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**KICKOFFS AND KICKBACKS:
THE 1951 FOOTBALL SCANDAL AT WILLIAM AND MARY**

A Thesis

Presented to

The Faculty of the Department of History
The College of William and Mary in Virginia

In Partial Fulfillment

Of the Requirements for the Degree of
Masters of Arts

by

Joan Gosnell

1990

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the requirements for the degree of

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ACKNOWLEDGEMENTS

The writer wishes to express her appreciation to Kay Domine, College Archivist, and Jim Oberle, former Assistant Archivist, for their help in finding college records. The author is also indebted to her thesis committee, Mr. Sherman, Mr. Coyner, and Mr. Funigiello, for their guidance and patience.

ABSTRACT

The purpose of this thesis is to examine the events at the College of William and Mary, pertaining to the "football scandal" during 1951. The paper will explore the causes of the scandal, the events of the scandal, and the aftereffects.

After World War II, William and Mary tried to enter "big time" athletics. It was after 1949 and mostly in the spring and summer of 1951 that the majority of abuses by the Athletic Department surfaced. At this time, the Board of Visitors controlled athletic policy through the Athletic Director and by overruling the President John Edwin Pomfret. When notified of the transcript malfeasance, Pomfret moved quickly to stop future tampering, but by not investigating the Vandeweghe-McCray-Wilson triangle sooner, other violations concerning student athletics were left to fester and grow.

These were not discovered until Dean Nelson Marshall began his investigations. After the faculty also investigated, the coaches, Mr. McCray and Mr. Wilson, were offered the option of resigning with dignity. After the coaches did not cooperate, the faculty threatened a second investigation. Stories leaked to the press.

The Board of Visitors read the papers and started their own investigation. They blamed President Pomfret. After he resigned, the faculty publicly stated its views on the college's athletic program. The Board hired a new President without consulting the faculty.

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KICKOFFS AND KICKBACKS:

THE 1951 FOOTBALL SCANDAL AT WILLIAM AND MARY

CHAPTER I

EVENTS BEFORE SUMMER 1951

Resolved that the Board adopts as its athletic policy a program that would produce athletic teams that could compete successfully with other teams in the State of Virginia belonging to the Southern Conference and to such extent as it could be reasonably expected that the College teams would win more games than they lost and that such a program be established on a sound financial basis.¹

This was the athletic policy of the College of William and Mary as recommended by the Athletic Committee of the Board of Visitors and adopted by the Board of Visitors on October 12, 1946. Although this was an official policy statement, it remained unannounced and secret until the tumultuous summer of 1951. It continued as the official athletic policy at William and Mary even after the nine resignations that were a result of the football scandal of that year.²

In examining the events of 1951, two questions should be examined: (1) who controls a college's athletic program?

¹ Board of Visitors Minutes, Board of Visitors Collection, College Archives, Swem Library, College of William and Mary. October 12, 1946, pp. 488-489.

² A new policy was not initiated until May 1952. (Board of Visitors minutes, May 31, 1952, pp. 319-320.)

and (2) how should a college president be selected?

Although this will be the story of one particular event in one particular college, these questions should be asked at any college sponsoring a varsity, intercollegiate athletic team.

Although the College of William and Mary was granted a Royal Charter in 1693, its first football team did not appear until two hundred years later. The first football game featuring a William and Mary team was played against the Norfolk YMCA on November 11, 1893. Norfolk won 16 to 0. A year later, on November 10, 1894, Hampden-Sydney trounced William and Mary 24 to 0 in the college's first intercollegiate football contest.³

At William and Mary, as in most smaller schools, football was a volunteer effort. Coaches were unpaid, and, in fact, they were often other students or recent alumni. The team itself solicited funds from team members, from other students, or occasionally from recent alumni. Most colleges did not contribute any money towards this or any other sport. In 1900, the William and Mary football season expanded to a three game season in which one game was won.⁴

In 1935, Cary Field was opened. The athletic field,

³ Vital Facts of the College of William and Mary, 1983, pp. 2, 17, and 18.

⁴ Christy Walsh, College Football and All-American Review, Culver City: Murray and Gee, Inc., 1949, p. 900.

named for T. Archibald Cary, alumnus, was built as a WPA project. Because there was adequate seating and a good playing field, the opening of Cary Field made big-time football possible.⁵

In 1938, during John Stewart Bryan's presidency, the College of William and Mary hired its first full-time, professional football coach, Carl M. Voyles. In 1939, Voyles became a member of the faculty and the school's athletic director. Voyles came to Williamsburg from Duke University and brought to Williamsburg a group of "Fabulous Freshmen" who put William and Mary on the football map.⁶ When Voyles was interviewed by the college newspaper, the Flat Hat, he stressed that he was not interested in developing big-time football at William and Mary and said, "We want to play games with our natural rivals and hope to break even with them over period of ten years."⁷

Insofar as the Flat Hat was an accurate reflection of their views, most students did not appear to be interested in having big-time football arrive at William and Mary.⁸

⁵ Vital Facts, p. 22.

⁶ Faculty and Alumni Files, College Archives, Swem Library, College of William and Mary, Carl Voyles.

⁷ Flat Hat, College Archives, Swem Library, College of William and Mary, September 19, 1939, 3:7.

⁸ Flat Hat, editorials and articles including: October 10, 1939, 4:1; October 31, 1931, 4:1; December 5, 1939, 4:2; February 13, 1940, 4:2; November 26, 1940, 2:1.

Unfortunately there is no way to verify whether the student paper spoke for a majority. By 1941, the Flat Hat admitted that big-time football had arrived on campus. Student opinion became mixed.⁹ During World War II, football was curtailed. Under Voyles' direction, the coaching staff became a conditioning staff that prepared 500 army men for combat.¹⁰

In early 1942, President Bryan submitted his resignation to the Board of Visitors. The Board set up procedures for the search for a new president.¹¹ At a faculty meeting on May 28, 1942, the faculty petitioned the Board of Visitors to allow them to have a "representative committee" to help in the selection of a new president to succeed Bryan.¹² On June 25, 1942, Channing M. Hall, Chairman of the Selection Committee, wrote the faculty saying that much preliminary work had been done and that the Board would accept a faculty committee. The faculty then named 22 people to a selection committee.¹³ Hall wrote back on July 14, 1942, and

⁹ Flat Hat, editorials and articles including: May 26, 1941, 4:1, November 4, 1941, 3:1; November 18, 1941, 4:3; December 2, 1941, 3:1.

¹⁰ Faculty-Alumni files, Voyles, Carl M. Richmond News Leader clipping, March 24, 1944.

¹¹ Faculty Minutes, College Archives, Swem Library, College of William and Mary, May 28, 1942, p. 64, and July 1, 1942, p. 68.

¹² Faculty Minutes, May 28, 1942, p. 64.

¹³ Faculty Minutes, July 1, 1942, p. 68.

suggested that three would be acceptable. The meetings were held in Richmond.¹⁴

John Edwin Pomfret became the Board of Visitor's top candidate. Pomfret was born in 1898, received his A.B. (1920), A.M. (1922), and Ph.D. (1928) from the University of Pennsylvania. He taught at the University of South Carolina and Princeton, becoming Assistant Dean at Princeton from 1934 to 1936. In 1936, he transferred to Duke University. The next year, he moved to Vanderbilt University as Dean of the Graduate School. Pomfret was a distinguished historian and a respected scholar.¹⁵

During the August 17, 1942, Board of Visitors meeting, several recommendations were read into the record in Pomfret's behalf. One from the Dean at Princeton is an interesting comment: "I understand that he [Pomfret] put through a regulation that seriously and adversely affected the football team, and that, after all, is the acid test."¹⁶ Pomfret's academic and administrative qualities were impeccable.

Pomfret was selected by the Board of Visitors, with

¹⁴ Faculty Minutes, July 21, 1942, p. 68.

¹⁵ Ray A. Billington, The Reinterpretation of Early American History, San Marino, California: The Huntington Library, 1966, Introduction by Allan Nevins, p. 9-23. Who's Who in America, Volume 36, Chicago: Marquis Who's Who, Inc., 1970-71, p. 1810.

¹⁶ Board of Visitors Minutes, August 17, 1942, p. 228.

some input from the faculty. On February 8, 1943, he was formally installed as the College's twenty-first President.¹⁷ In his first report to the Board of Visitors made in March 1943, Pomfret made several recommendations concerning the athletic program. He suggested renewing all contracts with the coaches for one year, with the provision, if regular coaching duties did not materialize, that Pomfret could reassign them. The Board accepted this recommendation.¹⁸

During the war, all athletics were severely curtailed because there were few male students, and the coaches were preparing those students for war. In June 1943, the Board of Visitors Committee on Athletics met. The committee, consisting of Dr. Coleman, Channing Hall, and Judge Oscar L. Shewmake, decided to suspend formal football "unless the Army gave its trainees permission to play." Informal games were, of course, allowed.¹⁹

In February 1944, the Board's Athletic Committee passed a resolution providing that the College resume a modified program of intercollegiate athletics.²⁰ The Board was anxious to get the College back into big-time football.

¹⁷ Vital Facts, p. 22.

¹⁸ Board of Visitors Minutes, March 6, 1943, p. 261-262.

¹⁹ Board of Visitors Minutes, June 4, 1943, p. 280-282.

²⁰ Board of Visitors Minutes, February 12, 1944, p. 314.

There was a reason for this. Vernon Nunn, the college's auditor, fondly remembered the time before the Second World War:

I am confident that if the war had not taken place and the program had continued at the same level they would have liquidated the deficit; since they had reduced it from a large amount. . .to \$75,000.²¹

Nunn predicted that if the school had continued that football program, the athletic department would have operated at a profit within a few seasons. Indeed in the 1946-47 season, the College grossed \$71,639 in gate receipts, and it was estimated that receipts would reach \$99,500 in the 1947-48 season.²²

Almost universally, Voyles was perceived as an asset, not as a threat to William and Mary's reputation. Professor Melville Jones, of the English Department, noted that Voyles could get along with everybody, and although "sinister-looking," he was quite pleasant.²³ There is one anecdote about Voyles that may be useful in assessing the power that football wielded at William and Mary. The Flat Hat reported that before Voyles' arrival in Williamsburg,

²¹ Oral History Collection, College Archives, Swem Library, College of William and Mary. Vernon Nunn, pp. 69-70.

²² Board of Visitors Minutes, October 11, 1947, pp. 57-59. Actual gates receipts were, however, \$56,500 (Board of Visitors Minutes, February 14, 1948, p. 73).

²³ Oral History, William Melville Jones, pp. 51-52.

there were no eight o'clock classes. Voyles, however, lobbied for the early morning classes, reasoning that football players would no longer need to miss practices because of afternoon classes, and the intramural program could be expanded. The Flat Hat added:

Although not entirely in love with the idea (we imagine), the students and the faculty accepted them. Such a change in class policy was a small sacrifice on the part of the college community.²⁴

Football had become an accepted and necessary part of the collegiate experience, according to this Flat Hat article. Voyles became a symbol for successful big-time football as seen by the students, the alumni, and the Board of Visitors. The Board adopted a resolution in 1943 praising Voyles.²⁵

From 1939 to 1944, William and Mary won two state and one Southern Conference football championships, plus state championships in basketball and baseball. When rumors that Voyles planned to leave reached the alumni's and the Board's collective ears, the Visitors authorized President Pomfret to offer Voyles a five-year extended contract. They did this because Voyles' record had "added greatly to the name and prestige of our Alma Mater. . .and it is our unanimous opinion that everything possible should be done to retain

²⁴ Flat Hat, December 29, 1944, 8:5.

²⁵ Board of Visitors Minutes, March 6, 1943, p. 262.

the services of Mr. Voyles."²⁶ Nevertheless, Voyles resigned in 1944 to go to Auburn University, and Reuben N. McCray, his assistant, replaced him.

McCray had been hired as an assistant to Carl Voyles in 1939. Before coming to William and Mary, McCray had played college football, coached college football, and played professional baseball. At William and Mary, he had held the positions of baseball coach, freshman football coach, varsity backfield coach, and varsity basketball coach.²⁷ His most important and influential role under Voyles was as chief recruiter.

J. Wilfred Lambert, the college's registrar, recalled that in his "horseback opinion" McCray was a much better recruiter than coach. McCray was hired with the expectation that he would extend the football team's winning record after the war ended.²⁸ As of September 1944, McCray became both Head Football Coach and Athletic Director.

Immediately after the war, William and Mary had winning seasons in nearly every sport. In large part, this was the consequence of the unusually large number of excellent athletes among the returning veterans. These veterans had

²⁶ Board of Visitors Minutes, June 2, 1944, pp. 344-345.

²⁷ Flat Hat, October 12, 1943, 5:4; April 9, 1944, 5:3; October 11, 1944, 7:5.

²⁸ Oral History, J. Wilfred Lambert, p. 17.

been trained by both Voyles and their military service. In addition, eligibility rules were rather arbitrary. But President Pomfret did not view such success as a reason for expansion. On the contrary, in the spring of 1946, he recommended that the college's post-war athletic program return to the pre-1933 policy of playing small-to-medium liberal arts colleges with unsubsidized athletic programs. In short, Pomfret wanted to return to a time before that of a full-time, professional coach.²⁹

In this he was in direct conflict with the Athletic Committee of the Board of Visitors, which in June 1946, reported on the athletic program and made four major recommendations: 1) the Board should establish and finance an athletic policy; 2) scholarship aid should be continued and even expanded for athletes; 3) a public relations man should be hired for both general collegiate and athletic promotion; and 4) a new contract should be written with Rube McCray for less than \$6,500.³⁰ By October 1946, the Board of Visitors had adopted the aforementioned athletic policy which remained in effect until after 1952. This policy emphasized winning and money-making football.

In the late 1940s, the College of William and Mary had

²⁹ Subject File, College Archives, Swem Library, College of William and Mary, "Athletics--Football--Scandal of 1951," Chronology.

³⁰ Board of Visitors Minutes, June 1, 1946, pp. 470-471.

problems in meeting the eligibility requirements for athletes. The National Collegiate Athletic Association (NCAA) and the Southern Conference set the standards. After the war, both the NCAA and the Southern Conference modified some eligibility rules concerning returning veterans. By July 1948, the old peace-time rules had been restored.

Rules concerning transfer students were complex, ambiguous, and arbitrary. William and Mary was hurt badly in the school year 1946-47 with adverse rulings on Tom Mikula, a football dynamo, and Wray Sherman, a basketball star. In addition, the school was hurt in 1948-49 by the ineligibility of top basketball prospect Sherman Robinson.³¹ Flat Hat sport columnist Bill Greer chastised the Southern Conference and its interpretation of eligibility rules saying:

There was no clear-cut application of the rules in either case and each set a precedent. The decisions handed down this year apparently have been without a thorough understanding of the circumstances, or without an attempt on the part of the committee to obtain an understanding.³²

The student body was kept very well informed on the actions of the Southern Conference and its rulings on eligibility. The students were also briefed on the NCAA

³¹ Flat Hat, February 3, 1948, 4:1; May 11, 1948, 4:1.

³² Flat Hat, February 3, 1948, 4:1. The athletes referred to are Mikula and Sherman.

"Sanity Code" of 1949, but they were unaware of some of the actions of the Board of Visitors concerning the Code.

The Sanity Code as set up by the NCAA in 1949 was an attempt to deprofessionalize the student athlete. The code tried to regulate and oversee the student-athlete's subsidies from his college. The code stipulated that a college could not provide a player with more than his tuition unless his grades (above a B average) could justify an academic scholarship. Student-athletes could hold campus jobs, but they had to be paid at prevailing student wages. A college could provide only one meal a day for the athlete in training. In June 1949, President Pomfret recommended to the Board of Visitors that he sign the code because otherwise "the college would be placed at a great disadvantage in its program of intercollegiate athletics."³³ In brief, the College would be eliminated from the NCAA and be prohibited from playing NCAA teams if he did not sign. The Board concurred, and Pomfret signed.

Several months later, Pomfret reported to the Board of Visitors that the "College is not in compliance with the code in every particular." Specifically, it was violating Article III, Section F: "Compensation of an athlete for employment shall be commensurate with the service

³³ Board of Visitors Minutes, June 4, 1949, p. 113.

rendered."³⁴ The College, like many others in the Southern Conference and possibly throughout the nation, was paying its athletes more than regular students for their on-campus jobs. The job most frequently performed by athletes (or underperformed, judging from campus complaints) was that of dining hall waiters.

Football players comprised the major part of the dining hall waiting staff. Students complained that the tables were not cleared promptly and that workers often did not show up for work--leaving the staff short-handed.³⁵ The Flat Hat reported these criticisms, but it also urged understanding between the students and the athletes saying that the average student should "accept the athletes, not as a privileged few, but as fellow students."³⁶ In fact, in 1949 the Flat Hat believed that the purity code of the NCAA was too stringent. Its columnist believed that if William and Mary agreed to Southern Conference rules, the school would be sufficiently diligent to avoid abuses in the athletic subsidies system.³⁷

In November 1949, registrar Lambert discovered that someone had altered the high school transcripts of a few

³⁴ Board of Visitors Minutes, February 11, 1950, p. 142.

³⁵ Board of Visitors Minutes, September 30, 1950, p. 171.

³⁶ Flat Hat, May 1, 1951, 2:1.

³⁷ Flat Hat, April 19, 1949, 4:1.

athletes. In an interview with Dean of Men John Hocutt, one sophomore student had announced plans for taking an entry level Spanish course. Since Spanish courses were listed on his high school transcript, Hocutt discouraged him from doing this because he could receive no credit for the course. When the student announced that he had never studied Spanish, a chain of inquiry began.³⁸ After writing to the high school and receiving a correct copy of the transcript, Lambert became certain that it had been changed. Four other transcripts were discovered to have been altered. They all shared a consistent flaw in the typed letter "e" because the "little loop in the 'e' was filled in."³⁹ All the transcripts had arrived first in the Department of Physical Education before being transferred to the Registrar's office. A typewriter was discovered with a flawed "e" in the women's athletic office in Blow Gym. The transcripts had come from different high schools in different sections of the country. Grades and class standings were raised, and a suspension was deleted from a transcript.⁴⁰

Only one of the students with altered transcripts stayed

³⁸ Oral History, John Hocutt, pp. 17-19.

³⁹ Oral History, Hocutt, p. 18.

⁴⁰ Faculty Minutes, "Proceedings of the Special Faculty Committee to study allegations of malpractice in the Department of P.E....", pp. 30 and 36.

at William and Mary. By 1949, three had dropped out because of poor grades, one was suspended, and the last one was on academic warning. Both Lambert and Marshall agreed that the students had not known about the alterations.⁴¹ In his statement recorded in his oral history, Hocutt said that the students' academic failures proved that "you can't prepare someone for college by altering his transcripts."⁴²

President Pomfret took immediate action when informed about these irregularities and ordered that all transcripts were to be sent directly to the Registrar. McCray professed no knowledge of the situation and intimated that Al Vandeweghe, an Assistant Coach, was responsible. Vandeweghe's dismissal was accepted at this time on the basis of poor coaching "without the unpleasantness of an investigation."⁴³

⁴¹ Board of Visitors Minutes, August 15, 1951, p. 230.

⁴² Oral History, Hocutt, p. 19.

⁴³ Subject Files, "Athletics...", Nelson Marshall file, Exhibit D, pp. 1-2 and Faculty Minutes, "Proceedings...", p. 30.

CHAPTER II

THE INVESTIGATIONS

With the dismissal of the alleged guilty person and the new regulation concerning the treatment of transcripts, the difficulties appeared over. In October 1949, McCray was given a five-year contract as football coach at the college and a place on the faculty for life.¹ This job security was rumored by sportswriters as taking away some of the pressure to always have a winning team.²

The chairman of the Faculty Committee on Athletics from 1943 to 1949 had been Sharvey Umbeck, who was also Dean of the College and tennis coach. During these years the tennis team at the College were national champions. Umbeck agreed fully with the Board of Visitors' pro-athletic policy.³ When Umbeck left the College in 1949, Nelson Marshall, became Dean of the College, and, in the fall of 1950, Chairman of the Faculty Committee on Athletics. Previously,

¹ Flat Hat, September 19, 1950, 5:1-2. Subject file, "Athletics...", Chronology, p. 1.

² Subject file, "Athletics...", Chronology, p. 1.

³ Oral History, Harold L. Fowler, p. 25.

he had been at the Virginia Fisheries Laboratory.⁴ The Faculty Committee on Athletics and Nelson Marshall were aware of the College's violations of the NCAA Sanity Code. The Board of Visitors' resolution in February 1950 recommended that William and Mary continue its membership with NCAA, "notwithstanding the fact that adherence to the College policy may in the future constitute non-compliance with the code as it now stands." It also added in the same report its knowledge that the Sanity Code might be revised in the future and, if that were to happen, that the college "should study its position with respect to the code and reconsider its future course."⁵

In Marshall's first report to President Pomfret on the academic session 1949-1950, written in spring 1950, he stated that the Faculty Committee on Athletics was "restricted to making minor recommendations, checking eligibilities and approving letter awards."⁶ In addition, Marshall took a strong stand against the athletic program. He cited specifics about "deals" to athletes to keep eligibility. The "deals" were that freshman athletes, who

⁴ Faculty and Alumni Files, Nelson Marshall.

⁵ Board of Visitors Minutes, February 11, 1950, p. 142.

⁶ Subject File, "Athletics...", Nelson Marshall file, Exhibit A, (Primary Recommendations in "Annual Report of the Dean of the College. . . for the Academic Session 1949-1950), p. 3.

were failing requirements, could take upper-level physical education courses. Since they would receive A's and B's from those courses, they were able to continue as students.

Another problem that Marshall cited concerned the distribution of financial aid to athletes. Athletes had different standards from those of regular students. Marshall also commented on the inability of the faculty committee to take "even an advisory role." He recommended that "we re-establish reasonable and effective controls without delay and without the compromises that will lead us on the downhill trail again."⁷ His pleas would be ignored.

In spring 1950, under Marshall's leadership, the Faculty Committee on Athletics recommended to the president and the faculty that its chairman be authorized to cast votes at NCAA meetings in the absence of the president.

The Visitors Committee on Athletics strongly disagreed and declared that it would be "in the best interests of the College" for the Athletic Director to be so authorized. In June 1950, Harold Ramsey, of the Board of Visitors Athletics Committee, made a report to Oscar L. Shewmake, Rector of the Board. He had two recommendations: (1) athletic policy should be made by the president, the athletic director, and the Athletic Committee of the Board of Visitors, with the approval from the complete Board, and more significantly,

⁷ Subject file, "Athletics...", Nelson Marshall file, Exhibit A, p. 4.

(2) the Faculty Committee on Athletics should not be a policy-making body.⁸

At the September 1950 meeting of the Board of Visitors, the Board's Athletic Committee recommended that the Faculty's Committee on Athletics be revamped. The Board suggested that Dr. George Oliver, professor of Education, be appointed to replace Marshall because "This committee believes the Faculty Committee on Athletics should consist of men who are interested in athletics and at the same time willing to cooperate fully with the athletic authorities." The Board understood that the annual revamping of the Faculty Committee on Athletics was to take place and that Oliver would soon be in place. "The Committee intends to convey to the Board that it is imperative that the Faculty Committee on Athletics be interested in the advancement of the athletic program and not the curtailment thereof." The Board Committee concluded its report by adding that with the "active participation" of the Visitor's Committee in the "many athletic problems...and with the cooperation of the officials of the Athletic Department a healthy and sound program will result."⁹ The Board of Visitors would not relinquish its hold on the Athletic program at the College

⁸ Board of Visitors, Rector's Files, "W&M College Correspondence 1947-1950." Harold Ramsey to Oscar L. Shewmake, June 7, 1950.

⁹ Board of Visitors Minutes, September 30, 1950, pp. 173-175.

of William and Mary in any way.

Nelson Marshall resigned from the Faculty Committee on Athletics shortly after the Board of Visitor's meeting. He had served only one year. He gave several reasons including that there were other committees that he felt he would serve more effectively. He resigned, too, because "In serving on it one had the strange feeling of merely existing to give a respectable and acceptable look to policy that was decided elsewhere."¹⁰ Marshall also knew that although there was a very active and powerful Board of Visitor's committee on Athletics, there was no such committee on academic affairs.¹¹

The new chairman of the faculty committee on athletics was Professor Oliver. Other members were Sociology Professor Wayne Kernodle and Dean of Men John Hocutt. Charles Duke, the Bursar, and Rube McCray, the Athletic Director, served on the committee ex officio.

In a November issue of the Flat Hat, Dick Sayford, one of the student sports writers, discussed the Athletic Association's treatment of professional sports writers. For away games, radio and newspaper sports reporters took a charter plane to the game and were "entertained rather nicely" with the Athletic Association "picking up the

¹⁰ Subject file, "Athletics...", Nelson Marshall file, Exhibit D, p. 4.

¹¹ Ibid., and Alumni Gazette, September 1951, p. 8.

several thousand dollar a year tab."¹² He added that he understood the need for good publicity, but he was upset that the College newspaper was not allowed a seat. The college writer must rely on outside newspapers for their information:

Apparently, it is of primary importance to the Athletic Association that outside readers in those communities, including influential alumni, receive detailed action and eyewitness stories of our away games, while the William and Mary student body and the College newspaper are completely bypassed. . . ."¹³

At the November 14, 1950, faculty meeting, there was considerable discussion about the effect of athletic schedules on academics. A special committee was formed, consisting of the Athletic Committee and two other professors.¹⁴ The faculty's actions were reported in the Flat Hat by Hugh DeSamper. "We imagine the professors weren't the only unhappy ones," he wrote. "Students get sort of sad when a continuity of unavoidable class absences pile up. It makes it rather tough to catch up sometimes."¹⁵

This special committee collected data from November 1950 until May 1951 when it presented a report.¹⁶ Its eight

¹² Flat Hat, November 7, 1950, 5:4.

¹³ Ibid.

¹⁴ Faculty Minutes, November 14, 1950, p. 4.

¹⁵ Flat Hat, December 12, 1950, 8:1.

¹⁶ Faculty Minutes, May 8, 1951, Appendix 4, pp. 6-8.

recommendations included decreasing the number of games in the minor sports (golf, tennis, and cross-country); scheduling as few games as possible during classes or the reading period; requiring all individuals wanting to participate in all-star games to receive permission from the Faculty Committee on Athletics; and providing the Faculty Committee on Athletics with game schedules before publication.

Just before the faculty issued that report, Dean Marshall wrote a three-page letter on April 20, 1951 to President Pomfret describing his concerns that "the present administration of our intercollegiate athletic program is dishonest, unethical and seriously lacking in responsibility to the academic standards of William and Mary."¹⁷ In this same letter, he offered to resign as dean. Although Pomfret did not accept it, he agreed "in subsequent discussions that the matter should be looked into and, also, if possible that specific cases indicating a lack of standards should be presented."¹⁸

Marshall then began an investigation of the athletic department. After beginning the probe, Basketball Coach

¹⁷ Faculty Minutes, "Proceedings of Special Faculty Committee Elected to study allegations of malpractice in the Department of Physical Education for Men, Summer of 1951," pp. 22-24. The letter is from Nelson Marshall to John Edwin Pomfret and is dated April 20, 1950.

¹⁸ Subject File, "Athletics...", Nelson Marshall file, Exhibit D, p. 5.

Barney Wilson came to him to ask what was going on. Marshall told him about the rumors and his need to find the facts. The two then went to play a game of handball.¹⁹

A few days later, at a meeting discussing the investigation Marshall "clearly stated then to Mr. McCray that there was cause for me to distrust him and that I must. . . proceed." McCray indicated that Marshall should proceed. Pomfret also agreed.²⁰

At the next Board of Visitors meeting on May 26, McCray was promoted from associate professor to full professor. Curiously, Pomfret had recommended the promotion without mentioning to any member of the board that Marshall was investigating McCray and the Department of Physical Education for men.²¹

On June 10, the president of the student body and the president of the senior class wrote a joint letter to Pomfret decrying William and Mary's "unhealthy" emphasis on athletics. They stated that a survey of the members of student body, who were "close to the pulse of the members of their class," revealed that the athletics program was expanding "too rapidly" for the college. Many student leaders indicated that most students wanted William and

¹⁹ Board of Visitors Minutes, August 15, 1951, p. 216.

²⁰ Ibid.

²¹ Board of Visitors Minutes, May 26, 1951, p. 205.

Mary "to avoid competition with schools obviously much better."²²

On June 11, Marshall submitted his report to Pomfret. In it he cited examples of "dishonesty and a lack of ethical standards in the administration of our physical education department." Marshall noted that these issues would probably be reviewed by the Board of Visitors. He also wrote that "It is extremely significant that the few items presented do not begin to represent the many people who have complained of first-hand experiences...." Marshall observed that current students could not divulge information because they were afraid for their future grades and athletic scholarships. Graduating seniors needed good recommendations from the Department to start their careers. Beginning instructors, too, did not speak out freely because they were afraid of losing their jobs. Marshall concluded by noting, "In all, this constitutes one of the tightest conceivable monopolies in which dishonesty can readily flourish if not checked."²³ Marshall noted that McCray and Wilson were aware that he was assembling this information, and he sent them a copy of the report.

²² A.D. Chandler, Presidential Papers, College Archives, Swem Library, College of William and Mary. "Men's Athletics, 1951," James Kelly and James Rehlaender to John Edwin Pomfret, June 10, 1951.

²³ Faculty Minutes, "Proceedings," p. 20. Nelson Marshall to John Edwin Pomfret, June 11, 1951.

Marshall cited nine examples of unethical conduct:

The first case involved the granting of unearned credit during the summer session of 1949. In all, the student earned six class credits while working in New Jersey.²⁴

The second case reported on a student who earned two credits during the summer session of 1950. He had been home in Pennsylvania that summer.²⁵

The third case concerned a student who was given an A for a course taught by Al Vandeweghe during the fall semester of 1949-50. Grades were routinely submitted to the Athletic Department which transmitted them to the Registrar, J. Wilfred Lambert. According to Vandeweghe, this student had actually earned a B for the course.²⁶

The fourth example cited the activities of Coach and Associate Professor L. J. Hoitsma during the spring semester of 1949-50. He was actively encouraged to upgrade a student's grade from a C to a B because of the "need for quality credit to bolster this student's overall academic record." Mr. Hoitsma did so, even though he felt uneasy. He felt, however, that he must share the responsibility for the grade change with Mr. McCray.²⁷

²⁴ Faculty Minutes, "Proceedings," p. 25.

²⁵ Faculty Minutes, "Proceedings," p. 26.

²⁶ Faculty Minutes, "Proceedings," p. 27.

²⁷ Faculty Minutes, "Proceedings," p. 28.

The fifth case involved the alteration of a transcript that was sent to Lynchburg College. When Dean Fred Helsabeck, of Lynchburg College, received this transcript, he noticed that it seemed odd. After he requested a second transcript, he saw that the first one had been tampered with. A note that the student had been required to withdraw because of the violation of the Honor Code had been crossed out. McCray denied tampering with the transcript.²⁸

The sixth case cited the tampering of the high school transcripts in 1949. Marshall admitted that he now believed that Al Vandeweghe had been dismissed unjustly and had had nothing to do with the altered transcripts.²⁹

The seventh case involved a violation of the Honor Code. During the spring of 1951, a student testified that McCray had covered for him concerning a car that he had brought to campus. McCray denied knowing about the car to Dean Hocutt when Hocutt confronted McCray about student automobile regulations.³⁰

The eighth case involved the general atmosphere in the Department of Physical Education concerning the Honor Code. Marshall noted that although this was just a matter of opinion:

²⁸ Faculty Minutes, "Proceedings," p. 29.

²⁹ Faculty Minutes, "Proceedings," p. 30.

³⁰ Faculty Minutes, "Proceedings," p. 31.

there is a serious undermining influence affecting the honor system and issuing from the Physical Education and Athletic Association group. This was brought to my attention by the students in a discussion started at the February meeting of the faculty-student General Cooperative Committee.³¹

The final case concerned a student who received credit for two courses in 1949-1950 for which there were no classes. Basketball Coach Wilson administered only a final exam that consisted of "nothing but some common sense questions."³²

These nine cases can be classified into four categories. Three were the awarding of credit to students who did not take classes. One was grade influencing. Three involved the alteration of grades or transcripts. Two involved violations of the Honor Code. All involved academic integrity and were a serious threat to the accreditation of the college.

The cases having to do with honor code violations were serious, too, because of the College's long history with the honor code. William and Mary had had an honor code since 1779.³³ The code was seen as sacred, and McCray's flouting of it and lying to faculty members was especially troubling.

³¹ Faculty Minutes, "Proceedings," p. 32.

³² Faculty Minutes, "Proceedings," p. 33.

³³ Subject File, "Honor System."

On June 27, 1951, Professors Dudley Woodbridge, James Miller, and William Guy met with Pomfret to discuss the faculty's concerns about the rumors circulating about the athletic department. In following procedures of accredited institutions, Pomfret called a special meeting of the faculty for July 3, at 4 p.m.³⁴

On June 29, Marshall documented four more cases of athletic department dishonesty. Three students worked for the Department of Physical Education in the supply room for more than the student maximum hours, received no pay, but instead received credits for an upper level course. In fact, signed work records indicated that one student worked in the supply room while he was playing "away" basketball games in New York City, Washington, and Durham, N.C. Marshall could not determine where the pay had gone. Coach Wilson, however, had signed all the work records.

The final case was perhaps the most unpleasant. One student, the only female student involved, was coerced by Wilson to exaggerate her work records. The amount above what she earned was given to Wilson. His explanation was that it would be used to buy books for athletes. She, incidentally, was on the Board of the Women's Honor Council.³⁵

³⁴ Board of Visitors Minutes, August 15, 1951, p. 216.

³⁵ Faculty Minutes, "Proceedings," p. 34-35.

So the category totals were: six awarding credit for non-courses; one influencing of grades; three alterations of transcripts or grades; and five violations of the honor code. This total is higher than the total of cases because some of the cases involved more than one unethical practice.

The special meeting of the faculty met on July 3 for a half hour.³⁶ The faculty was brought up to date on the general findings of Marshall's investigations. In accordance with the American Association of University Professors 1940 Statement of Principles on Academic Freedom and Tenure, the faculty formed a committee to investigate the allegations of unethical practices by McCray and Wilson. Their findings would then be brought to the president and then to the attention of the Board of Visitors. The elected committee consisted of Chairman Richard H. Morton, Professor of History; C. Harper Anderson, Assistant Professor of Jurisprudence; Jess H. Jackson, Professor of English; W. Melville Jones, Associate Professor of English; and Stanley Williams, Professor of Psychology. The faculty was scheduled to meet the next day with Pomfret.

In June 1951, four former secretaries came forward with the information that McCray had altered the transcripts.³⁷ One secretary had even left her job and Williamsburg because

³⁶ Faculty Minutes, July 3, 1951.

³⁷ Board of Visitors Minutes, August 15, 1951, p. 216.

of her disappointment that nothing had been done to remedy the situation. Although some sources insist that it was basketball coach Barney Wilson who did the actual tampering under McCray's direction, McCray has been identified by most as the person changing the transcripts.³⁸

On July 3, Walter E. Hoffman, who was McCray's counsel and a member of the Norfolk Bar, and several influential Norfolk alumni called upon Pomfret in the late afternoon. Hoffman recommended that McCray be allowed to resign on February 1, 1952, and that he be relieved of all teaching duties as a result of separating the Athletic Association from the Department of Physical Education. Hoffman stated that McCray would cooperate with the College in the matter of the investigation of unearned credits.³⁹

The faculty committee met with Dr. Pomfret the next day. Pomfret discussed two options with the group and showed drafts of two letters. The first option consisted of a letter to McCray telling him that a special faculty committee would be investigating the allegations. It informed McCray that Pomfret had informed the Rector of the Board of Visitors that these procedures had been started.

³⁸ Subject File, "Athletics--Scandal...", Nelson Marshall, Exhibit D, p. 6 and Oral History, Harold L. Fowler, p. 26.

³⁹ Faculty Minutes, "Proceedings," p. 2.

Pomfret noted, "If you feel that you cannot defend your conduct...it is my personal belief that you should give serious thought to resigning...."⁴⁰

The second option was a letter outlining the suggestions of Hoffman, the Norfolk attorney.

Pomfret was planning to offer McCray a choice between defending himself against the allegations of academic malpractices before the special faculty committee or resigning under the terms of the compromise. Pomfret made it clear that he would offer the second option to McCray only if the faculty committee approved of such a compromise.

The committee decided not to represent the faculty as a formal committee per se, but to advise Pomfret as individuals. In considering an approval or disapproval of the compromise, they had four concerns: 1) would the compromise satisfy the accrediting agencies? 2) would the compromise satisfy Marshall? 3) would McCray make no athletic commitments beyond June 1952? and 4) would McCray cooperate fully with the Committee on Degrees to clear up any resulting confusion?⁴¹

Since the College had acted to clear up the academic irregularities, the committee believed that the accrediting

⁴⁰ A.D. Chandler Presidential Papers, John Pomfret to Ruben McCray, July 3, 1951.

⁴¹ Subject File, "Athletics...", Nelson Marshall file, Exhibit D., p. 6

agencies would be satisfied. It is not clear, in retrospect, that this would have been the case.⁴² Persuading Marshall to accept the terms of the compromise was more difficult. Later he reported during his report to the Board of Directors:

Admittedly, I am among those who acquiesced rather than enthused over the action taken. I could not believe that these two men, who were continuing to deny certain facts that were so well established by other evidence, could be trusted anew.⁴³

Marshall did, however, recognize that he might have been a bit harsh.⁴⁴ When he consulted with Professors Miller, Guy, and Woodbridge, two of them strongly urged him to accept the compromise because it was "best for the college."⁴⁵ Marshall reluctantly agreed.

The third concern reflected the group's fear that McCray might continue to influence the athletic program. By not allowing him to schedule anything beyond June 1952, they were effectively curtailing big-time football--because games were scheduled that far in advance.

In his presentation to the Board of Visitors on August 15, Pomfret said that during the proceedings he was trying to protect the integrity and the reputation of the College.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Faculty Minutes, "Proceedings," p. 6.

The compromise resignation was also an opportunity to give McCray time to find another position and "save his family from embarrassment and undue hardship."⁴⁶ More importantly, Pomfret said, "there is ample precedent for tempering justice with mercy."⁴⁷

If Pomfret had a fatal flaw it was this "tempering justice with mercy." One observer noted:

If Pomfret had stood up on his hind legs and shouted that he was against sin, that his subordinates had bamboozled him, and that he was going to drive the guilty ones out of the profession, he could have attracted national attention and become the most famous college president of the year, since the country was at that time sensitized by the West Point basketball scandals and others. Thus he would have had an audience and his stand would have been unassailable as a spokesman for outraged virtue, horrified to find sin in his backyard.

Jack refused that position, in large part, I am sure, because he felt that if the college could be spared this self-righteous revelation of sin, this was best for the institution.⁴⁸

In fact, in retrospect, even Marshall reflected that although the athletic mess was cleaned up, it had heavy repercussions for the college. In a much later interview, Marshall said, "Pomfret may have been a much wiser man than

⁴⁶ Ibid., p. 2.

⁴⁷ Board of Visitors Minutes, August 15, 1951, p. 218.

⁴⁸ Ray A. Billington, The Reinterpretation of Early American History, San Marino, California: The Huntington Library, 1966, Introduction by Allan Nevins, p. 22.

I am. I don't think it should be overlooked."⁴⁹

In any event, the faculty committee approved the compromise because "it both feared that the proposed solution would not satisfied, and doubted that a better could be found."⁵⁰

On July 5, Pomfret informed the faculty committee that McCray had been presented with both letters--the choice of investigation or the choice of a February resignation. McCray requested two days in which to make a decision.⁵¹

On July 6, Marshall wrote a letter to Al Vandeweghe absolving him of guilt in altering high school transcripts in 1949. Vandeweghe had met with Pomfret and Marshall in late June, and they had told him that a letter would be written. Marshall's July 6 letter confirmed this. McCray knew that such a letter would be written.⁵²

On July 7, McCray tendered his resignation effective Feb. 1, 1952. On that same day, Pomfret responded to Wilson's request that Wilson be afforded the same compromise resignation as McCray. Wilson, too, wrote a resignation letter.

Later that morning, the faculty committee met with

⁴⁹ Oral History, Nelson Marshall, p. 12.

⁵⁰ Faculty Minutes, "Proceedings," p. 6.

⁵¹ Faculty Minutes, "Proceedings," p. 6.

⁵² Subject File, "Athletics...", Nelson Marshall file, Exhibit D, p. 2.

Pomfret. Because of the two resignations, they decided not to proceed further in their investigation of the academic irregularities. The committee noted, however, that "should this solution not provide a complete settlement of either case, this Committee would feel obligated to proceed immediately with investigations and hearing for which it was elected." The committee also summed up that the disposition of the cases was "the best that can be made."⁵³

At 2 p.m., on July 7, the entire faculty met. Pomfret announced that the two men charged "with academic malpractice will sever the connections with the College through resignations after a reasonable period."⁵⁴ The faculty was requested to keep all proceedings extremely confidential.⁵⁵

The Rector of the Board of Visitors had been advised on July 7 about all of the happenings and received carbon copies of the resignations on July 16.⁵⁶ Later, the Rector of the Board of Visitors said, "I thought at one time of bringing the matter to the attention of the Executive Committee [of the Board of Visitors] and then decided

⁵³ Faculty Minutes, "Proceedings," pp. 7-9.

⁵⁴ Board of Visitors Minutes, August 15, 1951, p. 217.

⁵⁵ Faculty Minutes, "Proceedings," p. 2.

⁵⁶ Board of Visitors Minutes, August 15, 1951, p. 217 and September 8, 1951, p. 232.

against that.⁵⁷

Later that day, Pomfret announced to the press the separation of the Athletic Department from the Department of Physical Education. All coaching and teaching functions were separated.⁵⁸

At this point, the 1951 athletic scandal should have ended. McCray and Wilson were scheduled to resign on February 1, 1952 and March 1, 1952, respectively. The faculty had been assured that the College's accreditation was safe. The best had been made of a bad situation. Pomfret had made sure that justice was tempered with mercy. But it was not going to happen that way.

⁵⁷ Ibid, p. 215.

⁵⁸ Board of Visitors Minutes, August 15, 1951, p. 217.

CHAPTER III

THE BOARD OF VISITORS MEETS

Following Pomfret's announcement, the press began to speculate about why the Athletic and Physical Education departments had been separated. On July 10, the Norfolk Ledger Dispatch broke a story that McCray would resign at the end of the 1951-52 season. The next day, the Richmond Times Dispatch reported that McCray said that he would not resign, "I intend to remain at my post for some time to come."¹ Press rumors continued.

On July 24, Pomfret reprimanded McCray for talking to the press. Pomfret told him that all "announcements... would be released only through the president."²

After the faculty meeting on July 7, Marshall ceased his investigations of the academic malpractices. He noted, "I was fed up and glad that they [inquiries] could be set aside. Other work was piled on my desk."³ One of the

¹ Faculty Minutes, "Proceedings," p. 10.

² Faculty Minutes, "Proceedings," p. 11.

³ Subject File, "Athletics...", Nelson Marshall file, Exhibit D, p. 6.

student's cases involving Wilson, however, had not been documented, and Pomfret asked that this be done for the record. Pomfret and Marshall also discussed how to clarify the records of students who had unearned credits. On July 30, Marshall wrote to McCray to clear up the records.

McCray's answers on August 4 did not satisfy Marshall. In fact, Marshall saw some facts at variance with what he knew to be true. Marshall believed that he could not "take McCray's report to the Committee on Degrees as a basis for correcting our records."⁴ When Marshall replied to McCray on August 7, he said this and referred the matter to the president and to the special faculty committee.

The committee met on August 10 and "after careful consideration," the faculty committee concluded that McCray was not fulfilling his pledge to cooperate fully with the Committee.⁵ The committee wrote to Pomfret, who was then on vacation in Cape May, N.J., saying, "In at least one instance the reply is such as to indicate that Mr. McCray is not cooperating with the Officers of the College in the manner agreed upon by his letter of resignation."⁶ The letter concluded that the committee felt that it must reopen the investigation.

⁴ Board of Visitors Minutes, August 15, 1951, p. 218.

⁵ Faculty Minutes, "Proceedings," p. 13.

⁶ Faculty Minutes, "Proceedings," p. 12.

On August 7, Rector Oscar Shewmake called for an unscheduled Board of Visitors meeting, noting that "matters came to my attention which made the matter appear far more serious."⁷ Shewmake had probably heard the sports writers' rumors. He called for the meeting for August 15.

Judge Oscar L. Shewmake (1882-1963) had a long history with the College of William and Mary. He was a student from 1899 to 1904, and was Dean of Economics and Law and Professor of Constitutional History from 1921 to 1923. Shewmake was a Board of Visitors member from 1919 to 1921 and from 1940 to 1952. He was Rector of the Board of Visitors during the tumultuous years of 1950 to 1952.⁸

While a student, Shewmake had been captain of the football team. He was involved in athletics during his tenure as Dean. In a letter to President J.A.C. Chandler in 1922, he and several others had discussed the athletic program and argued against hiring a coach for \$10,000 a year.⁹ During most of his years on the Board during the 1940s, he was on the Athletic Committee.¹⁰ Many of the

⁷ Board of Visitors Minutes, August 15, 1951, p. 215.

⁸ Faculty and Alumni Files, Oscar L. Shewmake.

⁹ J.A.C. Chandler, Presidential Files, College Archives, Swem Library, College of William and Mary, "Shewmake, O.L., 1920-22" folder, Oscar L. Shewmake to J.A.C. Chandler, February 11, 1922.

¹⁰ Board of Visitors Minutes, 1940-1952.

faculty distrusted Shewmake and the Board as a whole.

"There was a great bitterness and disillusionment and lack of respect for the Board, not only Shewmake, but some of the other characters who were on the Board then."¹¹

The Board was strongly pro-athletics--except perhaps one or two members. Board member John Garland Pollard felt that pro-athletics was "not a policy--but an attitude."¹²

On or about August 7, Vandeweghe talked to Pete Franklin, a reporter for the Newport News Times Herald, about his letter from Marshall. Franklin was a personal friend. Somehow, Chauncey Durden of the Richmond Times Dispatch also saw the letter and called Marshall on August 9. Marshall asked him not to print the story for at least a few days--until he could speak with Vandeweghe.¹³

The next evening (August 10) Marshall and Vandeweghe met on the "much talked about" boat ride across the Chesapeake Bay. Vandeweghe was on his way to Salisbury, Maryland. Marshall was with the Virginia Society of Ornithologists on a trip to Cobb Island. During this trip, Vandeweghe admitted that he had been working on a story with Pete Franklin, but he would not release it if he got a fair

¹¹ Oral History, Harold J. Fowler, p. 31.

¹² Oral History, John Garland Pollard, p. 7.

¹³ Subject File, "Athletics...", Nelson Marshall file, Exhibit D, p. 3.

hearing from the upcoming Board of Visitors meeting.¹⁴

Unknown to Marshall and Vandeweghe, McCray and Wilson traveled to Cape May Point earlier that day and submitted their resignations to Pomfret personally. On August 11, McCray and Wilson read their letters of resignations to several members of the press. Marshall also learned about these resignations from the College's Public Relations Officer when he arrived home from his trip later that same day.¹⁵

In their report about the scandal, the special faculty committee conjectured as to why McCray and Wilson resigned. They came up with four possible reasons: 1) the announcement of the forthcoming August 15 Board of Visitors meeting, 2) Marshall's questioning of McCray's integrity and lack of cooperation with the degree committee, 3) the special faculty committee's threats to resume its investigation, and 4) the publicity, including the rumors about Vandeweghe's letter which would have pressured the coaches.¹⁶

On August 12, the Newport News Times Herald published an article about the trouble brewing at William and Mary. It included the Vandeweghe letter. The New York Times

¹⁴ Subject File, "Athletics...", Nelson Marshall file, Exhibit D, p. 3.

¹⁵ Subject File, "Athletics...", Nelson Marshall file, Exhibit D, p. 3.

¹⁶ Faculty Minutes, "Proceedings," p. 14.

picked up the story. Both Pomfret and Marshall were out of town and unavailable for comment.¹⁷

Pomfret, however, phoned Marshall on August 12 and 13 to discuss the content of the release that he was preparing for the press on his trip home on August 13.¹⁸ He said, in part, that the coaches had resigned effective August 10:

Mr. McCray and Mr. Wilson, who were questioned regarding alleged academic irregularities, were afforded the opportunity of a hearing by a special committee of the Faculty. They declined a hearing, deciding instead to resign."¹⁹

On August 15, the Board of Visitors convened at 11 a.m. at the Hotel Rueger in Richmond, Virginia. Present at that meeting were nine out of eleven members of the Board of Visitors and President Pomfret. McCray, Wilson, Vandeweghe, Marshall, and Morton waited in the anteroom outside of the meeting. Shewmake opened the meeting with a prepared statement, which had been released to the press before the meeting. The Board of Visitors wanted to find answers to these questions:

- 1) What irregularities, if any, have occurred and their full nature and extent;
- 2) When did such irregularities occur;

¹⁷ Subject File, "Athletics...", p. 3.

¹⁸ Subject File, "Athletics...", Nelson Marshall file, Exhibit D, p. 8.

¹⁹ Faculty Minutes, "Proceedings," p. 16.

- 3) When were they discovered, under what circumstances and by whom;
- 4) When did they come to the knowledge of the administrative officers of the College;
- 5) What, if anything, was done about them.²⁰

Shewmake was not happy about having to release a statement to the press and stated that this investigation should not have been necessary, "if the matters had been handled more positively and more promptly and with greater tact."²¹ Dr. Ware moved, and Mr. Foreman seconded that all of the information regarding the Board's findings be given to the press by the Rector only. The motion carried unanimously.

Shewmake brought the Board up-to-date on the resignations of McCray and Wilson. Shewmake mentioned that although Pomfret had accepted the resignations of the coaches, the Board should formally accept them. Foreman moved, and Bauserman seconded that the formal acceptance of the resignations be postponed until "a later hour during this meeting, after the Board was in possession of greater knowledge of the facts and circumstances surrounding those matters."²² Shewmake then called Pomfret to give his report.

Pomfret outlined the happenings since April. He noted

²⁰ Board of Visitors Minutes, August 15, 1951, p. 215.

²¹ Ibid.

²² Ibid.

that Marshall had been concerned about standards in the administration of the men's physical education department, and that as a result he (Pomfret) had encouraged a fuller investigation. On June 11, Marshall reported the various allegations of admission and transcript tamperings and granting of unearned credits. On June 29, Marshall reported on various other "ethical" cases. On June 27, Professors Woodbridge, Miller and Guy had come to Pomfret regarding rumors and suggested that a faculty meeting be convened. On July 3, a meeting had been held, and McCray and Wilson were formally informed about the pending committee activities. On July 7, McCray and Wilson had written their "conditional" resignations, and the faculty was informed. On August 10, McCray and Wilson formally had submitted letters of resignation.

Pomfret continued, stating that it was the goal of the college's investigation "to remedy a situation that was impairing the academic standards of the College."²³ He said that he did not immediately announce the coaches' resignations because he wanted to give them time to find other positions. He added, "there is ample precedent for tempering justice with mercy."²⁴

Pomfret concluded with several recommendations. The

²³ Board of Visitors Minutes, August 15, 1951, p. 218.

²⁴ Ibid.

first was that "the Board approve the efforts of the administration and the Faculty to maintain the academic standards of the College."²⁵ The second was to reiterate the Board's policy of "maintaining football competition on a level of Big Six and play out-of-state teams of a comparable level."²⁶ When Pomfret made this recommendation, it appears that he was unaware that this was not the College's present athletic policy. The policy that had been in place since October 12, 1946, was a different one--one that encouraged big-time, profitable football. This second recommendation would have diminished the football program.

He also recommended that a committee of Board members, faculty, and alumni reassess the College's intercollegiate athletic program. He recommended that Marvin Bass be appointed Football Coach for the 1951 season and that Sociology Professor Wayne Kernodle be appointed Athletic Director for the 1951-52 school year.

The Board's minutes reflect that there was "a somewhat lengthy discussion" of Pomfret's presentation, but the minutes do not reveal what was said.

Vandeweghe was invited next to enter the meeting, along with McCray, Wilson, and Walter E. Hoffman (lawyer for

²⁵ Ibid.

²⁶ Ibid. It is unclear whether Pomfret was asking for a change of the Board's Athletic Policy as written on page one of this thesis, or if Pomfret had forgotten that there was a new policy.

Wilson and McCray). Shewmake questioned Vandeweghe, and an excerpt from the reporter's transcript was entered into the Board's minutes.

Vandeweghe stated that he only wanted to clear his name without publicity, because a year after he left William and Mary he was still viewed with suspicion. He talked about his late June meeting with Marshall and Pomfret and read Marshall's July 6 letter which cleared him of any guilt in tampering with transcripts.

Vandeweghe admitted that he spoke to Pete Franklin, a sportswriter, about the July 6 letter. When Shewmake asked Vandeweghe why he had not gone to the Board of Visitors, Vandeweghe replied, "Sir, I didn't think it was my place at the time to come before the Board. I thought the college authorities should discuss it."²⁷ Vandeweghe concluded that he had to confide in somebody, and he chose a friend--who was also a member of the press. After further questioning by Hoffman and board members, Vandeweghe was excused.

After a break for lunch, the Board invited Marshall to the meeting and requested him to furnish such information as he could touching the subject."²⁸ No record of his remarks is available. Hoffman then presented a statement for Wilson and McCray acknowledging their guilt in granting unearned

²⁷ Ibid.

²⁸ Ibid., p. 222.

credits, but both men denied changing transcripts for prospective students. After Hoffman concluded his statement, the meeting was adjourned until August 18.²⁹

Marshall reported afterwards that Hoffman "was granted the privilege of directing extensive charges toward me."³⁰ Marshall believed that several Board members encouraged Hoffman to make these charges. He also requested a transcript of the meeting from Shewmake, but Shewmake did not make one available.

In fact, Marshall also commented on the integrity of the board minutes:

Since they [the minutes] are highly secret and are in the possession of a man widely distrusted by the faculty of the college, by many of the administrative officers and by many of the more sincere members of the alumni association, I do not feel that they can be accepted as an honest public record without careful checking. Friends who have had a chance to read these hearing records have mentioned nothing that indicates tampering; however I know³¹ of no complete safeguard against this.

Marshall was not the only faculty member who distrusted

²⁹ Ibid.

³⁰ Subject File, "Athletics...", Nelson Marshall file, Introduction to the Report, p. 5.

³¹ Ibid. This quote shows the tensions of the time. Although Marshall was afraid that there was tampering, as a researcher I saw no such evidence. The minutes are bound and were made by the same typewriter throughout. The minutes do, however and naturally, reflect the Board's point of view.

the Board. In an oral history interview, History Professor Harold L. Fowler mentioned the general mistrust that the faculty felt towards the Board.³²

According to a report in the New York Times on the August 15 meeting, Shewmake said, "clean house when we get through: you can be sure of that."³³ The faculty committee that was formed to investigate the academic malpractices met on the evening of August 15. The members were disappointed that the Board had not invited Morton to speak or even to sit in on the meeting. They voiced their feelings in a night letter to Shewmake and requested a transcript of the proceedings. They also requested an assurance that Morton could attend the August 18 meeting.³⁴

The faculty committee met again the next afternoon and voted to formally put together a report on their findings. The committee then met with Pomfret to discuss the matter. Both Pomfret and Marshall were cautioned by the Rector not to discuss any part of the matter until the August 18 meeting. The faculty committee then called Shewmake, who invited them to a meeting with him that evening.

Shewmake had received the night letter and had already

³² Oral History, Fowler, p. 31, W. Melville Jones, p. 63 and 68, and Thomas E. Thorne, pp. 61-62.

³³ New York Times, August 16, 1951, 21:1.

³⁴ Faculty Minutes, "Proceedings," pp. 17-18.

drafted a reply. He said that the Board was not ready for Morton's information, but when the Board needed his input, "the Board will be pleased to have it."³⁵

Shewmake promised that any information that related to the faculty committee will be "cheerfully furnished when available."³⁶ He also made it clear that it was not proper for the faculty committee member to be present during the entire proceeding. Pomfret was the representative for the administration and the faculty of the College. Shewmake added, "some matters are within the province of the faculty and some matters are within the province of the Board of Visitors."³⁷

On August 16 the faculty committee met with Shewmake in his home from 8 p.m. until midnight. The faculty minutes note "He [Shewmake] received the committee very cordially and re-affirmed his promise to provide the necessary transcripts."³⁸ The Board of Visitors' minutes reflect that "they [the faculty committee] left perfectly satisfied with what had been done."³⁹ The faculty committee decided that it would not be necessary to send a faculty representative

³⁵ Board of Visitors Minutes, August 15, 1951, p. 224.

³⁶ Ibid.

³⁷ Ibid.

³⁸ Faculty Minutes, "Proceedings," p 18.

³⁹ Board of Visitors Minutes, August 15, 1951, pp. 224-225.

to the August 18 meeting.

The Board of Visitors reconvened at 10:30 a.m. on August 18 at the Hotel Rueger. The following people were present: J.V. Bauserman, A. Herbert Foreman, Dowell J. Howard, H.P. Marrow, Mrs. Norman T. McManaway, John Garland Pollard, Harold W. Ramsey, James M. Robertson, Oscar L. Shewmake, Robert C. Vaden, and H. Hudnall Ware. Dr. Pomfret attended by invitation.

Shewmake discussed his correspondence and meeting with the faculty committee. Marrow motioned and Foreman seconded that the way the Rector handled the matter be approved. It carried unanimously.

Marshall was then invited to the meeting to resume his testimony. The minutes do not reflect what Marshall said. He did, however, keep a copy of his presentation to the Board of Visitors. Marshall's eight-page statement had a defensive tone. It outlined what had transpired at the college from 1949 to August 1951. He prefaced his remarks with the statement that "I must do all I can do to protect the academic honor of the College."⁴⁰ He spoke first about the discovery of the transcript tampering and how McCray indicated it was Vandeweghe who had done it. Marshall then referred to his investigation into academic irregularities. Marshall tried to explain that he was not

⁴⁰ Subject File, "Athletics...", Nelson Marshall file, Exhibit D, p. 1.

vindictive nor malicious in his inquiry. He said, "One hesitates at length before he starts a probe that risks a mess such as we have before us. That it had to be done regardless of the consequences to me or anyone else was inevitable."⁴¹ He spoke about the compromise plan of July 7. He never broke the "pledge of secrecy," even after Mrs. Gordon, an athletic secretary, who testified about transcript alterations, left her job "disappointed in her understanding that no corrective measures had been taken."⁴² Marshall also pointed out repeatedly that he kept both Pomfret and Shewmake aware of his actions. He asserted that he did nothing without counsel from Pomfret or the faculty committee. In conclusion he observed that:

My inquiries were made in the face of a nearly complete and vicious monopoly. As both the Athletic Director and the Head Football Coach and with a system of no effective faculty controls on athletes and athletic financial awards, one man, Mr. McCray, has almost complete control. . . . I hope you, as members of the Board of Visitors, realize now just how unsound this has been."⁴³

Some years later, Marshall said about his presentation before the Board that two members, Pollard and Howard,

⁴¹ Subject File, "Athletics...", Nelson Marshall file, Exhibit D, p. 5.

⁴² Subject File, "Athletics...", Nelson Marshall file, Exhibit D, p. 6.

⁴³ Subject File, "Athletics...", Nelson Marshall file, Exhibit D, p. 8.

protested Hoffman's accusations against Marshall. Dean Lambert was then invited into the meeting and in front of the Board, Pomfret, Marshall, McCray, Wilson, and Hoffman spoke about his findings. After his testimony, the Athletic Committee of the Board recommended that Dr. George Oliver be appointed as Director of Athletics, Les Hooker as Basketball Coach, and Marvin Bass as Football Coach. All three were unanimously approved.

In making this appointment, the Board had rejected Pomfret's choice of Wayne Kernodle as Athletic Director. The Athletic Committee of the Board also rejected Pomfret's suggestion that the Board reform its policy on intercollegiate athletics. Instead, it reasserted the policy adopted in 1946--the policy that had led the college astray.⁴⁴

The meeting adjourned for lunch and reconvened at 2:15. Marshall continued his testimony. After that the Board invited Oliver, Hooker, and Bass in and told them about their appointments. All three accepted. Marshall then returned once more to the meeting in order to deliver a supplementary statement to the Board. His remarks were not recorded in the minutes. However, Shewmake replied:

Let me assure you on this, Dr. Marshall, that if the Board should be of the opinion that you were, as a member of the faculty or otherwise, guilty of

⁴⁴ Board of Visitors Minutes, August 18, 1951, p. 227.

any wrong doing which deserved consideration by this board, you would be advised of charges, presented and be confronted with your accusers and any witness that testified in support of those accusations and you would be given opportunity to make any and every defense which would occur to you.⁴⁵

After formally accepting McCray's and Wilson's resignations, the Board adjourned until its next regular meeting scheduled for September 8. At this time, some members gathered together to write a report on the Board's findings.

Pollard later described the confrontational manner during the Board's August 15 and 18 meetings. "I was amazed further at the hostility shown against Dr. Pomfret when they were questioning him as if in a court of law." Pollard believed that the approach should have been less antagonistic. "I felt we had a common problem. . . ." ⁴⁶

Marshall later wrote about those three weeks between the August and September board meetings. "Though not instructed to remain silent on the issues so seriously looming before us, President Pomfret and I decided we must remain essentially silent." Marshall, however, did gather a small group to discuss "in sworn secrecy" some of the problems on his mind.⁴⁷

⁴⁵ Board of Visitors Minutes, August 18, 1951, p. 227.

⁴⁶ Oral History, John Garland Pollard, p. 8.

⁴⁷ Subject File, "Athletics...", Nelson Marshall file, Introduction, p. 5.

On August 28, Shewmake wrote to Marshall asking for the February 1950 Resolution from the Faculty Committee on Athletics and any other records regarding the investigations. In his reply, Marshall indicated that Pomfret was in an untenable situation:

Dr. Pomfret was trying to find an effective and proper course of action between my proposals and pressures to the contrary, which seemed to be focused, as much as anywhere else, in the Board's Committee on Athletics. I am not able to say, of course, just how real and powerful such counteracting forces might have been.⁴⁸

Marshall asked that the Board take this into account when they wrote their report.⁴⁹

On September 8, the Visitors met. The Rector entered the Board's "finding of facts" into the record. The Board answered its four questions posed on August 15. The report was divided into six parts and a conclusion.

Section One was concerned with the flow of transcripts and the granting of unearned credits. Section Two stated when these events took place.

Section Three discussed Marshall's investigations. It also stated that upon Pomfret's recommendation (despite Marshall's investigations happening simultaneously) that McCray was promoted to Professor by the Board of Directors.

Section Four discussed the time lag between notifying

⁴⁸ Subject File, "Athletics...", Nelson Marshall file, Exhibit F, p. 1.

⁴⁹ Ibid.

Pomfret about the discovery of the altered transcripts (November 1949) to Marshall's first report (April 1951). Section Five discussed the actions taken by the College's administrative officers--the changes in the way transcripts were handled, the faculty meetings, and the July 3 and July 7 letters.

The sixth section discussed the college's "questionable practice" of having one person act as both Head Coach and Professor of Physical Education. It also noted that all individuals "at whom the finger of suspicion has been pointed" were no longer with the college. The statement also noted that the three new appointees (Oliver, Hooker, and Bass) were native Virginians and William and Mary graduates and that the Board "is confident in its belief that they will discharge their duties efficiently and honestly."

The report concluded that:

 this entire situation is one which could and should have been handled with dispatch by the administrative officers of the College.

 As a result of its investigation, the Board is convinced that the malpractices have been discontinued and that they will not reoccur.⁵⁰

The Rector was directed to release the eight-page report to the press.

Reporting on the meeting, the New York Times said that

⁵⁰ Board of Visitors Minutes, Sept. 8, 1951, p. 232.

the Board of Visitors "criticized the college administration for not handling the situation 'with dispatch.'"⁵¹ Marshall saw the Board of Visitors' official statement as a blow to the President. "I don't know how to express it other than to say the Board made Dr. Pomfret the 'goat' in order to clear itself as though it was pure and free from guilt."⁵² Another observer said, "it became obvious to some of us certainly that the Board was trying to put the rap for this on the President....Clearly they tried to blacken his reputation...."⁵³

The Board's action clearly placed Pomfret in an untenable position, and on September 13 he responded by submitting his resignation as President of the College of William and Mary in order to assume the position of Director of the Huntington Memorial Library and Art Gallery in San Marino, Calif.⁵⁴ Before the athletic difficulties arose Pomfret had been under consideration for the Directorship of the Huntington Library and had already decided to leave William and Mary before the scandal became public. Senator Harry F. Byrd had given him a strong recommendation.⁵⁵

⁵¹ New York Times, September 9, 1951, 72:5.

⁵² Subject File, "Athletics...", Nelson Marshall file, Introduction, p. 6.

⁵³ Oral History, Fowler, p. 30.

⁵⁴ Colonial Echo, 1952, "We Make Headlines" section.

⁵⁵ Oral History, Fowler, p. 27.

After the scandal broke, Pomfret wrote to the trustees of the Huntington and said that because of the bad publicity, he would relieve them of any obligation. The trustees wired him back saying they stood by him.⁵⁶

In his letter of resignation Pomfret wrote that "Since it is apparent that I do not possess the confidence of the full membership of the Board of Visitors, I deem it to be in the best interests of the College for me to resign." His resignation was effective immediately.⁵⁷

A few days later, the Faculty passed a resolution praising Pomfret and his administration. In it they listed several accomplishments including 1) the founding of the Institute of Early American History and Culture; 2) the establishment of the Chancellor's fund to encourage faculty research; and 3) the increase in the number of student scholarships. During the nine years that Pomfret served as President, the faculty saw his relationship with them as one of "approachableness and personal interest." They viewed his departure with "sorrow and regret."⁵⁸

At its October 6 meeting, the Board of Visitors entered into the record a letter (read and probably written by Pollard) praising Pomfret's tenure at William and Mary and

⁵⁶ Oral History, Colgate Darden, p. 5.

⁵⁷ Flat Hat, September 18, 1951, p. 1.

⁵⁸ Flat Hat, October 2, 1951, p. 12.

outlining his accomplishments. In addition the letter noted that "The Board of Visitors and all connected with William and Mary, whether officially or as alumni, share in the responsibility to a greater or less degree for the general welfare of the college. Athletics is no exception."⁵⁹

As revealed in oral history interviews many years later, most of the faculty genuinely liked Pomfret and respected his love for history. "He loved history, he really did."⁶⁰ "He was a scholar and he was running the college and was an intelligent, bright human being, and we all loved him tremendously for that."⁶¹ James W. Miller, philosophy professor noted, "He made a very good president, though he disliked, I think, the nonacademic details that developed upon him."⁶²

Pomfret's weak point as President of the College of William and Mary was his dislike of administrative work. Fowler stated that "most people would describe Jack Pomfret as a lazy administrator."⁶³ Although he began weekly staff meetings, he delegated many of the day-to-day chores to

⁵⁹ Board of Visitors Minutes, October 6, 1951, p. 240.

⁶⁰ Oral History, Fred Frechette, p. 31.

⁶¹ Oral History, Wayne Kernodle, p. 57-58.

⁶² Oral History, James W. Miller, p. 18.

⁶³ Oral History, Fowler, p. 23.

Charles Duke, the Bursar of the College.⁶⁴ Duke "knew how to get things done and make things move."⁶⁵ Duke was very pro-athletics and resigned in 1952 because of some alleged financial improprieties concerning the construction of the fraternity lodges.⁶⁶

Pomfret was a decent man. He trusted his subordinates implicitly. Although he acted humanely towards McCray and Wilson, He was not given that same consideration by the Board of Visitors.

⁶⁴ Oral Histories, Henry I. Willet, p. 30 and Thomas Thorne, p. 60.

⁶⁵ Oral History, Tuck, p. 22.

⁶⁶ Colonial Echo, 1952, "We Make Headlines" section.

CHAPTER IV

AFTERMATH

After Pomfret's resignation, the Board of Visitors had to find a replacement. The College's fall session was scheduled to begin in four days.¹ On September 14, 1951, Shewmake called a meeting in Richmond at his home for Sunday evening with some of the leading faculty. Invited were James W. Miller, William G. Guy, Harold L. Fowler, and William Melville Jones. It was not an elected committee and they "protested to the Rector that they were not truly representative of the Faculty."² The meeting was closed and private; the press was not to know about it. During this meeting, this informal committee suggested that Miller be appointed Acting President.³ During a special meeting on Tuesday, September 18, the Executive Committee of the Board of Visitors considered the three people who led in the faculty poll for the position of Acting President: Dean

¹ Flat Hat, September

² Faculty Minutes Appendix, November 13, 1951, p. 1.

³ Oral History, Harold L. Fowler, p. 32. William Melville Jones, pp. 70-72.

Nelson Marshall, James W. Miller, and Charles F. Marsh.⁴ It then chose James W. Miller as Acting President.

Miller was Chancellor Professor of Philosophy and had been with the college since 1935. He had held the position of Dean from 1936 to 1946.⁵ Before accepting the job he asked that three conditions be met. The first was that he be given "complete freedom of speech to interpret the College to the public." The second that he have "all the powers of the President as they were commonly understood and accepted in the academic world"--including supervision, hiring, and firing. Finally, he demanded that "Nothing done by me or not done by me as Acting President will jeopardize or prejudice my position as Chancellor Professor of Philosophy and Chairman of the Department of Philosophy."⁶

The Executive Committee of the Board accepted these conditions. It then created a new committee to find a permanent president and to report at the next Board of Visitors meeting scheduled on October 6, 1951. The search committee consisted of Shewmake, James M. Robinson, and Dr. H. Hudnall Ware.⁷ According to an article in the

⁴ Board of Visitors Minutes, Sept. 18, 1951, p. 238.

⁵ Flat Hat, September 20, 1951, 3:1-3.

⁶ Board of Visitors Minutes, September 18, 1951, p. 239.

⁷ Board of Visitors Minutes, Sept. 18, 1951, p. 239.

Flat Hat, Miller was expected to serve as Acting President until spring 1952, when a permanent president would be named by the incoming Board of Visitors which would take office in March 1952.⁸

At a meeting on September 17, the faculty issued a "Statement Concerning Recent Academic Irregularities." This statement became popularly known as the "manifesto." In it, the faculty asserted that they were "deeply troubled" by the athletic irregularities and proclaimed that it was their "solemn duty" to present their findings on the causes and possible solutions to the situation. Noting the overemphasis on athletics, they said that they saw "an exaggerated athletic program steadily sap the academic standards...." The purpose of the college was "to educate intelligent, informed, and balanced graduates, able to make sound judgments and to discriminate among values, and prepared to follow their various careers as responsible, progressive citizens of their communities." Instead, the athletic program had become the dominating influence on campus. Moreover, they stated that this overemphasis on athletics had not been good for the athletes themselves. From 1942 "football players as a group have been only a little more than half as successful as the rest of the student body in completing the requirements for the degree."

⁸ Flat Hat, September 20, 1951, p. 3.

The faculty accepted some of the blame for these problems. "We do not seek to evade our share of responsibility. . . for having failed hitherto to halt the insidious growth of these evils." They acknowledged that they should have acted earlier and with more vigor. The faculty then pledged to have "a sound and healthy program of athletics." The basis for this program would be faculty control. They planned to set up four committees: admissions, athletics, scholarships and student aid, and academic status. These committees would be given "full authority to determine the policy."⁹

The manifesto was written by about 30 members of the faculty. It took an estimated 300 man-hours to write, and it cost \$670 to print.¹⁰ It was approved by the faculty one day before the Executive Committee of the Board of Visitors named Miller as Acting President.¹¹ Miller, of course, signed the statement. The faculty sent a copy to each and every Board member. Moreover, the Board's Executive Committee had the manifesto read to them when the faculty members met on Tuesday, September 18, 1951.¹² The faculty representatives presented the statement "on the principle

⁹ Flat Hat, September 20, 1951, pp. 1-2.

¹⁰ Board of Visitors Minutes, October 6, 1951, p. 242. Oral History, Fowler, p. 36.

¹¹ Board of Visitors Minutes, September 18, 1951, p. 238.

¹² Board of Visitors Minutes, October 6, 1951, p. 243.

that a Faculty has full rights to speak out forcefully on any matter concerning academic integrity."¹³

About four or five faculty members mailed and telephoned the manifesto to several newspapers, including the New York Herald Tribune, Richmond Times Dispatch, Lynchburg News, Christian Science Monitor, Newport News Daily Press, New York Times, and the Virginia Gazette. It was also sent to newspaper in Chicago, Buffalo, Atlanta, Pittsburgh, Boston, and Washington, D.C.¹⁴ "This appeared in a lot of newspapers; we never did know how many, but we got a lot of editorial comment," said W.M. Jones.¹⁵ Most papers praised the statement.

Wayne Kernodle said, "I thought at the time it was a fairly sensible and logical and tame document, considering what it represented, but I'm sure it looked inflammatory to a lot of people."¹⁶ As a whole, most faculty felt that the statement was the wisest move that it could make.

There were a few dissenters among the faculty. Dr. George Oliver, the head of the Faculty Committee on Athletics, refused to signed it. Many have said that Oliver

¹³ Subject File, "Athletics...", Nelson Marshall file, Exhibit G, p. 1.

¹⁴ Subject File, "Athletics--Football--Scandal of 1951" Main Folder.

¹⁵ Oral History, Jones, p. 66-68.

¹⁶ Oral History, Wayne Kernodle, p. 62.

was very pro-athletics. As head of the committee, he may have been defensive.¹⁷ Thomas Thorne, a professor of Fine Arts, signed the manifesto, although he would eventually question the faculty's actions. "So the faculty got up in arms, you know," he said in a later oral history interview, "and said this whole athletic program must go. I can remember a whole series of meetings over in Rogers, and frankly, I think it was all a bunch of baloney."¹⁸ To be fair, Thorne's memory may have been faulty, since the manifesto did not call for scrapping the entire athletic program.

Most alumni, but not all, praised the statement. One alumna wrote "I heartily approve of the stand which you have taken in regard to athletics. I wish you the highest degree of success in the carrying out your program."¹⁹ A dissenting alumnus wrote acknowledging receipt of the statement, "I wish to state that this is the most absurd thing that I have ever read."²⁰ The 70 letters received by the Alumni office favored the statement at a ratio of nine

¹⁷ Oral History, Wayne Kernodle, p. 69.

¹⁸ Oral History, Thomas Thorne, p. 80.

¹⁹ Harold L. Fowler papers, College Archives, Swem Library, College of William and Mary. "Football Expose," Anne B. Jay to the Faculty, no date.

²⁰ Fowler papers, "Football Expose," Nathan B. Hutcherson, Jr., to Harold J. Fowler, September 26, 1951.

to one.²¹

Although the Board knew about the manifesto in advance, it did not agree with it. No board member, however, directly challenged the manifesto.²² Even before the manifesto's publication, Rector Shewmake referred to the Board's athletics policy on athletics and reiterated his belief that the Board had acted responsibly:

The Board has received no word of commendation or approval from any source known to me,.... The Board has been subjected to a great deal of unmerited criticism and abuse some of it from people whose interests we have tried to serve.²³

Shewmake's complaint was obviously directed at the faculty.

At the same time, Shewmake showed how his attitude toward the College had become embittered. His term as Rector and Board Member was scheduled to end on March 7, 1952. "On March 8th, I shall begin using my best endeavors to forget the College of William and Mary and everyone connected with it, and it is my earnest hope that after that date, I will not be reminded of it."²⁴ Unfortunately for him, with the avalanche of publicity after the distribution

²¹ Faculty Minutes Appendix, November 11, 1951, p. 1.

²² Faculty Minutes Appendix, November 11, 1951, p. 1.

²³ Board of Visitors Records, Rectors files, Oscar L. Shewmake papers, "William and Mary Correspondence," Oscar L. Shewmake to Arthur B. Hanson, September 13, 1951.

²⁴ Shewmake papers, Shewmake to Hanson, September 13, 1951.

of the Faculty manifesto, the Rector had to continue to work with the College.

On September 25, 1951, 88 members of the Faculty met to discuss the finer points of the manifesto.²⁵ The consensus was that the manifesto was correct, but that a few refinements could be made where the committee structure was concerned. The faculty put together a new committee to study the implications of the Southern Association of Colleges and Secondary Schools regulations that required faculty control of all phases of athletics. This new committee was also to study how "without infringing upon the powers of the President of the College or the Board of Visitors, that principle may be put into actual effect" at the College of William and Mary.²⁶

Committee members represented all phases of the college community. Professors Ash, Evans, Fowler, Guy, Marsh, Morton, Pate, Williams, and Woodbridge were the members. Fowler was chairman. The committee was to report its findings to the faculty. At that time another committee was selected to meet with the Board on the matter of selecting a new president. After some discussion on procedural matters, the faculty selected a seven-member committee.²⁷

²⁵ Oral History, John Garland Pollard, p. 7.

²⁶ Faculty Minutes, September 25, 1951, p. 3.

²⁷ Ibid., p. 3.

At the Opening Convocation on September 28, 1951, Miller spoke candidly about some of the problems that the College was going through, but his theme was "be proud of William and Mary as it is today." Miller was proud because William and Mary was a very good college; it had a beautiful campus and a good library; it had an excellent student body. He also was proud of its administration. He mentioned Lambert, "who is quite capable of outsmarting the IBM machines," and Dean Marshall, who "did what few men in the world would have the courage to do." He was also proud of the faculty, "good scholars and good teachers." He referred to the Honor Code, and noted that "William and Mary's moral genius is for finding abuses within itself whenever there be any, and for correcting them even in the pitiless glare of pitiless publicity."²⁸ His remarks rallied the school. In an interview with the Flat Hat, Miller strongly upheld the manifesto calling it "a magnificent statement of principle."²⁹

Despite the school's problems with athletics, students continued to support their football team. The Flat Hat reported that the first pep rally was enthusiastic, and Head Football Coach Marvin Bass said that the enthusiasm played a

²⁸ Shewmake papers, "William and Mary Correspondence, 1951," James B. Miller speech, pp. 1-4.

²⁹ Flat Hat, September 20, 1951, 3:3.

great part in the Tribe's victory over Boston University.³⁰

The Board of Visitors met next on October 6, 1951. After reading Pomfret's letter of resignation, the Board adopted a letter thanking Pomfret for his "numerous positive contributions" during his administration. It then approved the Executive Committee's action in appointing Dr. Miller as Acting President.³¹ Miller accepted the position, but with reluctance, for it meant giving up the teaching that he so enjoyed.³²

At that meeting a committee from the faculty consisting of Dr. Harold Phalen, Dr. Moss, and Dr. A.G. Taylor made several suggestions as to the general qualifications that the new president should possess and mentioned several candidates. In a subsequent report to the faculty on October 9, 1951, Phalen reported that the Rector had invited the faculty committee to the Board meeting, "but in the light of subsequent events, he regretted having offered the invitation."³³ Nevertheless, the Rector assured the Faculty Committee that the Board "would take the views of the faculty into consideration."³⁴

³⁰ Ibid., 2:4.

³¹ Board of Visitors Minutes, October 6, 1951, p. 240.

³² Oral History, Miller, p. 38 and 42.

³³ Faculty Minutes, October 9, 1951, p. 2.

³⁴ Ibid., p. 2.

The Board then adopted a resolution thanking Dr. Miller for "his acceptance of the position of Acting President and for the commendable manner in which he has discharged his duties."³⁵ The Presidential Search Committee then made its report that "a careful study" had been made and that "the best interests of the college would be served by the election of Admiral Alvin Duke Chandler as President."³⁶ All Visitors voted for Chandler, who was the son of former William and Mary President Julian A. C. Chandler, except for Pollard who abstained, claiming that the matter needed further study.³⁷ The Navy Department requested that the announcement be withheld until October 9. The Board authorized that Chandler be sworn in on Friday, October 12, 1951, at 5 p.m.

The Board then called upon Miller to give his report, but it did not tell him of its decision to hire a new president. In a later report to the faculty on October 9, Dr. Miller stated that he "did not know what action the Board took except for a resolution thanking him during that period, for his services as Acting President."³⁸ Although

³⁵ Board of Visitors Minutes, October 6, 1951, p. 241.

³⁶ Ibid., p. 241.

³⁷ Oral History, Pollard, p. 12., and Board of Visitors Minutes, October 6, 1951, p. 241.

³⁸ Faculty Minutes, October 9, 1951, p. 1.

the Board had already elected a new President, the Rector than appointed a Board Search Committee of three--Ramsey, Robertson, and Ware--which was to pretend that one had not. They were to meet with the Faculty Committee and "to confer . . . in the selection of a new president."³⁹ The Board was hiding the fact that there was already a new president.

Miller began his report with an analysis of the enrollment, but he sooned turned to the principal issues: a synopsis of the actions taken by the faculty since September 13 including a background on the manifesto. He defended the faculty's recommendation that the College's athletic program be reorganized so that it would "become a true benefit to the College" and the faculty's conviction that the faculty should control all phases of intercollegiate athletics. Admitting that the faculty had erred in prematurely committing itself to a particular plan to control athletics, he updated the Board on how the faculty was looking into the athletics problem. In discussing the administration of the current athletic program, Miller noted the overcommitment of scholarship funds and the oversupply of football dining hall waiters. He made several recommendations concerning salary increases, publicity changes, and scholarship increases of the Athletic Department's operating budget. In essence, the

³⁹ Ibid., p. 1.

surplus was reduced from \$14,331 to \$2,400 to cover the above changes.⁴⁰

The faculty met on Tuesday October 9. Eighty-five members were present. Miller reported on the Board of Visitor's meeting. The secretary, Fowler, then gave a progress report on the athletics study committee and said that a full report would be given in six to eight weeks. The study committee was considering revising the by-laws of the faculty. No other major business transpired at this meeting.⁴¹

At 6 o'clock that evening, radio station WRVA announced that Alvin Duke Chandler would be installed as the 22nd President of the College of William and Mary on October 22, 1951.⁴² In a later oral history interview, Miller said, "I must say that the way in which I learned really outraged the whole faculty--more than it bothered me. It was certainly an injudicious, odd, intemperate, insulting way of proceeding."⁴³

It did enrage the faculty. The next day, Wednesday, 102 faculty members held a special session at 1:30 p.m. in

⁴⁰ Board of Visitors Minutes, October 6, 1951, p. 245.

⁴¹ Faculty Minutes, October 9, 1951, p. 1-3.

⁴² Oral History, Alfred Ringold Armstrong, p. 15; Fowler, p. 35; Jones, p. 77; Faculty Minutes Appendix, October 13, 1951, p. 4.

⁴³ Oral History, James B. Miller, p. 56.

response to a petition by 14 members. Fowler read a letter from the leaders of the student body condemning the Board of Visitors in the selection of the new president. To facilitate discussion, Miller moved and the faculty approved going into a committee of the whole. Thus, no minutes were taken during these critical discussions. After two hours, the faculty returned to open session. Lambert presented a resolution to protest the Board of Visitor's selection of a college president "without free and full consultation with the faculty." The faculty made it clear that they protested the "manner of election and not to the man elected."⁴⁴ The resolution was adopted unanimously by standing vote.

The faculty then unanimously passed a resolution reaffirming its confidence in the Dean of the College, Nelson Marshall. Marshall believed that because of the manner in which the Board of Visitors made the presidential appointment that it "might be a move to directly or indirectly remove me as Dean, for it was obvious that the Board was bitter towards the Faculty."⁴⁵ Before adjourning the faculty agreed to meet the next day, Thursday, at 2:30 p.m. The stormy meeting had lasted four hours. The first resolution about Chandler was released to

⁴⁴ Board of Visitors Minutes, February 9, 1952, p. 250.

⁴⁵ Subject File, "Athletics...", Nelson Marshall file, Exhibit G, pp. 2-3.

the press.

The next morning, Thursday, October 11, Miller called a special meeting of the faculty at 10 o'clock to announce that he had received a message from the Rector that President-elect Chandler would be installed in the President's Office at 2:30 that afternoon--a day earlier than previously announced. Miller urged the faculty to give the new president the respect that the position deserved--despite the way that he had been elected. Miller also thanked the faculty for their help and added that "the thrill of working with a united faculty was an experience that he would cherish forever."⁴⁶

The faculty then passed a resolution thanking Miller for his "strong leadership and earnest attempts to cooperate to the fullest with both the faculty and the Board of Visitors."⁴⁷ The faculty then went into a committee of the whole for an hour. They finally decided to have a committee (Morton, Mooney, Marsh, Moss, and Neiman) submit a "statement of facts" on the conflict with the Board of Visitors protesting the selection of a new president. The meeting adjourned at 12:10 p.m.⁴⁸

⁴⁶ Faculty Minutes, October 11, 1951, pp. 1-2.

⁴⁷ Ibid., p. 1.

⁴⁸ Ibid., p. 1-2.

A little more than two hours later, at 2:25 p.m., Marshall resigned from the College in protest. In a carefully worded letter to Acting President Miller, Marshall stated that he interpreted the events of the past several days as an insult to the faculty and "these acts are an attack by the Board of Visitors upon the principle of free expression of responsible faculty opinion."⁴⁹ At 2:30 p.m., Vice Admiral Alvin Duke Chandler became the 22nd President of the College of William and Mary.

The faculty met again on Saturday, September 13, to accept the "statement of facts" from the ad-hoc committee, formed on September 11.⁵⁰ The statement was a comprehensive account of the events leading to the selection of the new president, from Pomfret's resignation to the installation of Chandler. The committee reached several conclusions. The first was that the main problem between the faculty and the Board had been a difference in the composition and the perspectives of the two groups. The faculty's goal was a college of academic excellence and national reputation. The Board was looking for national reputation through male enrollment and prestige through athletic programs. The second conflict was that there were four areas of friction. The Board and the faculty had had little contact in ten

⁴⁹ Subject File, "Athletics...", Nelson Marshall file, Exhibit G, pp. 3-4.

⁵⁰ Faculty Minutes Appendix, November 13, 1951, pp. 1-5.

years. The culprits in the academic irregularities were responsible not to the faculty or the president but to the Board. In September, differences in policies became converted into differences of power. Finally, "the faculty, aided by the President, has the task of helping the Board and the people of Virginia to share its faith in the scholarship."⁵¹ Note that the wording of the last of the four conclusions that the faculty was certainly deferring to the Board.

On October 10, 1951, the faculty sent a resolution to protest Board's way of selecting the new president. Rector Shewmake replied citing Section 23-44 of the Code of Virginia that the Board of Visitors alone was responsible to "appoint the President."⁵² The Board either forgot or ignored the fact that the faculty was consulted in 1942 during Pomfret's selection process.

Although the Board most certainly misrepresented its intentions at the October 6, 1951 meeting to the faculty committee and the Acting President, it was certainly well within its legal rights to do so. The faculty did not have the power to elect a President. Nothing that the faculty did after the Board's announcement of its selection of

⁵¹ Faculty Minutes Appendix, November 13, 1951, pp. 4-5.

⁵² Board of Visitors Minutes, February 9, 1952, pp. 250-252.

Chandler as President could stop it from happening.

In the September 1951 edition of the Alumni Gazette, the editors prepared a thorough article about the campus happenings, including the transcripts tampering, the resignations, and the appointment of Miller.⁵³ It was aimed at the alumni who didn't live in the Williamsburg area but had read bits and pieces from the newspapers.

Charles McCurdy, the Alumni Secretary and editor, also printed a two-page editorial discussing the football program at William and Mary. This was to be the first in a three-part series. His most important observation was that in the classes from 1943 to 1951, only 32.26% of the football players graduated, compared to 55.93% of all non-football players. McCurdy concluded with the idea that the College had established and approved a system in which "the principal concern of one segment of the student body is football and not education."⁵⁴

The next in the series in the Alumni Gazette was planned for the December 1951 issue. It was to explore the financial costs of football at William and Mary. It was, in fact, already set in type.⁵⁵ But at its November 17, 1951 meeting the Alumni Society's Board of Directors voted to

⁵³ Alumni Gazette, September 1951, pp. 3-6.

⁵⁴ Ibid., p. 8-9.

⁵⁵ Flat Hat, December 4, 1951, 1:1-2.

discontinue the series. As a result McCurdy resigned in protest on November 23, 1951, effective June 30, 1952.⁵⁶ The December issue was mailed December 1, with the editorial deleted. The planned three-part series became only one editorial.

After McCurdy left in March, the Flat Hat discussed the role of the alumni in promoting the general welfare of the college, and commended McCurdy's efforts to fight against the small but vocal segment of the alumni "whose vision for the college does not go beyond the Homecoming Parade, the noisy reunion, and the football score."⁵⁷ The Flat Hat hoped that the next Alumni Secretary would have the same broad vision as McCurdy.

After the publication of the first and only editorial, several alumni wrote to McCurdy commending him for his article and editorial. John and Marian Anderson wrote, "It looks to us as though the blame for the whole mess falls on many--the Board of Visitors and the alumni for overemphasizing winning teams."⁵⁸ Marilyn Kaemmerle Quinto wrote to McCurdy, "Even if the Board were not directly to blame, it would nevertheless have to assume the responsibility as the highest governing body of the

⁵⁶ Colonial Echo, "We make Headlines," box score.

⁵⁷ Flat Hat, March 4, 1952, p. 2.

⁵⁸ Fowler papers, "Football Expose," John C. and Marian Anderson to Charles McCurdy, October 10, 1951.

College."⁵⁹ McCurdy seems to have agreed, because he responded to an alumnus saying that the greatest thing for alumni to do is to "rise up in righteous indignation and demand that the governor of Virginia appoint to our Board the most outstanding men and women available...."⁶⁰

Clearly McCurdy had strong feelings. Carl Andrews recalled that it fell to him to tell McCurdy that "the Alumni Society was publisher of the Gazette, that it represented all the alumni, not just those who were critical of the sports program...."⁶¹ McCurdy left and became Executive Secretary of the Harvard Divinity School.⁶²

Meanwhile, the faculty continued to meet, but it was effectively powerless. On December 11, the committee on athletics (Hocutt, Jones, and Chairman Kernodle) submitted a six-page report, which discussed athletic scheduling, athletic subsidies, and other miscellaneous matters.⁶³ The Committee made eight recommendations that were within the Southern Conference regulations. These recommendations would, however, strengthen the faculty's grip on athletics.

⁵⁹ Fowler papers, "Football Expose," Marilyn Kaemmerle Quinto to Charles McCurdy, October 20, 1951.

⁶⁰ Fowler papers, "Football Expose," Charles McCurdy to William F. James, September 17, 1951.

⁶¹ Oral History, Andrews, p. 22.

⁶² "We make Headlines," box score, Colonial Echo, 1952.

⁶³ Faculty Minutes Appendix #2, Dec. 11, 1951, p. 1-6.

President Chandler asked the Committee for an interim policy in regard to athletes' financial aid, so that recruiting could begin. The committee complied.⁶⁴

When the Board of Visitors met next on February 9, 1952, it responded to the Faculty Resolution concerning the selection of President Chandler. The Board noted that it had performed its legal responsibility to select the college president and that, as with the election of two previous presidents (J.A.C. Chandler and John Stewart Bryan), there had been no faculty participation.⁶⁵ Under the laws of the state of Virginia, the faculty had no role or authority in selecting the college president.

In his first report to the Board, President Chandler spoke about the happenings on campus. Included in it were comments about the faculty committee's six-page report on athletics. Chandler saw the work of the committee as "only a guide."⁶⁶ Thus, both the Board and the new president made clear their intentions of ignoring the faculty on athletic matters.

What happened almost 40 years ago at the College of William and Mary was a classic power struggle. The faculty

⁶⁴ Faculty Minutes Appendix #2, Dec. 11, 1951, p. 6.

⁶⁵ Board of Visitors Minutes, February 9, 1952, pp. 250-251.

⁶⁶ Board of Visitors Minutes, February 9, 1952, p. 269.

tried to take control of college's destiny through the athletic program and the selection of the college's president and failed. In fact, the faculty members were powerless employees, who could not succeed. They had as leaders two Presidents (Pomfret and Miller) who were not respected by the Board. Because the Board of Visitors had the authority on their side, it was almost a foregone conclusion that the faculty would fail. Their manifesto, while a worthwhile gesture, was just that--a gesture.

In view of the almost 40 years since this football scandal, a key question to be asked as to whether college sports in the United States have changed. In general, the answer is no. Where money (from alumni and television networks), prestige, students, and academics interact, there are still often scandals, as has recently happened at Southern Methodist University and the University of Kentucky.

In practical terms, faculties, and even to a large degree college administrators, cannot keep athletics under control. They are employees, and the Boards of most colleges are the ones who hold the power. There is simply too much money and too much prestige involved to permit employees to have an active role. The faculty should try to control an athletic program, but they should not condemn themselves if they fail to do so.

Could such a scandal happen again at the College of

William and Mary? It seems unlikely. Many of the forces at work in the late 1940s to 1951 are not present today. Most importantly, the College today is much smaller than the powerhouse football colleges. If conditions should change and the College of William and Mary should grow to be as large as Notre Dame or the University of Texas and the Board of Visitors wanted a big sports program, then the seeds of a new scandal might again be present.

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