

WON'T CALL SESSION, SAYS MA FERGUSON

By RUSSELL B. PORTER, Continued from Page 1, Column 3.

noon, Carter notified other newspapers that he did not object to its publication because of statements in it that might be libelous. He announced that he would issue a reply tomorrow.

Text of Governor's Letter to Carter.

The text of Governor Ferguson's letter to Mr. Carter was as follows:

"I feel it my duty as Governor to request your resignation as a member of the Board of Directors of the West Texas Technological College. I assure you that this is an unpleasant task which I have carefully considered, and only a strict conception of duty impels my action.

"I am informed that last year in December when the Oil Men's Association met in your city you fitted up a building owned or controlled by you (probably a garage) in the old-fashioned bar-room way, providing a bar with the foot rail and the sawdust on the floor, and behind the bar you had a man dressed in the old-fashioned bartender white apron style.

"To this place I am informed that you invited some two or three hundred guests and to those who came you dispensed drinks that were to say the least stimulating and that you caused to be given away souvenir canes in which there is a hidden vial some 30 inches in length that contained approximately one pint of beverage.

"I have one of those canes in my possession which I am reliably informed came from your place. I am also informed that at said reception given by you many became stimulated and others were under the influence of an invigorating concoction and that you in company with your guests participated in the consumption of the beverage.

Recalls Football Incident.

"You, of course, remember your being in College Station Thanksgiving Day of last week upon the occasion of the annual football contest between A. & M. College and the university.

"If you do not remember, I can inform you that was an imposing meeting of some 25,000 people from all parts of the State and there were thousands of young boys and girls, students and friends of both of these two great institutions, the pride of our State.

"I see from the papers that you admit that many times you cheered for Hon. Dan Moody and the A. and M. team. I can verify that you are correct in this statement, as you were right behind the box that I was occupying, and on two occasions when you gave vent to your vociferous exclamation you were only a few feet from me.

"I believe your statement when you say in one paper that you were not aware of my presence and that you meant no personal discourtesy to me. Your friends who know you best assure me (and I believe them) that when you are in a normal condition you are a courteous gentleman to the manner born, and I attribute your seeming affront to your unusual condition and the influence under which you were laboring at the time.

"In your state it was but natural for you to have been unable to distinguish between a Colonel on my staff, dressed in khaki yellow, and a town policeman, dressed in blue, who, under orders from the local authorities, ejected you from the grounds in the interest of public peace. No member of my staff laid hands on you, as suggested by you in the public press.

"Personally I gladly forget any apparent discourtesy to me, as from my own observation I know you were not responsible at the time. But your actions involve a great principle and a matter of sound public policy which I cannot overlook.

"We have on the statute books a law against the unlawful sale, transportation or possession of intoxicating liquors. Also there is a law against intoxication in public places.

Declares Bad Example Set for Youth.

"It will not be denied that the foundation of our civilization is our educational institutions. In and around these temples of knowledge, from the country school to the college and the university, we seek to teach the rising generation the virtue of morality, sobriety and correct living.

"It is here that the proper precept and example is set, or should be set, before the young boys and girls that will aid them to become good and intelligent citizens. These simple truths are so self-evident that to state them is to prove them.

"If those in charge of the management and direction of our educational institutions shall, by their personal deportment, display those vices that are repugnant to the idea of strict morality and sobriety, then such results in the students of these institutions cannot be expected.

"If, as head of the Board of the West Texas Technological College, you reserve to yourself the right to appear in a public place in the condition you were in at College Station on Thanksgiving Day, then every student who saw you could justify himself or herself for doing the same thing.

"If a student at Tech College should appear on the Lubbock campus as you appeared in College Station, the Faculty would promptly expel such student from the college. And yet in such case the student could plead your case and the example and the precedent set by you in justification.

"If the heads of our institutions cannot practice and preach sobriety, then our hopes for educated citizenship are vain and useless.

"It is with deep regret that I protest against your further occupying a place on the West Texas Technological board. I plead for a better example for our boys and girls. You have set a standard that cannot be tolerated. For the

good of the public service, I emphatically affirm that you should send me your resignation."

Diversion to New Issues Seen.

The latest Ferguson move was regarded here as a clever attempt to shift public attention from the highway scandal and other attacks on the Administration to new issues. It happens that the issues selected—prohibition enforcement and the influence of rich men in politics—are especially important in Texas.

Because of the negro question, public sentiment is overwhelmingly dry. "Ma" has been criticized in the past for undue leniency to bootleggers, whom she has pardoned or paroled. Now she is sending word into the rural districts that she may have been easy on some poor, friendless fellows in the penitentiary, but is going after rich and influential men who violate the prohibition laws.

The Fergusons expect this to win them support in the rural districts, which are especially dry and are thick with "tenant farmers," to whom "Jim" has always appealed in the past against the wealthy landowners.

Pressure is being brought to bear upon legislators from the rural districts to line them up on the Ferguson side of the fence. Four of the sixty-four legislators who signed the petition asking Lee Satterwhite, Speaker of the House of Representatives, to call a special session for "impeachments and investigations," have withdrawn their names.

Impartial observers believe that Satterwhite will hold more than fifty names, the requisite number under the law to permit him to call a special session, but are convinced that the Fergusons will make a hard fight to win more signers over to their side.

"Jim" Holds Forth at Executive Office.

"Ma" avoided newspaper reporters today. She went to the Executive Office this morning, but drove away at noon in her limousine and did not return during the afternoon.

"Jim" was at work in the executive office from early in the morning until late afternoon. He received at least twenty persons during the afternoon, including pro-Ferguson legislators, applicants for pardons and others with business in the executive office.

"Do you want to see the Governor?" the secretary would ask a newcomer in the ante-room.

"I want to see Governor 'Jim,'" was the burden of the answers.

"Jim" was sitting in the Governor's chair at the Governor's desk when he received reporters. He was using language in reference to the anti-Ferguson group that no lady Governor would think of, let alone use. He was especially bitter about the men who have underwritten a \$300,000 fund to pay the expenses of the special session if Satterwhite calls it.

Under the law, as construed by the Attorney General's office, the House has the right to convene itself in special session, but not to pass legislation to pay its expenses during that session. It will have to wait until the Legislature meets in regular session for authorization of the expenses. The \$300,000 fund is to guarantee the expenses pending the regular session.

"Jim" Says Rich Men Back Ouster.

According to "Jim," it is simply a case of a group of rich men paying the expenses of the legislators so that they can impeach "Ma" and get rid of him.

The former Governor vigorously defended the advertising from road contractors in his weekly newspaper, The Ferguson Forum. This advertising has been criticized because it is paid for by persons and business concerns which do business with the State.

"Jim" publishes two full-page advertisements each week. One is headed, "Ferguson Forum Good Roads Campaign," and consists of a long argument for building more highways.

It is signed by twenty-four road contractors in various cities, including Dallas, Houston, San Antonio and Fort Worth. There were twenty-six before Attorney General Dan Moody sued the American Road Company and the Hoffman Construction Company for the return of about \$1,000,000 excess profits from alleged fraudulent highway contracts.

At the bottom of the page is a statement, over the names of the road builders, that the page is part of a series "to promote the building of more good roads," and is "contributed by the undersigned public-spirited citizens, who have at heart the interests of this great State."

The other page is more mysterious. It is headed, "Ferguson Forum's Builders of Texas Campaign," and boasts the development of Texas resources and industries. At the bottom is a statement that the page is contributed by "Builders of Texas," but no names are listed.

Defends Forum's Road Advertising.

In reply to widespread criticism in the Texas newspapers that it was unethical for him to accept advertising from persons doing business with the State, "Jim" said today that he was a private citizen and had a right to undertake any business. He denied that any advertising had been solicited in consideration of State contracts. Some of the advertisers did business with the State and some did not, he said.

Ferguson said that Joe Furst, an advertising solicitor, had come to him with the idea for the "Good Roads" and "Builders of Texas" campaigns, and that Furst received 30 per cent. of the \$250 a week each page brought in. The advertisers took turns in paying the cost of each weekly insertion, and the advertisements were to run throughout the year, he said.

"Jim" announced that he intended to reply to his critics with a full statement of his position in the next issue of The Forum. The latest issue, now being sold here, has the following slogans at the masthead:

"We are agin' high rents."
"We are agin' high interest."
"We are agin' high Texas."
The Forum, according to Ferguson, has a circulation of 28,000 subscribers

at \$2 a year. During election times, he said, it jumps to 75,000. It is chiefly in the rural districts where "Jim" has a solid backing of 100,000 or more Farm-Labor votes which he swings at every election. This backing is called the "flu"—the Farm-Labor Union.

"Don't Care if Jim Steals Capitol."

On the first page this week Jim reprints an editorial from The Terrell Times, published by State Senator J. Roy Hardin. It quotes Terrell citizens as saying:

"I hope Jim Ferguson will steal the Capitol building," and "I don't care if Jim Ferguson steals all the prison farms."

"Even if he steals the Capitol," the editorial goes on, "that will not prove they [those who voted for Ferguson] were wrong when they supported him. Stealing a Capitol is not half as bad as a reign of racial and religious terror."

This illustrates another phase of Ferguson's strategy in appealing directly to the people from the legislators' campaign to impeach "Ma." The Fergusons dealt the Klan what is regarded as a death blow at the last election, when 200,000 Klansmen deserted the Democratic ticket in a vain attempt to help the Republican candidate defeat "Ma."

Despite the animosity against the Fergusons, even their enemies admit that they deserve credit for beating the Klan.

Ferguson's friends are claiming that the "better element" of the State, having used him and "Ma" to get rid of the Klan, are now trying to get rid of the Fergusons. They assert that the anti-Ferguson Democrats had this intention all along, and merely waited for the opportunity for a chance to "get them."

Charge Insincerity on Klan Issue.

Some of Ferguson's enemies accuse him of insincerity in his anti-Klan attitude. They point out that Dewey Ball, a Klansman from Williamson County, was restored to citizenship recently in a proclamation which "Ma" signed especially for him, after he had served nine months in the penitentiary for a particularly brutal flogging crime.

Ball was one of the five "Kluxers" sent to the penitentiary by Attorney General Moody, then District Attorney of Williamson and Travis Counties, for whipping a young traveling salesman because he was a Klansman's rival for a lady's affections. Moody found out that it was planned to restore the citizenship of others, and made such a protest that the plans were dropped.

A hearing in Attorney General Moody's suit against the Hoffman Construction Company, to compel the return of \$351,000 to the State on allegedly fraudulent road contracts, was postponed in the District Court here today until Dec. 16. Counsel for the company applied for the delay because of the illness of G. A. Davission, President of the company. A physician testified that Davission had a relapse after an attack of pneumonia.

George Brady, negro butler at the Governor's mansion, has been arrested on a charge of possessing and trying to sell liquor in Austin. Brady is a murderer who was sentenced to the penitentiary for killing a negro woman in San Antonio some years ago. Former Governor W. P. Hobby paroled him, and he has served as a butler for Governors Hobby, Nef and "Ma" Ferguson.

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WON'T CALL SESSION FOR WOLVES TO RUN, SAYS MA FERGUSON

Declares Foes Would Tear Her Apart and Will Find Out How 'Dumb' and 'Delicate' She Is.

DARES THEM TO ASSEMBLE

And Adds She Will Be There at the Finish—Speaker Then Sets Call for Jan. 4.

DRY EDICT HITS PUBLISHER

Executive Demands His Resignation as College Board Head, Charging Intoxication Before Students.

By RUSSELL B. PORTER,

Staff Correspondent The New York Times.

AUSTIN, Texas, Nov. 30.—Governor Miriam A. Ferguson announced in an interview today that she would not call a special session of the Legislature to investigate the highway scandal in her Administration, as requested by a petition signed by about fifty legislators. She asserted that the legislators, who are seeking to impeach her and drive her husband, "Jim" Ferguson, out of Texas politics, were "wolves" who "want to get her and tear her apart."

Word reached here tonight that Speaker Lee Satterwhite of the House of Representatives, when informed of the Governor's refusal to call a special session of the Legislature, announced his intention to call a special session of the House on Jan. 4. He said he had the proclamation drafted and would issue it officially on Dec. 15.

Speaker Satterwhite is now in his home county, but is expected in Austin soon to confer with other anti-Ferguson leaders. A fund of \$300,000 has been pledged to cover the expenses of the session, the underwriters including William Hogg of Houston and New York, the son of former Governor Hogg.

"Not on Your Life," Says "Ma."

Regarding the proposed session, "Ma" Ferguson made the following statement: "Let them assemble if they want to. Let them start something. I'll still be here at the finish."

"Now, about this special session they want me to call. They tried to camouflage it as an inquiry into the foot and mouth disease and tick eradication."

"They must think I'm a bird. It's my feet, my mouth, and my eradication they want. Some of them call me a dumb-bell. They will soon find out how dumb I am."

"I should call a special session. Well, they want me to authorize my enemies to get together—my enemies as well as Jim's, mind you."

"In spite of all that mush of my being a frail, delicate woman, they will see. I should authorize the State to pay the expenses of those wolves who want to gather here and tear me apart!"

"They want me to throw myself to the wolves. Not on your life! I know them too well. I was born and raised with them. I know them."

"They talk about raising \$300,000. Well, we'll see about that."

Asks College Board Head to Quit.

The Governor's declaration of defiance was preceded today by a move which is expected to carry a strong appeal to the "back country folks" against the men who are trying to impeach "Ma."

In a letter which was signed "Miriam A. Ferguson," but showed "Jim's" political genius, the Governor demanded the resignation of Amon G. Carter as President of the Board of Directors of the Texas Technological College. She intimated that Carter was intoxicated at the football game between the University of Texas and the Texas Aggies at College Station on Thanksgiving Day, and charged that he had set a bad example to college students.

Carter owns The Fort Worth Star-Telegram and is one of the "millionaire publishers" referred to by Governor Ferguson in her remarkable prohibition decree last Saturday, when she offered \$500 reward for the arrest and conviction of any one worth more than \$5,000 for a liquor law violation.

The Fergusons' friends allege that Carter and other wealthy Texans instigated the anti-Ferguson campaign because the Ferguson Administration has not been nice enough to the Texas oil men and other big business enterprises.

Publishing Governor Ferguson's letter in full in his own newspaper this after-

Governor Smith, Wife and Family Recover From

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