

THE RING-TUM PHI.

BY THE STUDENTS AND FOR THE STUDENTS.

VOL. IX

WASHINGTON AND LEE UNIVERSITY, SATURDAY, MARCH 3, 1906

NO. 20

MOOT COURT

The regular session of the moot circuit court of Washington & Lee was held on Wednesday, Feb. 21st, in Tucker Hall. The court called to order at 9 o'clock, Judge Martin P. Burks on the bench. Sheriff J. M. Sapp opened court and the clerk, B. F. Mayer, read the proceedings for last session.

The clerk then called the case of Chappell v. Trent, an issue in chancery, with Messrs. Campbell and Sheafe counsel for plaintiff, and Messrs. Bandy and Gassman counsel for defendant.

The case was to try an issue of "devisavit vel non" whether or not a writing purporting to be the will of Richard J. Chappell in favor of Eliza, Mae and Edward Trent was in reality his last will. After opening the case by counsel

either side, the witnesses for the plaintiff were then called and sworn and examined by Messrs. Campbell and Sheafe for the plaintiff and cross examined for the defense by Mr. Bandy. At 3.30 p. m. after examining their witnesses, principally among whom was Mr. Pobst, who acted as Dr. Nelson, and Miss White and Mrs. Dr. Kern, who took the places as Miss Trent and Mrs. Overstreet, the plaintiffs rested their case. The witnesses for the defence were then sworn and examined by Messrs. Bandy and Gassman and cross-examined by Messrs. Campbell and Sheafe. Several depositions were read for the defense by Mr. Bandy and about 9.30 the defendants rested their case. A recess of a few minutes was given by the court before argument began. Mr. Sheafe, opened the arguments for the plaintiffs, setting forth very clearly the history of the case. Mr. Gassman followed for the defense in an hour's speech, which was clear and forcible. Mr. Bandy followed for the defense in a 45 minute speech which seemed to clinch the argument for that side; he was followed by Mr. C. N. Campbell, who in a clear cut speech convinced the jury that there was two sides to the question. After having received instructions from the court the jury retired to the jury room to render a verdict. After remaining for about an hour the jury returned and when asked for their verdict by Clerk Mayer, Mr. Crews the foreman reported a hung jury and asked for further instructions which were given by the court. They then returned to their room

for further consultation but returned in the course of an hour and reported that they were unable to agree in their verdict.

Y. M. C. A.

At the last Sunday's meeting of the association, a report of the annual State convention, held this year in Norfolk, was given by the delegates who represented us at the convention. Mr. Wills told of the social aspect of the meeting. He said that all the delegates were cordially received into the homes of the people and heartily enjoyed the hospitality of the East Virginians. A banquet was given them in the association building, and the student delegates were entertained by one of the churches of the city.

Mr. Cather gave an account of the forceful and eloquent addresses of Mr. Carter H. Jones. Mr. Engle presented some statistics to show the progress of the association's work during the past year; and then told us what the convention considered the causes of the meager results of the association work at W. & L. U. They say that our Christian students lack "nerve" in religious work and are not zealous. These are matters that should be thought over and righted by our Christian men.

"Miss Lelia Ball" to Sing in Lexington

Some of the ladies of the community have succeeded in getting Mrs. Bopple of Baltimore, a sweet singer, recalled by many Lexingtonians as Miss Lelia Ball, to give a song recital in Lexington. She will sing in the University chapel next Tuesday afternoon, March 6. She has a remarkably sweet contralto voice and her singing delights audiences wherever she is heard. The accompanist will be Miss Nell Irvine of Charlottesville, formerly of Lexington. The price of admission will be 35 cents.

Meeting of Rockingham Club

Immediately after the celebration of the Washington Society Thursday night, the members of the Rockingham club assembled in Dutrow's room in the Dormitory, and after the routine business was disposed of the Club enjoyed an hour or so in disposing of things other than business, namely, "grub." After the entire company had been satisfied in every respect the club adjourned to meet on Saturday night, April 28.

The baseball squad went on the usual pledge this week.

Second Night of Esmeralda

The success which attended the first presentation of Esmeralda induced the management of the Dramatic Club to repeat the play the next evening; and, if anything, the second was better than the first presentation. The audience which witnessed Esmeralda on last Saturday evening was not so large as at the first performance; yet the house was well filled, many cadets from the V. M. I. being present, and the efforts of the players were rewarded by generous applause.

As we have already criticised the individual playing it will be unnecessary to say anything further about that, except to state that each player put forth his, or her, best efforts and they all combined to make the second night of Esmeralda an immense success. The play is one combining elements of humor and pathos, and much can be gotten out of it—the Dramatic Club got it.

The proceeds from these plays, as is well known, go to make up a fund of \$500 which Miss Annie White has promised to contribute toward the proposed enlargement of the Athletic field. Miss White has been untiring in her efforts to raise this money, a fact which the students should appreciate. The young ladies of the town who gave so generously of their time, and without whom the play could not have been a success should also come in for their share of thanks; while the students in the Dramatic Club are to be congratulated upon the great success which attended their efforts.

Lees' Bequest.

It may be of interest to the students to know that the Lees bequest of \$30,000 has been received by the college authorities. This brings to mind a matter which should be made plain to the student body. It was stated in a communication to the RING-TUM PHI some weeks ago that the University derives an income of \$5,000 or \$6,000 annually from the dormitory. The income from this source in reality varies from \$3,000 to \$3,800. Out of this amount the expenses of maintaining the dormitory are taken; the University is paid \$1,800, a legitimate interest on its investment; and any money then left over is put in a dormitory reserve fund, the purpose of which is to keep the building always up to its present standard.

Glee Club

ENTERTAINMENT ON THE 14TH.

The Glee, Mandolin and Guitar Clubs have been busy since Christmas practicing new songs, and being drilled in harmony under the efficient directorship of Dr. Reid White. In consequence the University and town will be entertained on Wednesday, March 14, in the chapel. The members of the club have spent many hours of hard work over their music and it is hoped that the student body will give them encouragement by coming to the entertainment.

A word as to the clubs will not be amiss. The Glee Club under the impetus given it by last year's good start and under Dr. White's attention this year has become efficient in harmonizing and expression. It is enough to say that Mr. Sheafe has charge of the instruments to assure everyone of enjoyment from the Mandolin and Glee Club. Both clubs were good last year; they will be better this.

The program will contain numbers chosen for their beauty and for absence of chances for discord. Among other songs the Glee Club will render a "Melley of Southern Songs," "Mrs. Cosy's Boarding House, and a simple little German Folk Song, "The Chosen One."

The presence of every student in college is desired in order to encourage the clubs financially as well as by applause. You will miss a good thing if you stay away.

Boating

As we will have no new boats this year the training on the river will not be as general as it has been. Of course, as usual, every one will have a chance to show what he can do, but the lack of boats to work in will leave things in a rather bad way.

It is now expected that only one training boat can be made out of the two old ones and that both clubs will have to use the same boat. The cedar shells will be brought down earlier and used for the more advanced men, but their lightness makes them useless for regular training.

It is a matter of great regret to both clubs that this year the rowing interests should be hampered, but it is due to the difficulty experienced in raising money in time. The money on hand, now being kept for the order next fall, will be deposited on March 5th, and no withdrawals can be made after that date, as the money will be in bank on interest.

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All matters of business should be addressed to the Business Manager, and all other matters should come to the Editor-in-Chief

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Rockbridge County News Print

The Corvallis Times has the following to say of Governor Chamberlain of Oregon, an alumnus of this institution :

From Salem comes the announcement that Governor Chamberlain is to be a candidate for re-election. At the same time and from the same place, come the welcome intelligence that the state tax levy this year is but 3.2 mills, about the lowest levy within the recollection of the taxpayer. A state tax levy actually less than half that of some former years, is a significantly fitting accompaniment to the candidacy of Governor Chamberlain, because the many fearless votes of grafts and a stubborn defense of the public treasury by the one have been a chief means of making the other possible. The vetoes of a score or more of appropriation bills carrying grafts during the first legislature under his term are recent history. Similar vetoes of grafts and steals in his second legislature are an occurrence of but yesterday. The consequence of these vetoes are beginning to tell heavily on the tax levy. Of greater influence, too, is the memorable fight in which Governor Chamberlain forced the legislature to leave out the emergency clause and thereby enabled the people to get a chance to vote the late general appropriation bill.

His bold and vigilant course in these matters give Governor Chamberlain a mighty good right to be a candidate for re-election. He has been tested and his full reliability is known. Of whatever political creed the citizen may be, not one but is free and frank to acknowledge that no governor of any state, in any time, or any where, has manifested greater worth than has this governor of Oregon. No one that ever served the Webfoot state has received such universal and such non-partisan commendation.

Bradford Debate Court

A very interesting and important question, involving the construction of a statute, was argued before the Bradford Debate Court Monday evening in the case of Davis vs. Davis. The statute provides: "If a will be attested by a person to whom, or to whose wife or husband, any beneficial interest in any estate is thereby devised or bequeathed, if the will may not be otherwise proved, such person shall be deemed a competent witness; but such devise or bequest shall be void."

Both Mrs. Davis, one of the attesting witnesses, and her husband were legatees under a will. The appellants claimed that the legacies to Mrs. Davis and her husband were void; that the word "competent" refers to the time of attestation; that it was necessary to use Mrs. Davis's signature as attesting witness to uphold the will, and that under these circumstances only she is made a competent only she is made a competent attesting witness by operation of the statute, but at the expense of her and her husband's legacies.

The court, however, took a different view, holding that the competency established by the statute had reference to testimony at probate of the will. That therefore the legacies to Mrs. Davis and her husband did not fail unless it became necessary at time of probate to establish the execution of the will by the testimony of Mrs. Davis. But inasmuch as the execution could be established by the testimony of the other attesting witness, it did not become necessary for Mrs. Davis to testify and therefore the legacies were good.

Messrs. Law and Caraballo for appellants and Wysor and Robinson for appellees.

Trans-Mississippi Club Meets.

The Trans-Mississippi Club held a meeting yesterday afternoon. After the regular order of business a motion was proposed to have a banquet. This motion was passed and the proposed banquet will be held in the latter part of April, the date being left to the discretion of the appointed committee.

The following new officers were elected: Mr. Havlin, president; Mr. Millsaps, vice-president; Mr. Ed. Steves, secretary, and Mr. Grey Moore, treasurer.

Mr. Drew Pruitt kindly offered to draw a Calyx representation.

University Assembly

The next meeting of the University Assembly will be held at 10 o'clock a. m.; Friday, March 9.

The address will be delivered by Dr. Howard A. Kelly, the distinguished surgeon and professor in Johns Hopkins University.

GEO. H. DENNY, President.

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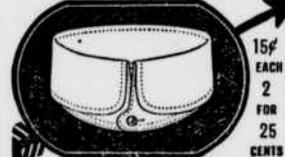
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THE RING-TUM PHI

LEXINGTON, VA., MARCH 3, 1906

Personals

P. J. Phillips, B. L. '05, has been in Lexington this week.

Professor Stevens was called away from town unexpectedly Thursday.

Dr. Denny left Thursday for Roanoke to attend an alumni banquet which was given in that city.

Dr. Latane attended a meeting of the Virginia Johns Hopkins Association in Richmond last Saturday.

Mrs. John H. Latane was called to Washington several days ago by news of the illness of her sister, Mrs. Trevant Williams, who is suffering from pneumonia.

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Miss Bessie White, who has been visiting Miss Shields for some time, returned to her home at Romney Wednesday.

The delegates to the Y. M. C. A. convention at Nashville left Tuesday morning. The party consisted of Larriek, J. H., White, Houser, Stevenson and McMurrin, W. R.

Misses Sallie Wilson and Helen Easley of South Boston, Va., who have been the guests of Miss Janie Spencer for the past two weeks, left yesterday to visit friends in Staunton and other points.

Shenandoah Valley Club Banquet

On the evening of Feb. 21 the boys of the Shenandoah Valley gathered at Granger's Cafe and held the first banquet in the history of their club. As they filed to their respective places around the festal board the V. M. I. orchestra rendered the beautiful strains of "Dixie." Each man proceeded to do justice to the sumptuous supper which had been so carefully prepared by "Squire." The cards had informed us previously that a question of eating would demand our first attention, and though this matter was uppermost, the din of merry laughter, as it spread from table to table, intimated that Shenandoah's jokes were vividly prevalent that night.

When eating had made "full men" and at the same time "all men full," Toastmaster Wisman called for the following toasts:

- To the Valley, C. A. Engle.
 - To Washington and Lee, R. F. Berry.
 - To Shenandoah's Ladies, J. O. Faulkner.
 - To Lexington Ladies, J. H. Howell.
 - To Lexington, J. H. Larriek.
- After the toasts "Shenandoah" was recited in a very attractive manner by D. H. Hill.

We were honored with the presence of Dr. J. W. Kern and Rev. J. O. Knott, both formerly Shenandoah Valley men, who extolled her many virtues to the intense satisfaction of all present.

J. S. MOORE, Secretary.

Season Tickets

During the last week papers have been circulating through college soliciting subscriptions to season tickets. Mr. Toms promises to give us twenty games for \$5.00 provided the students will take between 200 and 250 season tickets. We understand that the students are enrolling their names somewhat slowly, and that, we regret, fellows its time we were bracing up! The managers of our athletic teams, work hard for good schedules. They give us good games and plenty of opportunities of seeing what our teams can do on the diamond and grid-iron. It is up to us to support them. We should be on hand to cheer our team and also to help our manager. Mr. Toms is giving us a bargain—25c. to all such teams as Carlisle Indians, Syracuse and Villa Nova play.

The majority of fellows seem to think that the manager of our football and baseball teams ought to be under so much obligation to the student body for allowing them to "manage" the team that they (the managers) should at the close of the season go down in their pockets for \$50, \$75, or maybe a \$100. Now, fellows, is this right? It is an honor to be the manager of an athletic team of W. & L., but the manager certainly pays for the honor by his faithful services; hence we, the students, should see that he doesn't come out in the hole.

Now, our manager sees that by selling 250 or 300 season tickets he can probably have assurance of enough to come out all right. You are certainly getting your money's worth, and more than that, you are supporting your team and the manager who is doing his best for that team. Put your name down for a season ticket at once if you have not done so already.

"The Early Bird," etc.

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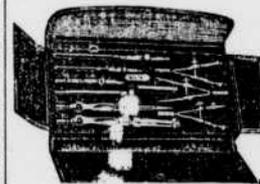
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ORAL DEBATES

MONDAY, MARCH 5, 1906

Question: Resolved, That the committees of the House of Representatives should be elected by ballot.

SPEAKERS

<i>Affirmative.</i>	<i>Negative.</i>
Manly	Pilkington
Turntull	Staples

BRIEF FOR AFFIRMATIVE

I. Disadvantages and evils under present system. A. The enormous power of the speakers. 1. May block not only minority legislation, but, 2, may obstruct the policy of the majority of his own party. a. No redress for this save through arbitration. b. By such opposition speaker may change policy of entire country or stop the entire machinery of government. B. Makes subservience to the speaker's policy more necessary to congressional prominence than public service. 1. Speaker appoints when he pleases. 2. Men of greatest prominence and ability are often not on committees which they are best fitted for.

II. Advantages of proposed system. A. Legislation would be in the hands of the majority. 1. Party caucuser would soon decide its ablest men. 2. In order to advance public and party interests men would be appointed to committees for which they are most capable. B. Committees would be more responsible. 1. They must serve wishes of majority. C. This system would remove the present cut and dried method of legislation and restore lively interest in national questions. a. Speaker would not so easily ignore men whom he disliked. b. Parties would be forced by public responsibility to promote popular measures.

BRIEF FOR NEGATIVE.

I. Change is unnecessary. A. Present system works well. 1. Both parties satisfied. 2. Fair to minority as well as majority. B. Balloting has been tried and proved a failure.

II. Change would be harmful. A. Time wasted. 1. In nominations. 2. Balloting. B. Balloting would mean a strict party vote. 1. Soon become a mere matter of form. 2. Corruption through trading of influence. 3. Deadlock.

III. The speaker is best qualified to choose. A. Familiar with the capacities of the members. B. Generally above the average in ability. 1. More thought devoted to the subject. 2. His reputation at stake. C. New members not capable of making the best choice.

Dr. Stevens will address the Press Club next Thursday at 8 p. m. in the Physical Lecture Room. Subject, "My Experience as an Editor." Let every member of the Club be present.

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