr. Harrington, and if Dr. Fountain assisted him, witness replied that he knew he was attendant upon the investigation, but did not know that he was taking any part in the investigation. He said he told Prof. Kyle of the incident, and Prof. Kyle advised him to go ahead and testify, ignoring the warning. He had talked to Judge Scott about the matter before he told Prof. Fountain. He did not regard the communication as in anywise confidential.

#### A. T. Potts.

A. T. Potts, graduate in June, 1907, and vice-president of his class, testified that at the time of his graduation he heard nothing of a petition being prepared by the Senior Class or having been prepared, asking for the removal of President Harrington. He said the first he heard of the rumor was from J. W. Carson in July, '07. There were no other questions.

#### R. J. Potts.

R. J. Potts was the next witness. He is an instructor in mathematics and was present during the strike, and had been present during a conversation in which the student assistant, Puckett, mentioned the report relative to Prof. Kyle and Dr. Gilbert being forced to resign. The conversation started with Prof. Alvord present, who remarked that the students had no grievance and then left. After he had gone Witness Puckett exclaimed: "Hell, they haven't any grievance." Witness said that Puckett stated that the Board had requested the resignation of Dr. Gilbert and Prof. Kyle.

Questioned by Mr. Bee, witness said he had not heard Gilbert or Kyle say they had been requested to resign, but had only heard Puckett's statement.

#### C. B. Abercrombie.

C. B. Abercrombie, a resident of Bryan since November, 1900, testified that during the strike some dozen or more students rented a house near his residence in Bryan and "batched." He had a great deal of curiosity, and interviewed every student he could as to the strike, its causes, their methods, etc. Ordinarily his sympathies were naturally with the boys, and had asked each one what grievance he had against Dr. Harrington. Not one of them had a personal grievance or complaint, though he talked to from fifteen to thirty-five or forty boys. He asked why they then went on a strike, and each answered about the same, to the effect that since they were in it and organized, they could see no way of relieving themselves of a personal pledge; that they were bound by their organization. He asked them who started the strike, and how it started. Each one answered that it was not started in the student body, but it came from complaints of outsiders. He said the students named the outsiders in nearly every instance. He could not repeat the names. To attempt to recall them might wrongfully injure somebody. The parties named by the students had been connected with the institution, he said, but he would rather not name them.

Cross-examined by Judge Sumners, witness refused to give the names of the persons, and could not remember the names of the boys who told him. All of the persons referred to by the students, he said, had left the College. Witness said he kept books of E. J. Fountain, brother of the professor of English at the College, and a very close friend of Dr. Harrington.

#### John Avery Lomax.

When the afternoon session convened John A. Lomax, member of the Faculty, went upon the stand. He had been at the College for five years. He testified that he had never seen anything to indicate that Dr. Harrington was cold and harsh and unfriendly; that he took an interest in the students; that he had heard him make foot-ball speeches, Y. M. C. A. speeches, and speeches before other College meetings. He had seen several College Presidents more approachable and one or two of very much the same type.

Witness, concerning causes of the strike, said that he had heard young Leggett, as a personal grievance, complain because the president had reprimanded him for an article that appeared in the College paper. This was a month before the strike. After the strike witness talked to men of all classes; that young Holloway gave as a grievance the complaint already in the record by him; that Mr. Jones, a Senior, claimed to have two grievances, one that Dr. Harrington had favored a rival dancing class to the one headed by Jones. Witness said Jones stated Dr. Harrington had granted the other class a privilege he did not grant Jones' class. The other complaint was Dr. Harrington had discriminated against Co. D baseball team in favor of Co. B in the matter of giving baseball grounds; that while the President had not discriminated at the time Jones related the incident. Jones felt, from indications, that it would be done. A student named Coleman related a grievance, saying he had asked Dr. Harrington to permit him to go to Bryan, and the latter had suggested that he should get a permit from his parents if he wanted to go to Bryan when he pleased. He felt that this was insulting. Witness said those were all the grievances he heard, although he went among the students for that purpose. He talked with probably 100 students.

Witness said he talked with many students as to the cause of the strike, and that Student Holmes of Seguin said that the major portion of the Faculty were in sympathy with the students. "He asked me if I didn't know that to be true. I replied negatively.

Witness said a student named Gist called upon him and asked if he thought the Board was going to remove Dr. Harrington. "He told me that the school would be badly injured if Dr. Harrington was not removed. He said he thought the students would be willing for all of the Faculty to hold their positions after the removal of Dr. Harrington with the exception of Dr. Fountain. He did not give the reason for excepting Mr. Fountain. Referring back to Mr. Coleman, I recall that I asked him if it had occurred to him that he was persecuting an innocent man. He said he had thought of that the previous night and couldn't sleep. "If Dr. Harrington is proven innocent I don't expect to live in Texas. I shall leave the state." Witness said Coleman made the foregoing statement.

Witness testified that he visited the tent of a Freshman, Mr. Pool, the morning of the strike when students failed to come to classes. He asked Pool why he did not report. Pool said that a party of Seniors had come to him the previous night, had awakened him and told him not to go to classes the following day. Pool was a man six feet tall and built in proportion. "I suggested," said the witness, "that he go on up with me; that I would spend the entire day teaching him. He said he could not go; that he was afraid to go. I told him I did not think anybody would hurt him, and he replied that he would charge a fort with me, but that he would not go to that main building that day. He was evidently afraid of physical violence."

Witness testified that he attended the alumni meeting at the College

chapel in February, at which about seventy-five students were present. Prof. Kyle made a speech there and said, among other things, that after a long consideration of the matter he had come to the conclusion that President Harrington would ruin the A. and M. College. "In urging the students to remain in the College," said witness, "Prof. Kyle said that he and Dr. Gilbert, after a long conference, had decided to hand in their resignations, but that subsequently they came to the conclusion that that was exactly what President Harrington wanted them to do. Then he called on the students to remain and assist him in the fight on President Harrington." Witness stated that he later told the incident to several people and condemned what Prof. Kyle had said, and later came to the conclusion that he had done Prof. Kyle and injustice in speaking of the matter; that they had been good friends, and he called upon the professor in the matter. Prof. Kyle told witness that he had done him an injustice and had interpreted his remarks wrong.

"I then wrote to the Board stating that I did not want the Board to form a conclusion until they had heard my testimony and that of Prof. Kyle.

"I would not have written had I not felt that I might have done Prof. Kyle an injustice and had misinterpreted his remarks. There was no dispute as to the words Prof. Kyle used. It was a dispute as to interpretation. I regret to have to make this testimony, as Prof. Kyle is and has been a good friend of mine, and I so regard him today."

On cross-examination, witness, when asked if Dr. Harrington was cold and austere, said that he regarded Dr. Harrington as dignified and distant with all but his intimate friends. Witness said he saw nothing personally to indicate that Mr. Puckett was a go-between and had no personal knowledge that the Faculty was aiding the students. Witness, when pressed by Mr. Bee, stuck to the statement that Prof. Kyle had said that he wanted the students to stay and help him in the fight on Dr. Harrington.

He said it took strong persuasion to keep the students, as the boys were very bitter toward Dr. Harrington, and the alumni did everything humanly possible to do to keep the boys at the College; that is, retain the remnant which had not gone when the alumni arrived. Some of them left anyway. A Freshman to whom he made a personal appeal promised to stay, but went out on the first train.

Answering Mr. Sumners, witness said Prof. Kyle was present at the meeting in the chapel attended by the students and the committee from the Houston Alumni. He said at the time of the trouble he thought the prime thing was to get the boys back at work and then adjust matters, but they were convinced that they had a great grievance and would not be dissuaded from going. He does not now think that was the best method. The first feeling was against President Harrington, but later the students developed a spirit of suspicion. "Even now the feeling is bitter against the President and is fixed."

Witness did not know of any policy emanating from the President to cure the troubles. The President was very popular at the end of his first year. Witness then spent a year at Harvard and did not notice any change immediately upon returning, but later became aware of it from a conversation had with President Legett of the Junior Class. Young Legett was prominent in Y. M. C. A. work, answered the witness.

#### J. M. Carson.

John M. Carson, treasurer, was recalled and testified that the salary of the director of the experiment station was \$3,500 previous to Dr. Harrington's election thereto, but that Dr. Harrington never drew it, after his election as director. The position of dean was created to relieve the President of some of his duties so that he could perform the duties of director of the experiment station. Prof. Puryear was elected dean when he was professor

of mathematics and received an additional \$450 to his former salary of \$2,200 which he continued to receive.

Director McInnis interrupted the examination and stated that the testimony was really irrelevant, and further that the matters testified to are under control of the Board and known to it, and about some of which Mr. Carson could tell absolutely nothing. Also that because of the last some of the testimony given was at variance with the minutes of past meetings of the board of directors.

This stopped the testimony and Chairman Legett said that the records should contain the exact facts, and he gave them as being that the Board first offered \$3,000 as salary for the director and no suitable man could be gotten. Then it made it \$3,500, and still none could be found, after which it was decided to attach its duties to those of the President and allow \$500 out of the feed control fund as payment of the salary, (the rest of the \$3,500 pays the vice-director.)

Mr. Carson said after an absence from the College he had not noticed any change in Prof. Harrington and had heard no complaint against the President until the strike. He had been with the President frequently and considered his demeanor friendly. He then told of Victor Kelly coming in and asking for permission to go to the circus in Hearne, and Prof. Harrington answered: "I can not grant you a furlough." That Kelly had winked at witness when "circus" was mentioned. Witness did not think the President's manner or tone harsh, angry or austere. That when he and students went in to see the President, Prof. Harrington usually saw the students first and made him wait.

Witness then told of a voucher for \$240 which had been turned down.

It was for material furnished to Dr. Brown's department by the telephone company of which Dr. Brown was president. It was handed in by Prof. Spence, secretary and treasurer of the College Telephone Company. Witness held it up because he thought it "steep," and said he would present it to the President, and if they approved it would go through all right. He said the President refused to approve it, and nothing more had been heard from it. President Harrington had not interfered with him nor been dictatorial in administering matters in his department. He said none of the students have assigned reasons for disliking the President.

The matter of a \$10 check claimed not to have been credited to a boy was gone into on account of an affidavit to that one presented by W. L. Maury of Palestine. The affidavit said affiant had sent a check for \$10 for the credit of his son and learned on April 21 that the credit had not been given. Witness explained how the checks and credits are handled, some being paid over the counter and some of them did not require the signatures of the students. That after the boy made his claims he looked up the matter and not finding the credit gave him, on May 11, an allowance on his book account of \$5.50 in cash, with a credit entry of \$4, which was later drawn out. He said the check was later found and indorsed with his stamp, showing it had passed through his office, but the indorsements were at variance with the boy's claim, hence he had paid the \$10 to him out of his own pocket. He would not undertake to say that the boy cashed the check. The affidavit was made on May 28, though he gave the boy the allowance on May 11.

#### C. P. Fountain.

C. P. Fountain, professor of English for eight years in the institution and knowing Prof. Harrington intimately, testified that he had noticed no cold, harsh or unfriendly conduct on the part of the President toward the students or any change in the attitude of President Harrington during the past year different from a former time. The President had shown no disposition to interfere with the English department, and asserted that the President had exhibited interest and zeal for the welfare of the institution, stating that it

was "most decidedly" apparent. He said the institution has prospered under Prof. Harrington, and that up to the strike the boys had been doing as good work as in former years. They had made no complaint up to that time, and before then he knew of no unfriendly feeling, disrespect or lack of confidence in the President. Witness said he had tried to talk to a few of the boys to ascertain the cause of their feelings, but they were not disposed to talk and he discontinued his efforts. He had been an educator for fifteen or twenty years.

Replying to Mr. Sumners witness said he had not talked to the students much since the strike, as they were so opposed to talking. He acknowledged that he was an intimate friend of President Harrington. The first intimation of ill feeling on the part of the students came to him on the evening before the strike.

Judge Sumners asked witness who supervised the publication of the Battalion. Witness replied that it had been customary for several years for some one connected with the College to overlook the material that went into the publication, but the custom was dropped for a while and later taken up, and that young Holloway went to the witness, submitting material. "I told him," said witness, "that he need not come to me with material except in case of doubt." Witness said he knew nothing about the matter for which the Juniors were suspended, as he never saw it before it was published. Asked what had been done since the strike, witness replied, that a committee had been appointed to look into the affair and that this committee had been charged with the duty of making a full report on all relations of the students to the school, that it had not met as yet, but that individual members were making investigations.

Asked if he, in speaking to he Senior Class during the strike, made the following statement: "This school can get along without the present student body; there are 20,000 other boys that want to come here," witness replied that he made some such statement. He was excused.

J. T. Maloney, a hotel keeper at Bryan, said that in conversations he had had with students about the time of the strike, he had not heard one of them mention a personal grievance. He said that a student named Casey came into his hotel one night with two other students he did not know and another young man who he did not think was a student, but had been, and was now doing engineering work, and Casey said to this stranger: "If we can just go through four or five days more it will be all right. Some people out there are keeping me posted."

"Did he mention the names of those keeping him posted?"

"He said it was Dr. Gilbert."

Mr. Bee developed that the witness did not have any idea what the remarks referred to.

It turned out that Casey and the old student were talking about the Alumni Banquet that, for a week hung in the balance on account of Dr. Harrington, as testified to by Prof. Mitchell.

#### S. E. Andrews.

S. E. Andrews, secretary of the Board and secretary of the President, testified that requests for catalogues of the College have been received to the number of about 420, which is a greater number of requests than had been received at the same time last year.

Judge Scott then introduced the resignations of L. W. Jones and J. G. Foster, bearing no notations whatever, saying that he desired to show that the statements contained in the affidavits read yesterday were incorrect. The statements referred to were that the boys had left on account of sickness and were not refunded their portion of the maintenance fund, although, being sick, they were entitled to it. Judge Scott pointed out that there was nothing specifying sickness in the resignations. Concerning the statements



that Dr. Harrington did not reply to the letters of J. L. Jones and Mr. Foster regarding these refunds, Judge Scott presented carbon copies of the two letters as written, explaining about the refund.

The secretary testified that he wrote the letters, and also that a telegram was sent to Mr. Foster, but that the telegram was returned undelivered. Witness was excused.

#### E. J. Smith.

E. J. Smith of Denison, graduated in 1888, and who had a son in College during the past two sessions, was the next witness and was asked to explain the formulation of suggestions filed with the Board. He told of the Alumni meeting in Houston. Its deliberations were published broadcast. After an all-day session resolutions were passed which were not given to the public, but filed with the Board; also a message sent to the students to return to work, promising them a full and exhaustive investigation. The committee was appointed to draw the suggestions of subjects for investigations, and the result of their labors is what is before the Board.

Judge Scott then asked as to the meetings in Bryan of the committee and with the Alumni at the College on Monday, the committee assuming responsibility only for charge 13, such action having been determined at the Bryan meeting on the Sunday before commencement. He was asked who prepared them and replied: "If you are seeking personal responsibility I am willing to answer all of your questions, but if it is general information I will say the committee."

Judge Scott explained that he desired to know who composed parts of the documents and read that relating to alleged gross irregularity, asking who did the writing, and witness answered:

"I did."

Answering Judge Scott, witness said he did not base his information upon personal knowledge, but got it from a publication circulated over Texas, known as the Hittite, a monthly published at Dallas. He had not seen a copy before or since the number containing the charges in question. He read out the names of the Hittite staff, including that of a lady whom he had known for years. He knew nothing about the other members of the staff, but said he knew this lady and thought that anything she was connected with was responsible. He said he had made no effort to get any statement from Treasurer Carson or other officers of the College about the alleged irregularities. The charges were published in the press the day following their filing, but he did not give them out and did not know who did.

Director Peteet asked witness if he would give the Board a memorandum of the facts substantiating each charge that he might have in his possession. He said he would not, as he did not care to volunteer anything, but would cheerfully give all he knew when asked specific questions.

Mr. Peteet then made it clear that he desired names of witnesses relied upon or responsible for the several charges, and witness said he would furnish them. He prefaced it by stating that he was very much interested in the institution, both as a graduate and because of his boy being a cadet therein, and whatever he amounts to he knows he owes the A. and M. much. Because of this he had possibly spent more time and money than any other man in Texas to keep the old College inviolate and render it all the aid possible and continue on its upbuilding. He averred the charges were prepared in all seriousness and as a careful lawyer would write them, and that he stood ready to give all the information he possessed, and stood responsible for all he said. He gave a list of the witnesses under each of the first twelve counts, starting with the first and mentioning Bert Hull, a graduate of 1904, who had complained that he was assaulted with a shotgun. Mr. Peteet suggested that no explanations be made, but only names of witnesses. This was carried out, and he added W. B. Philpott, a former professor, to those

under charge 1, T. W. Larkin of Denison, fifteen or twenty students whose names he could not remember, and a gentleman connected with the United States service in locating experiment farms, but whose name had escaped him.

The other witnesses by charges follow:

No. 2. W. B. Philpott.

No. 3. Bert Hull.

No. 4. From conversations with members of the Alumni Association at Houston and elsewhere and some Seniors, including Cadets Dale and Beasley.

No. 5. Same source of information.

No. 6. C. S. Mitchell of Dallas, J. M. Carson of College and Howard Hanna, of Denison.

No. 7. Individual knowledge and information from students at the College.

No. 8. His own responsibility and knowledge as a patron of the institution.

No. 9. Conversations with members of the graduation class in the spring.

No. 10. Information from the Hittite.

No. 11. Actual facts existing at the time of the strike and prior thereto, supported by statements of persons and students.

No. 12. The several published statements relative to President Harrington's Austin interview, a denial thereof and the Battalion article. It was learned from Prof. Smith that Prof. Philpot had recently died.

Judge Scott asked about charge No. 7, relative to withholding part of Maintenance fund, and witness said he knew the facts of his own knowledge, as he had a boy at school and the unused part of his maintenance fund of the session of 1906-07 was not returned to him until after the strike in the session of 1907-08.

As to this charge witness acknowledged that he had placed the responsibility upon Harrington because he was president of the college. Concerning the charge as to the misuse of the trust funds, he said that last August Treasurer Carson had sent him a check for \$1.75, retaining the remainder of his son's \$5 deposit, although there was no claim for breakage done by his son. He insisted that a charge for breakage should not have been against the entire corps, but against the individuals or the troops responsible for same. As to the charge about President Harrington being wanting in executive ability he said he was at the College upon the occasion of the laying of the corner stone of the new dormitory, upon which day the President was hanged in effigy, and that he witnessed a sad sight when later in the day the President arose to address the Student Body, and when through, they received him in cold silence, and he could see they were miles and miles apart.

Judge Scott asked witness if he had given the attorney for the Alumni Association the names of the witnesses he had now given the Board, but Mr. Smith claimed his privilege as a client. He was asked if he had previously given the Board the names of these witnesses.

"Judge, you must not put me in the attitude of a prosecutor," was the answer.

"I did not."

"That is all," said Judge, Scott.

Answering Judge Summers, witness acknowledged that he had written the letter to President Harrington introduced in evidence yesterday in which he thanked President Harrington for the fatherly interest he had shown in his son. He explained that early in December his son's report had shown demerit marks. He wrote to Dr. Harrington for an explanation, and Dr. Harrington replied in a way which he liked, and he had then written the letter before the Board.

Judge Summers here announced that he had no further direct testimony to present at that time.

Judge Scott said that he was going to put Dr. Harrington on the stand and he desired a few minutes' conference with him first. In answer Judge Haidusek as usual made a motion to adjourn as he went out the door, and Judge Leggett yelled at him to be back at 8 o'clock.

#### Harrington Would Not Testify.

The investigation committee reconvened at 8 p. m. and Judge Scott announced that the defense had decided that Dr. Harrington would not go on the stand, inasmuch as it was felt that he had no information that was not already in the hands of the Board. This was very disappointing to the prosecution, considering the points that had not been asked other witnesses, but were saved especially for the President. The prosecution announced that it would rest.

Judge Scott announced that there was one question in the deposition of Miss Davis that he would make public in which she stated that in a conversation she overheard Mr. Manness, a student, say that he came back to his classes on the advice of Dr. Brown. Miss Davis claimed that the other matters asked about were confidential, and declined to answer them.

F. M. Law of Bryan, ex-President of the Alumni Association, was placed again on the stand by Mr. Bee. He testified as to the part which Dr. Gilbert and Prof. Kyle took as to the strike, and said that in every speech they made, whether in public or private, they urged the students to return to the College. He gave details to show that their attitude was entirely proper. Witness said that he wished to correct a portion of his testimony made previously in which he was not certain as to a statement. He desired to say that at an Alumni meeting he did say "Damn the Board; damn the Faculty; I am for the A. and M."

R. C. Watkins of Houston, President of the Alumni Association, said that he had never seen or heard Dr. Gilbert or Prof. Kyle do or say anything that did not indicate that they were heartily in earnest in their efforts to induce the students to return to the College. Witness said that he did not hear Prof. Kyle in a speech make the statement that the students should return to the College to keep up the fight on Dr. Harrington. He said that at the meeting the Faculty was so pleased with the position of Prof. Kyle that Mr. Cravens asked Prof. Kyle to remain and make the final appeal to the students.

Mr. Summers offered the affidavit of Cadet Gilson of Calvert, denying that he told anybody that he intended returning to College next session; that he must have been confused with some other person, for he "had no intention or desire" to return. It was admitted.

#### Dr. Gilbert and Prof. Kyle.

Mr. Bee called Capt. Moses, commandant of Cadets, who testified in the same channels as Messrs. Law and Watkins, that Dr. Gilbert and Prof. Kyle had not aided the boys in the strike, but deplored it and did all they could to get them to return to their classes, Dr. Gilbert remarking that he was afraid that his past differences with the President might cause his attitude to be misconstrued.

Prof. Giesecke also testified that they did all they could to make the boys return, and Prof. Ball gave similar testimony, adding the name of Dr. Brown as also having made such efforts. Dr. Ball said a student told him that the strike was not brought on by the rumor of dismissal of Dr. Gilbert and Prof. Kyle, that it had nothing to do with it, and that the strike would have occurred without the rumor.

It was agreed that the record should show that Dr. Harrington paid for the ice cream furnished him by the witness, Mackey, who testified this

morning. Mr. Bee said he didn't care whether or not it was paid for, he only wanted it understood that Mackey was an ice cream freezer.

Dr. Joe Gilbert, surgeon and health officer at the College for two years, was sworn. It was agreed that the story of the past differences between Dr. Gilbert and President Harrington would not be repeated, as it had been told to the Board at its former investigation. Continuing, Dr. Gilbert said he had left a sick call to attend the Faculty meeting on morning of the strike, at which time committees were appointed to see if conditions could not be abated. He said he advised the students that they did wrong in not returning to classes, and that he had told Director Milner of his efforts to get the boys to return. On Monday he heard that the Senior Class would return, and that he immediately endeavored to persuade the Juniors to agree to return. On Sunday, the Alumni Club, of which he is President, met and appointed committees looking to co-operation with the Board in restoring normal conditions.

#### Gilbert Did Not Aid Strike.

He said he did not assist in the strike in any way nor had he any intimation of it before it came, having been completely surprised by it. He was driving when the band left the drill field playing "Home, Sweet Home," when he learned of the action taken by the Board sustaining President Harrington, and did not see a student until the next morning. He said he did not consider his trouble with Dr. Harrington as having anything to do with the conditions as he understood it to be finally adjusted and all differences settled by the action of the Board on the preceding day. He had no go-between to hear from the students as to preparation and progress, but all he did "was in the open, as everybody knows."

Witness repeated to Judge Scott that he deemed his differences with and that there was nothing more to it. He said that he had not heard the rumor among the students that he was to be removed.

Answering Mr. Bee, witness said he saw a number of students at that time, as there was quite a lot of sickness and he was kept busy. He said he was informed the Senior Class had passed resolutions of commendation for him and the nurses at the hospital and were going to have them published, but he stopped it by sending word not to do so, as he did not wish any notoriety.

Director Peteet asked if in a letter to John W. Hornsby of Austin witness did not state that he was going to keep up his fight on President Harrington. Dr. Gilbert said he did not think he did.

Mr. Petet—Do you object to having that letter presented and made public?

Dr. Gilbert—I would rather not, because it was written to a relative, Mr. Hornsby being my cousin, and I do not remember what it contained, personal or otherwise.

#### T. D. McElroy.

T. D. McElroy, who graduated at the College this year, and who was in Professor Kyle's class for four years, testified that upon the morning the Seniors presented to the Board their petition asking for the removal of President Harrington, he met Professor Kyle and asked him about the trouble at the College, and that Professor Kyle answered he would rather not talk. After the strike the Seniors were getting up evidence to support the petition. They put him on a committee against his protest and sent him to Professor Kyle to get his evidence. Professor Kyle said to him: "A member of the Faculty can't talk to students."

Witness said he had never heard any of the students claim they had been influenced by Professor Kyle and Brown or Dr. Gilbert to go on strike.

The witness was subjected to a searching cross-examination by Judge Scott. He disclaimed all knowledge of a class oath, but declared it was always understood that no class action was to be disclosed. After such questioning witness admitted that he had believed the students had the sympathy of certain members of the Faculty in the strike, and he still believed so to some extent. He had no idea as to who sympathized with them or who was against them. He was against them. He was sure only of Professor Fountain, whom he knew was not in sympathy with them. They had not decided to get Professor Fountain's scalp next. He denied that the Senior Class had made up a list of professors whom they felt they could rely upon to back them up.

Prof. Kyle was again placed upon the stand by Mr. Bee. He spoke of his work with the students, saying that he endeavored constantly to get them to return to the school. He said he made several speeches in which he urged, and flattered himself that he had made good speeches. "I told the students that I thought they ought to accept my advice. In reference



**DR. N. H. BROWN**

*Late head of E. E. Department.*



**FELIX PUCKETT**

*Student-Assistant.*

to what Dr. Lomax said, I did say that Dr. Gilbert and I had considered resigning, but I also stated that for the good of the College we had decided not to resign. Concerning the statement made by Mr. Cruse that I had made a remark concerning Dr. Harrington, I met Mr. Cruse, and he said he understood that I was encouraging the boys. I asked him where he got his information. He said some one told him about it, but refused to give me the name. The conversation was about as Mr. Cruse gave it, except that I don't remember whether I said that Dr. Harrington was ruining the school or not. Witness said that Mr. Puckett never served him as a go-between with the students. Witness said he talked to Mr. Pittuck in Dallas, as testified by Mr. Thomas, but that it was concerning the intention of Mr. Pittuck to come to the College to urge the students to come back to work. "I advised him," said witness, "that things were running along all right and it wouldn't be necessary for him to come down." Mr. Pittuck called him up.

Dr. Brown was placed on the stand in connection with the statement of Mr. Mackey that he had come upon Dr. Brown during the strike in conversation with Senior Class men. Dr. Brown said that he was attending a

class of fifth year men he was teaching. These men did not strike, and were reciting that day.

Mr. Bee offered in evidence nineteen affidavits from members of the class under Prof. Kyle. There were thirty-three students in this class. The affidavits testified that Prof. Kyle had never sought to influence them in their opinions of Dr. Harrington, and that he had urged them to come back to school during the strike, without exception.

At 10:30 p. m. the Board adjourned.

#### A Board Announcement.

Judge Legett, Chairman of the Board, made the following announcement: "The Board of Directors may press this investigation further, but in view of the fact that we have been away from our homes for many days, we will not continue it at this time. We will make a finding and render a verdict on the pleadings and evidence submitted."

An executive meeting was held by the Board, following which the Chairman announced the decision made to go to Marlin for Monday's session. Judge Scott said the defense would be willing to submit its case without argument, but the Board said it would prefer to have the arguments.

The following resolution was passed:

"Be it resolved by the Board of Directors of the Agricultural and Mechanical College of Texas, That we extend to the daily press of the State our thanks for the full, fair and impartial reports of the College investigation."

#### A SUMMARY.

As if waiting for the attorneys to prepare and present their arguments, and for the decision of the Board, let us take a glance back over the investigation, to see what each side contended for and what was presented or brought out to back up their claims.

Primarily the Alumni and patrons contended that there was a "condition" existing at College that should not be tolerated. The patrons were unanimous in saying that Harrington was responsible and should without investigation be removed. The Alumni were more conservative and had asked for and obtained a public hearing.

The Alumni claimed that Dr. Harrington and his conduct was solely responsible for the conditions and that his removal would settle the matter.

Dr. Harrington's attorney did not deny the said "condition," nor did he deny that Dr. Harrington's removal would end it. But he did contend that Dr. Harrington was not responsible and therefore should not be made to suffer for what he characterized as a conspiracy originating outside of the Student Body, instigated, led and controlled by past and present members of the Faculty, some of whom aspired to the presidency.

And he further contended that there was a remedy, other than the removal of the President, which was the removal of all connected with the institution that were not partisan to the President, and by giving the President more authority.

Now, who proved their contentions? We will see later.

From the first the student witness, Dr. Harrington's counsel tried by holding up "hazing" to create sentiment against the boys, but failed as no one had ever been hurt by it, and since all the students who had undergone it considered that it "made a man of the one hazed." By Prof. Alvord, a star witness for Dr. Harrington, it was shown that hazing was practiced in all colleges. He said further "that the extent to which it is sometimes carried and the element of viciousness in it was what caused its condemnation, though otherwise it was not bad." The lack of harmony esteem, confidence and respect between students and President was nowhere denied by any witness, so it is unnecessary to mention any witness

in particular, and before the hearing was half over, Judge Haidusek, a member of the Board, said: "I object to that question because it has been asked of every witness who has been on the stand and the facts therein established in our minds, and it should not be repeatedly asked after having been gone over so elaborately."

Dr. Harrington's unjustified interference with the College publications was conclusively proven by Mr. Holloway.

As to the probability of good work being done another year if Dr. Harrington was retained, there was evidence on both sides of the contention, but if one will study the evidence concerning this, noting the names of the witnesses and then consult a catalog, they will find almost without exceptions that the ones who said, "Good work and a full school could be expected with Dr. Harrington," are assistants in departments where the heads of the same departments testified differently. I do not wish to charge that this signifies that they were candidates for places that might be vacated, but will leave it to the individual consideration of each reader.

As to whether or not the students had the sympathy of a number of the Faculty and instructors, there has never been any question, and the same applies to any body of men acquainted with the situation (except the Board of Directors, but this was not the contention of the Harrington faction. They claimed that the trouble was secretly worked up, controlled and led by others than students, which contention was absolutely disproven.

Judge Scott thought he had unearthed a big "Bugaboo" when Holloway testified that Puckett, a "student-instructor," appeared before one meeting of the Senior Class, but nothing was said about I. Dale, J. Wray or C. M. Evans who had similar relations with the College the past year and attended all meetings of the Senior Class. Yet this was all true and every one knew it. Mr. Evans even served on the students' investigation committee that supplied information to the Alumni. They did not consider that money paid them by the College for services rendered was in any way to be considered "hush money," as Mr. Scott thought. It is also true that Dr. Harrington removed Mr. Evans from his position as student-assistant after the February trial, but the student committee appealed to the Board and he was given his position back.

It was also shown in the testimony that no one other than a student ever talked to the boys, but what they urged them to return to classes and submit to the constituted authorities, which should brand as inaccurate, certain statements made and scattered broadcast over the state last spring and this summer as well, by Dr. Harrington, Professor Fountain and others.

It was proven conclusively that the so much talked of oaths that bound the students was no more than an intangible understandng between the students to support each other and stand together. And that it was verbal in but one instance, and then only took the form of a vote of the Junior Class, which was in turn revoked a few days after the strike, by another vote.

The feeling against Dr. Harrington was conclusively proven to antedate Harrington's trouble with Kyle, Gilbert, Neff, Hutson and others by over a year, and that the premature closing of school and the severe sickness of Dr. Harrington prevented his removal being asked in June, 1907.

One more point will be noticed before giving the argument of the attorneys and the verdict of the Board, that is the attitude of the Board and counsel for the defense in regard to "hearsay evidence." This was with few exceptions ruled out until the prosecution was nearly through. Then Judge Scott was quite willing and even anxious to hear anything; and the board established the precedent. "Why was this?" What would Dr. Harrington's evidence have amounted to had not Judge Scott been

able to ask what his witness had heard some one say? It would have been absolutely nothing except personal opinions, conclusions and "stock dealing" in futures."

Some may question me here about witness being stopped on hearsay evidence, but I speak advisedly, for when I mentioned the first name as being my authority for a complaint I was going to make, I was immediately stopped by Judge Scott (or Rogan) and told to hold myself strictly to personal matters. The same is true of many others. The record shows that Mr. Furneaux was asked to tell all he knew, but others—I find them not—until I come to Dr. Harrington's witnesses and here I find only hearsay testimony. For example: Mackey Larson (who had a grievance, and the Board knew it, yet he denied it to tell something he heard a student, who was his guest, say) Hamner, Cruse and the rest of the half dozen assistant chemists, Abercrombie, Lomax, "Carson Twins," Maloney, and in fact all of them, that was all they knew.

Now for the arguments of the attorneys:

The Board convened at 9 o'clock Monday morning, June 22, in the district court room of Falls county at Marlin with all members present except Senator Sebastian, who has not attended the sessions of the investigation. Judge Leggett of Abilene was in the chair. Judge Sam Scott of Waco was present, representing the defense and Judge Hatton Summers of Dallas was on hand to represent the prosecution.

Judge Scott announced that he had heard from Carlos Bee, who could not be present, but stated that Mr. Bee's argument would be mailed to be read during the afternoon session.

Judge Summers, with coat removed and suffering from severe indisposition, opened the argument, although he should have been under the care of a physician. His opening speech did not attempt to analyze the testimony, but dealt rather in generalities. It was an enviable effort.

"We have gotten beyond the point," he said, "where it is necessary to search into the causes. The condition has become so acute and the danger to the institution has become so great that it is now necessary to consider a condition and not a cause. No man can come before this body and suggest a course of procedure that will be absolutely without danger to the institution. I shall try to be absolutely frank with the Board. It is no time for the Board to wander into the realm of possibilities except in so far as it is necessary to determine what remedy should be applied. The one thing that now stands before you is that the man who occupies the head position at the school has lost his grip upon the situation and the student body, and I defy any man to suggest a way within the range of human possibility whereby he can regain it. Whatever may be the cause, if he has lost his hold upon the students, as men charged with protecting the interests of that great institution, you have no right to hesitate. No man who has had anything to do with this institution has aught save regret that this condition has arisen. You men who have associated with Dr. Harrington, who have eaten his bread and salt there at the institution, will have to exert a supreme effort to break ties that bind you from your duty. But I take it that there is not a man on this Board that does not have the interests of the school at heart and enshrined deep within his consciousness, and such men are amenable to reason."

The speaker referred to the school last session as having nearly six hundred boys, and said that it is a pity these boys can not go out into the world with the proper love for their alma mater instead of going out with a feeling of bitterness.

"I am not asserting that President Harrington is not an able man, nor that he is not honest to the furthestmost degree, but we are confronting a condition and not a theory. I want to be frank to you and say that I can not state to you a plan that is absolutely free from danger. You are con-



fronted with a dilemma, but you must take hold of the horns of the dilemma and solve it.

"I know, gentlemen, and you know, gentlemen, that there is a distrust and there must be something in the disposition of Dr. Harrington himself that it accountable for the feeling that has permeated the student body and members of the faculty. That record speaks for itself, and I shall not undertake to repeat it. This trouble has grown out of some defect on the part of President Harrington. It may be his temperament alone, but that alone unfits him for the position which he occupies. If it be a matter of temperament, then there is no way in the world by which he can hope to control the school."

A young man by the name of Holloway clipped a complimentary article from one of the current magazines complimenting ex-President Houston of the Agricultural and Mechanical College. That article appeared in the Agricultural and Mechanical College paper. After that occurred President Harrington sent for that boy and told him in a gruff and angry tone that no man of ordinary intelligence would print an article like that. That fact spread among the students, and they concluded that the head of the institution was of a small and jealous nature and couldn't stand to have another man praised. And as I know boy nature, it would take weeks and weeks to have counteracted a thing of that kind.

"The record does not show a single time where President Harrington called those boys together and said: 'Boys, I am your President; I want to be a father to you; I want you to grow up to be good, honorable and useful citizens of Texas.' The record does not show once where the President ever said that. Only one time of his own accord did he call that magnificent student body together to talk to them.

"This burns to the very core of the institution. He called them together and told them they had been guilty of hazing. He didn't say, 'I am the President of the institution and you the student body; I know you love the College and know you love me. Here is a complaint coming from one of the parents, and I ask you, for the respect you entertain for the College and the love you bear me, to please stop it.'

"I submit, gentlemen, that that would have ten thousand times the better effect. He called that band of boys together, boys whose fathers fought the liberty battles of Texas, boys who wouldn't stand an insult, and he called them 'cowards and sneaks.'

"There has been a state of insurrection for several months. Where does the record show the first instance of breach of discipline? It is proven that two years ago the boys violated discipline and refused to go to chapel. The commandant of the institution took the boys and threw them into the guardhouse, as he ought to have done. The President of this great institution went to the boys and said, 'If you will be good, I will turn you out.' They said, 'We will not be good,' and the President, in the face of the advice of the commandant, said, 'I will turn you out anyway,' and he did. He right there sowed a whirlwind and reaped a tornado on February 8."

Judge Summers closed his opening remarks at this point, and after a ten-minute recess Judge Scott opened for the defense.

#### Judge Scott's Defense.

He referred to his statement at the close of the investigation last Saturday night that he did not care to argue the case, as there were five lawyers on the Board and two members with ability to review. He said that he did not feel he could throw any light on the case. He stated, also, that the board was thoroughly familiar with the conditions at the College.

"Go into history," said Judge Scott, "and you will find that conditions of this kind have arisen having behind them a plot emanating from the minds

of young men. I am ready to admit that the men of the Southland, be they old or young, are loyal to their states, loyal to their institutions and loyal to their country. However, I am pained to say that there frequently develops a tendency on the part of some men to handle the fair name of another man in a manner that, if carried out much longer, will have naught but evil effect. There is nothing more sacred to a man than his name, his reputation and his honor. No man should be allowed to go before a body of citizens gathered together and handle a man's name and reputation in a manner that reflects discredit upon him, unless he can bring forward the indisputable proof of his accusations. I say there is not in this record a word or intimation that President Harrington is not a man of sterling honesty and ability, who has served his country, his state and this institution with a degree of loyalty and perfection that is unexcelled by no man and equaled by few.

"This Board has heard the testimony heretofore. More witnesses have been examined this time and more time has been devoted to the trial, but so far as material issues are concerned, there is little that is new.

"Who do we find, gentlemen, that are interesting themselves in this investigation? I admit that the Alumni Association has a right to come to the relief of this institution when it is in trouble, but when they come they should come with a desire to present to the authorities the truth, the whole truth and nothing but the truth. They should place themselves in a position where they are willing to use all of their influence to back up constituted authority. Then I grant that the patrons of the school have a right—not only a right, but it is their duty—to come before this Board and follow every avenue that might lead to the information. I also grant you that the student body, either individually or collectively, has a right to present its grievances to this Board. Say that they have no right and no authority to suppress the facts, they have no right to resort to the repetition of rumors that are not authentic, or to rely upon facts that have no foundation whatever, this young man, the counsel for the prosecution, gives it as his opinion that there are not ten men who are loyal to the President. I do not agree with that, but if it be true, then it was the duty of the students to come before this Board and tell the truth, what brought it on and what was the cause. If, as a matter of fact, the seed were sown by the President, then it would be your duty to remove him from the institution, but if they were sown by someone else in secret, under solemn obligation to enter into a conspiracy to dethrone the President, then, gentlemen, you should weed out the seed from which the conspiracy sprang and not hold the President responsible. It would be a crime to do that.

"My young friend says President Harrington has lost control of the situation. I do not question that for a time he did lose control, but it was because of the most diabolical conspiracy that was ever formed against the good name of an honest man. I am stating the cold truth. This conspiracy was formed and the participants entered to a solemn obligation not to disclose information and to protect those behind their action. Give him loyal support, weed out the conspiracy, and you will have as fine an institution within five months as you ever had, and it will be running as smoothly as before.

"I believe you will be willing to admit that if the Faculty, at the time that the trouble arose, had sent every one of those boys home and told them to stay there until they were willing to obey constituted authority, no trouble would now arise. I desire to read in this connection an extract from the first finding of the Board, as follows: "In this controversy, as we view it, men have largely ceased to be an issue. The question involves a principle that reaches higher than a personage, a principle that lies at the base of all well-regulated government. To yield to the principle contended for by the Board, the supremacy of law and order, would be equivalent to an indorse-

ment of a principle which destroys organized society and undermines governments.'

"It was a conspiracy by the students and members of the Faculty to remove the President and the member of the Faculty who was his most intimate friend."

Judge Sumners challenged this statement and Judge Scott referred to the testimony of Prof. Lomax to this effect.

"Whenever you establish a precedent that will permit students to rise in their might and secure the discharge of the President or any members of the Faculty, your institution is ruined. If you pursue the course suggested by counsel for the prosecution, the destruction of this school will surely follow. Whenever you recognize that doctrine, you plant it in the bosom of every young man in this land who attends school to revolt against constituted authority. Without stopping to calculate the result in after years, they will attempt to take charge of their institution and run it to their own liking. I believe that in every school of this kind the boys undertake to run the institution if they can. There must be authority lodged somewhere in one man, from whose decisions there can be no appeal, and then he is responsible for the enforcement of discipline. I don't apply that to all governments, but I think there is a marked difference between the government of a nation and the government of a College."

Judge Scott here read again from the first report of the investigation board as follows:

"When the Board arrived, the organization had been so perfected and so adroitly managed that the Faculty was powerless, members of the Board in their individual capacity were unable to break the permanent stand of the students in their conspiracy against discipline and College duties."

"I believe that that report was right. We have never yet gotten all of the facts in this matter. We have only scraped the surface so far and exposed it here and there.

"It is immaterial now whether any member of the Faculty was lending aid to the students or whether they were lending encouragement in the conspiracy, but I take the position that the evidence was undisputed and uncontroverted by a single witness that the student body believed that the Faculty was aiding them, and that was the cause that moved them to take the course they did.

Judge Scott referred to the time when Dr. Harrington called the students sneaks and cowards, saying a helpless student was studying his lessons when a party of students fell upon him, forced him to recline upon a table, and applied a heavy strap; that the parents of the hazed boy demanded redress, and Dr. Harrington called them together and used the words referred to.

"And they haven't had much hazing since that time," said the speaker. Judge Scott read a letter he had received from a patron of the school, saying it expressed his sentiments exactly. The letter expressed the opinion that Dr. Harrington, with a loyal Faculty, could command the situation perfectly. Judge Scott expressed the opinion that the place of every student who will not abide by constituted authorities and obey the rules will be filled by a young Texan who will abide by the rules laid down by constituted authority and will make a good citizen that Texas will be proud of. "Already students are sleeping in tents, sheltering them from the summer's heat and the winter's cold, and inquiries for information concerning the school curriculum, accommodations and expense are larger this spring than ever before known."

Judge Scott said not a single witness on the stand mentioned an individual grievance as a reason why Dr. Harrington should be removed. He charged that it was the duty of the patrons and the Alumni to discuss conditions with the Board and the Faculty and not alone with the students who might be naturally supposed to give a prejudiced account. Judge Scott referred to the statement of a member of the Alumni in the presence of

about seventy-five Juniors and seniors, "Damn the Board, damn the Faculty, I am for the A. and M.," and asked what probable effect such a statement would have on the student leaders thus gathered together, these leaders practically controlling the under-student body.

"What do you think of an organization," said Judge Scott, "that will prefer charges against a man's fair name, and then refuse to stand behind them when called upon to do so. The members of the Alumni Association and the committee refused to stand behind them because they knew they would be amenable in damages if the charges were untrue and they felt that they were untrue."

Judge Scott's argument consumed about four hours and went exhaustively into the evidence and the charges. Judge Sumners closed for the prosecution in a speech lasting about two hours. In all, Judge Scott spoke about four hours and Judge Sumners spoke about three and one-half hours.

#### Sumners Closes.

Judge Sumners in his closing remarks dealt with the evidence at length. He compared the students to an army and Dr. Harrington to the general. He compared the president to the captain of a ship and the students to the passengers.

"Three years ago," said the speaker, "this man was placed in charge of an institution that was the pride of this state, nurtured by the legislature, fortified by the farmers' congress, and admired by a great citizenship. Today he brings it back to you a pitiable wreck. Any man can sail a ship in fair weather, but when a state entrusts six hundred precious lives to a mariner he must be a man who can bring the ship safely to shore in the teeth of a gale. He must be a man who, when he calls, 'Boys, to the helm,' they will spring to their post, and every man will do a man's part. Three years ago Dr. Harrington was put in charge and set sail on a calm sea, but the storm came, the tornado lashed the sea to a fury, and he brings back the broken, battered hulk for you to review. Are you going to say, 'Take it and go forth again and see what you can do?'"

Judge Sumners closed his remarks at 6:30 p. m. and the Board adjourned to meet after supper to consider the verdict.

#### Carlos Bee's Argument.

Before the verdict was rendered the argument of Carlos Bee, counsel for Dr. Gilbert and Prof. Kyle, was read before the Board. This document arrived early on Tuesday morning. It urged that the board should not make an adverse finding in regard to these two members of the Faculty. The argument recited that these two members of the Faculty had nothing to do with the charges and the investigation, except that in their loyalty to the institution they urged the student body to return to the school and continue work. The document recited that Dr. Gilbert and Prof. Kyle had the inalienable right to be displeased with President Harrington and that Dr. Harrington had the same right to be displeased with them. Mr. Bee frankly stated that they had no right to permit their displeasure to lead them into an effort to have Dr. Harrington removed and to incite the student body to insurrection. "If they did this," says the document, "they ought not to be retained." However, Mr. Bee expresses the opinion that there is nothing to prove that they did do this except vague and uncertain rumors, and he urges that they should not be removed on this kind of evidence. The document said that not a single student was found who had ever heard Dr. Gilbert or Prof. Kyle utter a single word of encouragement to the strikers. The board considered this argument before it returned a verdict, giving to it the same consideration that was given to the oral argument of other counsel.

The Board deliberated all day Tuesday and until 10 p. m. that night before a verdict was reached. Although the report was signed by all the Directors present, I am reliably informed that for a long time the Board

seemed hopelessly divided. But this is immaterial. About 10 p. m., Dr. Harrington was invited to come before the Board in the parlor of the Arlington hotel and was given a copy of the findings to read. When he had finished he made a brief statement. His voice was husky with emotion as he spoke. "I wish to thank the Board, individually and collectively, for their verdict and to congratulate them upon having been offered the greatest opportunity that has ever been offered to this or any other Board to be of lasting service to the institution which you represent. I am profoundly grateful to you for a full recognition of the situation and for the patience with which you have borne the ordeal of a taxing trial. It shall be my effort to bring the institution to a greater degree of usefulness to the youth of the state and the people of the state than it has ever been before."

Dr. Harrington shook hands warmly with those present in the room. In a later statement to the News correspondent Dr. Harrington said: "I feel deeply grateful to the Board for their high sense of justice and for the firm stand that they have taken not only in the interests of this institution, but of every educational institution of Texas. To my mind, the principle involved has been one that could admit of no compromise and that underlies the fundamental principles of the American educational system. I have not the least feeling of resentment against the students. I feel that they were first misinformed and then misled. I beg the hearty co-operation of the people of the state in bringing the College to a higher state of usefulness and of lasting service. I bespeak the full co-operation of the Alumni Association. I wish to extend my sincere thanks to the the press of the state for their suspension of opinion until the evidence was adduced and the verdict of the Board was recorded.

The exoneration reads:

#### The Findings of the Board.

"On the 8th day of June, 1908, James Cravens and others presented to this board in writing certain charges against the President of this College, and in the same instrument suggested other charges that merited the consideration of the Board. The suggested charges are twelve in number.

"When this trouble first arose this Board investigated practically all of these matters and then reached the conclusion that this was not just cause for complaint against the President. Such is its conclusion now. This investigation has revealed no condition with which the Board was not perfectly familiar.

"It is suggested that gross irregularities are to be found in the expenditure of public funds. The College accounts are audited by an expert accountant at the close of each fiscal year, and this will be done at the close of the fiscal year. Since the suggestion of irregularities has been made we have directed the finance committee to take up this matter at once and if anything of the kind is found the Board will take proper steps to correct the evil without delay. It is expected that the finance committee will be able to reach the matter in a short time.

"As to the other charges suggested we find that they have not only not been proven, but they have been in the main affirmatively disproven. When we had the first investigation in February last we learned that the President and the corps were not in harmony, and that differences existed between him and certain members of the Faculty. The corps believed that either some of the members of the Faculty would be retired or the President would be retired and they took sides with the disaffected members of the Faculty and undertook, by peremptory demands, to force the retirement of the President, and when their demands were not acceded to they went on a strike.

"The Board did not then believe, and it does not now believe, that the disturbing elements could have been removed at that time without disor-

ganizing the school. The correctness of any action the Board could take was not free from doubt. But our desire to keep the young men in school and preserve the College organization finally led us to take the chance and make the effort to keep the school open until the commencement, fully realizing the danger with which such an effort was attended. With the aid of the press, the parents and the Alumni Association, we succeeded, and forty-eight young men of the state have gone out this June with their diplomas.

"The breach between the President and the corps has undoubtedly widened since February 6, a result for which the Board assumes its full share of responsibility for not then and there applying a more drastic remedy.

"As to charge No. 13, we find that President Harrington does not possess the confidence and esteem of the vast majority of this body of students, but we do find that he has not demeaned himself so as to forfeit the confidence and respect of the student body or the Faculty, nor have his actions or conduct impaired the growth of the College. On the contrary, the College has grown under his management with much rapidity.

"Even this year, with the disturbed condition of affairs, the students have done good work and substantial progress has been made. It may be doubted if there is another College of the same magnitude in the world where less real grievances are to be found among the students. In our opinion, one of the principal grievances which the student body has against the President is based upon a dignified reserve in his manner, which is frequently misunderstood, and yet we fail to see in this anything that would at all justify the estrangement that has occurred and the attacks that have been made upon him. But if the fact be conceded that personal unpopularity with the student body is sufficient within and of itself to justify the removal of a College President, then we could not for a moment accede to it under any circumstances surrounding the conditions with which we are confronted. If we thought the proposition sound we would not remove President Harrington until at least two results had been accomplished, to-wit: First, until law and order had been obtained at the College; second, until the student body had been taught the lesson that they could not make and unmake College Presidents at will.

"Some two hundred of the six hundred parents speaking with approximate accuracy, appeared in person and by letter before us, requesting the removal of President Harrington because of the existence of certain conditions, waiving the matter of the investigation of any charges. Certainly they do not wish to commit themselves to the proposition that we should remove the President because of a condition if he were not responsible for that condition, and that we should take such action without regard to the effect it would have upon the young men who have endeavored to force this result. We cannot subscribe to such a doctrine. Such action on our part would do an injustice to the President and its tendency would be to excite feelings of disrespect for law and order in all schools of the country. Not a parent insofar as we have been advised, justified the action taken by the student body, and yet these parents ask us to reward such action by expressly yielding to an unjust and peremptory demand made by their sons. We cannot offer such a premium for acts of disloyalty and insubordination. If we are challenged to express an opinion as to whether this school can be successfully conducted the incoming year with President Harrington at its head, we meet the issue squarely by replying: 'We think it can.'

#### Would Close the School.

"But if it can not, we would close the school before we would set the precedent of permitting a student body to rise in open rebellion and in open and bold defiance of constituted authority and for unjust cause force the governing body to yield to a peremptory demand. This board will never establish such a precedent. In closing this unfortunate affair, at least so far

as this Board is concerned, we make the final appeal to the press and the public, to stand by the College, hold up our hands as its Directors to the end that when the doors of the A. and M. College are thrown open in the fall to receive the Texas young men, this grand and magnificent institution may be fully rehabilitated in all of its departments. We have done our duty and invite a like service at your hands. Respectfully submitted,

"K. K. LEGETT,  
 "T. D. ROWELL,  
 "WALTON PETEET,  
 "JNO. M. GREEN,  
 "L. L. McINNIS,  
 "R. T. MILNER,  
 "A. HAIDUSEK."

The deed was done, who shall suffer the consequences?

Let me ask the reader why does the Board hold up their hands and make a final appeal to the press and the public? It is simply because it did not expect the people to accept their verdict, their prejudiced verdict. Why do I say prejudiced? Not simply because I know it to be prejudiced for that is only what would be called a prejudiced prejudice, but because the Board admits that it is prejudiced—"We would close the school before we would set the precedent of permitting a student body to rise in open rebellion and bold defiance of constituted authority and for unjust cause force the governing body to yield to a peremptory demand." If this is not a plain acknowledgement of the fact that their findings were influenced by the fact that way back last February the students petitioned the President's removal, and when no hearing was granted the petition turned into a demand,—I would like to know what it is? This is not what the Board intended it for though. It was meant for an appeal to the only sympathy and support that they received in February. They could not give their findings to the state and expect them to be accepted as being arrived at simply from the bona fide evidence in the investigation. They must ask something of the people of Texas contrary to the constitution of the United States. That is the second condemnation for one and the same offense. That of the strike in February.

To me the hearing as "full, fair and open" as it was has been taken advantage of by the Board, whom the people expected to render a verdict according to the evidence submitted, to again say "We cannot offer such a premium for disloyalty and insubordination."

It seems to me that the Board in their last exoneration have again voiced their former statement, made in February, that a "clear cut issue was drawn as to whether we, as the highest governing body of the institution should control it, or the students," and that their answer was the same as previously given, "there ought to be and should be but one answer to this question."

In the late statement from the Board, after admitting the truth of the so-called thirteenth charge, to the effect that the President did not possess the confidence and esteem of the student body, which the Alumni (and every unbiased person) claimed wholly unfitted him for the Presidency of the College. The Board say, "But if the fact be conceded that the personal unpopularity with the student body is sufficient within, and of itself to justify the removal of the President, then we could not for a moment accede to it under the circumstances surrounding the conditions with which we are confronted. If we thought the proposition sound we could not remove President Harrington until at least two results had been accomplished, to-wit: first, until law and order had been obtained at the College; second, until the student body had been taught the lesson that they could not make and unmake College Presidents at will."

I presume the mention of the first result desired is meant to insinuate

to the people of Texas that law and order has not existed at the College before and since the trouble in February. This is the first time any one has even hinted at such a charge against the students. And it is considered by the students as an unjustified assertion on the part of the Board made with the single intention of holding the students up before the people of Texas as a lawless body, whose claims should not be considered on their merits, but that they are offenders who should be quelled into absolute silence. Such an assertion is even less justified and more deeply resented by the ones who really know the student body, than their February charge of some mysterious "controlling influence," and "conspiracy against discipline and continuance of College duties."

In naming the second result that they desire before removing President Harrington, "until the student body has been taught the lesson that they could not make and unmake College Presidents at will," the Board declines to take notice of the fact that the students have made but one attempt to have the President removed, that in February, which resulted in failure, and that the late attempt was not one by students wishing to make and re-make Presidents at will, but an effort on the part of the patrons and Alumni of the College to have removed an inefficient President at a time when for him to longer remain in charge of the College promised irreparable damage to the school.

In answer to the statement by the Board "as to the other charges suggested we find that they have not only not been proven, but they have been in the main affirmatively disproven," I must say that I fail to agree but will not here go into reasons for such disagreement, but refer the reader to the report of Judge Hatton W. Sumners to Chairman Cravens, which follows:

The report says "This investigation has revealed no condition with which the Board was not perfectly familiar." This assertion really reflects on the Board. I think when one considers the former endorsements of Dr. Harrington, for I fail to see the motive of the Board in endorsing the President so strongly in February and promising him their unanimous support, if they were really so well acquainted with the conditions.

It is amusing to notice how the Board assumes the responsibility for not settling the matter in a drastic manner last February, and that they say it would have disorganized the college to have removed the "disturbing elements." But who do they refer to by "disturbing elements?" They refer to the "anti-Harrington" faction certainly by the way they refer to the fact that by allowing the "disturbing elements" to remain that they enabled forty-eight young men to receive diplomas. Or is it possible that they refer alone to the Senior Class. I claim that a disturbing element is one that causes trouble and therefore it naturally follows that since Dr. Harrington has caused the trouble he is the "disturbing element," but his removal would not have disorganized the school or prevented the Seniors from graduating. This paragraph of the third exoneration plainly shows that the Board has never for one instant considered that Dr. Harrington and his actions are the sole causes of the trouble, and until this view is at least considered by the governing body the matter will never be settled.

Again we must hear from the business men of Bryan, who place \$ \$'s above principles and personal convictions. Read the following call for a mass meeting to accept the verdict of the Board that there might be more shekels in their pockets:

"The investigation of the A. and M. College by the Board of Directors has concluded and their decision has been rendered. The value to Bryan of a full attendance at College is too well understood by our business men to admit of any discussion and it behooves us all to accept the verdict of the hearing, to cease the agitation and to bend our efforts to the coming session. We should have one thousand boys at A. and M. in September. To the end that we may help toward the above result, a mass meeting of



the Citizens of Bryan is called to meet at the opera house this morning at 9 o'clock. R. M. Gordon, G. S. Parker, J. E. Butler, E. J. Fountain, Sam Levy, Ed Hall, O. E. Saunders, George W. Smith, A. W. Wilkinson, J. T. Maloney, Ed S. Derden, W. O. Sanders, Dr. A. L. Mondrick, T. K. Lawrence, M. H. James, J. E. Covey, W. H. Cole."

#### EDITORIAL EXPRESSIONS FROM THE PRESS SUMMARIZED.

##### "Individuals or a College?"

"When the meeting of students occurred it failed to go to the bottom of the trouble, but slurred over the matter in such a way as to bring complete satisfaction to nobody. In the end it has been compelled to take action which it at first refused to take; it has had to back paddle, so to speak.

"In view of the testimony so far given, Farm and Ranch is more thoroughly convinced of the correctness of its opinion, previously expressed, that the only remedy lies in a complete change in the government of the institution. The resignations of the President and members of the Board offer the simplest solution of the matter; but if they refuse to resign, then removal, as a last resort is the only practical course left.

"Obviously, in the opinion of Farm and Ranch, a new deal altogether is necessary.

"Unless radical change is made, and made at once, the state may as well close the institution and write the word FAILURE on its doors."—Farm and Ranch.

##### The News Submits:

"An investigation has been held and a decision has been reached, and, whether that decision is entirely satisfactory or not, The News submits, considering the evidence that has been produced, and the conditions as they are now presented, that it is the duty of all friends of the College to accept the judgment and save this excellent institution from the dissension by which its life is threatened. As far as The News is concerned it will not fail to do what it can to this end, and such service will be rendered without prejudice against or preference for any person or persons whomsoever. As the Board of Directors are themselves responsible for any mistakes that have been made, it must be obvious that the only alternative for the decision they have rendered would have been for them to hand in their resignations."

##### The Chronicle Says:

#### THE HARRINGTON VERDICT A COMPROMISE.

"The Chronicle is of the opinion that the welfare of the College calls for a new deal all around.

"Summed up, the Board's report serves notice on the 'vast majority of this student body' that if they can't endure President Harrington they can quit the College."

The Express notices that the Board does not lay trouble on Faculty members, and that the Board still considered the students in open rebellion.

"The Board of Directors rather intimates than declares an unseemly friction in the Faculty, or rather, between the President and members of the Faculty, but there is no suggestion that the effort to depose the President was aided or abetted in any manner by the disaffected members of the Faculty. The Board assumes some share of responsibility for the continued disruption in the school because of its failure to adopt more drastic action for discipline of the student body when insubordination first became rampant, but indicates a purpose to be more firm and exacting in future. The report says the Board could not consider the proposal to remove the President because of unsatisfactory conditions, if he were not responsible for those conditions, especially while the student body is in open rebellion."

### The Houston Post.

acquiesces in the verdict of the Board to the point where they declare the school will be closed if it cannot be satisfactorily run by Dr. Harrington.

The Tribune and a number of other papers suggested it was time for Dr. Harrington to resign. While others suggested that the Board needed investigation.

### WITH THE ALUMNI AND PATRONS.

The committee of the Alumni Association who were given full authority to act in the name of the whole organization met in Galveston June 29, to consider their future policy. Although it is known that they are not satisfied with the findings, they desire that their future plans be kept secret.

However the following communications are made public:

The following is the report of Hatton W. Sumners to the committee representing the Alumni Association:

"Mr James Cravens, Chairman, Houston, Texas:

"Dear Sir: As you have observed, the investigation has closed, and the Board of Directors of the A. and M. College has made its findings, completely exonerating Professor Harrington, and affirmatively holding that none of the suggested charges had been proven, but that, on the contrary, many of them had been affirmatively disproven. In this matter, as your attorney, I endeavored to establish the charge made upon your responsibility, and the same was established beyond any sort of doubt; in fact, the proof was so conclusive that counsel for the defense did not question its establishment. His whole effort was to avoid its consequences and to shift the responsibility. As I understand the statement of the Board of Directors, it is equivalent to an admission that this charge was proven.

"It is not my purpose to indulge in criticism of the finding of the Board of Directors with reference to the twelve suggested charges, though I find myself unable to agree to the correctness of their finding. It is true there was no special effort made to establish them, you merely having suggested them as matters which should be inquired into by the Board of Directors and tendered your services. As your representative I did render the Board such service as I could without the consumption of too much time and incurring too much expense. This was in line with your instructions to me, with the wisdom of which I heartily agreed, since it was evident to us that if the Board of Directors would not remove Dr. Harrington on the establishment of charge No. 13, it would not do so with the other charges established. However, in developing evidence bearing upon the charge preferred by your committee, much evidence was adduced in support of the twelve suggested charges. The record is so voluminous, covering nearly eight hundred and fifty typewritten pages, that it will be impossible for me to do more than call your attention to a part of this evidence which arose incidentally in this investigation, and which bears upon these suggested charges. In making this report, I shall mean no reflection upon the Board of Directors or any members thereof. I am only making a report to my client, and I want this to be understood in that light.

"With reference to charge No. 1, which suggested an investigation of College books, etc., this in view of a report of irregularities in the financial affairs of the college, the Board stated it could not at that time, go into such an investigation, but would do so at a later date. It was shown by witness, E. J. Smith, that the statement referred to in this charge had been published and circulated in Texas. This charge was proven, therefore, but the truth of the statements contained in the circulated report was neither proven nor disproven, since the Board did not see fit to go into the matter at that time. In justice to the Board, I want to say that I agreed that it was best to defer this matter until some later date.

"There was much evidence offered in support of charge No. 1, with ref-

erence to the domineering disposition and unreasonableness of President Harrington in his demands and requirements. Prof. Hutson's testimony, which begins on page 608 of the record, was in substance as follows: On last Christmas Professor Hutson, an ex-Confederate soldier, for forty years a teacher in the South, and for many years a professor in A. and M. College, was visited by his son, who was at that time living in New York. He had been absent for four years, and upon this occasion brought his wife and their first child, an infant, to spend the Christmas holidays with his father. On the journey the child developed whooping cough. The grandmother, Mrs. Hutson, telephoned Dr. Gilbert, the campus physician, President Harrington, and all mothers of small children on the campus, advising them of the fact. Dr. Gilbert was prepared to establish usual quarantine, in such cases, but President Harrington ordered a smallpox quarantine to be established, confining the whole family, including Prof. Hutson, to the house. About the same time he forced Prof. Hutson's cook to leave the campus. He endeavored to have the child removed from the College campus, which was in effect an effort to drive young Hutson's family from the home of his father.

"Prof. Mitchell, secretary of the Alumni Association, testified that, prior to the last commencement, he had arranged with the College steward for the banquet of the Alumni Association, and had arranged with the contractor erecting one of the new buildings on the campus, for permission for members of the Alumni to sleep in the building, and had arranged for cots on which they might sleep; that this had been done in line with the custom heretofore pursued, and that the arrangements made entailed no expense or loss to the College; that after this had been done, President Harrington sent for him, and in an angry and offensive manner told him that he should have made these arrangements with him (Harrington), which was neither necessary nor usual.

"Witness Holloway testified to President Harrington's severe criticism of him, merely because he had reproduced in the College paper an article from one of the current magazines, which was complimentary of President Houston of the State University, and in nowise reflected upon President Harrington or gave him just grounds for complaint. In addition, there was much other evidence supporting the sub-charge of unreasonable and domineering disposition.

"Under sub-charge No. 2, the evidence tendered in support thereof was with reference to fist fights while President Harrington was a member of the Faculty. The evidence was excluded by the Board, because the alleged fist fight occurred prior to Dr. Harrington's appointment as president, and was remote. There was no allegation that it happened when he was president, and since this evidence was excluded, we could not, of course, prove the charge, but we did tender the evidence, and there was certainly no evidence offered to disprove it.

"Charge No. 3 was with reference to a murderous assault with a shotgun, and the use by Dr. Harrington at that time of profane and abusive language. Bert Hull, who was then a student, would have testified that this assault was made upon him by Prof. Harrington while a member of the Faculty, and that language was used as charged in the complaint. The Board would not admit this evidence, because this assault was made prior to Dr. Harrington's election to the Presidency and was remote. The idea of the suggestor of this charge was, no doubt, that if established it would throw some light upon the permanent character and disposition of the President, and at least, incidentally bear upon his fitness for the Presidency. Since this evidence was excluded we could not, of course, prove the charge, but we stood ready to offer the evidence. There was certainly no evidence offered to disprove it.

"Charge No. 4. That he is not in touch with and has not the respect and confidence of this or any other student body since he has been President.

There was no dispute that he has not the respect and confidence of the present student body. The record is full of evidence of a most pitiable condition in this regard. The evidence was overwhelming that he did not have the respect and confidence of the student body during 1906 and 1907. All the Seniors offered as witnesses testified in substance to this. The witness A. P. Rollins, whose testimony begins on page 88 of the record, testified to this fact. The witness, Holloway, who was highly commended by counsel for the defense, testified, as appears on page 200 of the record, that President Harrington did not have the confidence of the students of 1906-1907. This leaves only the first year of his Presidency, during which time there was pronounced feeling of disrespect and lack of confidence. This charge, therefore, in so far as it affects present conditions or the course necessary to correct them, was proven.

"Charge No. 5. 'That he is not in touch with a number of the Faculty, and is without their esteem, confidence and respect.' The rest of the charge is argumentative and conclusive. This very matter was admittedly proven and was one of the matters complained of by the attorney for the defense, and assigned by him as the chief excuse for present conditions at the College.

"Charge No. 6. 'That his method of conducting the College was more that of a politician than that of the head of an institution.' No special effort was made to establish this charge. As an illustration, I will call your attention to the testimony of Witness D. E. Mackey, whose testimony begins on page 700 of the record. He was placed upon the stand by President Harrington, and swore quite strongly for him. It was disclosed, however, by Mr. Mackey, on cross-examination, that for some time prior to date of testimony he had been operating a boarding house on the college campus without paying any rent whatever to the state for the use of the house or property used by him in that business.

In three rooms of this house Professor Lear resided. He could get only these three rooms, yet he had been connected with the College for a longer period of time than Mackey had; he was qualified to teach theory in his department; Mackey was not; but there was this fact: Lear was not a partisan of the President. There was no evidence whatever to reflect upon the character, integrity or general standing of Lear. With regard to Mackey, he admitted that he had told a lie in order to get his position at the College, having represented himself as a single man, when in truth and in fact he was a married man; that during the strike he had made the statement that he gloried in the spunk of the boys in striking; that he had talks with Lear, with whom he lived under the same roof, with regard to President Harrington and matters connected with the strike, and had never indicated to Lear that he was in sympathy with the President; that such information as he gathered from his talks with Lear he betrayed to President Harrington. The only distinctive service shown by the record to have been performed by him was that of playing the role of spy to the President. It is not a far-fetched conclusion, in the light of the record, that this service was considered sufficient to procure for him forgiveness for his false representations made when he got his position, and to entitle him to the additional compensation of being allowed the free use of the State's property in which to run a boarding house. The one who suggested this charge no doubt thought that such transactions as this smack-ed somewhat of politics. As to whether or not it does depends, of course, upon individual view.

"Charge No. 7. Mr. Carson, the treasurer, testified that the President has nothing to do with matters referred to in said charge in connection with the maintenance fund, but I required him to bring before the Board vouchers covering all money which had been refunded out of the fund for a period of several months prior to the strike. Every voucher brought bore the approval of President Harrington and appeared to have been paid

upon his approval, which shows, in my judgment that the President does have something to do with the matter.

"Charge No. 8. This charge is practically the same as charge No. 7. The witness E. J. Smith testified to the retention of the trust fund deposited by his son when there was no charge for damages done by his son, and in his testimony offered to corroborate his testimony by that of any of the other patrons whom the Board would desire to hear. The President being the executive head of the institution, it was Mr. Smith's view that he was responsible in a general way, at least, for the management of College affairs.

"Charge No. 9. With reference to the President's salary. The evidence shows that he received \$3,500 as President of the College and \$500 as superintendent of experiment station. His total salary was not increased when he was made superintendent of the experiment station.

"Charge No. 10. This is a charge with regard to intoxicating liquors. I am convinced that the Board of Directors are fully advised with reference to the facts supporting this charge. The proof was not offered during the investigation, not because the proof was not at hand, but for reasons with which you are familiar. There was certainly no evidence offered to disprove this charge.

"Charge No. 11. There was no conflict in the evidence with regard to the strike having taken place, or that Prof. Harrington was hung in effigy on the College grounds, or that the perpetrators went unpunished and without any attempt to punish them being made, and no dispute as to the open disrespect shown him by the student body. The Board seems not to have considered these things sufficient to establish his lack of ability or power to control of the student body. If he had the ability and power to control, the record fails to disclose any successful exercise of that ability. The Board must have reached the conclusion suggested in order to have arrived at its findings with regard to this charge.

"Charge No. 12. With reference to charge No. 12, I cannot conceive of what part of said charge was not proven to the satisfaction of the Board. It may be that the Board confused the correctness of the conclusion drawn in the charge with the correctness of the charge itself. The records show conclusively that the suspension of the seven Juniors grew out of an article published in the College paper, the editorial staff of which they constituted; that said article would not have been published had not an untrue statement as to College conditions appeared in an interview which purported to have been made by the President, and which there is no evidence in the record that he is denied responsibility for. Had this untrue statement not been published, the article in the College paper would not have been published and the seven Juniors would not have been suspended. For these reasons I must respectfully disagree with the Board in its findings that 'as to the other charges "suggested," we find that they have not only not been proven, but they have been in the main affirmatively disproven.' I repeat that I do this in no spirit of disrespect to the Board. The members of the Board were very kind and considerate and patient during the entire investigation, and showed to me personally many kindnesses during the proceedings.

"As to Charge No. 13, which was made upon the responsibility of your committee, it is charged 'that President Harrington is the executive head of the College, and as such his duties are to command the respect and confidence of the student body, to the end that he may preserve order, maintain discipline and inspire the students to the proper intellectual achievement and moral development; to demean himself toward the professors and instructors under him so they will feel kindly toward him, and will be encouraged to put forth their best efforts in their respective departments, and generally to so direct College affairs as to promote harmony and peace, and create such an atmosphere that uninterrupted and undisturbed work may be done by all connected with the institution.' The ex-students of A. and

M. College understood these to be his chief duties. He teaches nothing whatever, and if these are not his chief duties the record does not disclose what they are. The rules of the College make him responsible for the discipline of the College: 'The president of the College shall be held immediately responsible for the discipline of the college, and in its enforcement he may at any time require the assistance of any or all of the members of the Faculty.'

"Following this statement of the duties of the President is the charge: 'That in all these things he has failed utterly, and that A. and M. College, while under him, was brought to the verge of destruction.' The evidence of this failure was so complete and patent, and the fact of the failure was so well known to the whole state, that testimony with regard to it seemed to me wholly unnecessary, but it was placed before the Board; witness after witness, students and professors, came before the Board and testified to a pitiable failure and disgraceful consequences which are, perhaps, without a parallel in the history of educational institutions in this country. The President hung in effigy on the College campus in broad daylight, general and open disrespect shown him for months, his authority openly defied, helpless and impudent. The records of the Faculty of which he is the head, and the whole record of this investigation, is as silent as the grave as to any move or suggestion made by the president looking to the establishment of proper conditions in A. and M. College. The whole situation adrift without a leader equal to the emergency, without a hand to guide through the dangers. As I understand the statement of the Board, it is equivalent to and admission that Charge No. 13 was proven, but that, even though proven, its establishment is not sufficient to require the removal of President Harrington.

"I shall not, at this time, make any comment upon the finding of the Board of Directors. At some later date I may do so.

Respectfully,

(Signed)

HATTON W. SUMNERS.

In regard to charge to the effect that whisky and cigars were purchased out of College funds, etc., I must say Judge Sumners handled the Board too lightly, when he said they were fully advised of the facts supporting the charge.

The Board does know about the matter, and in such a vivid manner that they were wholly unjustified in saying it was affirmatively disproven. When the prosecution were about to present a witness by whom they expected to prove that during that very week and previously also, that whiskey was being shipped to the A. and M. College, billed "oil," the Board asked that the evidence not be presented as it would "hurt the school."

Another case that we were prepared to prove happened last February, and which was investigated then by Milton Everett of Dallas. In the May Hittite, he writes of it as follows:

#### "WHISKEY AND CIGARS BOUGHT BY COMMISSARY."

"That whiskey and cigars are bought and charged to the commissary of A. and M., there appears to be no doubt. On Sunday, February 8th, the steward of the College telephoned the Smith Drug Co., in Bryan, to send out two boxes of cigars and a gollon of whiskey, making the statement that the whiskey was for 'sick students.' Owing to the fact that it was a violation of the law to sell whiskey on Sunday, Mr. McQueen, the manager of the drug store, secured a physician's prescription and ordered the whiskey from E. Rhode, a saloon man, and sent it with the cigars by Ed Tally, a hackman, to the College. The whiskey was charged to the A. and M. hospital, and bill for same sent to hospital, but was returned on February 26th, with the advice that no whiskey had been ordered, and it was afterwards charged to the commissary department. On February 13, a

gallon of whiskey was ordered from the saloon of Charles Vesmorisky in Bryan and charged to A. and M. by B. S'bisa.'

"How much whiskey and cigars have been bought or paid for out of the commissary funds of the College, or what other "supplies" of this kind have been paid for out of the students' money, there is no means of knowing, but two boxes of cigars and two gallons of whiskey in four days 'is going some.' "

Now for the information of the students who have attended the A. and M., I wish to tell what goes with the five dollars "incidental fee." Look in your catalog and see what it says is done with it—the catalog does not say. And it has a good reason for not saying; as it is at once transferred to the subsistence department. Here it is subject to the order of the President, and in the past has been used to buy his cigars, wines, beer and whiskey. My source for this information is Mr. Carson, the A. and M. College Treasurer. A witness to this statement besides myself is Judge Hatton W. Sumners of Dalias.

The committee then addressed the following communication:

"To the Alumni Association of the Agricultural and Mechanical College of Texas:

"Gentlemen: As you have observed from the press, the investigation into College affairs has closed, and the Board of Directors has made its findings, exonerating and sustaining Dr. Harrington.

"The report of our attorney on the recent investigation speaks for itself, and will give you much information not revealed in the limited newspaper reports. Our connection with that phase of the matter is closed, and we make you this brief report of our connection with the entire matter. At a later date some additional report will be made.

"When the so-called strike last February reached the point where duly constituted authority lost control and students began leaving for home, a committee from the Houston Alumni, together with President Law of the Alumni Association, undertook, with the approval of the Board of Directors, to preserve the student body and restore order and discipline; that committee knew nothing of the cause of the trouble, and agreed not to investigate or discuss said causes, but to devote itself purely to saving the situation and restoring discipline. Numbers of cadets left on the train on which the committee arrived, and every cadet had surrendered his arms and was arranging to leave. A majority of the Directors were gone, leaving three to receive us. These three stated that they remained there only out of courtesy to us, that the situation was hopeless; that there would not be a cadet on the campus in twenty-four hours, and no power on earth could prevent it, but asked the committee to go ahead and satisfy itself.

"The four classes were promptly assembled by their leaders, and the committee worked all through the afternoon and most of the night. Early next morning many of the cadets were wavering. The Directors, who were constantly and fully advised of the committee's progress, announced that if only one student of each class could be persuaded to remain the College would be kept open. By noon about one hundred had pledged themselves to remain, and fully as many had agreed to return within a week. The cadets told us we were the first to counsel with them of whose disinterestedness they were certain. We told the boys they were wrong in presuming to dictate to authorities of the College, and by appealing to their manhood and explaining the dangers of the situation, as affecting such institutions, convinced them they had made a mistake in striking. We told them they must return, unconditionally, to their studies, and submit to proper authorities, and that we would use all honorable means to procure a full, fair and public investigation of College affairs. By concerted efforts of the Alumni and ex-cadets in all sections of the state, a large majority of the students were induced to return to work.

"When the cadets admitted they were wrong, not in submitting their petition to the Board of Directors, but in striking, and took the pledge prescribed by the Board of Directors and Faculty and went back to classes, we considered the question of discipline was settled, and the strike ended.

"The Directors expressed to the committee their unstinted thanks for its unselfish labors.

"During all those trying hours perfect quiet prevailed on the campus. There was no semblance of boisterousness or gaiety, nor an oath or intemperate expression, but a look of sorrow and grim determination was on every face. In every class meeting many young men broke down and wept as they declared they must leave. The President of the College was nowhere to be seen.

"Then came the Houston meeting of the A. and M. Clubs, February 22, 1908, at which the present committee was appointed to carry out the promise to the cadets.

"Finally a hearing was procured, and the investigation has closed with the results stated. We feel that our case, in so far as it could be done under the rulings of the Board, was faithfully and ably presented. We did not believe, when the investigation was asked, and we do not believe now, that Dr. Harrington is a fit man for the high and responsible position he holds. No malice or spite prompted any opposition to him.

"President Harrington came into power less than three years ago, under most auspicious circumstances. His predecessors had extended the equipment and scope of the College until it surpassed any other such institution in this country. A system of advertising the College had been developed through the Farmers' Congress and through affiliated high schools in the state that was calculated to largely increase the attendance. Everything connected with the College was prospering; everybody was contented. The Faculty had been carefully selected, and the graduates were in immediate demand in every walk of life. Such were conditions when Dr. Harrington was made President.

"In 1908 comes a pitiable, a shameful condition! The student body in open revolt, the patrons without confidence in those in control, and the institution itself threatened with division and destruction. Such an intolerable situation could never have developed under a wise and considerate administration; such disgrace could never have been visited upon the State of Texas under the administration of such men as Hon. L. L. Foster, Governor Ross or Dr. Houston.

"We believe the interests of that institution are above those of any individual, and that all those most interested in the College demand Dr. Harrington's immediate removal and the appointment of a President able to command the respect and confidence of his assistants and of the students. It is extremely unfortunate and regrettable to the last degree that patrons of the Texas Agricultural and Mechanical College will be forced to place their boys in an institution of learning when disrespect of its executive head may provoke them to some serious offense, the consequences of which may ruin their lives and bring shame and disgrace to their parents.

"The committee has endeavored to redeem your pledge to the cadets, and whatever may be the result, we have not ben swerved from our duty by criticism or praise.

Respectfully,

"JAMES CRAVENS, Chairman,

"R. C. WATKINS,

"H. L. WRIGHT,

"E. J. SMITH,

"C. C. TODD,

"F. M. LAW,

"F. A. REICHARDT,

"R. E. PENNINGTON,

"J. WEBB HOWELL."



## THE PATRONS.

The patrons of the College were not satisfied with the decision of the Board of Directors. Messrs. Rugel and Cochran, the president and secretary, in accordance with the power vested with them at the patrons' conference at Bryan, called a meeting of parents to be held in Dallas, July 13.

Those who could not attend were asked to subscribe to the following petition to Governor Campbell, if it was in accordance with their views:

"To Hon. T. M. Campbell, Governor, Austin, Texas:

"We, the parents of the students who attended A. and M. College at Bryan, Texas, during its last session, being desirous of having our sons obtain an education at said College feel that under the existing circumstances we cannot conscientiously return them there so long as Dr. Harrington is its President.

"We do not take this stand because of any ill feeling toward Dr. Harrington, but we know and every one must know that to properly conduct an institution of this kind those in authority must command the love and respect of the student body to maintain discipline. We as citizens and tax payers have as great interest in the welfare and success of A. and M. College as any class of citizens of this great State, but as citizens, taxpayers and patrons of said College, we respectfully submit that our interests and pride in said institution should be greater than that of any other class. You can not, therefore, doubt our sincerity when we come to you and say that we feel and know it is best for Dr. Harrington to resign. It is not necessary for us to go into a detailed account of the dissensions and troubles that have existed at the College during the past year. With all this you are doubtless familiar. Neither is it our wish to attempt to lay all the blame on Dr. Harrington but we feel and believe that the ill feeling existing between the student body and Dr. Harrington is so deep-rooted no matter what the causes may have been to produce them, that there is no power on earth that can reconcile them, and therefore to return our boys would only be to renew the disgraceful conditions that existed during last year. Why should it be necessary to retain Dr. Harrington in the face of such conditions? It is said that it is in the interest of discipline. We say that it is for this very reason we ask for his removal. He having failed to enforce discipline at the supreme moment, has forever lost control of the student body. It is unreasonable to expect that he can now, with the strong feeling existing against him, gain the love and respect of the student or enforce discipline. We feel that we as tax payers and patrons have a right to come to you as the Governor of our State. We want our sons to have an education such as only the grand A. and M. College can give. Many of us have been strained financially to our utmost to keep them there. To have now to send them elsewhere will mean an extra year at school for the boys, and therefore not only the loss of a year in their lives, but an added burden of expense to their parents. We respectfully ask that you give this petition your earnest and careful consideration and feel confident that you will take such action as will result in the greatest good to the institution we all love—our A. and M. College.

"Respectfully submitted,"

Dr. Harrington immediately replied to this by sending a circular letter to each parent, in which he said:

"As to the possibility of the recurrence of the difficulty next session, I desire to say:

1. "The rules and regulations of the College have been thoroughly revised and strengthened, and they will be strictly enforced.
2. "There will be such changes in the faculty as may be necessary to produce harmony.

3. "The Senior Class, which originated the trouble last session, will not be here.

4. "Students who are not willing to accept the verdict of the Board and the counsel of parents are not expected to return.

"I make no plea for personal justice. I would be willing to sacrifice that if I could bring myself to believe that it would be for the best interest of the institution, to which I have given more than twenty years of my best service, and which I love far more than I do my alma mater, the A. and M. College of Mississippi.

"I wish to assure all who may be concerned that those students who do return in a proper spirit will be courteously, fairly and liberally treated, and that there will be no obstacle here to good and satisfactory work. If any should return for the purpose of continuing the trouble, they will be promptly dismissed as soon as their designs are discovered."

His first reason for believing that there will not be a recurrence of the trouble, has reference particularly to the military regulations, and I wish to call his attention to the fact that the authorities in a large measure depend on the assistance of the students in carrying out these regulations. And to get this assistance I would suggest that it is almost necessary that the students have confidence in the authority over them. However, I do not wish to be understood as saying that the Faculty need not make rules that are unpopular with the students, and expect to enforce them. But that for a proper enforcement of all the regulations it is expedient that there be a certain co-operation between the authorities and the student body which every one knows has not existed since the trouble in February, and I do not believe it would ever exist with Dr. Harrington at the head of the Faculty.

In reason two he says there will be such changes in the Faculty as may be necessary to produce harmony. This means that either the President will be removed or the ones that do not endorse him will be removed. Now the first meaning would undoubtedly prevent a recurrence of the trouble.

But from the very tone of Dr. Harrington's letter it is evident that he did not have this in mind, but thought only of removing all those that opposed him. Such a course should it be pursued would be very costly to the college, by the further loss of competent men, who have enough principle to stand up for the right, even though it threatened their position to do so, and such a course would certainly cause a greater loss of confidence in the school, the Board of Directors and the Governor, by all who have an interest in the College. This course would make Dr. Harrington an absolute dictator. A Faculty vote would be unnecessary as it would but show the will of the President. With such a man as Dr. Harrington has shown himself to be a Faculty subservient to his will, may be expected to literally tie a millstone about the neck of the College. The worst thing that the Board could do is give him what he calls a "loyal faculty," and it is to be appreciated that the Board did not follow this course entirely.

Please note in reason three the first real acknowledgment of the President that it was really the students that made this fight on him. "The Senior Class which originated the trouble last session will not be here." I am glad to note that Dr. Harrington has enough manhood to at last tell the truth. But it must be noted that since his third exoneration he did not consider that he longer had any need for the number of "gags" that he has been so long using to gain sympathy and support. An apology is now in order from Dr. Harrington to those that he has so falsely charged as instigating and controlling the fight on him, since he has literally been forced to eat his own crow about "faculty support" and such. Dr. Harrington has the thanks of the Senior Class (even at this late date); for clearing us of the charge that we were a "set of dupes to some selfish party who had our confidence and had abused it, etc."

Reason four serves notice on the whole student body that they are not expected to return another year, in case Harrington should be President when the next session opens, as he expected when he wrote the letter.

Dr. Harrington says "I make no plea for personal justice." I don't blame him, justice is the very thing he does not want, and he knows it. All that believe he would resign for the best interests of the College, please jump out of the window,—no, wait, I didn't mean it; I want you to tell me if there is in existence a measure\* that is small enough just to exactly contain his interest for the institution, when it does not coincide with his own personal interest. (I ask merely for information.)

#### The Dallas Meeting.

At the Patrons meeting in Dallas, July 13, practically all the patrons of the College were either represented in person or by the signed petition to Governor Campbell and an explanatory letter.

Those present passed some very sweeping resolutions, showing their antagonism to Dr. Harrington, and demanding his resignation, as it would be impossible for them to send their boys back another session with the present management in charge.

However, in spite of this letter of Dr. Harrington's, which he said he sent that the parents might "act intelligently," 350 of the patrons signed the petition to Governor Campbell: (there were 378 patrons when school closed.)

### CHAPTER VII.

## DR. HARRINGTON RESIGNS

#### HON. R. T. MILNER SUCCEEDS

When the Board met at Corpus Christi, August 7th, Dr. Harrington tendered the following resignation:

"To the Honorable Board of Trustees of A. and M. College of Texas—Gentlemen: Deeply sensible of the uniform courtesy and kindness with which you have treated me, I realize that my continuation as President of your College may serve in some degree as an embarrassment to you. I therefore tender to you my resignation to take effect September 15, or at such date as may suit your convenience.

"I desire to use this occasion to express my profound gratitude to those members of the faculty and other officers of the College who have given the institution their faithful support in the interest of discipline and justice. I wish particularly to express my lasting obligation to my friends among the alumni and ex-students who have so loyally stood by the College in support of its constituted authorities. Respectfully submitted,

"H. H. HARRINGTON."

The Board immediately accepted the resignation to take effect September 1st, and appointed one of their number to fill the place, Hon. R. T. Milner of Henderson.

Through private sources, word of the resignation of H. H. Harrington from the presidency of the Agricultural and Mechanical College was received in Houston long before the official notice was given out. It is said that a promise of action was made some time ago, and the suspension of hostilities on the part of the committee from the alumni association was due to a knowledge of that fact. In regard to the change, the resignation of H. H. Harrington and the election of Col. R. T. Milner as his successor, Chairman James Craven of the alumni association committee made the following statements: "The Alumni Association are well pleased with the change. We believe it is for the best interests of the Agricultural and Mechanical College. We believe Col. Milner is just the man for the place and that the Board has acted wisely in his selection.

"As for myself, I am pleased with the change and will support President Milner, and I believe that the alumni will very enthusiastically support him. At any rate, they will be very much delighted with the change.

"Old A. and M. is to come out now and be a greater school than ever. Every cause for trouble has been eliminated, and under the direction of Col. Milner we expect to see a greater A. and M."

R. T. Milner.

Robert Teague Milner was born in Alabama July 27, 1851. He came to Texas when very young and lived in Rusk county, where he was educated. He taught school for several years, and was editor of the Henderson Times, one of the oldest papers in the State, for twenty-five years. He was a member of the legislature three times—the Twentieth, Twenty-first and Twenty-second. He was Speaker of the Twenty-second legislature, and was president of the Texas Division of the Southern Cotton Association in 1907. He was appointed Commissioner of Insurance, Statistics, History, Banking and Agriculture in 1906. Mr. Milner was appointed Commissioner of Agriculture in 1907, when that position was created and separated from the other branches.

Since this time, his conscientious work among, and for, the farmers of Texas, has shown that he is their friend. He has worked extensively in furthering "Farmers Institutes," and it is through his efforts that the proceedings of the Farmers Congress is now printed and distributed without cost to the Congress. He has lately made a very valuable report on the cotton mills of the State.

Mr. Milner becomes president of the college at a very troubled period, but there is no doubt that he can successfully man the situation. He is perfectly familiar with every phase of the trouble, and as each side of the contesting parties are extremely tired of the conflict, he will certainly have the undivided support of all concerned. They will rally about him and in a short time A. and M. will again take her place among the Southern colleges.

#### The Resignation of President Harrington.

Were it not for the cold-blooded language of the resignation of Dr. Harrington, which is very characteristic of him, I would not go behind it, and question the cause of same. The very language of it shows that it was not willingly tendered, nor through any consideration for the welfare of the College, nor does he take the opportunity to wish the College well. He says to the Board: "I realize that my continuation as President of your College may serve in some degree as an embarrassment to you." Without stating my authority, I will venture to say that the embarrassment he desired to save the Board from is the embarrassment which confronted them when Dr. Gilbert and Prof. Hutson refused to honor the Board with their resignations after same had been called for by the Board at their Marlin meeting.

Dr. Harrington took advantage of his resignation to express his "profound gratitude" and "lasting obligations" to those who stood by him in his contest, yet he absolutely ignored the great mass of the people of Texas who opposed him, which again conclusively portrays the narrowness, vindictiveness and ungenerousness that has played so important a part in his undoing. His last act was devoid of consideration for the future esteem of those who have, in the interest of the school, opposed his further retention as President.

#### WHO HAS SUFFERED.

I have asked who would suffer from the trouble, and in answer to my own question I will say that among the ones to suffer will be found all that have had anything to do with the trouble. Dr. Harrington, prob-

ably suffers worst of all. His whole life's work has received a stain that will never be removed.

The student body has suffered. The patrons have suffered, the Alumni have suffered, the taxpaying people of Texas have suffered and in the future may demand that the great A. and M. College suffer still more for the lack of funds.

The College community has irreparable dissensions, friends have been estranged. While again, the holding of similar views on the trouble from policy or otherwise has made friends of people that would not have been otherwise and they will yet live to see the day when the alliances will be regretted perhaps by both parties.

A heavy hand has fallen on good old gray-haired "Grandpa" Hutson, in his own words, Prof. Hutson explains his situation as follows:

"College Station, Texas, June 27, 1908.

"After fifteen years' service in the A. and M. College of Texas, I received today from the President of the Board of Directors the following communication:

"Abilene, Texas, June 25, 1908.

"Prof. C. W. Hutson, College Station, Texas.

"Dear Sir: The Board of Directors at Marlin yesterday morning by formal resolution called for your resignation, and I was directed by the Board to advise you of the action later. Very respectfully,

K. K. LEGETT,

"President Board of Directors.

"This action, without charge made against me of any kind, constitute a fitting sequel to a series of unjust acts on the part of the Board of Directors toward me; their failure to investigate President Harrington's arbitrary and unjust exactions last December when called on to do so in a written complaint; their outrageous decision in February that in this matter the President was subject to no just criticism; and their recent complete exoneration of him after hearing once more a detailed account of his tyranny.

Very truly yours,

"C. W. HUTSON."

This announcement was published in nearly all of the daily papers.

The Post telegraphed Judge Legett, President of the Board about it and what did he say? He said: "I know of no resignations."

What did the people say about it? The confederates, Prof. Hutson's old comrades were indignant. Many others rallied to the side of this fallen victim of Dr. Harrington's unfortunate administration. Prof. Lomax, Dr. Harrington's old "stand-by" newspaper reporter steps in, who has at least twice been suspended as correspondent for the daily papers of Texas for his manner of sending in biased reports, and many other times made it necessary for the papers to send special men to the College, and made it necessary for me, a student, to break the rules of the College and act in the capacity of a correspondent that the facts might be made public. What does he step in and do? After being elevated to the Faculty for both services rendered and for services to be rendered, while scouring the state to get students to fill the vacancies that are to be in the student body in case Harrington should be President when school opens—traveling on state money, receiving a summer salary, from headquarters in Fort Worth, he tries to stay the indignation created by the requested resignation of Prof. Hutson, by attempting to explain the Board's action by twisting and distorting facts in such a manner that Prof. Hutson had to make the following denial to the editor of the Post:

"I would be obliged to you if you would also publish my denial of a statement made by your correspondent from Fort Worth in today's issue. He states:

"The resignation of Prof. Hutson was asked because he was entirely out of sympathy with the Board and antagonistic to President Harrington.

It is said that when the Board asked the Faculty if they were prepared to support the Board in its efforts to bring about a peaceful solution of the difficulties and to restore harmony at the College, Prof. Hutson voted no.'

"This is not true. The resolution read:

"To the Faculty of the Agricultural and Mechanical College—Gentlemen: The Board of Directors having been advised that the corps of cadets is in a state of insurrection and have not attended classes since Saturday morning, and have furnished to the Board no sufficient reason or excuse for such action, we regard the situation as intolerable and one that must not be permitted to continue; we therefore direct the Faculty to proceed at once to firmly enforce the rules and regulations of the college and **dismiss summarily** all students who do not **promptly** return to their classes and submit to constituted authority.'

"This meant expulsion. I voted no, because I thought such an extreme measure unwise, and I said so at the time. The next day I voted with the rest of the Faculty for indefinite suspension—and the Board immediately recalled the suspended students!

"There is no sense in having a Faculty vote at all, if a member is not to vote according to the dictates of his own Judgement.

"C. W. HUTSON."

Who else suffered personally—Messrs. Neff and Evans, who had the nerve in February to testify to their disapproval of Dr. Harrington. Who else, was there another Faculty member? Yes, there was the highly esteemed Dr. Gilbert, who with the good nurse, Mrs. Britnelle, was staying at the hospital day and night with very low student patients, having his meals brought to him when Dr. Harrington was making life unbearable for him. When Dr. Harrington's thirst in finding fault caused him to so forget himself that he entered sick wards with his hat on, smoking a cigar. The following communication from Austin, Texas, Dr. Gilbert's home, explains his fall. The letter was to K. K. Leggett, President of the Board and was as follows:

"I beg to acknowledge the receipt of your favor of July 7, replying to my letter sent you on June 29, and telegram of July 5. I had had no communication from Carlos Bee since the last adjournment of the Board's meeting at College Station, and of course could not know of your letter to him. Immediately upon receipt of your letter I 'phoned to Mr. Bee, and am just in receipt of your letter to him, in which you set forth the reasons of the Board for asking for my resignation, and to which I desire to make reply.

"Referring to your letter to me, I will say that I am aware of the fact that in the past a number of well equipped educators who had rendered loyal and efficient service as members of the teaching force of the College had been summarily dismissed by the Board and no reasons assigned for such action, but I was not aware until the receipt of your letter that it had become a settled policy of the Board to adopt this unjust method of separating from the College those whose services were no longer desired by those in control.

"I will not question the legal right of the Board to pursue such a policy, yet I must say that it does not accord with my sense of what is just and right. The fact that conscientious men, well equipped for their life work as College professors have had this stigma wantonly placed upon them, thereby rendering it necessary for explanation to be made when again offering their services is manifestly unjust, and, in my opinion, will ultimately prove very damaging to the College. I appreciate the fact that an exception has been made in my case, and reasons stated for asking my resignation.

## WHY RESIGNATION WAS ASKED.

"You state in your letter to Mr. Bee (who was called by certain members of the Faculty to represent their interests during the last investigation of President Harrington by your Board, which finally so changed its character that it assumed the phase of a persecution of several Faculty members rather than the investigation it purported to be) that my resignation was asked because, while a member of the Faculty I had written a certain letter bringing grave charges against President Harrington, addressed to Judge John Hornsby of Austin, which communication found its way to Governor Campbell.

"You and every member of the Board know the whole truth about this matter.

"You know that this letter was to a closest, best friend and blood relative. You know that it was a personal letter and that it was foreign to my purpose or intention that it should ever be given publicity. You and your board are thoroughly familiar with the reasons which prompted this letter, for I have explained it to you on more than one occasion. You, of course, know that President Harrington had in more than one case driven men from the College by repeatedly subjecting them to humiliation and insult.

"You and your Board know that because I finally revolted against the long continued petty and tyrannical treatment to which the members of Prof. Hutson's family had been subjected, growing out of a rigid quarantine ordered at the instance of the President, of a simple case of whooping cough, that he threatened to prefer charges against me for disloyalty, informing me at the time that 'one of us had to resign, and that if he was not giving satisfaction as President, that he would resign.' Just then an epidemic of lagrippe was raging at the College, and during the same time I was attending several desperate cases of pneumonia among the students, and from constant work and loss of sleep I was worn to a frazzle. For the first time since I had been surgeon, President Harrington commenced a series of frequent visits to the hospital, and by his conduct made it plain that he was trying to find some peg upon which to bring a complaint against my official conduct; that in doing this he was not pursuing his accustomed policy, endeavoring to exasperate me by insult and humiliation into a tender of my resignation.

"In this he was disappointed, and since then, recalling his statement about resigning if he was not giving satisfaction, I have concluded that surely the President has forgotten this statement, for in the light of the universal testimony of every student and self respecting member of the Faculty, the message was carried to him that he was not giving satisfaction. He surely would act if he could but recall this statement made to me—but this is a diversion.

"You know that the information in this letter was disclosed to one who is a native Texan, an alumnus of the College, and a close friend and supporter of the present administration. You know that it was at the request of this gentleman, than whom no one can be found more loyal or devoted to his College or state, that this letter was brought to the attention of the governor of our state. I have no apology to offer for writing that letter, nor any statement contained therein. Incidentally, I will say that I was not aware that members of the Faculty were prohibited from discussing College matters in personal letters, or commenting on the conduct of its President when such conduct was believed to be detrimental to the best interest of the institution.

"In this letter I did state that the future welfare of the College demanded that there should be an immediate investigation of the state of affairs there, and that in my opinion the conduct and policy of the President would certainly result in the ruining of the College, and that members of the Alumni at Austin should be advised of existing conditions and im-

pressed with the absolute necessity of prompt action. As you are aware, shortly after this letter had been brought to the attention of Governor Campbell he requested that you make a full investigation of affairs at the College for this purpose. You sought an interview with me. I gave you then nothing but the truth as I saw it, candidly telling you as one who loves the College (not thinking of my own position or my future) and where every desire to see it developed to its highest standard of efficiency in the interest of the youths of Texas; that its future progress, if not its very existence depended upon President Harrington's separation from it. I declared this then, and since that time I have had no occasion to change my mind. In fact, I made a candid and full statement to you of the conditions just as they existed, stating in detail the various sources of my information, and also all facts within my own knowledge. Some persons, foreseeing the action which would be taken, through fear of losing their positions, denied what they knew, and also that they had ever made statements of such facts as were within their knowledge, but you and the Board, in the superficial investigation then made, ascertained that these statements involving serious charges against President Harrington had been repeatedly made by those in a position to know the facts, to others than myself.

"During this investigation a number of the members of the Faculty and employes of the College were called before your board, and I felt then, and am sure now, that conditions were disclosed which showed that the administration of President Harrington was such that the best results could not be attained at the College while he continued at its head. For some reasons which have never been made clear to us your Board did not finish this investigation (my authority for this being a member of your Board), but rather precipitately, after only partial investigation, acted, and not only exonerated the President, but officially commended him for the success of his administration of College affairs.

"In view of the fact, well known to you and your Board, that the arbitrary and intolerant conduct of President Harrington has driven several of the most excellent educators connected with the College Faculty to resign rather than to further submit to the humiliation which they were constantly subjected to; considering the testimony of Faculty members and employes, and the further fact that the three upper classes had then filed with you a protest against the President, I must confess that in my opinion this action of your Board, taken under these circumstances, was the provocal cause which led to the unfortunate strike which was inaugurated by as many a set of boys as ever matriculated at any College.

I talked with you and other members of the Board the morning following the day when you abandoned the further prosecution of the investigation. You concealed from me the purpose you had in mind. You did not make known to me that you had arrived at a decision, or advised me of any conclusion you had reached. You said nothing to any of the corps of cadets, whereas I am sure that by the exercise of a little discretion, and the consulting on your part with these boys at that critical moment, would have prevented in a large measure, if not entirely, the disorders which followed later. It rested with the Board alone to do this, but, unfortunately, you failed. If you had acted differently then, the subsequent difficulties might have been avoided, even though you had removed the President at that time.

"I feel therefore, that the responsibility of this strike rests with the Board, or probably one higher in authority who inspired or directed your action, which could have been avoided with wisdom had conservatism characterized your conduct at that critical time. I do not feel that I have been in any wise responsible for bringing about this unfortunate condition, nor will I ever acknowledge any part of the responsibility for the existing circumstances at the College.



"Information came to me before your last investigation that one who is prominent in the political affairs of our state, and who is close to the creator of your Board, said 'that President Harrington will be retained and Dr. Gilbert's resignation requested, even though not a single student returns to the College for the next session.'

"You will not believe it and may not understand the sentiments which prompt me when I say it, but I assure you that my devotion to the College is such that rather than deprive one Texas boy from receiving the advantages the College should afford to every youth in our state who desires to profit thereby, I would voluntarily sever my connection therewith. It is a matter of regret to me that the same spirit does not actuate others higher in authority, for it is now patent that the College is to suffer from the baneful effects of too much politics.

"That your Board is but registering the desires of those higher in authority I have no reason to doubt, and have reached this conclusion with reluctance; but candor compels me to express my belief (which I pray may not be realized) that a heretofore splendid College has a long siege of disaster before it. For a time utter demoralization may prevail, but I shall indulge the hope that in the end we may have a return to normal conditions and its affairs again be conducted with the sole purpose of preparing the sons of those who toil for the exercise of the highest responsibility of citizenship.

"You and your Board know that two years ago, without solicitation on my part the position of surgeon was tendered me, and since the hour of my acceptance of that position I have striven to discharge every duty imposed upon me, and have endeavored by loyal and devoted service to further the best interest of the college and every Texas youth attending the same.

"In view of these facts, and the reasons set forth in your letter to Mr. Bee, in which you state you have based your action in asking my resignation, I feel that, in justice to myself and for the good of the College, I should decline to acquiesce in your request. I will not honor your Board by sending in my resignation, and now so inform you that you may take such action in the premises as your honorable body may see fit to take.

"JOE GILBERT."

The letter from Mr. Legett to Carlos Bee, which is here referred to, is in part, as follows:

"It is not expected that the Board will again be in session until about August 6th or 7th, and so far as I know or believe, no Board action will be taken with reference to Prof. Kyle. You understand, however, that I am not speaking officially, and only as one member of the Board.

"Before adjourning at Marlin, the Board called for the resignation of Dr. Gilbert, but we did not expect to make the action public at this time. Of course it will get out, but we did not give it out.

"The Board relieved Dr. Gilbert, as I understand, because he had written the letter to Judge Hornsby, which found its way to the Governor, in which he made an assault upon the character of the President. The Board thought that it was inexcusable in a member of the Faculty to write such a letter about the President of the institution while he was connected with it. This, of course, is not to go the public. I would write further, but I just can't get the time.

(Signed)

K. K. LEGETT."

Dr. Brown leaves for reasons unknown to me. Others have fallen, some because their desires to assist Dr. Harrington in his troubles led them into pitfalls unseen. Others may follow but this is enough.

The College is in such a condition that it is in the daily press of Texas characterized as a "foot-ball of peanut politicians." Such an insinuation as justified as it is, strikes horror to the hearts of those who have had connections with it and learned to love the old College.

## CONCLUSION.

## FAR-REACHING EFFECTS OF THE TROUBLE.

In the future each and every virtue that we have contended Dr. Harrington does not possess will be rated at a high premium by all that have had any part in the matter, and our contentions for right and justice will most certainly play an important part in our future careers. Distaste for the failings of Prof. Harrington has been deeply fixed in the hearts of each student, and cannot but be beneficial.

The contentions at the A. and M. Colledge will finally result in much future good to the College, nor will this beneficial effect be confined to this College alone.

A great and wholesome influence will be felt by all the other Colleges in the state, and especially those that are run under the supervision of the state. The trouble will finally result in taking these institutions from the control of politics.

For the years to come the affair will be a factor when selecting every College official. It will result in the selection of men for educational positions who are specially fitted for the work they are to do. Men will be selected who are really in sympathy with their work, leaders of the generation that is to be educated will be selected over leaders of those who have already received their education. Principals will be selected who are in no danger of being misunderstood, a virtue must be made evident or it will benefit none but the one that has it and then the virtue alone will be its reward.

From now on there will be a feeling of fellowship cultivated between the management and the students that is sure to have a most beneficial effect on the education of the students.

The trouble has evidenced that the new era of conscience is wielding an influence, not only among men in business and politics, but among the students as well, the ones who are soon to enter these fields. And it does not take a great deal of imaginative power to foresee a cleaner and more conscientious state of society, which is the acknowledged need of the present time.

The thorns that are now in the side of society can hardly all be removed literally in a day, but do not you see in the stand taken by the A. and M. students, who have a great host of sympathizers in all parts of the state, a more probable solution of a number of abuses, than can ever be expected from exposures and legislation.

The students are very sorry the affair ever happened, but they have conducted themselves in a manner that has not only deserved, but has received, for them unstinted praise as pure and clean-hearted gentlemen. Our conduct gained for us a following that was invincible.

## PROMOTIONS FOR 1908-1909.

To be major, Rife, R. J.; to be first lieutenant and adjutant, Furneaux, W. H.; to be first lieutenant and quartermaster, Sigel, R. C.; to be sergeant major, Symes, C.; to be quartermaster sergeant, Smith, E. W.; to be color sergeant, Ross, J. K.

To be captains, Shearer, D. M.; Harris, D. B.; Gilbert, W. R., and Riley, A. A.

To be first lieutenants, Horton, C. K.; Heldenfels, F. W.; Giesecke, A. C.; Dibrell, Z. H., and Brannin, C. P.

To be second lieutenants, Aldwell, R. E.; Cole, A. T.; Weinert, M. H.; Van Ambergh, T. A.; Wignall, C. L.; Meerscheidt, L. P.; McMillan, S. A.; Schroter, A.; Huckabee, R. E.; Miller, R. F.; Ridenour, C. A.; Caldwell, J. J.; and Gresham, W. O.

To be first sergeants, W. C. Crane, T. S. Wyche, T. A. Munson and A. L. Ward.

To be sergeant and chief trumpeter, G. F. H. Bittle.

To be sergeants, R. G. Sherrard, L. Wade, O. W. Sherrill, F. H. Cunningham, G. E. Byars, J. L. Murray, J. H. Procter, R. T. Shields, R. S. Reading, W. D. Clements, H. G. Hynds, E. G. Lewis, E. P. Arneson, A. F. Dickerson, L. F. LeRoy, H. G. Mikeska, R. E. Adams, N. R. Rushmore. E. B. Burgess, V. H. Braunig, C. N. Bentley, C. M. Crockett, W. T. Atkisson, J. N. Singletary, J. L. Lockridge, B. Gist and R. Snearly.

To be corporals, Wood, H. A.; Dunbar, A. L.; McMahan, L.; Millender, J. E.; Hanna, P. D.; Peter, L. S.; Ehlinger, G. E.; Wolters, E. J.; McAnnelly, E. E.; Palmer, H. B.; Hotthast, A. H.; Wilson, C.; Pearce, R. B.; Briscoe, W. P.; Giesecke, B. E.; Stalnaker, A. B.; McCulloch, G.; McAdams, E. E.; Netherwood, J. S.; Wright, F.; Fitzhugh, L. H.; Wickes, H. G.; Sanford, C. E.; Gohlman, H. D.; Lindley, T. L. P.; House, E.; Spence, E. V.; Curtis, M. D.; Woodyard, M.; Moses, C. N.; Seward, C. L.; Brandt, O. F.; Sims, A. V.; Smoot, J. H.; Thomas, H. W.; Puckett, D. M.; Probandt, F. B.; Cochran, W.; Russell, C. W.; Marburger, A.; Herblin, L.; Kahn, S. D.; Nored, R. V.; and Christian, J. R.

### A FINAL WORD.

In answer to rumors that are already afloat, I wish to say that the writing and compiling of this matter has been entirely at my own initiative and at my own expense. None other than legal advice has been asked concerning what the manuscript should and should not embody. Neither have any others had the opportunity to go through the matter.

Primarily the history was intended only as a remembrance to the ones who were implicated in the original "strike," but since the trouble has taken on a more serious aspect and demanded the attention of the entire state, it has been treated in a manner to meet the changed aspects.

#### It Is Not the Students That Have Won.

It is not the students that have won in this contest. Of course it is our contentions that come out victorious, but it was our supporters that swept everything before them. It seemed that our every act made things worse, and the less we done the better it was for us and for the principles we were contending for.

#### Thanks to Those Who Have Assisted the Students.

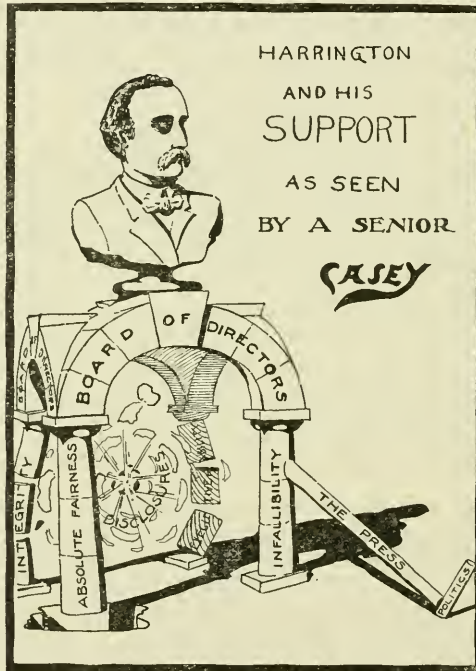
Without meaning any criticism to those who have for various reasons held views differing from mine, I wish in behalf of the late student body to thank each and every one that has been of any assistance to us in the contest, particularly do I wish to thank the alumni of the College; it is solely due to them that I with forty-seven others were enabled to receive our diplomas. Since your appearance during February the students have endeavored to conduct ourselves in a way that would show the State that the confidence you had placed in us was not misplaced. Next I will thank our parents who, after raising us to the estate of manhood, put confidence in our judgment. The moral support of the great mass of people of Texas has been fully appreciated. Last, but not least, I extend thanks to the press of the State. Some have openly sided with us, while all the rest have rendered us a great service by their unbiased reports of the trouble.

And now that the affair has closed it is up to us to so conduct ourselves that you will never be sorry for giving the support that you have. Every student, past and present, is now hard at work to make the College greater than it ever was before. It must be enlarged until it will accommodate all that desire to come. The attendance, studiousness and discipline must steadily increase.

Since every College man incurs a moral standing debt to his old College, the factor that follows up his parental training, in fitting him for a useful member of society, that develops his physical, mental and moral qualities, that broadens his views of life and of the world, and increases mani-

foldly his capacity for enjoying life; that institution has a rightful claim to the gratitude and loyalty of its former students. I gladly acknowledge that debt and pledge my unselfish and conscientious support, without reservation to my Alma Mater, the A. and M. College of Texas.

PAUL D. CASEY, B. S. '08.



Harrington and His Support.

The accompanying cut to me represents graphically Dr. Harrington's support. Serenely he is resting on a Board of Directors who have agreed to do whatever they do as a unit. And of the four supporting columns, "Absolute Fairness," is over a hole and is therefore without foundation, "Integrity and executive ability" have been put out of service by the happenings since February; therefore the whole structure rested on the infallibility of the President, supported by the press and politics, thus stood from February 7th, six long, troubled months, and then collapsed. Harrington fell, but the Board remained secure, and raised one of their own number to the eminence of the presidency.

"ALL'S WELL THAT ENDS WELL."





# L'Envoy.

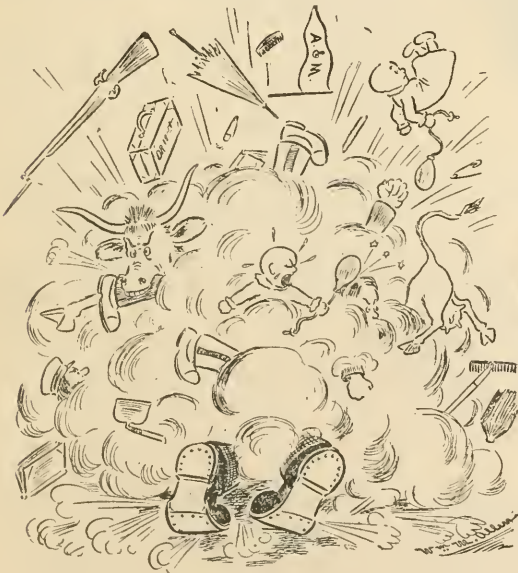
To make the history complete at least a mention must be made of some of the many minor incidents, some laughable, others more serious, some to point a moral, others merely to adorn the tale; these, with a few letters, extracts, cartoons, sketches of the attorneys and a few idle thoughts close the narrative.

## Evident.

"It seems that the young idea in our military schools are taught to 'strike' as well as to shoot."—Galveston News.

## The Board Had a Boss.

At Investigation.—A test vote on excluding evidence, vote goes against "Harry"—Judge Leggett "roars," "weak peteet" "I change my vote but will not change my opinion."



In February, the Chronicle asked "Who is at the bottom of all this?"

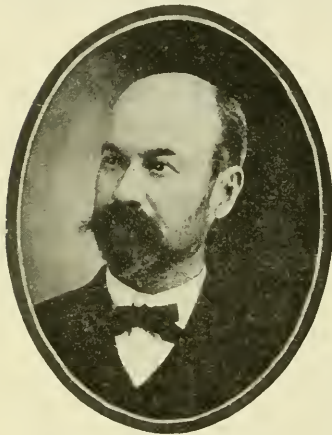
NOTE.—The question answers itself.

## And Where Was Harry.

Where were the farmers at the Farmers Congress when the lights went out?

### The Twenty Thousand Club.

Perhaps the most important result of the whole trouble is the organization of the "Twenty Thousand Club." The possibilities of such an organization were revealed to Dr. C. P. Fountain by Inspiration, Saturday, February the eighth. And in the excitement of the moment Dr. Fountain, usually but affectionately called "Deac" or "Deacon," with his eyes uplifted, exclaimed with vehemence, "The school can get along without you all; there are 20,000 other young men in Texas wanting to enter the College."



**DR. FOUNTAIN**

*Originator of the "Twenty Thousand" Club.*

Since this time, he, together with his two trusty assistant organizers, Messrs. Lomax and Junkin have been steadily canvassing the state for members of the club. It has not been learned just how many members they have obtained. They will work all the summer in addition to the spring. Anyone desiring to join the club has only to say "I have a desire to enter the A. and M. College, send me a catalog."

This club, if it materializes, is expected by its founders to take the place of the present class organization and thus revolutionize student associations.

The progress is therefore watched with much interest by all learned men and especially students of the old regime.

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### Commencement Yell.

A-lum, Alumni, Alumnus,  
Patrons, A. & M., fuss, fuss, fuss,  
Cravens, Todd, and, Law! Law! Law!  
Anti Harry, Anti Harry, Rah! Rah! Rah!

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### H. Cubed.

Physics Prof.—"Now, will any one please tell me what H cube stand for in this, the most important problem of the year?"

Student in the back.—"Sir H cube in the most important problem of the year stands for H. H. Harrington, and then some—"

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### Did You See It, John Avery?

Wanted.—By the students, a look at the "iron bound, copper riveted oath," of the Juniors, that the newspaper correspondent from College knew so much about.

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Ask Judge Green why he changed seats at the Goodwin Hall ceremonies.



## Jewels.

"Like Cornelia, the Roman matron, we point to our boys, and say, "These are our jewels!"—Hon. J. M. Green, March 28, 1908.

Tune: No. 97, Gospel Hymns.

They are going, they are going,  
To lose all their jewels,  
All their jewels, precious jewels,  
Their loved and their own!

## Chorus.

For you know they can gather  
Many gems they would rather  
See adorn this old campus,  
Than the boys who are here!

They can bring them from Domingo,  
Speaking any old lingo,  
Russia, Turkey, China, Haiti,  
(Or their own Prairie View!)

Chorus.—For you know, etc.

But the boys of old Texas,  
Whose free flag protects us,  
Won't be found where the grafter  
And toady are seen!

Chorus.—For you know, etc.



What the students feel has been done under the false cry of discipline.

## Comedy as Well as Tragedy in the Investigation.

(Houston Chronicle.)

When the State of Texas undertook to investigate conditions at the Agricultural and Mechanical College it was not proposed to probe into the circumstances under which Fernando, the horse with a pedigree, caused the retirement of Nathan Powell, the horse-loving preacher, but that was exactly what has been done.

It was not proposed to make Pittsburg, Texas, the center of a political campaign based upon a psychological question, but that has been accomplished.

It was not deemed necessary to determine the status of events as applying to the general rules of home discipline and the "Raising of Kids," but none the less those elements have been injected.

The boys are said to have run away with A. and M. College and now the circumstances appear to have carried off the investigation. While the acts of well and favorably known educators, have been placed in the limelight and the tableaux of a cat and dog row on a college campus has been presented to the state the serious side of the inquiry has in many respects been over shadowed in the side light of a laughing orb. The whole thing has not been serious to all of those concerned. A and M. has had its tragedy but the plot has much of the comedy element.

The story of Fernando (who is registered with a number) was one that had been repeated before but not in detail. It was because the Board of Directors did not believe that the cloth of the ministry could be worn in all compatibility by the owner of a stallion, that Rev. Nathan Powell took his letter of conge. He departed from his stall—berth rather—in A. and M. to the pulpit of the Methodist church at Chappell Hill, where the sentiment was not so strong against the combination of a preacher and a plug.

The plug was not such in reality. In his veins flowed the blood of equine aristocracy. The situation was no joke.

Dr. Harrington did not seem to approve. He laid the whole matter before the Board, but without recommendation. The Board held an inquest over the situation. Rev. Powell was given a chance to find another situation.

But deep down in the heart of the minister there rankled a spirit of disturbance. That his Fernando (registered with a number) should have caused the trouble in which he found himself he did not like.

"My bishop did not disprove," he explained. "My conference put no property restrictions upon me and I am a man of God. Abraham before me was a breeder of horses and here am I, turned out because I owned a stallion and derive a part of my income from his services. I was brought up on a stock farm, lived with horses all my life, know my Bible and preach the gospel. If Dr. Harrington laid all the circumstances before the Board I could not blame him for that, but if the Board turned me out because of the facts presented I stamp the members all as a bunch of mossbacks."

That declaration was made during the investigation. The minister told the Board what he thought while all sorts of people were listening. The operating room on which A. and M. figuratively lay, was filled with those interested. They laughed over the throbbing body of the school because the story of Fernando (registered with a number) and laughed most heartily with each succeeding answer and question.

Judge Tom Debenport came down from Pittsburg, Texas, to participate in the inquiry. There he is a candidate for the legislature and may yet raise his voice in the halls of the Texas legislature. The judge is known in Austin as having been at one time the representative of the County Attorneys' Association.

He wafted into College Station with the smoke of cinders clinging to his coat and the perfume of soft words on his breath. He stayed a day and a half, during which he sprung his ideas and wore a snow white neck tie.

"I'm going to make a speech in Pittsburg," he announced, "and here am I."

The Board treated him with courtesy. They listened to his argumentative questions in which the manner under which the youth of the land should be governed was exploited. He believed in moral suasion rather than force and held that the President of a college was much like a father.

Interrogating a witness he was marking the comparison. A patron was on the stand.

"If you had been in school you would not have submitted to such interference," he suggested, "would you?"

The patron shook his head.

"If your father had tried that game with you you would have rebelled, wouldn't you," asked the aspirant for legislative honors.

The witness believed he might have kicked up some dust.

Judge Scott was on his feet.

"You wouldn't have your father removed, would you?" he cried.

In the general laugh the Pittsburg lawyer resumed his seat.

Along during Thursday afternoon Judge Debenport retired from the field, leaving behind the suggestion of psychological interference. From the investigation he had culled the ideas he wanted and incidentally had handed out an interview upon the arrangement of the trees on the college campus.

The college world as a subservient democracy was placed on exhibition along with Fernando and Judge Debenport. The situation, however, was more serious.

Whoever it was that said the element of strength was not closely allied with that of justice forgot the theorism of college professors and the higher ideals of higher education.

They say that in the event the boys of A. and M. get away with President Harrington they will have established a dangerous precedent in which the rule of the irresponsibles will have gained perpetuation.

Now comes a professor, even though he be not one of civil government.

"They couldn't," he explained, "because they would not have the support of the sentiment that has stood behind this uprising. Here we have a democracy in a smaller sense under the protection of the State.

"The boys are not always able to govern themselves so they send Dr. H. (Magoon) Harriman to hold the palace and direct events.

"In rebellion spring those of the subservient community. They are not in revolt against the powers that be but against the man that is.

"They could not carry their campaign so far in the event if there did not exist some element of justice—enough at least to give reason for another side of the question.

"Now suppose that they should take a foolish notion to make Rome howl every time their spirits gained the upper hand. Do you suppose they could do it? Not if they were in the wrong, because all Texas would be about their ears. They could not demand the resignation of any member of the Faculty whenever they wished because the State would not stand for it."

The professor did not give out his interview from the stand, and as a matter of fact did not give it out at all. He explained himself in his own way, but not to be quoted, because even in a subservient democracy heads are chopped off and there is a living to make.

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#### Victory is to the Longest Winded.

One of Harrington's friends: "Say, don't you alumni know when you are whipped. Why don't you give up?"

Alumnus: Because you will wear yourself out whipping us. Your victories are more costly to you than our defeats are to us.

## Debate.

"Still it seems that there are those who will rule or ruin."—Galveston News.

"Be it resolved that the above statement refers to the Board of Directors and not to the students.

Affirmative, Students.

Negative, Board of Directors.

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 Harry Calls for Help at Waco.

Harrington—Papa, will you please give an order for—

Judge Leggett—What, Harry, do you need more money? All the incidental fees gone Take about three dollars from each trust—

Harrington—No, that's not it; some big bad boys at College have been writing mean things about me.

(Judge Leggett writes a note and hands to Harry)—"Here, son, this will have them 'adequately punished,'" and pats him on the back, adding, "Now wade into them,—we are backing you up."



The A. H. O. H. R. officiating at the dedication of "Harrington Hall."

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 What It Took to Make April First What It Was.

It took one man to plan it,  
 It took one man to make it,  
 It took one man to hoist it,  
 But it took more than one man to down it.

It took one minute to choose a captain,  
 It took one corps to follow him,  
 It took one hour to prepare for it,  
 But it took more than one to stop it.

It took one little building,  
 It took one little hole in it,  
 It took some brilliant speeches,  
 But it took more than one to lay it.

It took one master of ceremonies,  
 It took one Chief Executioner,  
 It took one "hot air merchant,"  
 But it took more than that.

It took one dead cat  
 It took one tip-top weekly,  
 It took one pint of sacred oil,  
 And then it took the mortar.

It took all day to have dress parade,  
 It took us from our lessons,  
 It took one day to "ram" us,  
 But it took more than one to read them.

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Parade After Corner Stone Laying.

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#### A Former Commandant's Trouble.

College rows of former times at the Agricultural and Mechanical College pale into insignificance when compared with the recent trouble. Mr. Henry Hackbarth of Sealy, cashier of the Sealy National Bank and a former student at the College, relates the details of a former smaller scrap. The incident happened during the Spanish-American war after the regular "bull" or commandant had been taken from the college by the Federal government and ordered to the front in Cuba. The United States army officer had been relieved by an officer of the Texas National Guard and the new wrinkles where-with he proposed to regulate the military end of the College raised a rumpus immediately with the boys. He proposed to have the cadets do all sorts of stunts that were unheard of during the regime of the regular army men. The students backed up and refused to perform, and after some exciting skirmishing between the new officer and his rampant command the matter was amicably bridged. Mr. Hackbarth commends the corps for its spirit.

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#### And are Surprised at the Deluge.

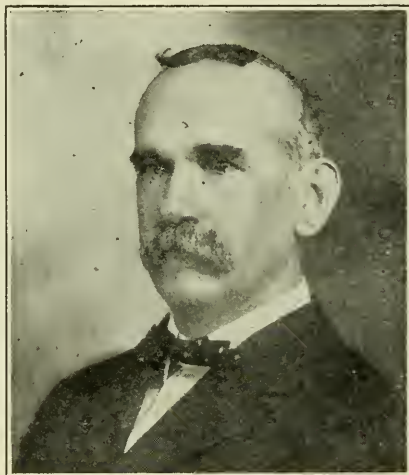
It is strange that people rarely, when gazing on the stillness of back-water, ever think of the restlessness of the stream that feeds it.

VIII. HISTORY OF THE A. AND M. TROUBLE.

THE FARMERS CONGRESS AFFAIR—DR. HARRINGTON ATTEMPTS  
TO SEND FARMERS TO BED AT 10:50 P. M. IN THE DARK  
BECAUSE THEY HAVE THE AUDACITY TO DISCUSS  
RESOLUTIONS CONCERNING HIS BOARD  
OF DIRECTORS.

Perhaps there is not a reader who has not heard something about Dr. Harrington ordering the lights turned off while the Farmers Congress was in general session, the night of July 8, while the Congress was considering resolutions in regard to the Board of Directors of the A. and M. College, for the evident purpose of getting the College out of the hands of politics. At the time I was in the capacity of a reporter for one of the leading daily papers of Texas, reporting the Congress, and for this reason I was very alert to everything that happened, and the affair was about as follows:

During the first day of the Congress Mr. A. D. Jackson asked for the



**H. H. HARRINGTON, LL. D.**

*Ex-President of the A. & M. College.*

recognition of the chair that he might present for the consideration of the Congress, certain resolutions concerning the Board of Directors of the A. and M. College. The chair refused to recognize Mr. Jackson, but he was requested to turn the document over to the resolution committee of the Congress. This committee evidently could not agree, as the matter was referred to the executive committee, where it was "pigeonholed" by a vote of four to three. But this did not kill it, as C. G. Cloar, president of the Rice Growers' Association, a member of the executive committee, obtained possession of the document and backed Mr. Jackson in again presenting it to the Congress in general session.

When the program was over, Wednesday night, July 8, Mr. Jackson tried to get recognition, but was told that he was out of order, and that the next thing was the election of officers. Officers were elected and when T. W. Larkin of Denison made his acceptance speech of re-election as secretary, he started to read the resolutions passed on by the resolution committee, but was interrupted by Mr. Jackson, who in a very earnest manner pleaded for

recognition, as he said the lights were soon going out. Mr. Kirkpatrick in the chair ruled that both Messrs. Larkin and Jackson were out of order, and that the announcement of the executive committee must be made. It was then that Mr. Larkin went to the back of the house where Dr. Harrington was and requested him to order the lights to burn longer. Dr. Harrington so promised.

After the announcement of the executive committee Mr. Kirkpatrick said that he would now recognize the gentleman with the resolutions.

Almost too glad to talk, Mr. Jackson introduced his resolution with a few remarks concerning the Board of Directors of the College, in which remarks he said there were five lawyers, a banker and a so-called labor leader on the Board and not a single agricultural or mechanical man. (Applause.) The resolutions were then read:

"Be it resolved, That it is the sense of the Texas Farmers' Congress, in eleventh annual session assembled, that a majority of any board of directors of the Agricultural and Mechanical College of Texas which shall be hereafter appointed shall at all times consist of persons who are actively engaged in agricultural or mechanical pursuits, and who earn their living by such pursuits; and be it further

"Resolved, That the terms for which these directors be appointed shall be so fixed that the terms of two of them shall expire every two years; and be it further

"Resolved, That these same principles should also apply to the management of the University of Texas."

The house went wild almost and as soon as one could make themselves heard, Mr. Cloar moved that in view of the fact the lights were soon going out, that the resolutions be immediately adopted without discussion. Then confusion reigned, order was rapped for, a motion was made to table, but was overwhelmingly lost, although the few 'I's' almost lost their breath by making their vote long. Then a motion was made to discuss the matter (by a Central Texas lawyer). The motion was not objected to and easily carried. But Mr. Cloar who was recognized as the first speaker, hardly received recognition until the lights were suddenly extinguished. Confusion ensued, and amid the stumbling over chairs could be heard such cries and yells as "an outrage," "elect a new College President," "an insult to Texas" and numerous other epithets. Slowly the crowd made its way outside and started for their rooms in the dark at a strange place—but many did not go to their rooms, some went to the steam plant for an explanation, others discussed the affair until far past midnight. The report of the steam plant operator, Mr. McDonald, was as follows:

"My orders were to turn out the lights at 10:30. Burn them an hour at 12 and again at 2:30, but about 10:25 President Harrington came over to the plant and ordered that the lights be burned until 11:00, as the Congress was still in session. But between 10:40 and 10:45 he again came to the plant and said that everything was alright and for me to "flash" the lights and then extinguish them. He left but returned in about one minute and demanded angrily if the lights had been signalled out. He then left and I turned the lights out at 10:50. Immediately it sounded like h—I had been turned loose in the chapel, and here came a lot of people wanting to know why the lights were extinguished and I told them it was because Dr. Harrington personally ordered them out, etc."

Feeling ran high and it was all against Dr. Harrington, even his friends could say nothing in his defense, yet the next day they were out in full force "button-holing" and in every way possible trying to make up for the terrible error their "lord" had made. Newspaper reporters were approached and very grotesque explanations offered. Some of them who had come to the Congress partisans to Dr. Harrington told one of these parties, (Prof. Lomax) that the only thing for them to do was to have Dr. Harrington publicly explain his own position.

This he did just as soon as the evening session was called to order. A motion carried to take up unfinished business of the night before,—the Jackson resolutions,—Dr. Harrington appealed to the chair for a personal privilege—was recognized. And he proceeded to nail as false the current reports that he was responsible for the lights going out while the Congress was in session. He admitted that he went to the steam plant three times, but his purpose was to see that the lights did burn until the Congress was over, and that finally thinking the Congress was in the act of adjourning, ordered the lights out. He explained how foolish it would have been to try to kill the resolutions by turning out the lights, and that personally he was in favor of the measure, but thought that it was an inopportune time to consider such, and that he considered such a law would be declared unconstitutional.

He further said that he did not even know that such a measure was before the Congress until the next day. In answer to a question from the audience as to his reason for believing the Congress was in the act of adjourning he said he did not think they would want to be resolving until midnight, and that he took it for granted that the steam plant operator would continue the lights anyway until adjournment. He also said his reason for leaving before the Congress was over was that he wanted to get to bed before the lights went out, and that he so told his wife after returning from the steam plant the first time.

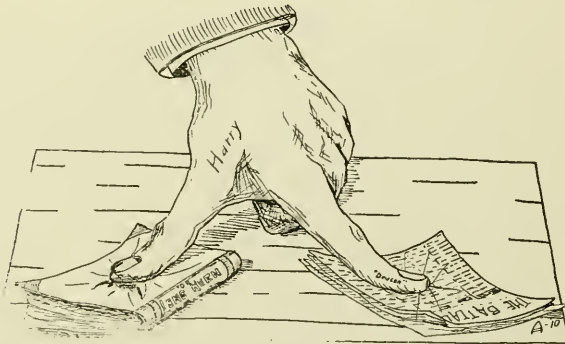
A motion was made and seconded to accept the explanation, but for some reason President Kirkpatrick failed to put it to a vote. So it was left to the individual to accept or reject the explanation, and to be candid, I must say that I failed to interview a single person who failed to reject, and they were of the unanimous opinion that he had made matters worse; and they further said that by his actions and manner of making the explanation, they had an insight into his unfortunate way of dealing with people which had made him "persona non grata" to the students.

The resolutions were objected to on the ground that it was a direct slap at the present Board of Directors, and would in addition to creating discord and confusion in the Congress, reopen the College trouble.

The resolutions were adopted with an amendment offered by J. W. Walker to the effect that the resolutions should in no wise have reference to the present Board of Directors.

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#### Even the Publications Complained.



"Heavy, heavy hangs the hand of 'Harry' over our heads," moaned the Long Horn and the Battalion of 1908, "save us or we perish."



## Harry's Bird.



In the manual of ornithology of the Long Horn, 1903, where the characteristics of the College officers were voiced by comparison to members of the feathered tribe, we find the following concerning Prof. Harrington, then in the chemical department.

"*Falco Molecularis*. In the chemical laboratory may be found this specie of hawk, a bird of a severe and cruel appearance, greatly feared by all. It is impossible for anyone who is afraid of it to catch it. But those who are bold enough to look it fearlessly in the eye can capture and even tame it. Answers to past questions are its favorite food."

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 The Battle Cry of Former Students.

A. AND M., MY A. AND M.  
 A tyrant's heel is on thy head,  
 A. and M!  
 A tyrant aims to strike thee dead,  
 A. and M!  
 An alien thy blood hath shed,  
 And now almost thy life is sped,  
 Because his path thou wouldst not tread,  
 A. and M., my A. and M!

Thy sons are scattered far and wide,  
 A. and M!  
 But can not think you've aught to hide,  
 A. and M!  
 We stand in battle side by side,  
 And with our strong Battalion's pride,  
 Impeach the foe by thee defied,  
 A. and M., my A. and M!

Thou hast been sullied by the stain,  
 A. and M!  
 Of forced submission to the reign,  
 A. and M!  
 Of one thou couldst not but disdain,  
 For tyranny like that of Spain!  
 Thou shalt be freed ere thou art slain,  
 A. and M., my A. and M!

Tune: "Maryland, My Maryland."

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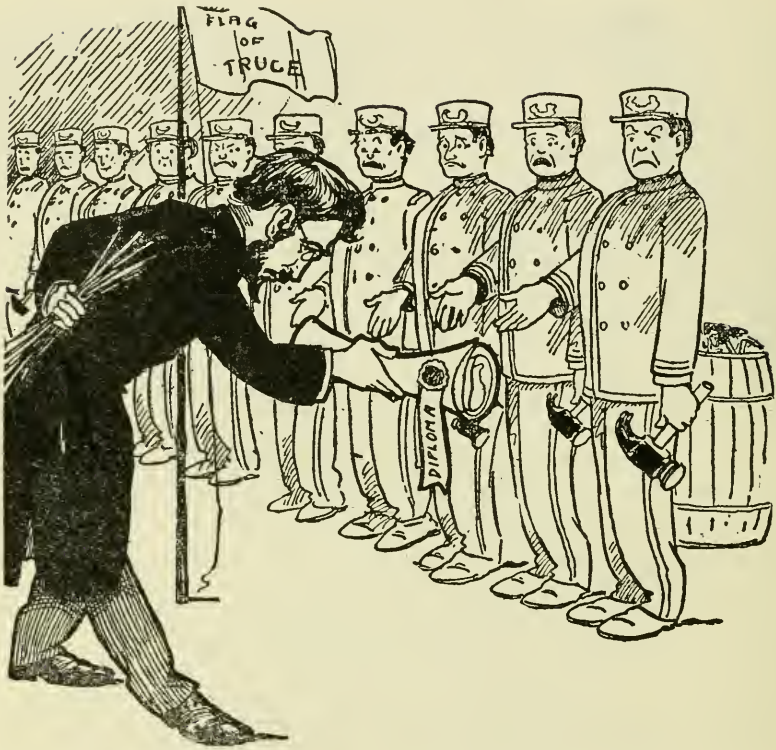
 Who Wants Extremes.

Among other things, President Harrington was charged with having a hot temper, and a cold disposition.

Presumably, a man of temperate characteristics was desired.

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"Be Sure You Are Right and Then Go Ahead."



College Station, June 9, 1908.

Carbonigraph Special, No. 23.

Hostilities will be suspended long enough for the Seniors to get their Diplomas.

—"K. C.," Information Bureau.

#### Several "Cases" Were Opened.

[Carbonigraph Special.]

S'bis Hall, June 17, 1908.

A "full" board is in session awaiting the opening of the "case."

LATER.

The "case" was opened by the porter, but found empty, while at the same time, but at a different place, the cadets on the campus were enjoying a milch punch, etc.

"K C" Information Bureau.

#### Harrington's Title.

Director Leggett—"Mr. 'Herfont's,' I notice you call President Harrington 'Harrington.' Please use some of the titles he is entitled to."

'Herfont's'—"The Graf!—! ?\*\*\*.0000, 0 minus 0, S— ?? \*\*\*\* \*\* !!!!!  
Despo!—? Tyran!! ?? 0. 11—

(Here 'Herfont's' stopped as everybody had fainted.)

## A JUNIOR WRITES OF MOSES AND HARRINGTON.

As regards the relative standing of the two chief men at the College, President Harrington and Captain Moses, with the Junior Class, I give here two articles written by Mr. Huckabee in answer to a request for comparison of the lives of the two men. They were written immediately after school closed.

H. H. HARRINGTON, LL. D.

Mr. Harrington was born December 14, 1849, in Chickasaw County, Mississippi. He is the son of Dr. J. T. Harrington. He was graduated from A. and M. of Mississippi in 1883, receiving his Bachelor's degree and later his M. S. The degree of LL. D. was conferred on him by Mississippi when he became President of the A. and M. of Texas. It must be understood that this is an honorary degree.

He was made assistant Professor of Chemistry and Physics in his alma mater soon after graduation. In 1888 he left this position to come to the A. and M. of Texas, as Professor of Chemistry and Mineralogy.

In 1892 he married Miss Florine Ross, daughter of L. S. Ross, soldier, statesman and Southern Gentleman, who was then President of the College.

It has been said that he made valuable reports on the soils and matters of West Texas. We do not question this but if he did do this, why was it that he and Dr. J. C. Blake, one of the best chemists in the United States, differed on the analyzation of the campus drinking water in 1907. Dr. Blake and Mr. Harrington each analyzed the water reported to contain typhus germs. Dr. Blake's report showed the water to be in a very bad condition. Mr. Harrington's analysis differing widely from Dr. Blake's.

Mr. Harrington was elected President of A. and M. on September 8, 1905. Mr. Harrington did act toward the boys at first like a *white* man. But on April 1, 1906, when the majority of the corps were imprisoned in guard-room for "cutting" chapel, Mr. Harrington freed the boys over Captain Sargent's order that none should be allowed to leave the guard room until they had promised to behave themselves. Was this the act of a man who had the interests of the A. and M. at heart? Was it right to encourage the boys in their mischief by allowing them to over-ride the commandant's orders?

We may see by the above that already he was losing his head as an executive. Would the class of 1906 have written of him, "his rare ability as an executive," could they have foreseen this act? The class of '06 has also written of him "as a true friend of the student body." The Juniors of that year were Seniors the next. But is it not a fact that these same men the very next year set on foot a movement toward the removal of the President by the Directors? Strange, strange. What was the reason, had he changed; perhaps he had, or more probably they had only found him out. Was it ever a fact that he was popular with the people of the campus, or with the cadets? Ask the old graduates, they will answer you with the exception of the first part of his first year as President, NEVER!

It has even been reported that he made mis-statements about a certain professor who is no longer here. He tried, it seems, to prejudice the boys against him. "Curses, like chickens, come home to roost." Is it not a fact also that he made an assault on a student with a shotgun? Did he not also call the same man, the unpardonable name? Was he not forced to eat his words? All these things are true; yet the Board say they hold him in high esteem and the Board are all honorable men.

What defense can a man offer when he has favored certain cadets more than others, because they were related to men of high positions? Could he say that he did it because this cadet was influentially connected? Yes, he could; but would he?

Did he not allow approximately four hundred boys to leave, knowing that the College owed each of them eight dollars and fifty cents without one word

of explanation? If he were a "grafter," it were a grievous fault and grievously hath he answered it.

Did he not receive four thousand dollars per annum before he was made Director of the Experiment Station? Yet the evidence shows that after he was made Director he received three thousand five hundred dollars as President and five hundred dollars as Director. It seems to me that he lost money on that deal.

And another thing, was there not a great strike in February against this same man Harrington? We were accused of revolting against constituted authorities. This is not true; we were against the hero (?) of this epistle. Did we not after the strike, receive the eight dollars and fifty cents that belonged to us? Was this not passed off by a statement to the effect that this keeping of this three thousand four hundred dollars was an "oversight?" He must have spent a great deal of time figuring out how the College came by that thirty-four hundred dollars. Was he not hanged in effigy again and again and no effort made to find out the offenders? Was there not a great demonstration made against this man on April 1, 1903? Did not everyone one the campus know who these men were? Were the leaders fired? On that day a corner stone was laid to a little lime house dubbed "Harrington Hall," 1900. Yet nothing was done.

But when the Juniors published an article in the College weekly, "The Battalion," against a statement made by Mr. Harrington, did he not allow a month to elapse before any action was taken? The Juniors were called up one by one, all refused to answer. What then happened? At a meeting of the Faculty the President asked Mr. Nagle to take the chair and he, Harrington, made a motion that the editorial staff of The Battalion be indefinitely suspended. Cast his vote for the measure, read a paper purporting to be an order from the Board and demanded the support of the Faculty, and without his vote it was a tie. The Juniors were suspended. This happened just at examination time. A demonstration followed. How many were caught? Not one man was punished while many were known.

Must we put up with this man as President; must the people of Texas see their sons under such a one? It seems so, for the Board says he may stay. Let him stay then if you will, you Board, you people of Texas, you Governor. But let me say that A. and M. will be wrecked; let me say that many who would once have fought for the fair name of A. and M. will damn it when connected with Harrington. As long as Harrington is President, as long as one man of the class of 1909 is alive, this fight will go on, it may drag through years but the fight is on, the battle is not over.

"And he shall go to his grave dishonored, hated and despised."

---

#### CAPTAIN ANDREW MOSES, U. S. A

Captain Moses was born in Burnet County, Texas. He was reared on a farm in that county. It was there on the plains of west Texas that he first learned to look the world in the face and be a man. He was taught in a country school and he also learned something of his fellow man. He next aspired to enter the State University at Austin, which he did in 1892. But his career as a Varsity man was cut short. In the following spring he was appointed to be a Cadet at West Point. Ex-Governor Joseph D. Sayers honored him with this, he being at that time Congressman from the Ninth Congressional District.

Captain Moses graduated in 1897 from West Point. He married Miss Jessie Fisher of Austin, in September of the same year. Their daughter Miss Kathleen Moses is a very charming young lady who promises some day to make a young officer forget the mess-call.

After his graduation he was posted at Whipple Barracks, Prescott, Arizona.

In 1898 he was transferred to the artillery corps stationed at Fort Slo-

cum, New York, and afterwards at Fort Preble, Maine. During the latter part of the Spanish-American war, he was stationed at Philadelphia as recruiting officer where he broke all records in obtaining men for service. Later he was stationed at Fort Riley, Kansas, and in October, 1901, received a captain's commission and ordered to Havana, Cuba. He remained over a year, being for the greater part of the time a staff officer.



**CAPTAIN ANDREW MOSES**

*Commandant of Cadets.*

Then he was again ordered to Fort Preble, Maine. In 1905 he, with ten other captains, were ordered to Totten, N. Y. to take a special course in submarine defense of coast artillery. He graduated at Fort Totten and was then ordered to Fort Moultrie, South Carolina. He remained at Fort Moul-

trie until Sept. 1, 1907, at which time he was ordered to report at the A. and M. as military instructor. On arriving at A. and M. he succeeded Captain Sargent, a man who had been in the service thirty years, who had campaigned against the Sioux, who had fought the Spaniards in Cuba and achieved fame fighting the Bolomen of the Phillipine Islands.

Captain Sargent has written several very essential books and for four years he had occupied the chair of Commandant at the A. and M. College of Texas.

Captain Moses was not as Captain Sargent, he had not had as much experience as Captain Sargent, and naturally the boys wanted to find him out. They did and they thought so much of him that they dedicated their "Long Horn" to him.

When the "strike" occurred in February, when the students rose in rebellion against H. H. Harrington, the President, Captain Moses stood between the warring factions as a man, a commander and a gentleman.

During the first night of the "strike" the boys were "raising Cain," yelling and shouting while the band was playing "Home, Sweet Home," "The Girl I Left Behind Me," and once they struck up the tune that is played on the foot-ball field, when we have achieved a triumph. It was the war song of the A. and M. The cadets were wild, became wilder, fiercer, every minute, but the commandant appeared on the scene. The boys hushed and listened to him, the only man they would have listened to, other than a fellow student. He spoke to them and asked them to be gentlemen and not do something they would be ashamed of. He requested the boys not to get out the band instruments, as they were property of the State. He then thanked them for their attention and went to his home.

The boys immediately gave nine "Raahs!" to the "Bull," a nickname for the commandant.

The boys held a consultation and decided to go to their rooms and behave themselves.

The only feature of school-life that was kept up during the strike was the military part. Regularly at drill time the boys shouldered their rifles and drilled for the commandant. For the commandant, did I say? No! They were drilling for Capt. Andrew Moses, a man whom they all loved and respected as a man, and an officer but most of all, a gentleman in every sense of the word.

The boys returned to school after the strike. Later in the term the Juniors saw fit to correct a miststatement of the President's (which appeared in the paper) in the "Battalion," a paper published by the students.

An investigation followed by the President's orders. Capt. Moses was one of the discipline committee. In all his questions and in all his actions toward the members of the Class undergoing the inquiries to try to find out the authors of the article he held himself toward the Juniors as a man and as a gentleman.

The committee not finding out the authors, the President of the College had a meeting of the Faculty and leaving the chair made the motion to suspend the editorial staff of the Battalion. A vote was called; Captain Moses voted to suspend the boys. They were suspended. Harrington's vote was the deciding vote. But the boys hold nothing against Captain Moses for voting against them. They see him adhering to his duty as an officer, as commandant and as a gentleman. The commandant is supposed to support the President in such cases.

Commencement came at last and the boys were better drilled than ever before and showed up to better advantage. Captain Moses was responsible for this; Captain Moses was responsible for this year turning out such finely drilled, erect and manly cadets. Captain Moses was responsible for the excellent behavior of the cadets and again I say Captain Moses was responsible for setting an example to all who know him as an officer, as a man, as a gentleman.

I think we may say of him also: This was the noblest one of them all. All the men save one or two did what they did in self interest.

He only with a general honest thought and common good to all, commanded them.

His life was gentle and the elements so mixed in him that anyone might stand up before the whole world and say: "This is a man."

---

#### Director Walton Peteet, a Strike Leader.

In dealing with the striking students the whole Board was in a very delicate position, but foremost among them Walton Peteet was in the worst of all. He being a labor union leader, also an editor of a paper published in behalf of labor organizations. Mr. Peteet was the first member of the Board on the grounds after the strike and as formerly stated, he was the first to talk to the Senior Class on Saturday night, February 18. It was then that his old sympathies for the striker came to the surface. He showed us a gold medal for leading a successful strike and gave us every assurance of a fair and impartial hearing of our grievances, he also pledged the Senior Class his support in obtaining witnesses and evidence and stated that he was almost certain that the rest of the board were of the same opinion. Enough for me to say that he soon found his mistake and that he was a hopeless minority and that he could not carry out his promises so what did he do? He left the College and was not present at the investigation. And it will be remembered that his name is not signed to the report of the Board of February. Some, however, do not think that this failure to be able to help the students in obtaining witnesses and evidence in their favor was all that caused him to leave. They have been informed that the labor unions reminded him of his pledges as a union man to support the strikers. Anyway, he was in a very close place and his friends have had a great deal of fun at his expense, and he tells them he has two problems before him. First, to find out where the boys learned the principles of conducting a strike so orderly and second, to teach his men to follow the principles that were so evident in the student strike and which had caused no little amount of wonder and admiration from men who are acquainted with strikes.

The question is asked, Why do all the strongest witnesses against Dr. Harrington admit that they have been the recipients of many special favors?

This question may be answered indirectly by quoting from one of Dr. Harrington's "past friends." "Dr. Harrington will not have a friend if he cannot work him." Evidently a breaking point has been reached where more has been demanded of the parties than the parties consciences would allow them to do.

---

#### What Probably Gave John A. His Promotion to the Faculty.

"For any information regarding the appropriations made to the College and the expenditure of same, apply to Prof. Lomax. He is extremely well posted on this subject and declares that there is no possible chance for grafting to be done here. He is so full of his subject (or something else) that he even gives his English classes free lectures once in a while, to their great delight (?) In his enthusiastic praises of the openness and absolute accuracy at all money transactions here, his beloved "chancer" is for the time forgotten and he gives himself entirely to his pet theme. He will be delighted to give you all the inside information, although he seems to be in the dark to some of the very startling facts which were brought to the attention of the corps some few weeks past."—(Soph. Battalion.)

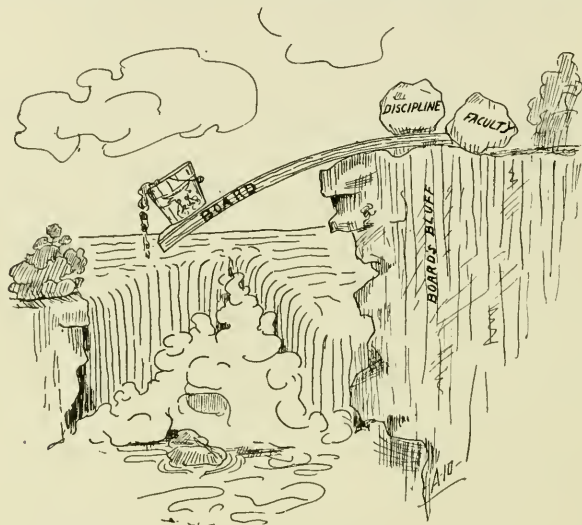
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#### A Matter of History.

A country puts up its greatest show immediately before a collapse.

### The Board Bluff.

During the strike while the Senior Class was in session a pretty stiff "bluff" was received from the Board and a Senior exclaimed: "Ah! a bucket of "water" from that bluff would be a grander sight than Niagara Falls."



### Learn to Act for Yourself.

I feel that a boy makes a mistake in ordinary events or even in unforeseen circumstances, when he depends on his parents to do his thinking, even should he make a mistake he has his future before him and will profit thereby. While on the contrary if he takes an important step on his own initiative that proves to be the right, he will have gained that which so many lack—confidence in themselves, and their judgment. And a responsible judgment commands a remuneration far in excess of the labors of the strongest, physically.

### He Only Thought He Was.

A few nights before school closed the guard was assembled in the guard-room a short time previous to the posting of sentinels. Soon these was a lull in the conversation and the officer of the day said he had a funny dream last night. Of course everybody wanted to hear it, as people always desire to hear dreams in spite of the fact that the day of superstition has passed. He readily obliged them. Told in his own words it was as follows:

"While studying last night I suddenly fell asleep, I seemed to be before the golden gate, and while enjoying the splendors of the sight I saw H. H. Harrington apply to St. Peter for admission. St. Peter asked him who he was and he replied 'H. H. Harrington, President and the whole thing at the A. and M. College of Texas; here are my credentials,' (hands St. Peter Board endorsements.)

"'All right, you may enter.' A series of Ohs and ehms and !!\*\*? followed from the guard. However, the O. D. continued saying, the next to apply was David F. Houston. He said he was the President and the whole thing of the University of Texas. 'Can't enter,' says St. Peter. 'Why?' ex-



claimed David F. 'Because you were the president and the whole thing at the University.' 'But,' says little Davy, 'you let Dr. Harrington in and he was president and the whole thing at the A. and M. of Texas.' And with a smile St. Peter replied, 'No, he wasn't; he only thought he was.'"

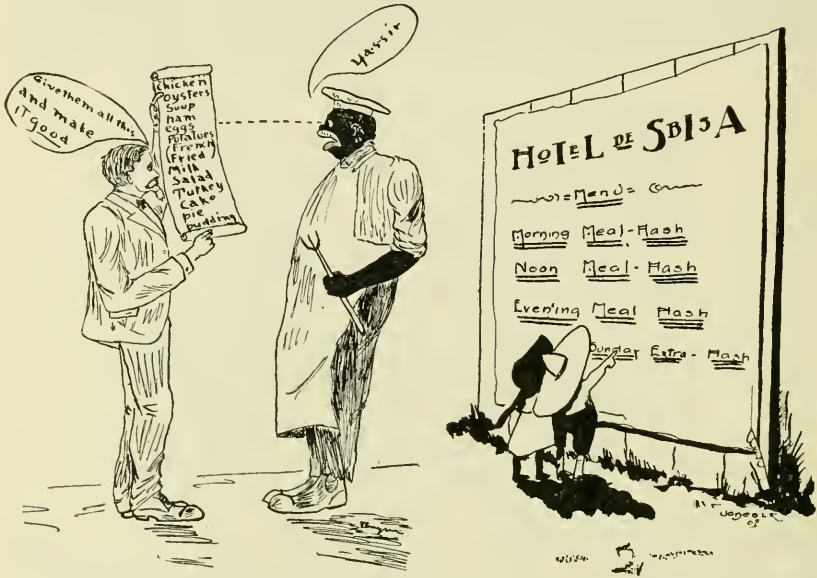


Finally, amid the applause, the corporal made it understood that he also had a dream, and it was about the same personage, he said: "I dreamed that I had made a visit to the lower regions and his 'Satanic majesty' was showing me around; finally we came to a spacious room, in the center of which was a large inverted pot, on which there were the three letters in burning sulphur H. H. H. My curiosity and pity were aroused and I asked permission to see my old acquaintance, but the devil extended a desisting hand and said, 'No! he might get out and all hell would be on a strike in fifteen minutes; I am keeping him under there until I get a carload of coal ahead and then I will let him start a hell of his own.'"



The roars of laughter were long and loud, and until now no one has told why the guard was fifteen minutes late that night."

At the A. and M. We Are Fed According to Our Humor.



The menu during the strike, March 28, April 1, and when the Juniors were suspended. The ordinary menu of the mess hall. College Station, Texas.

The Hittite replies to "Farmer Shaw:"

"As for 're-opening' the strike case! There was never any 'case.' Everybody is gratified that the directory and faculty were so generous in their treatment of the boys, who were guilty of gross breach of discipline. It should be understood, however, that no such action will be again tolerated. Once admit the right of students to strike, grant the assumption that they have any rights but to obey, and pandemonium would reign in every public school in the State. Hereafter, whenever a student "strikes," some able-bodied member of the faculty, should with a strong paddle six feet long, 'bat him across the hurricane deck, make him 'hit the road' for home, where he can tell his 'ma' and 'pa' what a fool he has been. Then 'pa' should put him in the field between plow-handles, behind Beck and Jude, and force him to bring forth cotton, corn, pumpkins and other 'fruit meet for repentance' before making another effort to improve that part of his anatomy located above the eyes."

On the same page with the above extract, appears another, to-wit:

"Everywhere the average A. and M. man is a wealth producer, a pioneer in new fields, making possible more and happier homes, and pushing forward every enterprise that tends to promote a higher civilization."

"Farmer Shaw," editor of these two incongruous sentiments, forgets, perhaps, the sense of self-importance and the throes of ambition that shook his breast when he was a college student. Or, if he was never a college student himself, he is indeed unable to sympathize with the "boys" of A. and M. But the cause of these boys is right. At least, we can safely say, that the time will very soon be when might on their part can make it right. Youth hath its honor no more less than age.

**THE ATTORNEYS AT THE INVESTIGATION.**

Judge Sumners represented the students' side of the controversy. His selection by the alumni committee was very fortunate. In handling the case Judge Sumners displayed consummate skill and unfeigned interest. At all times he treated the Board, President Harrington and his supporters with the utmost consideration. From the beginning he was opposed to making any but the "13th" charge, which was the charge about which all the others clustered. And is the only charge which the Board admitted outright in their exoneration as established.

**HATTON W. SUMNERS**

*401-2 Slaughter Building, Dallas, Texas.*

During the investigation Judge Sumners did not have an opportunity to become acquainted with all of the cadets, but was very enthusiastic in praising the student body as a fine body of promising young men who stick to principles in a manner that appealed to him. And it will be a pleasure to both parties if A. and M. students will call on him when in Dallas.

Judge Sumners has recently come into national notice through an article appearing in Collier's Weekly for May 9, 1908. The article is written by Will Irwin, and is entitled, "The American Saloon," with a sub-title, "The Texas 'Clean-Up' From Within." Mr. Irwin makes the following remarks in regard to Mr. Sumners:

"Conspicuous was their work in Dallas. Hatton W. Sumners, as honest

an official as the city ever had, was elected attorney of Dallas county in 1900. Though handicapped by an old frontier law which gave him no right to break down a door in a raid, he made it so uncomfortable for the gamblers that, when he came up for re-election in 1902 they colonized voters from Fort Worth and beat him. In 1904 he came again on a slight reform wave. Taking the offer of Adoue seriously, he wrote for help. The brewers sent up their detective bureau. Summers, using it in his own way, went after the gamblers with all his might. He could not raid, as I have said, but with the aid of brewery detectives he did manage to get evidence before the grand jury, and to convict the local dealers of running faro and stud-poker games again and again. He made the business so sick and unprofitable that some of the gamblers closed their tables.

"Summers drafted, too, a strong bill for the State Legislature, giving the State permission to break doors, and making it felonious even to own property on which gambling houses exist. The bill passed the House and lingered in the Senate, and then heaven intervened. Jeff McLain, attorney of Tarrant, the adjoining county, raided at Fort Worth the house of a notorious, gun-playing gambler. The gambler met him at the door and shot him dead. And that very day, when Northern Texas was white-hot, the Legislature, on a junketing trip to Gainesville, fifty miles away, passed through Fort Worth. The legislators returned, put an emergency clause in the gambling bill and shot it through; a law so stringent and so well backed by public opinion was not to be defied. The gamblers moved on, and in one respect the detective bureau of the brewers found its occupation gone."

#### SAM R. SCOTT, Waco, Texas.

Judge Scott represented Dr. Harrington during the investigation. Judge Scott came in late, and it took him some time to get acquainted with the situation. During the whole trial Judge Scott's attitude toward the students and alumni was such as gained their unfeigned friendship. No matter how things went he was always jovial, and would laugh as big as any one when he would make a bust about some military feature or would get tangled up on some college phrase.

The fact that he represented the opposition, together with his likeness to Bill Taft, did not keep him from being liked and admired by all that became acquainted with him. In talking over the investigation he says the funniest thing of it all to him is that he did not cross-question Jess Dale or "Grandpa" Hutson. "They were loaded and I knew it; there was no use in starting something I might not be able to stop," he says.

Judge Scott says the A. and M. is a great school, and from now on he will take a deep interest in its development.



*The loyalty of the Cadets to the Football Team.*

## Retrospect.

---

(From McCaulay's "Virginia").

"Ye good men of the commons, with loving hearts and true,  
 Who stand by the bold tribunes that still have stood by you,  
 Come, make a circle round me, and mark my tale with care,  
 A tale of what Rome once hath borne; of what Rome yet may bear.  
 This is no Grecian fable, of fountains running wine,  
 Of maids with snaky tresses, or sailors turned to swine.  
 Here in this very forum, under the noonday sun,  
 In sight of all the people, the bloody deed was done.  
 Old men still creep among us who saw that fearful day.  
 Just seventy years and seven ago, when the wicked ten bare sway;  
 Of all the wicked Ten still the names are held accursed,  
 And of all the wicked Ten, Appius Claudius was the worst.  
 He stalked along the forum like King Tarquin in his pride;  
 Twelve axes waited on him, six marching on a side;  
 The townsmen shrank to right and left, and eyed askance with fear,  
 His lowering brow, his curling mouth which always seemed to sneer;  
 That brow of Hate, that mouth of scorn marks all the kindred still;  
 For never was there Claudius yet but wished the commons ill;  
 Nor lacks he fit attendance; for close beside his heels,  
 With outstretched chin and crouching pace, the client Marcus steals,  
 His loins girt up to run with speed, be errand what it may.  
 And the smile flickering on his cheek, for aught his lord may say,  
 Such varlets still are paid to hoot when "brave" Licinius speaks.  
 Such varlets pimp and jest for hire among the lying Greeks;  
 Where'er ye shed the honey, the buzzing flies will crowd;  
 Where'er ye fling the carrion, the ravens' croak is loud;  
 Where'er down Tiber garbage floats, the greedy pike ye see;  
 And wheresoe'er such lord is found, such clients still will be.

\* \* \* \* \*

When up, the varlet Marcus, came; not such as when erewhile  
 He crouched behind his patrons' heels with the true client's smile;  
 He came with lowering forehead, swollen features, and clenched fist,  
 And strode across Virginia's path, and caught her by the wrist.  
 Hard strove the frightened maiden, and screamed with look agast;  
 And at her scream from right and left the folk came running fast;

\* \* \* \* \*

Oh for that ancient spirit, which curbed the Senate's will!  
 Oh for the tents which in old time whitened the Sacred Hill,  
 In those brave days our fathers stood firmly side by side;  
 They faced the Marcian fury; they tamed the Fabian pride;  
 They drove the fiercest Quinctius an outcast forth from Rome;  
 They sent the haughtiest Claudius with shivered fasces home.

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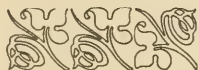
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## The Author's Aim.

By a mere recital of facts, devoid of argument, the purpose of this book is to start a movement that will result in the taking of the EDUCATIONAL INSTITUTIONS and other EDUCATIONAL MATTERS out of the control of APPOINTIVE POLITICS.







