

LAFAYETTE LUMPKIN FOSTER: A BIOGRAPHY

THESIS

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LAFAYETTE LUMKIN FOSTER: A BIOGRAPHY

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ERRATA (s/1)

The name of Mrs. T. D. McNeill, of Dallas, cited throughout the biography as a primary source, is spelled incorrectly as "McNeil." The correct spelling is "McNeill" (two "l's.")

Page 278, line 11. The date "1947" should read "1937."

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## PREFACE

The histories of Texas today have little to say about Lafayette Lumpkin Foster, who at the close of the Nineteenth Century was one of the leading public figures in the state. At the time of his death he ranked high among the statesmen, educators, and political reformers of his day, and numbered among his personal friends Lawrence Sullivan Ross, James Stephen Hogg, Joseph D. Sayers, John H. Reagan, and Edward M. House, to mention only a few.

It is surprising to find that such an eminent public figure could have been so soon forgotten after his death, and that few people today have even heard of him or know anything about his accomplishments. He was not only a leader in Texas politics for nearly two decades, but he was widely known throughout the state as a newspaper publisher, an educator, and as one who was quite familiar with the operation of railroads. He was, too, well known for his leadership among the Masons and the Baptists. Among the latter, he was the most active layman of his day when he helped to bring about the consolidation of the Baptist General Association with the Baptist State Convention to form the present powerful Baptist General Convention of Texas.

If this biography increases our knowledge of Lafayette Lumpkin Foster and his times, it has been well worth the effort. If it rescues Foster from oblivion and restores him to his rightful place among the Texas leaders of his day the author has succeeded to an extent far beyond his original optimistic aspirations.

The materials for this biography are found mainly in the Cushing

Memorial Library of Texas A&M University; the Eugene C. Barker Texas History Library of the University of Texas; the Fleming Library of the Southwestern Baptist Theological Seminary, Fort Worth; the Texas History Collection of Baylor University Library; the Texas State Archives in Austin; the Library of the Masonic Grand Lodge of Texas, A. F. and A. M. in Waco; the Georgia Department of Archives and History, Atlanta, Georgia; and in the Office of the Clerk of Brazos County, Bryan, Texas.

Grateful acknowledgement is extended to the custodians of the foregoing named institutions. I am especially indebted to Professor Joseph Milton Mance, Head of the Department of History and Government at Texas A. and M. University, who initially suggested the study and who has been most helpful with suggestions and recommendations for assembling and writing the biography. To Mrs. Wiley W. Bell I am greatly indebted for the cheerful assistance given in typing the manuscript and to M/Sgt Charles A. Fantalion for typing the voluminous but necessary correspondence involved in the research.

Robert Eugene Byrns

College Station, Texas

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## C H A P T E R I

### THE GEORGIA YEARS, 1852-1869

Lafayette Lumpkin Foster, statesman, educator, and newspaper man was born on November 27, 1851, in Forsyth County, Georgia, about two miles southeast of the settlement of Cumming, the eldest son of Joseph Douglas and Milly Malinda (Estes) Foster. The Estes and Foster families had migrated from Greenville, South Carolina, in the early 1800's and settled in Gwinett County, Georgia, where the father of Lafayette Lumpkin, Joseph Douglas Foster, was born on February 22, 1829. Life in the Georgia back-country was not easy for young Joseph D., and as he approached manhood the outbreak of the Mexican War in 1846 gave the enterprising and aggressive Joseph an opportunity to seek adventure in strange and distant lands, and, therefore, in response to President James K. Polk's call for troops, he enlisted in the United States Army. Little is known of his service in the war with Mexico beyond the fact that he participated in the closing campaigns of 1847 and 1848.

A veteran soldier at the age of nineteen, Joseph D. returned home where less than two years later on January 20, 1850, he married Milly Malinda Estes, then sixteen years of age, who had been born in Gwinett County on September 15, 1833. Soon after their marriage, the young couple took residence between the villages of Cumming and Sheltonville in Forsyth County.<sup>1</sup> The ties between the Foster and Estes families seem

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<sup>1</sup>"Family Record of Joseph D. Foster" dated "Dec. 10th, 1892," in L. L. Foster Papers, Archives Division, Texas A&M University Library. This is an unsigned three-page typed manuscript on letterhead paper of

the Office of Railroad Commission of Texas, Austin, Texas; O. B. Tollison, Forsyth Court of Ordinary, Cumming, Georgia, to Robert E. Byrns, October 23, 1962, in L. L. Foster Papers.

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to have been strong and apparently other members of the Estes family also moved to the vicinity of Cumming at this time. For example, Henderson Estes, Milly Malinda's brother, and Sarah Foster, sister of Joseph Douglas Foster, had recently married, and were among those who apparently moved north with Joseph D. and his young bride. Furthermore, the two brothers-in-law were later to become partners in a successful business enterprise in Cumming.<sup>2</sup>

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<sup>2</sup>Sheltonville, near where Joseph Douglas Foster first settled, was originally located in a section of Forsyth County which in 1857, together with part of adjacent Cobb County, was incorporated into a new Milton County. Milton, Fulton, and Campbell Counties were merged in 1932 to form a single entity called Fulton County. The village of Sheltonville has disappeared; however the site is in the extreme north-west part of present-day Fulton County. Mrs. Philip W. Bryant, Surveyor-General Department, Atlanta, Georgia, to Robert E. Byrns, July 1, 1963, in L. L. Foster Papers.

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During the ensuing eleven years following the move to the vicinity of Cumming, five children were born to Joseph Douglas and Milly Malinda Foster. The first child, born on November 27, 1851, was christened Lafayette Lumpkin Foster.<sup>3</sup> Rarely in later life did the press ever refer

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<sup>3</sup>"Family Record of Joseph D. Foster," dated "Dec. 10th, 1892," in L. L. Foster Papers.

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to Foster's given names, and on occasion when reference was made to his

given names they were often transposed or even misspelled. Foster, himself, preferred to be known simply as "L. L. Foster." Few individuals actually knew for what the initials "L. L." stood. The name "Lumpkin" was the name of a respected pioneer Georgia family, one of whose members, Wilson Lumpkin, served as governor of Georgia from 1831 through 1837 and then later as a United States Senator from 1837 to 1841.<sup>4</sup>

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<sup>4</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, the former May Alma Foster, daughter of L. L. Foster, Dallas, Texas, May 28, 1963.

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Four years after the birth of Lafayette Lumpkin, Ophelia Florence was born on January 21, 1855, but she lived only fourteen months, dying on March 23, 1856. On February 15, 1857, following the death of Ophelia the previous year, Henry Iveson was born.<sup>5</sup>

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<sup>5</sup>According to a news item clipped from an unidentified Georgia newspaper and found in the L. L. Foster Papers, Henry Iveson Foster died in 1901, shortly before the death of L. L. Foster.

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Another child, Thomas Benjamin, was born July 20, 1859, but died thirteen months later. Then on May 20, 1861, the sorrows of Joseph Douglas Foster reached a climax with the death of his wife in her twenty-seventh year upon the birth of their fifth child, a daughter, who was named for her mother--Milly Malinda.<sup>6</sup>

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<sup>6</sup>"Family Record of Joseph D. Foster," dated "Dec. 10th, 1892," in L. L. Foster Papers.

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A few months prior to the death of Lafayette Lumpkin's mother, the State of Georgia seceded from the Union on January 9, and joined the newly formed Confederate States of America. The governor of Georgia, Joseph E. Brown, on April 18, 1861, issued a proclamation recognizing the existence of a state of war between the Confederacy and the United States and called for the enrollment of volunteers to defend the asserted rights of the State and of the South.<sup>7</sup>

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<sup>7</sup>T. Conn Bryan, Confederate Georgia, p. 18.

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In spite of underlying Union sentiment in north Georgia, Milton and Forsyth Counties heeded the call for troops and set about recruiting a company of infantry. Captain Evan Howell was elected Company Commander.<sup>8</sup>

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<sup>8</sup>"Compiled Service Records of Confederate Soldiers who served in Organizations from the State of Georgia," Microcopy No. 266, National Archives, Washington, D. C., of which there is a photocopy in the Georgia State Archives. The latter will hereafter be cited as "Compiled Service Records of Confederate Soldiers from Georgia State Archives; Family record of Joseph D. Foster dated Dec. 10th, 1892, in L. L. Foster Papers."<sup>8</sup>

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Governor Brown's proclamation offered Joseph Douglas Foster a respite from the sorrows of civil life to the more martial, but tangible problems of the soldier. On Saturday, August 17, 1861, the day set for the activation and mustering of the company into the service of the State of Georgia, Joseph Douglas Foster again became a soldier by enlisting in the newly formed company. No sooner had Private Foster enlisted than, backed by his local military reputation as a veteran of

the Mexican War, he was promptly appointed second-in-command and promoted to the rank of First Lieutenant.<sup>9</sup> Dr. Knox was commissioned Second

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<sup>9</sup>"Family Record of Joseph D. Foster," dated "Dec. 10th, 1892," in L. L. Foster Papers; "Compiled Service Records of Confederate Soldiers from Georgia," Georgia State Archives.

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Lieutenant of the newly activated company.<sup>10</sup>

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<sup>10</sup>"Family Record of Joseph D. Foster," dated "Dec. 10th, 1892," in L. L. Foster Papers.

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The martial ceremonies incident to the day and the active part taken by their father, now Lieutenant Foster, no doubt made lasting impressions upon nine-year-old Lafayette Lumpkin and his brother Henry Iveson who, with other children in the community and their elders witnessed the proceedings. The ceremonies were impressive—the formal roll call; the proffering of troops by the civil dignitaries; the acceptance by the state military authorities; prayers by the Chaplain; oaths of allegiance and of office; and finally, the field music of fifes and drums as "squads right" was executed and the company paraded in column under arms.

Shortly after being mustered into service, Captain Howell's company departed Cumming for Camp McDonald, near Marietta, Georgia, where on August 31st it was formally mustered into the service of the Confederate States of America as Company "E" of the 22d Georgia Volunteer Infantry Regiment. Colonel Robert Jones commanded the 22d which was initially

an organization of Wright's Brigade of R. A. Anderson's Division, A. P. Hill's Corps of the Army of Northern Virginia. By November 1861, the 22d Infantry was in position in the Richmond perimeter at Camp Lee, Virginia.<sup>11</sup>

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<sup>11</sup>The Brigade Organization seems to have been flexible according to military exigency. One roster dated Jan. 1865, shows the 22d Regiment as a component of G. M. Sorrel's Brigade of William Mahone's Division--presumably a consolidation during the closing days of the war. On an earlier occasion Wright's Brigade was commanded by Brigadier General V. J. E. Girardey (Petersburg, August 1864). "Compiled Service Records of Confederate Soldiers from Georgia," Georgia State Archives; "Family Record of Joseph D. Foster," dated "Dec. 10th, 1892," in L. L. Foster Papers.

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Captain Howell resigned the command of Company "E" shortly after the first engagement with Union troops, and the command of the company devolved upon Lieutenant Joseph D. Foster, who was promoted to the rank of Captain, effective June 19, 1862.<sup>12</sup>

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<sup>12</sup>"Compiled Service Records of Confederate Soldiers from Georgia," Georgia State Archives; "Family Record of Joseph D. Foster," dated "Dec. 10th, 1892" in L. L. Foster Papers.

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In the meantime, the Foster children came under the direct supervision of their grandmother, Mary Foster, who cared for them during the four years of the Civil War while their soldier-father went the long road from Camp Lee and Richmond to the third day and the last charge at Gettysburg. Captured on July 3 at Gettysburg, Captain Foster was held a prisoner of war for eighteen months at the Prisoner of War Depot on Johnson's Island, Sandusky, Ohio.<sup>13</sup>



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<sup>13</sup>Ibid.

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Back in Georgia the war-time emergency, the interruption of routine living and the numerous frustrations and improvisations, the shortage of able-bodied men, and the pressures of an uncertain future all had their effects upon young L. L. Foster. As the man of the family during his father's absence, he learned to assist his grandmother in coping with the problems which arose from day to day, and faced up to tasks immediately at hand—a characteristic that sparked him throughout his lifetime.

Grandmother Foster was a "woman of marked intellectuality and strong Christian character."<sup>14</sup> It is evident that her influence on

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<sup>14</sup>Battalion (College Station), December, 1898.

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the lad was effective, especially so since the four war years were the most formative period of Foster's boyhood. Mary Foster may have been severe, but the vicissitudes of the times would brook no vacillating in the performance of maternal duties and discipline. The rather severe, austere homelife engendered by an environment of a country on a war footing and on the losing side, may have influenced Foster in later life to lean away from the side of harshness to that of sympathy and kindness. Weaker men under like circumstances would become embittered.

Foster's early formal schooling was sparse and sketchy. He

acquired the rudiments of an education through the short sessions offered by the local private schools and "academies" of the rural Georgia neighborhood in which he grew up. These he attended "between-crop sessions." The war interrupted his formal education.<sup>15</sup>

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<sup>15</sup> Journal, December, 1898; \_\_\_\_\_ M'Arthur and \_\_\_\_\_ Wickes, The Twenty-seventh Legislature and State Administration of Texas, 1901. pp. 11-12.

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In a general exchange of prisoners at City Point, Virginia, Captain Foster was paroled home on February 24, 1865.<sup>16</sup> Sometime after the war

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<sup>16</sup> "Compiled Service Records of Confederate Soldiers from Georgia," Georgia State Archives.

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in which he and his brother-in-law, Henderson Estes, had suffered heavy financial losses, the two men formed a partnership in a mercantile business and built a large brick store building in Cumming, Georgia. The Estes and Foster partnership soon became well established and successful. (The Estes Department Store is still in business in Gainesville, Georgia.) Captain Foster's financial affairs continued to improve and Forsyth County records indicate that Henry I. Foster, as administrator of his father's estate, paid L. I. Foster "quite a large sum of money" sometime in 1877 or 1878 after the death of Captain Foster on July 17, 1877, at the age of forty-eight. The elder Foster's grave is in the old Estes family cemetery near Cumming supposedly near the unmarked grave of Milly Malinda, L. I. Foster's mother.

With the prospect of an improvement in his financial condition, Captain Foster remarried. His second marriage was to Margaret Evaline McAfee on April 29, 1866. Three children were born of this second marriage; namely, Franklin, born May 22, 1867, but died at birth; Joseph Alexander, born June 3, 1869, and died in his fifteenth year on October 24, 1884; and Charlie Collins, born September 7, 1871.<sup>17</sup>

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<sup>17</sup>A. B. Tollison to Robert E. Byrns, October 23, 1962, in L. L. Foster Papers; "Family Record of Joseph D. Foster," dated "Dec. 10th, 1892," *ibid*.

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Georgia in the year 1868 showed little promise for young Lafayette Lumpkin Foster. The state, torn by four years of Civil War and strangled by carpet bag government, lay destitute. Young Foster saw little hope for success in his home state, and looking beyond to new lands untrampled by war, decided at the age of 18 to go west to Texas. His father's second marriage may have been a factor in his determination to leave home at this time; yet, he was at an age when young men were heading west for a new life away from the problems of the Old South.<sup>18</sup>

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<sup>18</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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## CHAPTER II

### THE EARLY YEARS IN LIMESTONE COUNTY, 1869-1876

L. L. Foster arrived at Horn Hill, Limestone County, Texas, on Sunday, December 12, 1869. His method of transportation is unknown. He may have come as an individual or with a group of other ambitious migrants entering Texas in great numbers from the Old South and Mid-West. A Dallas correspondent of the Galveston Daily News wrote:

Immigration is pouring into all this upper country by the thousands. Substantial, respectable looking people from Tennessee . . . Mississippi, Georgia. They are all greatly pleased and looking for lands.<sup>1</sup>

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<sup>1</sup>Galveston Daily News, November 28, 1869.

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The Navasota Tablet observed:

Among immigrants from everywhere were a large number of Georgians. The men were all good looking, and the ladies from the grandmothers to the budding, and yet to bud, were beautiful. The babies were fat and cryless. Many a subscriber must we have among these Georgians. They appear to have plenty of money.<sup>2</sup>

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<sup>2</sup>Navasota Tablet, December 9, 1869, quoted in Galveston Daily News, December 11, 1869.

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The last observation may have been wishful thinking on the part of the editor of the Tablet, if the Georgians referred to were as impecunious as Foster who "arrived at Horn Hill, . . . without a cent in his pocket."<sup>3</sup>

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<sup>3</sup>L. E. Daniell, Personnel of the Texas State Government with Sketches of Distinguished Texans, 1887 ed., p. 31.

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The reason Foster chose Limestone County is obscure. Local tradition states that an Uncle Estes lived at Horn Hill, a scattering of houses, about nine miles west of present day Groesbeck, and that it was with him that Foster lived for a while upon his arrival in Texas.<sup>4</sup>

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<sup>4</sup>Ray A. Walter to Robert E. Byrns, Waco, Texas, December 10, 1962, in L. L. Foster Papers.

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Another account says that Foster was indebted to an uncle for his travel expenses;<sup>5</sup> it may be that Henderson Estes, the brother-in-law and

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<sup>5</sup>Battalion, December, 1898.

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business partner of Captain Joseph D. Foster, may have loaned him the money.

Although Texas had suffered less than any one of the other states of the Confederacy and had been spared the vicious reconstruction measures encountered in Georgia, Foster found political and economic conditions chaotic and the future uncertain under the rule of the Radical Republicans in Texas supported by Federal troops. If Foster had arrived in Limestone County a few days earlier (on November 30) he would have witnessed the spectacle of a Texas election where all voters were being checked by Federal troops. In order to facilitate close

supervision over the election, the new Constitution of 1869 required voting to take place at the county seats only and over a period of four days. In Limestone County a detachment of ten soldiers had been assigned to the county seat at Springfield, as elsewhere, by the commander of the Fifth Military District (Texas), "to keep the peace and supervise the elections," and to assist in retaining the Radical Republicans in control of the state by barring from the list of registered voters all persons who could not take the "iron clad" oath, declaring that they had not previously held either Federal, State, or local civil or military office and "afterwards engaged in the rebellion."<sup>6</sup>

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<sup>6</sup>General Orders Number 185, dated: November 18, 1869, Headquarters Fifth Military District, Austin, Texas, in Galveston Daily News, November 18, 1869.

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"Civil positions" as minutely interpreted by the Radical Republicans were sifted down to include former municipal servants, school trustees, and even sextons. In this manner a large majority of the conservative Democrats were disfranchised, and many other whites feeling that voting was farcical stayed away from the polls on election day.<sup>7</sup> The

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<sup>7</sup>Rupert Norval Richardson, Texas the Lone Star State, p. 208.

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conservative ticket prevailed in Limestone County in spite of the coercion, but the manipulations of the Radical Republicans elsewhere throughout Texas won them control of the state.<sup>8</sup>

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<sup>8</sup>Galveston Daily News, December 7, 1869.

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The spectacle of elections supervised by the military was no doubt annoying to L. L. Foster. However, this irregularity was only an indication of coming events as conditions continued to deteriorate under the Radical Republicans. Two years after Foster's arrival in Texas, the white citizens through formation of a secret society known as the Ku Klux Klan, sought to intimidate the freedmen through persuasion and the use of force. Violence also was directed against the state police, which served more or less as the personal bodyguard of Edmund J. Davis, the Radical Republican incumbent in the governor's chair at Austin. As a result, Davis placed Limestone County and the adjoining county of Freestone under martial law and stationed a militia company of colored troops in the district to maintain order and to enforce his edicts. Such display of military force and rigged elections was Lafayette Lumpkin Foster's introduction to Texas politics and probably made him feel as if he were at home in Georgia.

Other difficulties also beset Foster's newly adopted state. Besides the general lawlessness that prevailed at the time throughout the state, the Indians were still troublesome on the frontier and there were added difficulties along the border with Mexico. The Galveston Daily News reported that on November 24 a detachment of troops under Captain E. M. Heyl from the 9th Cavalry engaged the Indians in battle on the Llano River, resulting in the killing of several Indians and in the wounding of two or three of the troopers, including Captain Heyl, who had engaged

in a hand-to-hand fight with a savage whom he subsequently scalped.<sup>9</sup>

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<sup>9</sup>Ibid.

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From Washington, the United States Secretary of War, William W. Belknap, reported that an unusual number of Indian raids throughout Texas for the first nine months of 1869 had resulted in heavy property damage but that the loss of life had been held down to twenty-six Texans killed. He also reported that the "ordinary civil machinery of the state has been in operation, aided whenever necessary and practicable, by the military force of the United States."<sup>10</sup>

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<sup>10</sup>Ibid., December 16, 1869.

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Conditions in Texas were not good. The economic unrest and the changes in society that had been brought by the emancipation of the Negro made life interesting if somewhat uncertain at times. Yet the turbulence and unrest were only indicative of change and of a struggle for improvement, and Foster recognizing the great potential, but facing the necessity of providing for the harsh present, went to work.

For the next three years he worked as a farm hand, stone and brick mason, well-digger, and often as a general day laborer. The flowery prose of an early biographer describes him:

. . . sweetening his toil with cheerfulness and the consciousness of duty well performed and burning with the fires of noble ambition to enter the walks of a higher life and fill the station for which nature had designed him.<sup>11</sup>



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<sup>11</sup>L. E. Daniell, Personnel of the Texas State Government, 1892 ed., p. 102.

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During this time Foster saved enough money to enroll in Waco University for the 1872-1873 session which began on Monday, September 2, 1872. The school year was of ten months duration divided into Fall and Spring terms of twenty weeks each with an intermission of one week during the Christmas season.<sup>12</sup> In accordance with the published regulations Foster

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<sup>12</sup>Catalogue of Officials and Students of Waco University, Waco, Texas, 1872-1873, p. 9; Ibid., 1873-1874, p. 22.

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paid his fees in advance. The tuition fee was \$25.00 a term, or \$50.00 for the school year. Board, also payable in advance, was \$15.00 a month; a library and contingency fee for the year amounted to \$4.00. Cash was required in advance although provision was made for parents or guardians to tender notes at 10% interest.<sup>13</sup> Foster had evidently earned and

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<sup>13</sup>Ibid., 1873-1874, pp. 23-24.

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saved enough money during his first three years in Texas to enable him to complete two years of schooling at Waco University.

Waco University was one of several schools established by the various unconsolidated Baptist congregations throughout Texas that were loosely organized into "Associations" or "Conventions." Baylor University, "Old Baylor" as it was often referred to in later years, was

chartered by the Republic of Texas in 1845 and was opened at Independence in 1846. At the time Foster enrolled at Waco University, his school was a competitor for leadership in higher education in Texas with Austin College at Huntsville and with "Old Baylor" University at Independence. Waco University had initially been established in Waco, Texas, by the Waco Baptist Association as the Waco Classical School. In 1861 it was rechartered as Waco University by the Association, and received the patronage of the Baptist General Association. The Baptist General Association of Texas and the Baptist State Convention (responsible for the operation of Baylor University since 1848) united to form the Baptist General Convention. As a result of this unification, Baylor and Waco Universities were merged in 1886. It was under Foster's leadership as President of the Baptist General Convention, the main organ of the Baptist denomination in Texas, that the merger of the two schools was effected in 1886--thirteen years after his student days at Waco.<sup>14</sup>

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<sup>14</sup>John Milton Carroll, A History of Texas Baptists, pp. 35-36, 40, 155-158; Walter Prescott Webb and H. Bailey Carroll (eds.), The Handbook of Texas, I, pp. 125-126.

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Under the terms of the merger Waco University was redesignated as Baylor University in Waco. This redesignation accounts for Foster's often being credited with attending Baylor when actually it was the old Waco University in which he had been enrolled.

The physical plant of Waco University when Foster first saw it in 1872 consisted of:

Two well constructed and neatly finished brick buildings, each two stories high and sixty feet long by thirty-six wide the Commodious building of the Female Boarding Department was under construction.

The faculty boasted fourteen members, including the eminent president, Rufus C. Burleson, D. D., and Mrs. Georgia Burleson, the matron.<sup>15</sup>

<sup>15</sup>Catalogue of Waco University, 1871-1872, p. 29.

Foster enrolled in a college preparatory class for his first year (1872-1873) at Waco University, and was carried on the rolls simply as an undergraduate. It was not until his second and final year in school that he was listed as a freshman.<sup>16</sup> Evidently he and his advisers

<sup>16</sup>Carl B. Wilson, "A Register of Baylor University, 1845-1935," Vol "F-O," p. F22; Catalogue of Waco University, Years 1872-1873 and 1873-1874.

believed that he needed a preparatory course in order to pass the required entrance examinations for admission to the university proper.

Although he had an early attraction to enter the legal profession, and at one time even seriously considered studying for the Baptist Ministry, Foster elected at Waco University to specialize in Mathematics and Latin.<sup>17</sup>

<sup>17</sup>Battalion, December, 1889.

Waco University offered two courses, "The Classic" and "The

Scientific." The first, judging from the entrance examinations, stressed English, Latin, Greek, arithmetic, algebra, geography, and United States history. The second course, "The Scientific," omitted the language requirements and substituted etymology, reading, English grammar and composition. If a student were considered acceptable in the above fields he could then pursue the study of astronomy, geology, French, moral philosophy, natural philosophy, bookkeeping, applied mathematics, and a combination course of history, literature, and rhetoric.<sup>18</sup>

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<sup>18</sup>Catalogue of Waco University, 1872-1873, pp. 20-21.

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The number of students graduating was disproportionately low compared to the number enrolled as undergraduates. Apparently, a majority of the students intended to round out their general education with a year or so in college and then go into other activities much as Foster did. For example, in his first year at Waco University there were only two male students in the graduating senior class, but there were one hundred and sixty-four male undergraduates, and of the one hundred and eighteen female undergraduates only seven were seniors.<sup>19</sup>

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<sup>19</sup>Ibid.

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For textbooks Foster used Stoddard's Combination Arithmetic, Bullion and Morris', Latin Grammar and Reader, Robinson's Elementary Algebra, Brook's Ovid, and probably Bullion's Analysis of Parsing and

Composition. He then progressed to texts on university algebra, geometry, Virgil, and English composition.<sup>20</sup>

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<sup>20</sup>Ibid., 1870-1871, p. 13.

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Waco University, a strong Baptist school, had an extensive list of regulations designed to develop high moral character in its students, and Foster and his contemporaries were enjoined on threat of expulsion, to avoid "profanity, cards, and nocturnal disorders or revelings." Church and Sunday School attendance was mandatory; however, devotions could be exercised in any church and not necessarily that of the Baptist denomination. "Pocket money" was curtailed, curfew was at nine o'clock, "lounging on streets or about stores" was prohibited as was "visiting the young ladies' study and recitation rooms"; and, furthermore, "No young lady of the institution shall receive the attention of young men. A violation of this rule will incur a heavy penalty, at the discretion of the faculty."<sup>21</sup>

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<sup>21</sup>Ibid., 1871-1872, pp. 23-26.

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At the close of Foster's second year at Waco he left school never to return as a student. The graduates at the close of the school year of 1873-1874 included one boy (not Foster) and six girls. The lone boy graduated with a Bachelor of Arts Degree, and the young ladies, most properly, each received the degree of "Maid of Arts."<sup>22</sup>

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<sup>22</sup>Minutes of the Board of Trustees of the Waco University and Classical School January 21, 1861 to June 7, 1887, Friday, June 19, 1874, p. 77.

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Foster was not listed among the graduates, nor does his name appear in Carroll's list of graduates of Waco University.<sup>23</sup>

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<sup>23</sup>Carroll, A History of Texas Baptists, pp. 548-549.

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When Foster enrolled in September, 1873, for his second year at the Waco University, he listed the new town of Croesbeck as his home.<sup>24</sup>

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<sup>24</sup>Catalogue of Waco University, 1873-1874, p. 4.

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The school catalogue supports the fact that he attended the school in 1873-1874, and biographical sketches of his activities during this period generally state that he was in school for two years, but he is also generally credited with moving to Croesbeck in November of 1873,<sup>25</sup> thus indicating that he may have withdrawn before the end of

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<sup>25</sup>Daniell, Personnel of the Texas State Government, pp. 31-32.

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the school year. To make the matter more mystifying Masonic records show that Foster joined the Croesbeck Lodge and was initiated to the order as an Entered Apprentice Mason on January 17, 1873.<sup>26</sup>

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<sup>26</sup>Membership Card File, Grand Lodge of Texas, AF&AM, Waco, Texas.

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The multifarious interests and activities of young Foster, so characteristic of the man throughout his lifetime, were becoming evident as early as 1873 when he was just twenty-one years old. Although Foster never returned as a student to Waco University, he retained an active interest in the institution. He was one of the leaders in the negotiations for the merger of Waco and Baylor Universities in 1885-1886, when the two schools formed Baylor University in Waco.<sup>27</sup>

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<sup>27</sup>Carroll, A History of Texas Baptists, pp. 35-40; See p. 16.

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Four years after the merger he served as a member of the Board of Trustees for Baylor University for the period from 1890 to 1896.<sup>28</sup>

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<sup>28</sup>Carl B. Wilson, "A Register of Baylor University, 1845-1935," A-E, p. 2.

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After leaving Waco University, Foster firmly established himself in Croesbeck where he took a leading part in the affairs of the community. Croesbeck, a railroad boom town in 1871 and 1872, was the county railroad, stage line center, and commercial leader of Limestone County.<sup>29</sup> The

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<sup>29</sup>Texas Almanac, 1871, p. 130.

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county had been created from parts of Robertson and Navarro counties on

April 18, 1846, with Springfield designated as the county seat. In 1869, Springfield was a rural market center with a gristmill and a few stores and several blacksmith shops. The most imposing structure was the new brick courthouse built to supersede the original plank building constructed in 1847.<sup>30</sup> The town showed promise of accelerated growth

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<sup>30</sup>Hampton Steele, A History of Limestone County, Texas, 1833-1860, p. 14; B. B. Paddock, A History of Central and Western Texas, pp. 474-475.

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with the first railroad, the Houston & Texas Central, approaching from the south in 1870. Property owners in the town agreed to donate sufficient land within the town limits for the H&TC Railroad right-of-way providing the line build through Springfield. This was done, but when the grade surveys were being made the donors withdrew their gratuitous offer and demanded payment. The railroad company promptly relocated their line and laid the steel two miles east of Springfield and established the new town of Groesbeeck (now spelled Groesbeck), named after Abram Groesbeeck, one of the directors of the road.<sup>31</sup>

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<sup>31</sup>Denny Parker Cralle, "Glamorous Early Day History Entwines Around Old Springfield, Limestone's First Capitol," Pioneer Edition of Groesbeck Journal, May 15, 1936.

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The name of the town of Groesbeeck was always spelled with the double "e" in the last syllable until the administration of Theodore Roosevelt when in deference to Roosevelt's penchant for phonetic spelling



the postal authorities dropped the final "e"; however, for many years the townsfolk and the railroad stubbornly retained the original spelling, while the Post Office Department was as unyielding on its part. Eventually the old order yielded to the idiosyncrasy of "T.R." and adopted the shortened version of "Groesbeck" and so it appears today.<sup>32</sup>

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<sup>32</sup>C. S. Bradly, "A Sketch of Limestone County," Pioneer Edition of Groesbeck Journal, May 15, 1936.

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The population of Limestone County in 1870 was somewhere between six and eight thousand of which approximately one-third was Negro. With the advent of the railroad the population shifted from the older settlements to the new towns of Kosse, Groesbeck, and Mexia.<sup>33</sup>

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<sup>33</sup>Paddock, A History of Central and Western Texas, VI, pp. 474-475; Texas Almanac, 1871, p. 130.

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Springfield eventually disappeared, and the townsite now lies beneath the waters of Lake Springfield, in Fort Parker State Park.

In August, 1873, the year that Foster first claimed Groesbeck as his hometown, the county courthouse in Springfield burned. A store building belonging to a Captain Tyas of Springfield was used as a temporary expedient, but on October 24, 1873, this, too, burned taking with it all county records salvaged from the August fire.<sup>34</sup> The shift in population

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<sup>34</sup>Hampton Steele, "From Account of Elisha Anglin," A History of Limestone County Texas, 1833-1860, p. 14.

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to Groesbeck created a voting majority over Springfield and forced the transfer of the county seat to Groesbeck, where a rented store building was again used as a courthouse until about 1877 when a new brick courthouse was constructed. Foster was reputedly one of the chief instruments in bringing about the change of county seats.<sup>35</sup>

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<sup>35</sup>Battalion, December, 1898.

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Foster's initial business venture was in the insurance business, from which he eventually branched out into other fields; but he seems to have depended on insurance as his principal means of livelihood while he lived in Groesbeck.<sup>36</sup>

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<sup>36</sup>Ray A. Walter to Robert E. Byrns, Waco, Texas, December 10, 1962, in L. L. Foster Papers.

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Foster had a life-long interest in religion and the activities of the Baptist Church, in particular. His interest seems to have been greatly influenced by the forceful preaching of Ezekiel J. Billington one of the noted evangelists of the time.<sup>37</sup> Soon after his arrival in

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<sup>37</sup>Ray A. Walter, A History of Limestone County, p. 82.

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Groesbeck, Foster commenced to preach as an unordained Baptist minister in the newly established church which he had an active part in founding. He was sent as a delegate from Groesbeck to the Twenty-Seventh Annual

Session of the Baptist State Convention of Texas held in Galveston, October 3-6, 1874.<sup>38</sup> This was the first of Foster's numerous and often

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<sup>38</sup>Minutes of the Twenty-Seventh Annual Session of the Baptist State Convention of Texas at Galveston, October 3, 4, 5, 6, 1874, p. 25.

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arduous trips in behalf of the interests of the Texas Baptists, that was to absorb no mean proportion of his energy, time, and money throughout the remainder of his life. Three weeks before he died in 1901, he attended his last three-day annual session of the Baptist General Convention held in the Fort Worth City Hall with over three thousand delegates crammed into a situation where "standing room only" was at a premium.<sup>39</sup> Carroll's monumental history of the Texas Baptists numbers

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<sup>39</sup>Baptist Standard, Dallas, Texas, November 4, and December 5, 1901.

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L. L. Foster along with a select group of thirty-six, including Sam Houston, as one of the great Baptist laymen of Texas.<sup>40</sup>

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<sup>40</sup>Carroll, A History of Texas Baptists, p. 900.

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Foster was also an active member of the Masonic fraternity. As previously noted, he was initiated as an Entered Apprentice Mason of Groesbeck Lodge 354 AF&AM. Masonic records show, for some unaccountable reason, that he was raised to the Degree of Master Mason on the same day. Before the end of the year Foster was passed to the Degree of Fellowcraft,

and in 1874 he was elected Junior Warden of the Lodge and served through the years 1874, 1875, and 1876 in that capacity, and thereafter continued to be active in the order. In 1877 he was Worshipful Master and from 1879 through 1881 he served as Senior Warden and again as Master in 1882, 1883, and 1884.<sup>41</sup> For some reason--perhaps because of his gregarious nature,

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<sup>41</sup>Membership Card File, Grand Lodge of Texas, AF&AM, Waco, Texas; Noel Hollingsworth to Robert E. Byrns, Mexia, Texas, May 3, 1963, in L. L. Foster Papers.

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or possibly as a political expedient to make himself better known outside his own community--Foster petitioned the Mexia, Texas, Chapter 131, of the Royal Arch Masons on February 26, 1876, and received the Marked Master Mason Degree on March 26, 1876. Less than two weeks later, April 6, he received his Past Masters Degree and at the same time received and was exalted to the Degree of Royal Arch Mason.<sup>42</sup>

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<sup>42</sup>Ibid.

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Mexia is twelve miles north of Groesbeck and in the days of dirt roads and slow trains a round trip to Mexia would require more preparation than the casual few minutes given to such a drive today. The political scene probably attracted Foster's attention and interest especially with the downfall of the Radical Republicans in the Fall of 1873 when Richard Coke of Waco unseated Governor Davis. Since Foster was a student at the University in Waco when Coke was nominated, it is not at all unlikely that the energetic young man may have at that time met the noted Texan--

the first duly elected governor after nine years of Reconstruction and radical rule. The election was a rough-and-tumble affair; but no Federal troops intervened since military control in the state had been terminated since April 16, 1870. Governor Davis appealed to President Grant for Federal troops to keep him in office, but Grant declined to intervene and Davis relinquished the governor's office on January 17 to Coke who had been sworn into office two days before.

The busy and eventful year of 1874 proved rewarding to L. L. Foster in another and deeper sense. Compressed between his political labors in getting the county seat established at Groesbeck and the performance of his church and Masonic duties, to say nothing of his growing insurance business, young Foster, now in his twenty-third year, had a romantic interest to occupy the few remaining evenings left free from the demands of his other activities. Laura Lucretia Pender, nineteen year old daughter of Drew Pender of Groesbeck, was progressively requiring more of the aggressive young man's time. Although Miss Laura concluded that life with Lafayette Lumpkin Foster could be expected to be on a competitive basis with Lafayette's numerous and varied interests, she accepted the competition and fitted her life into that of L. L. Foster and on January 2, 1875, they were married in Groesbeck.<sup>43</sup>

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<sup>43</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963; San Antonio Express, December 2, 1901.

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### CHAPTER III

#### A NEW ERA 1875-1880

The year 1875 found the Democrats taking full control of the state on all levels of government. Law and order gradually returned to the state under the leadership of the Democratic administration of Governor Richard Coke. Rigid economy was practiced; but the Democrats were not content until the last vestiges of Radical rule--represented by the Constitution of 1867--were eliminated by the drafting of a new Constitution in 1875 which was submitted to a vote of the people on February 15, 1876. The Constitution was overwhelmingly approved simultaneously with the reelection of Governor Coke.

The change in the political situation, the resumption of railroad construction, and the general feeling of better times to come were not lost on L. L. Foster. He had taken an active interest in the politics and issues of 1875 and 1876; and, with the dawn of a new era, he felt the need of an organ for the Democratic Party in Limestone County. Accordingly, on November 19, 1876, the Limestone New Era, a weekly newspaper published at Groesbeck, made its first appearance, with L. L. Foster as editor, proprietor, and publisher.<sup>1</sup> Though Foster was not the

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<sup>1</sup>E. H. Loughery, Personnel of the Texas State Government for 1885, pp. 4-5; Dallas Daily Times Herald, December 2, 1901.

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first to publish a newspaper in Limestone County, his was the first to be published for any length of time. The Weekly Kosse Enterprise in 1869, The Cumberland Presbyterian in 1873 at Tehuacana, and the Groesbeck

Clarion in 1874 allegedly antedated the New Era.<sup>2</sup> The Clarion's reason

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<sup>2</sup>A. B. Norton, "A History of Early Newspapers in Texas," p. 358; F. B. Baillie, A History of the Texas Press Association; Another source makes no mention of these publications, but cites the New Era as the first newspaper in Limestone County. Texas Newspapers 1813-1939.

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for existence is unknown, but it apparently failed to satisfy the requirements for a newspaper and disappeared shortly after commencing publication. Possibly it was an organ of the declining Radical regime; however, Foster's paper

. . . gradually, but surely, gained the respect and confidence of the people of Limestone County, and in time its influence extended beyond County lines and throughout Central Texas.<sup>3</sup>

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<sup>3</sup>Daniell, Personnel of the Texas State Government with Sketches of Distinguished Texans, p. 31.

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Whether as a Mason, or as a campaigning editor, or as a crusading Baptist lay-minister, Foster soon acquired a great deal of power and political influence in his county and throughout Central Texas.<sup>4</sup> Seven

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<sup>4</sup>David Brooks Cofer, The Second Five Administrators of Texas A and M College, p. 111.

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years after his arrival in Texas as a penniless eighteen-year-old youth from the Georgia hills, young Foster was the leading citizen in Limestone County.

Other and more personal interests soon began to demand a share of



Foster's time. On July 8, 1877, the first of the seven children of L. L. and Laura Foster was born. The youngster was promptly named Joseph Lumpkin Foster, in honor of his father and grandfather. The joy incident to the arrival of little Joseph was sharply checked ten days later by news from Georgia of the death on July 17, 1877, of Lafayette Lumpkin's father, Captain Joseph D. Foster. Captain Foster was buried in the old Estes family burying ground near Cumming, Georgia, not far from the grave of his first wife, Milly Malinda.

Henry, the brother of L. L. Foster, who still lived in Forsyth County, Georgia, acted as administrator of his father's estate and according to the records of Forsyth County, L. L. Foster inherited a substantial sum.<sup>5</sup>

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<sup>5</sup>A. B. Tollison to Robert E. Byrns, Cumming, Georgia, October 23, 1962, in L. L. Foster Papers.

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Foster continued through the 1870's to remain active in community affairs. His Masonic responsibilities in Groesbeck and neighboring Mexia were not neglected. He served as Worshipful Master of the Groesbeck Masons in 1877.<sup>6</sup> Foster contributed regularly to the support of the church

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<sup>6</sup>Membership Card File Grand Lodge of Texas, Waco, Texas. Noel Hollingsworth to Robert E. Byrns, Mexia, Texas, May 3, 1963, in L. L. Foster Papers.

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and missions of the Baptists.<sup>7</sup> He was also gaining some reputation as a

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<sup>7</sup>Ray A. Walter to Robert E. Byrns, Waco, Texas, June 21, 1962, in L. L. Foster Papers. J. L. Walker and C. P. Lumpkin, A History of the Waco Baptist Association of Texas, p. 117.

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Baptist lay-minister. On one occasion, he attended the Baptist State Convention of Texas in Galveston on October 3-6, 1874, where he was listed in the minutes of the Convention as a Baptist minister from Groesbeck, Limestone County.<sup>8</sup> The reference to Foster as an ordained

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<sup>8</sup>Minutes of the Twenty-Seventh Annual Session of the Baptist State Convention of Texas held in Galveston, October 3, 4, 5, 6, 1874, p. 25.

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minister is obviously an error, which has persisted to this day. Later church records often refer to him as either a Baptist layman or as an unordained minister, but nowhere, except in 1874, is there a reference to him as an ordained minister. As mentioned previously, his inclination for the ministry had always been strong. Ever since his baptism in the Baptist Church at Horn Hill by the Reverend G. L. Jennings soon after his arrival in Texas,<sup>9</sup> he often toyed with the idea of entering the ministry.

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<sup>9</sup>Ray A. Walter to Mrs. T. D. McNeil, Waco, Texas, July 16, 1952, in L. L. Foster Papers.

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The Reverend Jennings and L. L. Foster seem to have joined together to establish the First Baptist Church in Groesbeck. Owing to efforts of these two men, the Groesbeck church was officially recognized as a new church by the Waco Baptist Association at its annual meeting held on

August 26 and 27, 1876 at Blue Ridge Church, Falls County. At that time, there were only sixteen members of the Groesbeck church, with the Reverend Jennings listed as the duly installed pastor.<sup>10</sup>

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<sup>10</sup> Walker and Lumpkin, A History of the Waco Baptist Association of Texas, pp. 73-74.

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In August 1877, Foster again attended the Annual Session of the Waco Association--this time held in Marlin--as an "unordained minister" from Groesbeck.<sup>11</sup>

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<sup>11</sup> Ibid., p. 85.

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A second son named Walter Drew Foster, was born in Groesbeck on October 18, 1878.<sup>12</sup> With the prospect of a growing family, Foster now

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<sup>12</sup> Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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found it necessary to apply himself more assiduously than ever to his insurance business, and in connection with the New Era began to branch out into job printing, turning out pamphlets of various types, minutes of various associations, briefs of law cases, and occasionally pro-Democratic political materials.<sup>13</sup>

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<sup>13</sup> Ray A. Walter to Robert E. Byrns, Waco, Texas, June 21, 1962, in L. L. Foster Papers.

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The year 1879 opened sadly with the death of Foster's only sister Milly Malinda on January 26. She was not quite eighteen. Of the eight children born of Captain Foster's two marriages only four had survived by 1879.<sup>14</sup>

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<sup>14</sup>"Family Record of Joseph D. Foster," dated: "Dec. 10th, 1892," in L. L. Foster Papers.

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The unpropitious opening of the year 1879 for Foster seemed to permeate the rest of Texas. In the spring there was excessive rain, and then as summer arrived, the weather turned hot and extremely dry for Central Texas. The Fort Worth Democrat complained of the 110 degree heat and decried the lack of public baths, but observed that the town had "a number of free public stanches."<sup>15</sup> Animals were reacting strangely, and

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<sup>15</sup>Fort Worth Daily Democrat, July 19, 1879.

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an incidence of rabies was reported. A child, who had been bitten by a dog, died of

hydrophobia. . . . Mad stones were applied to the wound and it was fondly hoped had proven effectual, until Friday last when symptoms of the disease showed themselves.<sup>16</sup>

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<sup>16</sup>Ibid., August 15, 1879.

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Malaria ravaged New Orleans, and Galveston promptly quarantined all vessels approaching from that city and earned the thanks of the Democrat

for taking such preventive steps.<sup>17</sup>

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<sup>17</sup>Ibid., July 24, 1879.

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At Memphis, Tennessee, the dreaded yellow fever broke out. The St. Louis postmaster refused to handle mail from the pestilent area. On July 25 the Texas State Health officials quarantined the Lone Star State against freight from Memphis and at Red River, a few miles north of Denton, a fumigation mill was established for all mail destined for Texas via the Missouri, Kansas, and Texas Railroad. The Democrat observed that it was a known fact that yellow fever never appeared at elevations above four hundred feet sea level. Although the source of infection at Memphis was no doubt caused by unclean privy vaults, it was hoped that wise men would investigate the cause of the dreaded disease and impose regulations to eliminate it.<sup>18</sup>

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<sup>18</sup>Ibid., July 19, 25, and August 2, 1879.

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During July, the Indians in West Texas proved troublesome. Deutscheurer's Rancho, three miles west of Fort Davis, was attacked by redmen who killed Juana Josea, the herder's wife, and made off with sixteen head of horses.<sup>19</sup>

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<sup>19</sup>Ibid., July 19, 1879.

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Business lagged that summer. While great loads of buffalo hides

were being hauled into Fort Worth, the number of domestic beef animals on hoof moving northward from Southern and Southwestern Texas was only 257,927, or 7,719 less than for the same time the previous year.<sup>20</sup>

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<sup>20</sup>Ibid., August 2 and 6, 1879.

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The Denton Monitor complained:

Denton is invested with a number of Juvenile Sneak Thieves /and observed darkly that/ the boys are ripening for the gallows or the penitentiary. That book of 'Sam Bass and His Gang' has much to answer for.<sup>21</sup>

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<sup>21</sup>Quoted in the Fort Worth Daily Democrat, July 20, 1879.

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On the brighter side, "H.M.S. Pinafore" took people's attention off of reality for a brief spell. The play was described by the Democrat,<sup>22</sup>

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<sup>22</sup>Fort Worth Daily Democrat, August 6, 1879.

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as one of which "there's nothing in it to offend the most fastidious . . . the music as well as the drama is bright and sparkling."

The wooded and undulating prairie of Limestone County lay in the doldrums during the last of the July heat of 1879, and not for another six weeks would the first suggestion of fall shake the people out of their summer lethargy. Foster was impatient to be doing something, and, although the elections of 1880 were a year off, he was sniffing the political air and detecting insurgency. The New Era began to take the

members of the state press to task for questioning the capabilities of United States Senator Sam Bell Maxey, "an 'ultra-simon-pure-secession-anti-reconstruction Democrat'" whose first term would expire in 1880 and who was generally accepted by the Democrats as their nominee to be elected by the state legislature for a second term.<sup>23</sup>

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<sup>23</sup>Richardson, Texas the Lone Star State, p. 227.

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Those papers, [said the voice of Limestone County], engaged in an attempt to prepare the public mind for a change of Senators in 1880 forget that Maxey is one of the most intelligent hardworking and influential men in the United States Senate. The people are pleased with his course, and the wire pullers can't make them go - Lang.<sup>24</sup>

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<sup>24</sup>The Groesbeck New Era as quoted by the Fort Worth Daily Democrat, July 27, 1879. W. W. Lang was Master of the State Grange. He had un-realized gubernatorial aspirations in 1878.

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The closing of the year 1879 also marked the closing of L. L. Foster's first decade in Texas. He could well pause and reflect on his current position and consider future plans and prospects. He was a leader in local affairs--Senior Warden of the Masonic Lodge, clerk of the Groesbeck Baptists, editor, and businessman; but the town was still small, and at twenty-eight years of age, middle-age to Foster seemed ominously close. His family was growing. A third child was on the way. Perhaps, the coming decade would see him advance to higher levels and responsibilities. He never shunned responsibility. In fact, he sought it. Foster anxiously awaited the election year of 1880, and the ensuing decade.

CHAPTER IV  
IN THE STATE LEGISLATURE

The election year of 1880 marked an acceleration of Foster's activities which within the next five years would project him to a position of prominence in the affairs of Texas. Since his first arrival in Groesbeck six years earlier, Foster encountered an ever widening circle of close personal friends and political acquaintances through his work in the church and among the Masonic order. Through the columns of the New Era he became known to many others throughout Central Texas.

The Democrats were no longer a minority party in the state, however, there were latent threats in the reappearance of the Republicans in strength in northeast Texas. The chief competition, however, was to come from the new and vociferous Greenback Party which advocated the issuance of Greenback paper money as full legal tender as a means of raising farm prices. The new party also called for a general retrenchment in government expenses.

The height of political activity in Limestone County in 1880 was reached on July 16 when the aspirants for local county offices staged at Groesbeck a combination barbecue dinner and political rally. The featured speakers were United States Senator Samuel Maxey and Congressman Roger Q. Mills, both Democrats, and Dr. J. D. Rankin, of the Greenback Party. Senator Maxey spoke for an hour and a half before an enthusiastic crowd of four thousand persons, or about one-fourth of the county's population of 16,255 as shown by the 1880 census, plus a number of visitors from the adjoining counties. Senator Maxey lauded the



strength of the Democrats and decried the alleged weaknesses of the Greenbackers

he attacked the Greenback Party vigorously, showing it had changed front since 1876, and is no longer advocating the fiat money theory as a distinctive principle; that it now proposes to pay the national debt, according to contract in gold and silver. The past record of the democratic party was presented in glowing terms, and to this the people were urged to look for guidance in the future. The speech was clear, pointed, logical and convincing, and made the senator many new friends.

Apparently the Senator was a convincing speaker because his opponent, Dr. Rankin, flatly refused to speak when it came his turn. The doctor complained that the time allotted to the two opposing speakers had been unfairly divided, and for this reason he declined making a speech at that late hour.

After the barbecue following the rally, Congressman Mills addressed the crowd and was well received.<sup>1</sup>

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<sup>1</sup>Galveston Daily News, July 17, 1880

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The Democrats held their election of candidates in Limestone County on July 27. This came as something of an anti-climax to the excitement of the previous week. Voting was light, yet Foster won nomination by a vote of 524 to 301 over Gibson.<sup>2</sup> as candidate to the State Legislature.

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<sup>2</sup>Ibid., July 27, 1880.

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At the time Foster was being elected to the House of Representatives, another significant campaign was concluded in the Seventh District,

comprising six counties some distance north and east of the Fifty-Second District, which placed James Stephen Hogg in office as District Attorney.<sup>3</sup> Jim Hogg, like Foster, and only eight months his senior, was

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<sup>3</sup>Robert C. Cotner, James Stephen Hogg A Biography, p. 82.

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another earnest young politician who was beginning to attract the attention of the people of Texas. The personalities of the two men were radically different, but both were basically honest with high personal standards and a capacity for hard work and attention to detail, and each championed the cause of his constituents, the ordinary people of Texas. Both were friends of the farmer, the laborer, and the small businessman, against corporate wealth and special privilege. In a few years the political paths of the two men were to cross, and Hogg, in his long fight against illegal trusts and unfair corporate practices, soon found himself relying heavily upon the services and support of L. L. Foster.

The year 1880 fulfilled all of Foster's earlier optimistic expectations and ambitions for greater achievement and prominence in public affairs. His family, too, was growing. A new baby, a girl this time, Edna Earle Foster, was born March 23, 1880, and required more of Laura Foster's attention, along with the increasing demands of the two little boys.<sup>4</sup> Father Foster, an indulgent family man, regretted the

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<sup>4</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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numerous absences that were made necessary by his increasing participation in public affairs. In the late spring he made the long trip by rail to Houston to help organize the Texas Press Association, which met for the first time on May 19 with Foster as a charter member of the new organization.<sup>5</sup>

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<sup>5</sup>Baillic, A History of the Texas Press Association, p. 73-76.

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Then, too, Foster's church responsibilities were increasing with the growth and expansion of the Texas Baptists and his own growing popularity within the organization and among the rank and file Baptists of the state. He was frequently requested to address conventions and meetings of the denomination. The Twenty-First Session of the Waco Baptist Association, held at White Hall, five miles west of Waco, requested him to report to the Association on the subject of "Temperance." Foster attended the meeting as an unordained minister from Groesbeck; and when called upon to address the Association, declared in the course of his speech that, "if there were no moderate dram drinkers, there would be no drunkards."<sup>6</sup> At

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<sup>6</sup>Walker and Lumpkin, History of the Waco Baptist Association, 87; Ray A. Walter to Robert E. Byrns, Waco, Texas, June 21, 1962, in L. L. Foster Papers.

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the business meeting of the Association, Foster was named to membership in the Baptist Foreign Mission Board, thus incurring additional responsibilities.<sup>7</sup>

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<sup>7</sup>Ray A. Walter to Robert E. Byrns, Waco, Texas, June 21, 1962, in L. L. Foster Papers.

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On January 18, 1881, Governor Oran M. Roberts began his second term in office and L. L. Foster, now twenty-nine years of age, took his seat in the House of Representatives in the old capitol building in Austin, and became a member of the Texas State Legislature sometimes referred to as that

. . . Independent organization . . . more independent than any other legislature in the United States . . . and as far as Texas is concerned a member of the legislature holds the most responsible office from the President of the United States on down to Constable.<sup>8</sup>

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Byron C. Utecht, The Legislature and the Texas People, pp. 1-2.

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Foster's activities in the Seventeenth Legislature are obscure. He appears to have proceeded with caution. He sought to learn the business of legislation, and to study more fully the problems of the day on a broader perspective from the state capitol than one could vision at the county level. The Seventeenth Legislature supported Governor Robert's program of debt liquidation and government solvency and endorsed his "pay-as-you-go" policy. The Governor reported in his final message to the Legislature in 1883 that during his two terms in office nearly a million and a half dollars had been paid on the state debt and this had been in spite of the fact that taxes had been appreciably reduced.

After the Seventeenth Legislature adjourned Foster returned home to Groesbeck in time to welcome the latest baby in the Foster household--Henry James Foster--born May 3, 1821.<sup>9</sup>

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<sup>9</sup> Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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As the summer of 1881 wore on Foster continued to be busy with his public activities. During this time the Groesbeck church sent him as one of three delegates to the Fourteenth Annual Session of the Baptist General Association held in Waco, July 22-26. The official minutes of the session show that Foster was placed on the Sunday School Committee of the General Association to help develop the educational program of the church.<sup>10</sup>

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<sup>10</sup> Proceedings of the Fourteenth Annual Session of the Baptist General Association of Texas, 1881, p. 5, 86.

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The old capitol building in Austin burned November 9, 1881, and Governor Roberts called a special session of the Legislature to meet April 6, 1882, to make specific provision for the construction of a new capitol building for which general authority had been given in the Constitution of 1876. The Legislature initiated action to start negotiations with a northern firm to erect a new capitol building in return for a grant of three million acres of land in West Texas.

The necessary legislation having been accomplished, the special session of the Seventeenth Legislature adjourned on May 5, and Representative Foster hurried home for a few days with his family before setting out for the second annual meeting of the Texas Press Association scheduled to meet in Pilot's Opera House in Houston May 11.

As a charter member of the Association, Foster felt obliged to attend the meeting. The Association was having difficulty in getting properly organized, and there was some mystery regarding the whereabouts of one of its key officials and the missing funds of the Association.<sup>11</sup>

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<sup>11</sup> Baillic, A History of the Texas Press Association, p. 76.

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Upon his return to Limestone County, Foster was soon back in the routine of public life. In July he was called to attend the fifteenth annual session of the Baptist General Association of Texas held in Sulphur Springs from the twenty-first through the twenty-fifth of the month. Returning to Groesbeck with a new responsibility as a member of the "Bible and Colportage and Educational Board," Foster added this latest duty to his growing list of responsibilities connected with his church.<sup>12</sup> He was also serving again as Worshipful Master of the

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<sup>12</sup> Proceedings of the Fifteenth Annual Session of the Baptist General Association of Texas, 1882, p. 11.

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Groesbeck Masons.<sup>13</sup>

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<sup>13</sup> Membership Card File, Grand Lodge of Texas, Waco, Texas.

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Foster decided to continue in the state legislature, and accordingly, in 1882 ran for and was elected to the office a second time on the Democratic ticket. In spite of an upswing in the Greenback Party vote

in the state, Foster's support of the farmers' demands for needed reforms in the land laws, the regulation of railroad transportation, the abolition of the "smokehouse" tax law, the abolition of useless offices, and the establishment of a genuine public school system for Texas, cut heavily into the Greenback Party vote in his district. "The people of the 52nd district . . . called him from the editorial sanctum" as one of his contemporaries remarked,<sup>14</sup> and sent him down to Austin to represent their

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<sup>14</sup>Daniell, Personnel of the Texas State Government, 1885, p. 4.

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interests. In the meantime, on September 5, 1882, the Foster family welcomed another youngster, their fifth, with the birth of Jacob Lawson Foster.<sup>15</sup>

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<sup>15</sup>Death Certificate, State File No. 48145, Texas Department of Health, Bureau of Vital Statistics, Austin; Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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The Eighteenth Legislature convened January 9, 1883, and a few days later, John Ireland was installed as the new governor of Texas. Foster now occupied his seat in the House of Representatives with the air of an experienced legislator, and his forensic ability soon began to attract the attention of many of his colleagues and to earn for him the reputation of an accomplished orator.<sup>16</sup> Foster was accorded considerable notice

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<sup>16</sup>Daniell, Personnel of the Texas State Government, 1885, p. 4.

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during the session and given various legislative responsibilities. He was named chairman of several important committees, including the chairmanship of the all important Free Conference Committee, composed of five members of the House and five of the Senate, to iron out the differences between the two houses on the sale of public land for the use of the various state educational and eleemosynary (orphan, blind, deaf, dumb, and lunatic) institutions.<sup>17</sup> The committee's report was then

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<sup>17</sup>Journal of the House of Representatives of the State of Texas. Eighteenth Legislature, 1883, pp. 440, 441.

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submitted to the House of Representatives and there adopted by an "unanimous vote."<sup>18</sup> During the session of the Legislature, Foster was

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<sup>18</sup>Ibid., p. 446.

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"called to the chair" to preside over the House on five different occasions.<sup>19</sup> Of greater significance, however, was the interest that

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<sup>19</sup>Ibid., p. 503.

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Foster exhibited in working towards establishing a commission to regulate railroad traffic, fares, operating procedures, and other matters connected with the railroads. Working with James Q. Chenoweth of Bonham and Senator A. W. Terrell of Austin, Foster sought to get the necessary legislation passed, but failed.<sup>20</sup> Eight years later, with a more greatly



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<sup>20</sup>Cotner, James Stephen Hogg, p. 221.

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aroused public support, the desired legislation would pass under the leadership of Governor Hogg and Foster would be named as one of the three original members of the first Texas Railroad Commission.

Upon adjournment of the Eighteenth Legislature on April 13, 1883, Foster returned to Groesbeck to give attention to his business interests, to cement political and personal friendships, and to spend some time with his family, before and in between attending the usual church, fraternal, and press conventions and meetings with which he was associated. The year 1884 would be another election year for state and local offices, as well as for President of the United States, and the routine of the stump speaker would require long hours of travel and speaking; hence, it would not be unlikely that Foster elected to rest a little after the Legislature adjourned. Existing records are vague regarding his actions during the latter half of 1883.

The year 1884 marked the birth of the sixth child to Lafayette Lumpkin and Laura Pender Foster, on March 23. The new born son was simply christened "Mack Marion Foster."<sup>21</sup>

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<sup>21</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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Foster found time to attend the annual state convention of the Texas Press Association in Meyer Hall, Dallas, on May 5, 1884, where he nominated Colonel J. F. Elliott, editor of the Dallas Herald, for

President and moved that the election be by acclamation. Elliott, however, declined to permit his name to be considered because he had been selected to spend the year in New Orleans as "Commissioner to the Exposition." (The World Exposition). Consequently, W. L. Hall, also of the Dallas Herald, was nominated and elected to fill the office of President of the Association for the next year.<sup>22</sup>

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<sup>22</sup>Baillie, A History of the Texas Press Association, p. 106.

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After the meeting of the Press Association, Foster returned to Groesbeck and probably was soon off on a Press Association excursion to Houston. Such excursions were now becoming a regular feature of the annual meeting of the Texas Press Association and were generally on a gratis basis from the railroads, the hotel keepers, and other catering services that preferred to keep on the good side of the press. In 1884 a special car and sleeper were attached to the regular train for the accommodation of those members of the Press Association going to Houston.<sup>23</sup>

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<sup>23</sup>Ibid.

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On June 11-12 he attended the Democratic State Convention in Fort Worth to assist in choosing delegates to represent the state Democratic Party in the party's national presidential nominating convention meeting in Chicago on July 8. In the State Convention Foster represented the Fifteenth Senatorial District on the Committee on Platforms and

Resolutions.<sup>24</sup>

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<sup>24</sup> Ernest William Winkler (ed.), Platforms of Political Parties in Texas, pp. 217-218.

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Foster continued to be very active in the affairs of the Baptist Church and never lost an opportunity to attend all local, county, and state meetings of the Baptist Associations, or to preach in the role of a lay-minister. As late as 1936 he was still remembered among the Baptists for his work in the church even after many of his other achievements had been forgotten. A writer in the Centennial Story of Texas Baptists, published in 1936, said:

The laymen of this period who saw denominational service in more places than any other, perhaps, was Honorable L. L. Foster . . . .<sup>25</sup>

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<sup>25</sup> Franklin Elisha Burkhalter, "The Laymen and Their Work" from Harlan J. Mathews, The Centennial Story of Texas Baptists, p. 258.

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In accordance with his reputation, Foster attended the annual session of the General Association held in Paris, Texas, July 25-28, 1884. He was still a member of the "Bible and Colportage and Educational Board" concerned with the finances of ministerial education and scholarships for young ministers attending Waco University. Included in the minutes of the 1884 meeting is Foster's report dated July 15, 1884, on the activities and recommendations of the Board.<sup>26</sup>

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<sup>26</sup>Proceedings of the Seventeenth Annual Session of the Baptist General Association of Texas, 1884, p. 25.

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Going from the sacred to the secular, Foster next went to Houston to attend the State Democratic Convention for state affairs, August 18-21, inclusive. The Democrats renominated John Ireland as their candidate for governor. Chairman J. M. Claiborne discussed the schisms within the party, and the tendency for some of the members to drift from the fold into the ranks of the Greenback Party. Foster was again placed on the Committee of Platform and Resolutions, and no doubt had considerable influence in liberalizing the platform of the party and yet maintaining the air of harmony that prevailed at the convention. The Texas Democratic Convention endorsed the principles announced in the platform adopted by the national Convention of the Democratic Party, which had met in Chicago in July. The nomination of Grover Cleveland by the National Convention was approved. The Texas Convention went on record as approving an efficient system of common free schools for Texas, both for white and for colored races, and recommended the disposition of state school lands set aside for the purpose under "such limitations as may best subserve these ends, so that school taxes may be reduced to the lowest possible limit."

The Free School and asylum lands, the Convention declared, were a sacred trust in the custody of the Legislature and to be held and managed for the best interests of the particular fund to which they were dedicated.

Leasing rather than selling the lands was advocated until such

times as they were purchased by actual settlers, at a reasonable price fixed by law, without competition and in such a manner as not to retard the development and prosperity of the frontier.

The Convention opposed the enactment of a herd law and recommended overhauling existing State laws for the protection of mechanics and laborers by liens in order that the real laborer might be thoroughly protected.

The State Convention also opposed the unrestricted buying and controlling of Texas real estate by corporations and advocated amendment of the incorporation laws to discourage such practices.

The proper and immediate regulation of transportation of freight by common carriers was considered a matter of public concern and ~~that~~ delays and discriminations to which persons and places were often subjected by carriers should be remedied by prompt and efficient legislation.

Friends of good government in Texas were appealed to "to assist in the maintenance of the same."

The Convention also tacked on several additional resolutions. One condemned the "criminal indifference exhibited by the Republican Party at all times" and had some caustic remarks for James G. Blaine, when he was Secretary of State of the United States, in reference to the care and protection of American citizens of foreign birth while they were visiting in foreign countries.

The Democrats in Congress were commended for their actions, especially their stand on the tariff issue. (Protective tariffs were not favored-- only those for revenue were considered favorably).

The last recommendation advocated to the Nineteenth Legislature of Texas the formulation of a law providing for the organization of district criminal courts whenever necessary throughout the respective judicial districts of the State.<sup>27</sup>

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<sup>27</sup>Dallas Weekly Herald, August 21, 1884; Cotner, James Stephen Hogg, p. 95; Winkler (ed.), Platforms of Political Parties in Texas, p. 220-223.

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As a result of his activities within the Convention and upon its platform and Resolution Committees Foster's stature among the Democratic leadership in the state increased considerably. In fact, he was teamed with the eminent Congressman Robert Q. Mills for a speaking tour through Central Texas. The Dallas Herald kindly observed:

Hon. R. Q. Mills and L. L. Foster spoke at Kosse yesterday. Oct 4. They both sustained their well-earned reputations as orators; and the Republican cause and free grass craze were set back ten years in that community. Who is more worthy than L. L. Foster of Limestone to handle the gavel in the next legislature?<sup>28</sup>

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<sup>28</sup>Ibid., October 9, 1884.

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Not only was Foster helping to promote the course of the liberal wing of the Democratic party, but he was also concerned about his own re-election. For the latter, he should have had little cause for concern. The voters of the Fifty-second District, judging from the election returns, seemed to have been well pleased with what he had been doing in the Legislature and returned him for a third term by a sizeable vote. After the election returns were in a correspondent of the Dallas

Weekly Herald commented shortly before Christmas:

Editor and Hon. L. L. Foster, of Groesbeck arrived this morning in Waco, December 21. He is the editorial representative in the Legislature from this district and is here looking after his political fences, he being an aspirant for Speaker at the next House of Representatives.<sup>29</sup>

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<sup>29</sup>Ibid., December 25, 1884.

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At noon January 13, 1885, the Hon. J. W. Baines, Secretary of State, called the Nineteenth Legislature to order. After the opening prayer and certain other ceremonial functions had been disposed of, the business of selecting a Speaker was in order. L. L. Foster, A. T. McKinney, W. F. Upton, and M. Tankersly were each nominated from the floor for that key position in the House. After the nominations were closed, and the balloting was about to commence, Tankersly withdrew from the race. On the first ballot Foster, Upton, and McKinney each polled forty-five, thirty-six, and twenty-four votes, respectively. By the time the third ballot was reached, McKinney had withdrawn. On the third ballot, Foster received fifty-six votes to forty-nine for Upton. Foster was then acclaimed the new Speaker, and, at the direction of the Secretary of State, the losers in the contest escorted Foster to the chair, where he was promptly sworn in.

After the installation ceremony, Foster addressed the House and asked for the cooperation of its members. He also remarked that he had been opposed in the contest for Speaker by honorable competitors who had an honorable ambition to be elected to the speakership by virtue of their age and experience in public life. Foster concluded with

congratulations that the contest had been an earnest one and that there was no bitterness of feeling. The House then adjourned until 3:30 p.m.<sup>30</sup>

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<sup>30</sup>Journal of the House of Representatives of the State of Texas Nineteenth Legislature, 1885, p. 1.

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It is not the purpose of this biography to go into any detail on the accomplishments of the Nineteenth Legislature or, conversely, to study the work left undone by it. It is sufficient to say that this was an era of unrest. A fence-cutting war was in progress and it became necessary for Governor Ireland to call the Legislature into special session to deal with the matter. In Austin, the Legislature worked under some handicap. The offices of the state government and legislative bodies were housed in cramped quarters in a building on Congress Avenue while the new capitol was undergoing construction. The University of Texas had become a reality during Ireland's first term as governor, and continued improvements had been made during his administration of all of the other state institutions, making possible a further reduction in taxes.

At the time of his election, Foster was the youngest person to occupy the Speaker's Chair. The record no longer holds true today. The Speaker of the Forty-fifth Legislature of 1937, the Honorable R. W. Calvert of Hillsboro, was thirty-one years of age when elevated to that office.<sup>31</sup> Foster was thirty-four. Foster's record for attendance at

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<sup>31</sup>Utacht, The Legislature and the Texas People, p. 9.

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legislative sessions was excellent. Of the sixty-six days in which the House met, he was absent a total of three and one-half days.<sup>32</sup>

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<sup>32</sup>Journal of the House of Representatives of the State of Texas, Nineteenth Legislature, 1885, p. 136, 198, 204, 325, and 329.

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Foster's family had remained in Groesbeck while he was in Austin, and he probably was concerned over childhood ailments of the children, and, over the real or fancied alarms engendered when his barn and corn crib were burned on February 26, allegedly by a disgruntled tramp.<sup>33</sup>

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<sup>33</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963; Ray A. Walter to Robert E. Byrns, Waco, Texas, June 15, 1963.

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There was some doubt as to whether or not he attended the sixth annual convention of the Press Association at Galveston on February 10-13, when Carl Shurz spoke to the Association, since he was occupying the Speaker's Chair on those dates, and the record of the legislature session does not show that he was absent on these days. The attendance rolls of the Press Association have been lost.<sup>34</sup>

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<sup>34</sup>Baillio, A History of the Texas Press Association, pp. 109-110.

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That Foster was held in high esteem by his fellow representatives is quite evident. On the day of adjournment of the Legislature on March 31, 1885, a brief and unprecedented ceremony took place in the

House with Foster being presented a ring by the House pages and a large and very elegant silver tray by his fellow legislators. There may have been additional silver presented to him on this occasion, for the donors spoke of a "silver set," but only the tray now (1963) remains in evidence, and is in the possession of Foster's youngest and only surviving child, Mrs. T. D. McNeil, of Dallas, Texas, the former May Alma Foster. The inscription engraved on the tray reads:

Members of the House  
19 Legislature  
to their  
Speaker  
L. L. Foster

As a matter of interest and because the scene is one of the only three on record where Foster's remarks were set down verbatim, the presentation ceremony is given as it appeared in the House Journal of that day:

The Reading Clerk, George W. Finger of Tarrant County, was first presented a gold-headed cane for the prompt, diligent and faithful manner "in which he discharged the arduous and trying duties as Reading Clerk of the Legislature."

Following this little ceremony, the representative from Montgomery County, the Honorable A. T. McKinney then presented to Speaker Foster on behalf of the Nineteenth Legislature a "silver set" as an indication of the respect in which the members of the House held their Speaker. During the course of the presentation ceremony McKinney said/that a

. . . an associate in the transaction of the business of the House and /as an indication/ that we feel that you have discharged the duties of the responsible office . . . with zeal and ability, that you have striven to acquaint yourself with the duties thereby imposed, and that you have administered the office with zeal and skill . . . we hope that this service will serve to perpetuate in a pleasant manner in your home, with your wife and children and friends, the honorable estimate which this house has placed upon your character and services.

In accepting the gift presented to him, Foster remarked that the relations between the Speaker and the membership of the House had been the most pleasant and cordial; and he said that he wished to take this opportunity to thank them further for the kindness shown and for the many courtesies they had extended to him. Then in a more jocular tone he continued:

During our labors here you have been presided over by one whose judgments were not like the laws of the Medes and the Persians - unalterable - and from whose decisions you could have appealed. But you are about to return to the jurisdiction of another presiding officer from whose decisions there is no appeal. You may raise a "point of order" on her, but when the decision is announced and the gavel falls, the question at issue is forever settled. There will be no turning back of the hands of the clock there, every man must come up to the full measure of his duty, or suffer the punishment that will surely follow.

May each of you meet with a kind reception and the approving smiles of a grateful constituency at home. May your lives be long, prosperous and happy, and may you be as devoted to the interest of Texas in the future as you have been in the past.

Again I thank you for this token of appreciation.<sup>35</sup>

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<sup>35</sup> Journal of the House of Representatives of the State of Texas, Nineteenth Legislature, p. 457-458.

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Then in another move fully as unprecedented as the presentation of the silver, Edward Pendleton, one of the House pages, presented the retiring Speaker a "handsome ring," as he expressed it, on behalf of the pages of the House of Representatives with the hope that it would be

. . . worn as a souvenir of our high appreciation of you as a gentleman and presiding officer.<sup>36</sup>

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<sup>36</sup> ibid.

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Foster thanked the pages and admonished them to

. . . be moral, upright, honest young men and in after years, when you shall have attained the years of maturity, may the people of your respective counties honor you with seats as Representatives in this Legislature.<sup>37</sup>

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<sup>37</sup>Ibid.

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By "years of maturity" Foster no doubt had in mind his own venerable thirty-one years during which time he hoped that he perhaps had given some indication of maturity in judgment and leadership.

The hour of twelve o'clock arrived and Speaker Foster adjourned the House after a concluding speech in which he summarized the achievements of the Nineteenth Legislature, but observed that time alone would tell how well the Legislature had performed its duty. It was, he said, the peoples' prerogative to sit in judgment on the acts of the legislature and:

In the present state of public opinion no fair and impartial verdict can be rendered. We have been misrepresented, abused, maligned, and the indiscreet acts and utterances of a few have been held up to public view as representing the character of the majority, and the good we have done, if any, has been lost sight of.

Foster then gave a summary of the most important legislation of the session

1. You have provided for the deficiency in the revenues of the government necessary to meet our obligations to those employed in the public service.
2. You have amended the tax laws and curtailed expenses, wherever it could be done without impairing the efficiency of government, so as to bring the current expenses within the current revenue, and thus provided for a continuance of the "pay as you go" policy, which has been so fully endorsed by the people.
3. You have passed laws compelling railroad companies doing

business in this state to keep and maintain a public office within the jurisdiction of our courts, and also to prevent the consolidation of competing lines, and thus the first steps have been taken to force compliance with our Constitution by these corporations.

4. You have provided for the sale and lease of the public school, university and asylum lands, and thus redeemed the pledge made to the people by the Houston Democratic Convention.

After thanking the members of the House again for their support and loyalty, Foster observed:

It was not without doubt and misgivings as to my ability to discharge the important duties to which this House assigned me, that I accepted the trust imposed, but whatever errors I may have committed in the organization of the House or the administration of its rules, I feel conscious of having acted in all that I have done solely with reference to the promotion of the public interests.<sup>38</sup>

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<sup>38</sup>Ibid.

After a few additional remarks along this general trend Foster made an observation which reflects most favorably on his ability as an organizer and parliamentarian

During all the excitement incident to debate over great public questions there has not been a single appeal taken from any decision rendered by the chair.

Thereupon, the Legislature adjourned at noon on March 31, 1885, after being in session sixty-six days from January 13,<sup>39</sup> and Foster

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<sup>39</sup>Ibid., p. 458.

returned to his home in Groesbeck.

## CHAPTER V

### THE LAST DAYS IN LIMESTONE COUNTY, 1885-1886

Lafayette L. Foster returned to Limestone County upon the adjournment of the Legislature in March, 1885, and plunged into the task of getting in order his personal business and political affairs which had fallen into disarray during his frequent and prolonged absences from home. Then, too, there was the political fence-mending necessary to keep him constantly in the eye of the fickle public. At times the end results did not seem worth the effort expended. His newspaper, the New Era, which came out every Friday whether he was in Groesbeck or not, required constant attention. As time passed, he had found it necessary to depend more and more upon his editorial and printing staff to keep the paper in circulation.<sup>1</sup> The New Era in 1885

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<sup>1</sup>Ray A. Walter to Robert E. Byrns, Waco, Texas, June 21, 1962, in L. L. Foster Papers.

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was a respectable newspaper of eight pages, size 29 x 40 inches, with a circulation of some nine hundred copies. Printed on Fridays, it enjoyed a relatively wide circulation and was universally respected throughout the state.<sup>2</sup> Politically, it espoused the cause of the Democratic Party.

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<sup>2</sup>American Newspaper Directory (1888), p. 684; Daniell, Personnel of the Texas State Government with Sketches of Distinguished Texans, 1887, pp. 31-32.

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Foster had let it be known in 1884 that he aspired to be the

Speaker of the House in the Nineteenth Legislature, and he had by dropping judicious remarks and by his own personality been accorded this honor. Furthermore, he had won wide acclaim in the performance of his duties as Speaker. Now, however, he felt that he had gone as far as possible in the Legislature, and while his constituents would likely return him to his legislative seat year after year if he so desired, the idea of spending three to five months each two years away from home did not seem very attractive to him. The business of being a legislator was an arduous, expensive, and a thankless task. Foster aspired to hold higher political office.

The office of Secretary of State appealed to him and he felt that his experience in the legislature qualified for the position. Another rising young politician and reform leader within the Democratic Party, James Stephen Hogg, the District Attorney for the Seventh District, had won statewide respect by his success as a reform leader in his district and was beginning to be boomed as the Democratic choice for the position of Attorney General.<sup>3</sup> Foster also had ambitions to be governor, and

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<sup>3</sup>Ray A. Walter to Robert E. Byrns, Waco, Texas, September 5, 1962, in L. L. Foster Papers; Cotner, James Stephen Hogg, p. 102.

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followed the procedure, successfully employed when he sought the Speakership of the House of Representatives, ~~by~~ letting it be known that he was "available". However, there was a difference in being Speaker and in being Governor. The idea was not taken seriously by others and one of the leading newspapers of the state seemed to regard the idea as a joke.

'The San Antonio Times' is amusing when it asks: 'L. L. Foster for Governor and J. B. Cranfill for Lieutenant Governor: How does that sound?' They would be about as certain of election as Wash Jones was last year.<sup>4</sup>

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<sup>4</sup>Dallas Weekly Herald, June 25, 1885.

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The "Wash Jones" referred to was George Washington Jones of Bastrop, the Greenback Party's candidate in 1884, who contended against the reelection of Governor John Ireland. Ireland received 210,534 votes to the poor showing of 88,230 votes for "Wash" Jones.<sup>5</sup> Dr. James Britton Cranfill

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<sup>5</sup>Journal of the House of Representatives of the State of Texas, Nineteenth Legislature, 1885, p. 21.

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was a Baptist leader and prohibitionist, who, in 1892, was to be a candidate for Vice-President of the United States on the National Prohibition Party ticket.

The obvious choice of the Democrats for the governorship was the venerated Lawrence Sullivan Ross of Waco, and considerable enthusiasm was building up to place him in the governor's chair. Ross was a renowned Texas Ranger, Civil War hero, and sheriff. He was regarded as one of the ablest and most respected men in Texas.<sup>6</sup> Recognizing the impossibility

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<sup>6</sup>Cotner, James Stephen Hogg, p. 102.

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of obtaining the nomination of the state convention of the Democratic Party for Governor, Foster determined to plan for the future. He was



still relatively young, and through hard work and careful planning he might at some future date have a better chance of gaining the gubernatorial office. Foster's ambition to be Governor was long recognized, but never achieved.<sup>7</sup>

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<sup>7</sup>Dallas Daily Times Herald, December 2, 1901.

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Foster became more heavily engrossed in the affairs of the Baptist Church. He was of the opinion that the time had arrived for the Texas Baptists to consolidate and reorganize. He was impatient with the little splinter groups and local associations of Baptists, who took counsel of their fears and trembled over the problems incident to joining together to form one huge, powerful, and magnificent Texas Baptist Church. Foster believed that he was called to apply his God-given ability to help in the consolidation movement. This would require time, effort, and careful planning. This Foster did not object to doing, for his work in the Church was truly a "work of love," and he always gave unhesitatingly of his time.

Benajah Harvey Carroll, minister of the First Baptist Church of Waco, in a meeting of the General Association of Texas Baptists in Cleburne in 1888 suggested the sending out of a call for a meeting of Baptist leaders in the state to consider the consolidation of all Baptist organizations into one general organization in order to eliminate the antagonism and inefficiency of the various factions within the denomination. The response among the several Baptist associations was both favorable and cordial. The General Association was encouraged to move forward

toward effecting a consolidation of all Baptist organizations into one. It was then resolved to take the matter up for discussions and through various meetings, opinions were expressed giving approval to the idea. Finally, in 1885, the ideas engendered at Cleburne were to bear fruit when the Baptists met at Ennis.

The Eighteenth Annual Meeting of the Baptist General Association was held at Ennis, Texas, July 24-27, 1885. The meeting was opened with prayer, after which the President of the Association, the Rev. R. C. Buckner, who had served as president for the past five years, requested that he not be nominated again, and

. . . put in nomination the name of Bro. L. L. Foster for President, who was unanimously elected by acclamation . . . .

Bro. L. L. Foster, upon assuming the chair, said whatever honors may have been conferred upon him politically, he could not be insensible to the honor of being President of the General Association. He would have preferred that some who have grown older in the work had been put in his position. He was willing to do all he could, and request the assistance and prayers of the brethren in his behalf.<sup>8</sup>

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<sup>8</sup>Proceedings of the Eighteenth Annual Session of the Baptist General Association of Texas held at Ennis, July 24, 25, and 27, 1885, p. 7.

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Foster was also appointed a member of a committee of three to draw up a report on the work of the Frontier Missions for presentation to the Southern Baptists' Home Mission Board in Atlanta, Georgia.<sup>9</sup> On the third

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<sup>9</sup>Ibid., p. 14.

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and last day of the meeting, Sunday afternoon, July 27, the famous

resolution for Baptist unity was made.<sup>10</sup>

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<sup>10</sup>Ibid., pp. 27-28; Carroll, A History of Texas Baptists, p. 643.

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From among the representatives of the ninety-one churches and twenty associations present at the General Association's annual meeting thirty-one prominent leaders were chosen to meet on December 9, 1885, at Temple, Texas, to effect the consolidation with the other major body of Texas Baptists--the State Convention. Among the thirty-one delegates chosen for this purpose were such noted Texans as Rufus C. Burleson, J. E. Elgin, Richard Coke, and L. L. Foster.<sup>11</sup>

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<sup>11</sup>Carroll, A History of Texas Baptists, p. 643; Joseph Martin Dawson, A Century with Texas Baptists, p. 40.

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Also at the Ennis meeting the Association appointed Foster, S. L. Morris, and Henry Furman, to visit the State Convention at Lampasas when it convened later in the summer to confer with that important segment of Texas Baptists on the mechanics of the merger and to work out all details pertaining thereto for presentation to the December meeting at Temple. The delegates were also charged with making arrangements for the "consolidation of denominational institutions of learning."<sup>12</sup>

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<sup>12</sup>Proceedings of the Eighteenth Annual Session of the Baptist General Convention, 1885, p. 28; Carroll, A History of Texas Baptists, p. 643, 645.

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The consolidation of the Baptist General Association with the State

Convention was effected December 9, 1885, at Temple, Texas. It was recommended that the two bodies consolidate under the name of "The Baptist General Convention of Texas," and that the first meeting of this organization should take place on the first Sunday in July, 1886, at Waco. The privately owned Texas Baptist Herald, quasi-official organ of the State Convention and the Texas Baptist, quasi-official publication of the General Association were also consolidated and thereafter were known as the Texas Baptist and Herald. The new paper continued to be privately financed.<sup>13</sup>

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<sup>13</sup>Dawson, A Century with Texas Baptists, p. 40; Encyclopedia of Southern Baptists, II, pp. 1379, 1403.

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Foster was placed on a joint committee of ten members equally divided between the two general associations to present a basis for the consolidation of Waco University and Baylor University. On December 10, the Committee proposed the consolidation of the two universities into one under the name of Baylor University at Waco. Provision was made for the transfer of the physical plant from Waco University to Baylor and Baylor University was to be located in the City of Waco. The co-educational system at Waco University was to be continued at Baylor University for ten years, and thereafter the continuance of co-education would be determined by a majority vote of the Baptist General Convention of Texas. Baylor Female College was to be located at some central point. The exact place would be determined by the willingness of a community to donate at least suitable grounds and buildings. The City of Belton met

the conditions and the cornerstone of the first building was laid April 12, 1886.

Foster's ability as an organizer and his aptitude for administration, as well as his oratorical powers, had become well known. Often he was asked to preside over meetings he attended. At an earlier meeting in 1885, of the General Association at Chilton, ten miles west of Marlin, Foster was appointed the moderator and the year before he was called upon to give one of the three Sunday School speeches delivered at that time.<sup>14</sup>

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<sup>14</sup>Proceedings of the Fourteenth Annual Session of the Baptist General Association of Texas held at Robinson (six miles south of Waco) 1884; Walker and Lumpkin, A History of the Waco Baptist Association of Texas, p. 98.

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Foster's occupation with the affairs of his church did not markedly interfere with his other interests. He had about given up the idea of running for the Twentieth Legislature; and since this was an off year for politics, he curtailed his activities somewhat, but continued to make speeches when the occasion demanded it, especially if it afforded him an opportunity to speak on "local option" in reference to the sale of liquor, as he did in Waco on August 29.<sup>15</sup>

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<sup>15</sup>Dallas Weekly Herald, September 3, 1885.

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Although he continued publication of the New Era, Foster began casting about for a larger paper. He was convinced that if he ever expected to progress further politically it would be mandatory for him to

move to an urban area, and to acquire a newspaper with an established reputation and a more extensive circulation. In the meantime the New Era must speak for him.

The Seventh Annual meeting of the Texas Press Association was held in San Antonio, May 18, 1886. The Association had grown from the struggling little group that passed for an organization of newspapermen in 1880 to the better organized and more influential body of 1886. The annual meetings were becoming gala affairs and the one at San Antonio was no exception. The members of the Association were entertained and given free railroad express service and free rooms at the YMCA. The San Antonio & Aransas Pass Railroad provided an excursion train to Floresville and return. Arrangements were made for those who were interested to go on an excursion to St. Louis and Chicago after the regular meeting had adjourned. In fact, L. D. Lillard, editor of the Fairfield Recorder, offered the following motion:

Whereas the Texas Press Association is, to a great measure misunderstood and misrepresented as to being a drinking and semi-dissipated body at its annual meetings; therefore, be it resolved, that in all kindly regard for the feelings of the local Committee of Arrangements, we ask them to please omit from the programme of this evening the visit to the Lone Star Brewery.

After an extended discussion the motion lost by a vote of eighteen to seventeen. The annual meeting of the Texas Press Association then closed with the election of L. L. Foster as its next President.<sup>16</sup>

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<sup>16</sup>Paillio, A History of the Texas Press Association, pp. 111, 113-114.

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It is probable that Foster completed negotiations for the purchase of the Dallas Weekly Herald from H. H. Clayton while at the Press Association meeting in San Antonio. He may also have worked out the details of a partnership in the venture with Charles E. Gilbert then owner and publisher of the Abilene Reporter. Gilbert was a man of considerable newspaper experience. Prior to the establishment of the Abilene Reporter he had founded and published the Navasota Tablet in 1877. The purchase of the Herald was consummated June 7, 1886.<sup>17</sup>

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<sup>17</sup>L. H. Tapscott, secretary, Brotherhood Department, Baptist General Convention of Texas, to Robert E. Byrns, Dallas, Texas, June 3, 1963, in L. L. Foster Papers; unidentified newspaper clippings: "Dallas and Texas 50 Years Ago," "Times Herald Founder Dies," in L. L. Foster Papers.

About three weeks after the adjournment of the Press Association's annual meeting in San Antonio, Foster made preparations to move his family to Dallas for that purpose and rented a house in the city.<sup>18</sup> Such

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<sup>18</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

a move was no easy matter for a man so firmly established in Groesbeck; he had seen the little town grow from an end-of-track construction camp to a permanent, solid town with a population of some 800 inhabitants. However, the town seemed to be destined to remain primarily an agricultural settlement, noted chiefly as the county seat of Limestone County, and as a cattle shipping point on the Houston & Texas Central Railroad.<sup>19</sup>

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<sup>19</sup>American Newspaper Directory, 1888, p. 684.

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While Laura Pender Foster had strong family ties in Groesbeck, she had not always lived there. Born in Orange, Texas, December 11, 1856,<sup>20</sup>

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<sup>20</sup>Certificate of Birth (Delayed Registration) No. 800880, Texas Department of Health, Bureau of Vital Statistics, Austin.

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Laura Lucretia Pender had moved to Limestone County with her parents as a child, and did not now relish the idea of giving up her home in Groesbeck for this new venture, since most of her immediate family had settled in the county and her own children had all been born there. She remembered little of any other place besides Groesbeck, and Dallas was a big city and the intervening one hundred miles seemed to be farther from friends and family than it would today. Furthermore, the move would have to be made in the hot summer, and, another baby was on the way to add to the general discomfort of summertime in Texas. At the time of his move to Dallas Lafayette Lumpkin Foster was described as

about six feet tall, straight and slight in person, with a finely chisled face, the lower part of which is hidden by a thick, black beard, worn at a moderate length. He has a commanding presence and address, and is graceful and dignified in manner. He is now in the prime of life and gives promise of many more years of usefulness to his friends and to the state of his adoption.<sup>21</sup>

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<sup>21</sup>Daniell, Personnel of the Texas State Government, 1887, p. 33.

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He was further known for his "high mental endowments, great executive



ability and indomitable energy,"<sup>22</sup> and as possessing "a genius for close

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<sup>22</sup>Bryon Daily Eagle, December 3, 1901.

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application."<sup>23</sup> The political mud slinging never seemed to hurt him.

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<sup>23</sup>Texas Baptist Herald, December 5, 1901.

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He was respected as "an incorruptible politician"<sup>24</sup> and one, E. G.

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<sup>24</sup>Ibid.

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Senter, lawyer, politician, and former newspaperman, was taken to task by an unidentified editor in 1898 for hinting alleged corrupt use of money at the Waco primary and elsewhere by Foster or at least with his acquiescence. Foster's champion declared that

Mr. Senter should have informed himself before making such serious charges against one of the State's most worthy and trusted public men.<sup>25</sup>

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<sup>25</sup>Unidentified newspaper clipping dated June 25, 1898, in L. L. Foster Papers.

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In November of 1886 Governor-elect Lawrence Sullivan Ross, in selecting trustworthy and qualified men for the key positions on his administrative staff, offered the appointment of Commissioner of Insurance, Statistics, and History, to L. L. Foster, who promptly

accepted the appointment. Governor Ross probably knew Foster personally. Both men were from Central Texas, and, no doubt, had frequently met in Waco and in Austin on various occasions. Both men were prominent Democrats, and the commendable manner in which Foster had performed his duties as Speaker in the Nineteenth Legislature had not gone unnoticed throughout the State. The duties of the Commissioner required patience, an aptitude for statistics, and an interest in history as custodian of the state's archives. Ross knew that Foster possessed these requirements.

Foster now sold his interests in the Dallas Herald to his partner, Charles E. Gilbert, for an undisclosed down payment and a balance of \$700 to be paid in three increments of \$300, \$250, and \$150 at ten percent interest over a period of ten months.<sup>26</sup> There is no evidence

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<sup>26</sup>Three notes for \$300.00, \$250.00 and \$150.00 dated Dallas, Texas, December 1, 1886, L. L. Foster, creditor, C. E. Gilbert, debtor, on letterhead of the Dallas Herald, "Gilbert & Foster, Editors and Proprietors," in L. L. Foster Papers.

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that these notes were ever paid. The reason Foster suddenly decided to leave Dallas is uncertain. He was there barely five months. The new paper may have proven a money losing venture as Texas was experiencing only relative and spotty prosperity at this time,<sup>27</sup> and the great

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<sup>27</sup>Cotner, James Stephen Fogg, p. 100.

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agricultural depression was not yet over. Furthermore, Foster had not been able to dispose of his newspaper in Groesbeck, the New Era, before his

move to Dallas. The New Era barely paid its own expenses. An annual subscription rate of \$1.50 and 900 circulation was not conducive to a life of leisure and Foster's primary business--insurance--suffered from his periodic absences.<sup>28</sup>

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<sup>28</sup>Ray A. Walter to Robert E. Byrns, Waco, Texas, June 21, 1962, in L. L. Foster Papers; American Newspaper Directory, 1888, p. 684.

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The Dallas Herald had also been in the job-printing business, but competition in this phase of work was severe,<sup>29</sup> and Foster had probably

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<sup>29</sup>L. H. Tapscott, Secretary, Brotherhood Department, Baptist General Convention of Texas to Robert E. Byrns, Dallas, Texas, June 3, 1963, in L. L. Foster Papers.

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been unable to realize much in the way of profits from it.

The announcement of Foster's appointment and the termination of his interests with the Herald appeared in the November 29, 1886, issue of that paper.<sup>30</sup> In December 1886, Foster left Dallas and moved his family

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<sup>30</sup>Ibid.

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to Austin.

## CHAPTER VI

### FOSTER, HOGG, AND "WILDCAT" INSURANCE COMPANIES, 1886-1890

The Foster family moved to Austin in December, 1886, and settled in a house on Whitis Street.<sup>1</sup> The new home was conveniently located and

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<sup>1</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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was only a twenty or thirty minute walk from downtown Austin and the temporary capitol on Congress Avenue. The campus of the new University of Texas was within a block or so of the Foster home. The grounds of the new capitol were also easily accessible, and the Foster children soon became fascinated with the sights and sounds of construction going on at the site. Since 1883 the new capitol had been in process of construction by the Capitol Syndicate of Chicago, which had contracted to build the capitol in return for three million acres of land in the Texas Panhandle. Construction was still somewhat over a year from completion when the Fosters moved to Austin.<sup>2</sup>

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<sup>2</sup>Cotner, James Stephen Hogg, p. 105.

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The family of the newly elected Attorney General, James Stephen Hogg, had also arrived in Austin in December, and was temporarily located at Widow Andrews' boarding house at the corner of Lavaca and 11th Streets, not far from the Foster home and adjacent to the Governor's mansion.<sup>3</sup>

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<sup>3</sup>Ibid.

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Foster's immediate responsibility was to learn the routine of the office of the Commissioner of Insurance, Statistics, and History, and to become acquainted with any unfinished business. Although he would not take office until Governor Ross had been officially installed on January 18, there was much that he could learn about the affairs of the office beforehand, and he began to apply himself to the task. The department had been established in 1874 under the title of "The Department of Insurance Statistics and History." The salary of the commissioner of the department was fixed at \$2000.00 annually.<sup>4</sup> Shortly after Foster

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<sup>4</sup>H. P. N. Gammel, The Laws of Texas, VIII, p. 1055.

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became Commissioner, there was added on April 1, 1887, a Bureau of Agriculture<sup>5</sup> and, Foster thus became an ex-officio member of the Board

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<sup>5</sup>Ibid., IX, p. 896.

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of Directors of the Agricultural and Mechanical College of Texas, of which institution he was subsequently to become president in 1898.

The office of the Commissioner had first been held by Dr. V. O. Percy Brewster, who held the office until his death on December 28, 1884, when he was succeeded by General Hamilton P. Bee, of San Antonio, who in turn was replaced by Foster.

The duties of the Office of Commissioner of Agriculture, Insurance, Statistics, and History covered a wide range of responsibilities. As Commissioner he was authorized to communicate directly with the Department of Agriculture in Washington, as well as with similar agencies in the various states and territories; and, at his option, with those of foreign countries, and with the representatives of the United States in foreign countries.<sup>6</sup> The importance of the office seems to have varied

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<sup>6</sup>John Henry Brown, History of Texas, II, p. 550.

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with the State Administration and the personality of the Commissioner himself. Attorney General Hogg relied on Commissioner Foster to act as a double-check on insurance companies doing business in Texas and in time this function became one of Foster's chief responsibilities.<sup>7</sup>

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<sup>7</sup>Cotner, James Stephen Hogg, p. 117.

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The Twentieth Legislature convened on January 11 at 12 o'clock noon and after the election and installation of George C. Pendleton of Bell County as Speaker of the House, adjourned briefly until the afternoon.

Foster was present during the formalities of the organization of the new Legislature and no doubt observed the proceedings with a touch of nostalgia. A. C. Prendergast of McLennon County, in Foster's old 62nd District, noting Foster observing the proceedings of the House of Representatives, offered the following resolution:

Resolved, that the Hon. L. L. Foster of Dallas County, a member of the Seventeenth, Eighteenth and Nineteenth Legislatures and Speaker of the Nineteenth, be invited to a seat within the bar of the House.

The Resolution was adopted.<sup>8</sup> A week later (January 18, 1887) Governor-

<sup>8</sup>Journal of the Twentieth Legislature of the State of Texas, p. 7.

elect Ross was duly installed in office, along with a number of other state officials, including L. L. Foster as Commissioner of Insurance, Statistics, and History. It took very little time for Foster to become thoroughly oriented in his new position and in learning his new responsibilities. He

brought System out of Chaos and rendered the department of Insurance, Statistics and History and Agriculture one of the most valuable departments to the people of the state . . . The statistical matter annually collected and disseminated by the department has been of inestimable service to all classes.

Mr. Foster has in every relation, as a citizen and public servant, discharged every obligation in a manner to justify the expectations of his friends and merit the approval of the people.<sup>9</sup>

<sup>9</sup>Daniell, Personnel of the Texas State Government with Sketches of Representative Men of Texas, pp. 102-103.

Daniell, the biographer quoted above, was so carried away with Foster's ability that a few years later he accorded the Commissioner twenty-five percent more space in his compact little book of biographical sketches than he allowed the Attorney-General Charles M. Culberson in 1892, (who later succeeded Hogg as Governor of Texas),

Lawrence Sullivan Ross, ex-Indian fighter and Confederate Army Brigadier General, could not by the most liberal interpretation of the term be classed as a reformer.<sup>10</sup> He had been elected to office by an

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<sup>10</sup>Richardson, Texas the Lone Star State, p. 265.

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overwhelming vote under the guidance of an ultra-conservative campaign manager, George Clark, of Waco. However, the dynamic James Stephen Hogg<sup>x</sup> was also in office as Attorney General and Hogg had campaigned and been elected on a promise of reform. His reputation in the Seventh District was one of reform and a most ruthless reformer at that. Among various factions of the Texas Democratic Party the Grand State Farmers' Alliance, in a convention at Cleburne on August 3-7, 1886, resolved that: "The Statutes of the State of Texas be rigidly enforced by the attorney-general, to compel corporations to pay the taxes due the state and counties."<sup>11</sup> The farmers sought in the Attorney General's office a man

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<sup>11</sup>Winkler, Platforms of Political Parties in Texas, p. 236; Cotner, James Stephen Hogg, p. 103.

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who would vigorously pursue these aims and at the same time elevate the office of Attorney General to the stature it merited in the eyes of the public. Jim Hogg, the common man hoped, would be just the person to cudgel the corporations into complying with the statutes of the State of Texas.<sup>12</sup> His reputation so far had indicated that he possessed the



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<sup>12</sup>Cotner, James Stephen Hogg, p. 102.

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necessary strength of character, insight, and leadership to do so. In his speech of acceptance of the nomination for Attorney General at the Democratic Convention, August 10-13, Hogg pledged to "fearlessly, impartially, and earnestly discharge every obligation resting upon me."<sup>13</sup>

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<sup>13</sup>Ibid., p. 104.

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The pledge to bring the corporations under regulatory control of the state had been one of the main planks in the platform of the State Democratic Party,<sup>14</sup> and after his election to the office of Attorney

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<sup>14</sup>Hinkler, Platforms of Political Parties in Texas, pp. 237-242.

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General, Hogg was determined to uphold the tenets of the platform<sup>on</sup> which he had been elected. And, while Governor Ross, genteel, courageous, and honest, was of the old school of ultraconservatism, Attorney-General Hogg was not. Jim Hogg was a militant reformer, and for the next ten years his was to be the voice that would set the tone of the Texas Government.<sup>15</sup>

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<sup>15</sup>Richardson, Texas the Lone Star State, p. 265

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Once the shouting and the tumult of the gubernatorial inauguration had died and the various state officials could get back to work, Foster

determined to check into the activities of the insurance firms doing business in Texas. Accordingly, as soon as he had organized his staff, he requested the Attorney General to make an inspection of the charter, by-laws, and annual statements of the National Mutual Fire Insurance Company of Salina, Kansas, to determine whether the company should continue to do business in Texas. The company in question was a private corporation organized to secure protection for its members against "loss or damage of property by fire." Under Kansas law it appeared to be organized as a charitable or benevolent private corporation. By Kansas law, also, the company was authorized to take "premium notes," which become liens on the property insured; the liability of the members was fixed, and cash premiums, fees and premium notes were declared to be the capital of the company. Hogg informed Foster that, while the company was evidently complying with Kansas laws and "protecting its members in Kansas," there was no reserve fund or capital stock required for the protection of those who lived outside of Kansas. Texas law required every insurance company to have bona fide capital stock or not less than \$100,000, and to conform to certain restrictions upon its investment. Furthermore, purely benevolent societies in Texas had to make annual report to the state, and failure to do so caused them to be considered profit-making operations. The Attorney General ruled that although

a company may be called a 'mutual aid' or charitable, or benevolent association, if it is in fact conducted for profit to its officers, etc., it is an insurance company, and subject to the general insurance laws of Texas. . . . The 'National Mutual' derives its authority from laws unknown to Texas; is an insurance company for business purposes, having in view the profit and advantage to its officers and agents directly and to its members remotely;

and although it may incidently contemplate the promotion of the interests of others in a benevolent way, it cannot be lawfully permitted to operate in this state without strictly complying with the general laws of insurance, and you are so, most respectfully, advised.<sup>16</sup>

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<sup>16</sup>Cotner, James Stephen Hogg, pp. 118-119.

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The "National Mutual" evidently was unable to comply with these regulations and disappeared from the Texas scene.<sup>17</sup>

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<sup>17</sup>Ibid., p. 119.

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Foster then proceeded to draw up a list of "wildcat" or illegally operating companies and submitted it to the Attorney General, who compiled his famous "Circular Letter" from the data provided by his Commissioner of Insurance. The "Circular Letter" was addressed to district and county attorneys, and advised them to initiate corrective action. At times Hogg would communicate directly with the county or district attorney in whose county or district a firm was operating illegally and would provide for the local law enforcing officers the necessary information with instructions to prosecute.<sup>18</sup>

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<sup>18</sup>Cotner, James Stephen Hogg, p. 120.

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The Commissioner of Insurance, Statistics, and History was, indeed, very busy, but the cares of office could be relegated to his roll-top desk each evening and he would return to his home on Whitis Street to be

greeted by the shrieks of the six little Fosters. On February 1, 1887, May Alma, the seventh child, was born and was very soon spoiled by an indulgent father. May Alma was the last child of the stair-step seven to be born to Lafayette Lumpkin Foster and Laura Pender Foster, and still lives, in Dallas, Texas.<sup>19</sup>

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<sup>19</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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Foster continually checked upon the insurance companies, and whenever he discovered one which in his opinion was suspect, he would request an opinion of the Attorney General regarding the legality of the firm in question. Texas, Hogg emphasized, was not a persecuting agency intent on driving legal business from the state, and in a letter to Foster advised him that

in reply to your favor which asks "if corporations chartered under territorial governments are entitled to do business in this state, under such laws of comity as exist between this and other states" you are most respectfully advised: That a territory is subordinate to and dependent upon the laws of Congress; possesses no absolute sovereign powers . . . in many respects however, the territory possesses features and attributes of states insofar that the legislative power of them extends by authority of Congress to all rightful subjects not inconsistent with the Constitution and laws of the United States . . . any territory acting on this delegated power has granted articles of incorporation to any insurance company . . . then such companies under the laws of comity between states, should be permitted to do business in this state.

The object of the restrictive laws of Texas, with relation to insurance companies among other things, is to prevent worthless and insolvent concerns from imposing upon the citizens. . . . No discrimination is intended if . . . ~~they~~ <sup>they</sup> fully satisfy the standard. . . . You may admit them to do business.<sup>20</sup>

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<sup>20</sup>J. S. Hogg to L. J. Foster, June 18, 1887, Attorney General Letter Press, No. 40, pp. 21-22, in Hogg Family Papers.

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Armed with these opinions, Foster energetically scrutinized every insurance firm that came to his attention within the realm of his responsibility. The limited staff of the Office of Commissioner of Insurance investigated the charters of all insurance companies doing business within the state to determine if they were complying with existing state laws. Hogg was left to cope with the burden of investigating the railroads, since the position of state engineer for railroads, which had formerly been given some supervisory control over railroads, had recently been eliminated.<sup>21</sup> Foster probably maintained an

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<sup>21</sup>Cotner, James Stephen Hogg, p. 117.

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academic interest in the railroads as one segment of a large corporate wealth that needed to be controlled just as insurance companies representing another large business enterprise closely connected with the public needed scrutiny of their operations by the state. Later as a Railroad Commissioner he was to be more directly concerned with railroad practices.

If Foster had any inclination to be derelict in his duties, which would seem unlikely, he had very little opportunity to do so, for he was periodically and almost routinely requested to provide the Attorney General with additional ammunition for his fight against the "wildcat" insurance firms then infesting the state. On July 16, 1887, Hogg

informed Foster:

Complaint is made . . . that there are operating in Texas many concerns claiming to be insurance companies in violation of the laws of our state regulating insurance.

Please investigate this matter and do the Department the favor of reporting, at your earliest convenience all companies propo<sup>r</sup>ting <sup>/Sic/</sup> to do an insurance business in the State that have no lawful permit from your Department, to the end that proceedings may be instituted to protect the citizens against the work of such frauds.<sup>22</sup>

<sup>22</sup>J. S. Hogg to L. L. Foster, July 16, 1887, Attorney General Letter Press, No. 40, 284, in Hogg Family Papers.

A year later, in the continuing fight, the Attorney General was still requesting Commissioner Foster to check complaints received by his department of the operations of insurance companies which had no authority to do business in Texas, and to furnish the Attorney General's office at his

earliest convenience . . . a list of such companies as have been reported to you upon which action will be taken to protect the public against their fraudulent practices.<sup>23</sup>

<sup>23</sup>J. S. Hogg to L. L. Foster, August 1, 1888, Attorney General Letter Press, No. 44, p. 209, in Hogg Family Papers.

By December of 1887, the reputation of the new Attorney General of Texas for enforcing compliance with the law had become well known not only throughout Texas, but also throughout the United States, and the word had been spread that only legitimate businesses would be tolerated in the Lone Star State. No company that complied with the law need dread either the Attorney General or the Commissioner of Insurance, but those

which ignored the law completely or were lax in complying with its spirit were bound for trouble.

The Fidelity and Casualty Company whose permit to do business in Texas had been denied through action of the previous Attorney General, John O. Templeton, dated October 6, 1885, again submitted its application for a permit to do business in the state. Hogg advised Foster to determine if the company now met all legal regulations including solvency, "The former opinion notwithstanding." If the company had done so, then Foster was "respectfully advised" to admit the company and grant them the certificate applied for.<sup>24</sup>

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<sup>24</sup>J. S. Hogg to L. J. Foster, December 21, 1888, Attorney General Letter Press, No. 45, pp. 626-634, in Hogg Family Papers.

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Foster was now armed with great legal power to carry out the functions of his office, an authority apparently not realized by his predecessors. The Commissioner of Insurance also enjoyed the close cooperation of the Attorney General's Office. Hogg wrote him that

The Commissioner of Insurance . . . is required to examine into the conditions and affairs of the company, (The Fidelity and Casualty Company) and to issue it authority to do business as proposed therein. . . . any insurance company is subject to suspension in business, or to have its certificates revoked by the Commissioner when it fails or refuses to comply with the laws, or whenever its assets Sic appear to him insufficient to justify its continuance in business. . . . He has free access to all books and papers, may summon and examine on oath any person, and can visit officially the principal office of any insurance company doing business in this state for the purpose of testing the company's solvency or fidelity in complying with the laws which he is required to execute. R. S. Art. 2933.

This officer has almost unlimited, and certainly in many particulars arbitrary, power vested in him by law over insurance companies operating in Texas.<sup>25</sup>

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<sup>25</sup>Ibid.

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The Foster-Hogg combine proved so effective by the close of the first year of operation that insurance companies which were suspect or fraudulent went out of business or took the necessary steps to comply with state laws on insurance and incorporation.

Hogg was not unused to the abuse that he sometimes met in his wholehearted enforcement of the law, and it is assumed that the Commissioner of Insurance may have received his share of such abuse, too, although Foster's public and private life were singularly free of the vilification used so freely in his day. Hogg, himself, was the defendant in a damage suit for libel as a result of the "Circular Letter," but the courts sustained his demurrer relative to a suit for damages from a public official for the alleged performance of an executive-judicial act.<sup>26</sup>

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<sup>26</sup>Gotner, James Stephen Hogg, pp. 121-122.

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The active prosecution of "wildcat" insurance companies continued throughout the remainder of Foster's service as Commissioner of Insurance, although towards the end "game" was growing scarce and search-and-seek methods aimed at uncovering fraudulent companies masking under the guise of charity were the rule. Both the Attorney General and the Commissioner of Insurance had developed throughout the state a sound intelligence



system for uncovering insurance companies that were suspect. On March 5, 1889, Hogg informed Foster:

The enclosed letter and circular concerning the "Christian Charitable Association of Texas" explain themselves. If this concern is not a palpable fraud the ear marks of it are very deceptive. The name alone read in connection with By-Law No. 7 produces the strongest suspicion if not conclusive proof that the thing is an imposition under guise of Christian charity, and should be suppressed. What ever course you advise in reference to it on investigation will cheerfully be followed by this department.<sup>27</sup>

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<sup>27</sup>J. S. Hogg to L. L. Foster, March 5, 1889, Attorney General Letter Press, No. 46, p. 407, in Hogg Family Papers.

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Foster continued to serve as commissioner throughout Governor Ross's two terms, from 1887 to 1891, and when Hogg became Governor in 1891 he reappointed Foster to the Commission. The work in the office of the Commissioner of Agriculture, Insurance, Statistics, and History was long and tiring to both Foster and his clerical staff. Foster complained officially and as a matter of record to Chairman, T. J. Towles of the House of Representatives Special Committee investigating the governmental departments of the state. He felt that his department was being unjustifiably discriminated against. The other departments of the state government he pointed out, were permitted to pay higher salaries to their clerical staff. Except for the chief clerk of his department, the clerks of the other departments drew higher pay than those who worked in his department under his direction. The minimum pay in the other departments was \$1,000 but in his own it was \$900. With the exception of the chief clerk who drew a salary of \$1,600, the maximum

pay for clerks in Foster's department was \$1,200, whereas in the others it was greater. Foster felt aggrieved, and furthermore,

The character of the service required employees of the highest order since the work was mainly statistical involving intricate mathematical calculations and necessitating the most laborious work.<sup>28</sup>

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<sup>28</sup>Journal of the Twenty First Legislature of the State of Texas, p. 748.

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The House Journal shows that Foster had four employees in his department, including his chief clerk. The chief clerk was paid \$1,600 annually; two others received \$1,200, and the fourth clerk \$900. The department also had nine geologists paid on a sliding scale from a maximum of \$2,000 down to \$900 per annum.

Foster pointed out that his staff averaged over nine hours a day at their work, and often found it necessary to work at night to keep abreast of their duties. During the last two years one "stenographer and corresponding clerk" (an Englishman from Limestone County, incidentally), enjoyed only one week's vacation; the others had none. None had been absent, nor was there any loss of time on the part of any of the staff members. The commissioner seems to have been an efficient, respected, and beloved chief.<sup>29</sup> Hogg in a speech at Rush, on April 19, 1890,

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<sup>29</sup>Ibid., pp. 746-747.

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publicly praised Commissioner Foster:

By the aid of an efficient and faithful Commissioner of

Insurance through the courts I effected the extermination of every one of them /the "wildcat" companies/ within twelve months.<sup>30</sup>

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<sup>30</sup>Cotner, James Stephen Hogg, p. 123.

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Legitimate companies were encouraged and strengthened. Foster himself estimated that the people of Texas were saved at least \$250,000 per year between 1887 and 1890 by the work of his department.<sup>31</sup>

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<sup>31</sup>Ibid.

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After his arrival in Austin, Foster appears to have been less active politically than previously. While he may have attended local political rallies, the Democratic State Convention of 1884 is the last instance where he is mentioned as an active participant as a committeeman.<sup>32</sup> Soon

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<sup>32</sup>Winkler, Platforms of Political Parties in Texas, pp. 221, 663.

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after he settled in Austin, Foster sold his Limestone New Era to C. W. Cobb, who became editor and publisher.<sup>33</sup> Cobb soon turned the paper

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<sup>33</sup>American Newspaper Directory (1888), p. 684.

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over to M. M. McFarland who ran the New Era for two years. McFarland was evidently of the same dynamic personality as that of the newspaper's founder, L. L. Foster. McFarland during his two years as editor,

organized a bank<sup>34</sup> a board of trade and initiated a good roads movement.<sup>34</sup> He joined the Texas Press Association in 1889, but shortly

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<sup>34</sup>Walter, A History of Limestone County, p. 84; Baillic, A History of the Texas Press Association, p. 131.

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afterwards moved to Southwest Texas. The New Era continued publication for approximately fourteen years longer, and after several intermittent periods of inactivity it disappeared completely. The Groesbeck Journal was probably the principal cause of the New Era's demise. In a small country town of nine-hundred inhabitants<sup>35</sup> there was not sufficient

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<sup>35</sup>Ibid.

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circulation for two weekly papers. The Groesbeck Journal was established in 1892 by W. C. Morris and ran in competition with the older weekly.<sup>36</sup>

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<sup>36</sup>Jack R. Hawkins to Robert E. Byrns, Groesbeck, Texas, February 24, 1962.

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Current tradition in Limestone County credits the Journal with absorbing the New Era. However, this is not factual. According to the current editor of the Groesbeck Journal, if the New Era was absorbed by the Journal, all records of the transaction and all files of both papers were lost when the Journal burned in 1895.<sup>37</sup>

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<sup>37</sup>Ibid.; Interview of Robert E. Byrns with Jack R. Hawkins, Editor, Groesbeck Journal, Groesbeck, Texas, June 15, 1962.

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In any event, a New Era appeared on the scene periodically and at such times it was generally the recipient of recognition, flattering or otherwise, from the Journal.

The Limestone New Era has again made its appearance /the Journal Editor observed in 1901/ . . . this time under the management of Mr. W. D. Ward. The first issue under the new management is brim full of terse news, and evidences a master hand at its helm.<sup>38</sup>

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<sup>38</sup>Groesbeck Journal, May 2, 1901.

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Two months and nine editions later it was reported, Mr. Ward had severed his connection with the Limestone New Era, and has been succeeded by A. R. Hixon. This is the fourth change in the management of the New Era since January 1st.<sup>39</sup>

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<sup>39</sup>Ibid., July 11, 1901.

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Two weeks later the Journal observed in an undated quotation from the

Mexia Ledger:

'The Limestone New Era has changed hands again.' The editor says he will make the old lady take her 'old time place as one of the best in this section of the state.' Let's see the first issue contains forty-five "purely personal" notices and if it has a local in its entirety we are unable to find it. If that is the way to build up a broken down newspaper then we admit we are a woeful back number etc., etc.'

The Journal then added a jab at the New Era for its oblique reference to the Journal's practice of interspersing "patent medicine leaders among

locals."<sup>40</sup> Thereafter, the New Era faded into the limbo of lost

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<sup>40</sup>Ibid., July 25, 1901.

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newspapers. It was an untimely end to Foster's respected and influential weekly of 1876-1887. With the disposal of the New Era, Foster dropped out of the newspaper business, and his name disappeared from the roster of the Texas Press Association after 1886, although he seems to have kept in touch with their activities. While President of the Agricultural and Mechanical College of Texas he extended an invitation to the members of the Press Association to visit the college.<sup>41</sup> Whether the invitation

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<sup>41</sup>Ibid., May 24, 1901.

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was made in person or by letter ~~is~~ is not known.

Shortly after the Foster family became settled in Austin, the members of the family began to attend the First Baptist Church, and on September 28, 1887, Foster was elected Superintendent of a Mission Sunday School sponsored by the church, but resigned the following March 27. Neither Foster nor his wife actually joined the church until September 8, 1889. They maintained their membership in the church in Austin until June 13, 1900, when they transferred it to the Baptist Church in Bryan. Shortly after transferring his membership from Groesbeck to the First Baptist Church in Austin, Foster was elected a deacon in the church and served in that capacity from October 13, 1889, until he left Austin.

Two of the Foster children joined the Austin church. Edna by

profession of faith and baptism joined the church in November, 1891, and another child, interestingly enough, listed in the church records as "Jodie" Foster (presumably Joseph I), joined it on November 30, 1892.<sup>42</sup>

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<sup>42</sup>Irma Ferguson, Secretary, First Baptist Church, to Robert E. Byrns, Austin, Texas, May 17, 1963; V. L. Brooks, History of the First Baptist Church, Austin, Texas, p. 14.

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Foster also taught a Sunday School class in the First Baptist Church in Austin, and may have taught at times while he was in the state legislature. One of his former pupils wrote from Indiana upon receipt of the news of Foster's death on December 2, 1901

I knew him first when he was in the Legislature at Austin, and better when he was a resident of the city while commissioner of insurance, statistics and history. I treasure his memory most for his faithful service as teacher in the Sunday-School of the First Baptist Church, where I was almost reared.<sup>43</sup>

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<sup>43</sup>Cabell W. Chadwick, "From a Texan in Indiana." The Baptist Standard, (Dallas, Texas) January 2, 1902.

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While in Austin Foster continued to be an active Mason. He received the Illustrious Order of the Red Cross and the Order of the Temple in the Colorado Commandery No. 4, Knights Templar of Austin on April 2, 1888.

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<sup>44</sup>Harry B. Tuer, Grand Recorder, Grand Commandery, Knights Templar, to Robert E. Byrns, Dallas, Texas, May 2, 1963.

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Shortly afterwards, April 21, Foster demitted (transferred) from the

Groesbeck Lodge. He is listed in Masonic records as a member in good standing and as having faithfully paid his dues from 1887 until 1901, inclusive, to year of his death.<sup>45</sup>

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<sup>45</sup>Membership Card File Grand Lodge of Texas, Waco, Texas;  
Transactions of the R. E. Grand Commandery of Knights Templar of the State of Texas, Waco, Texas.

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As the 1880's drew to a close, L. L. Foster awaited the coming of 1890 with speculative interest. The new decade promised change and challenge and time alone would reveal what might be in store for him.



## CHAPTER VII

### THE FIRST TEXAS RAILROAD COMMISSION, 1891-1895

The eighteen-seventies marked the transition of Texas transportation from ~~that~~ of the bull team and stage coach of ante-bellum and Reconstruction days to the era of the railroad and steam locomotive. The annual rate of railroad construction mounted after 1866 in spite of occasional political and economic setbacks until, by 1882, the amount of trackage laid during that year alone amounted to over two thousand miles. By the close of 1890, Texas had 8,710 miles of railroads.

The state government of Texas early sought to promote an interest in building railroads. In 1856 the Legislature authorized the lending of school funds to the railroads to the amount of \$6,000 per mile laid. During Reconstruction days the Radical controlled Legislature voted bonds to finance the private construction of railroads. Later, however, most of the bonds issued were redeemed by land grants.

Texas in the early days had more land than money. Beginning as early as 1852 the state offered a bounty of eight sections of land for each mile of track laid. In 1854 the grant was increased to sixteen sections of vacant unappropriated state land for each mile of track laid after the first twenty-five miles had been constructed. Except for the period 1869-1873 when the granting of land was prohibited by the Constitution of 1869, this became the accepted policy until 1882, when the act authorizing the granting of land was repealed. In the later years a general outcry was raised against the policy of making land grants to railroad companies. Actually, however, most of the railroads

of the day were under-capitalized and land-poor, and bankruptcy and receivership were common ills. It cannot be denied, however, that the policy of granting land to railroads promoted the rapid settlement and development of the state.

Officially, the attitude of Texas towards capital and business in the 1870's and early 1880's was friendly and encouraging. A few dissident voices, though, advocated strict control over the railroads in the interest of the general public. The support for closer supervision over the railroads came mostly from the ranks of the Grange organization and the Greenback party. The dominant party, the Democrats, however, continued to make overtures to capital and sought to impose only a minimum of restrictive legislation on big business.

The farmers constituted the largest single economic group in Nineteenth Century Texas. The farmer's chief woe for many years after the Civil War was the continual decline of farm prices as more land came into production and farm mechanization and productivity increased at alarming rates. Cotton was one of the leading crops in Texas. It was the farmer's principal cash crop. Prices of cotton fell from a high of thirty cents per pound in 1865 to less than five cents a pound by the close of the century. In the meantime, taxes and mortgage rates increased and the cost of staples (both hard and soft goods) used by farmers continued to mount. It was only natural then for the farmer, the major have-not segment of Texas, to blame the large land companies, the loan and mortgage interests, and the railroads and their freight rates, as the malevolent forces behind their dilemma.

Finally, organizing themselves into vociferous organizations, such as the Grange and Greenback Party, the farmers began to influence the thinking of the Democratic party in the state. By 1887, another voice of the farmer, the Farmer's Alliance, founded in Lampasas, Texas, in 1875 and reorganized in 1879, was beginning to have some influence upon the Democratic Party. The Cleburne meeting of Farmer's Alliance in 1886, as noted previously in Chapter VI, instituted a set of demands which were in the main incorporated by the state convention of the Democratic party in 1886 as planks in the party's platform.<sup>1</sup>

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<sup>1</sup>Winkler, Platforms of Political Parties in Texas, pp. 237-242.

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James Stephen Hogg was one of the important leaders of the reform element within the Democratic party. He was elected Attorney General in 1886 on a reform slate, and upon taking office proceeded to make good his campaign promises by a vigorous application of the state's corporate laws against those firms operating in Texas which violated the statutes or failed to comply with the regulations. The numerous cases of the "wildcat"-type insurance companies covered in the last chapters are but examples of his zeal in the matter of fighting corporate abuse.

There were many other activities that Hogg also believed ~~also~~ should be of primary concern to the Office of the Attorney General. There was a growing note of worry reaching his office from the rural areas. The alarms of the farmers, to say nothing of the small business men, were genuine fears of the growth of monopoly, arbitrary treatment,

and special privilege enjoyed by a small minority group. As farm prices continued to decline, the increased charges for transportation cut deeply into the meager profits of the producers of farm products; so did the rising costs of the things that farmers had to buy. The railroads were not the only offenders. There were complaints against the "Cotton-bagging Trusts," the "Beef Combine" and the large land corporations. Hogg became convinced that the state needed an anti-trust law. Texas was not alone in this matter. Other states and the United States Congress were also working on anti-trust legislation aimed at "combinations of capital, organized as trusts or otherwise, to control arbitrarily the conditions of trade."<sup>2</sup>

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<sup>2</sup>Cotner, James Stephen Hogg, p. 162.

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In the United States Congress, Representatives David Culberson and Jo Abbott of Texas, had initiated in the House of Representatives Anti-trust legislation, and a Texas Senator, the able John H. Reagan, had introduced a bill of the same nature in the Senate.

In the meantime, the question of trusts was boiling in the Texas Legislature where several bills were introduced on the subject. Members of the Judiciary Committee consolidated the several proposals into a single measure, but there were yet some differences. So a small group of interested leaders met in the evenings with Hogg to iron out the details. Those who met with the Attorney General were L. L. Foster and Alvin C. Ousley of Denton, the chairman of the special subcommittee

charged with the responsibility of rewriting the anti-trust bill, which eventually became the Texas Anti-trust Law of 1889. The measure passed the House of Representatives in February but was delayed in the Senate, where the effort to get through a railroad commission bill was encountering opposition owing to the pressure of railroad lobbyists under the leadership of George Clark of Waco. The several commission bills in the Senate were each defeated. The House version of the anti-trust Act finally passed the Senate on March 22, 1889 with a last minute amendment to Section 6 through the insertion of "knowingly acted," the House reluctant to accept any change, finally acquiesced to the Senate. The wording that was acceptable to both the House and the Senate appeared in the act as "knowingly carry out any of the stipulations, purposes, prices, rates, or orders," and the Texas Anti-trust Act was approved March 30, 1889.<sup>3</sup> Professor Cotner, in his biography of Hogg, refers to the

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<sup>3</sup>Ibid., pp. 163-164.

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Texas Anti-trust Law as a closed meshed dragnet of great sweep within and without the state and continues:

There were many indications that it was influencing thought and activity far beyond the borders of the state. . . . The Kansas Legislature . . . called for a convention of states at St. Louis on April 12 and 13, 1889, to investigate the beef combine. . . . One of the Minnesota delegates . . . proposed that all nine states represented adopt an "act to define trusts, and to provide for penalties and punishments of corporations, persons, firms, and associations or persons connected with them, and to promote free competition in the State of \_\_\_\_\_." The proposal carried, and the Texas delegates were able to take home the proud report that the Texas law had been adopted almost in its entirety.<sup>4</sup>

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<sup>4</sup>Ibid., p. 165.

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Whether L. I. Foster could claim any pride in authorship is unknown, but it is certain that he was consulted and worked on the bill as Ousley himself reported.<sup>5</sup>

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<sup>5</sup>Ibid., p. 164.

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The new trust structure of business organization initiated by John D. Rockefeller for Standard Oil was being emulated by other out-of-state companies. The railroads were achieving similar results by forming pools and by the establishment of traffic associations. Attorney General Hogg had not been satisfied with his predecessor's view that, since the Texas Traffic Association had not exceeded the Legislative maximum in fixing rates, intervention therefore was not needed.<sup>6</sup> Accordingly, Hogg

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<sup>6</sup>Ibid., p. 154.

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initiated suit against the Association, charging that, in effect, a monopoly had been established, contrary to the state constitution, by a combine that eliminated competitive procedures. The state, through Hogg's leadership, won the case, but not before an appeal had been made to the Texas Supreme Court, which upheld the judgment of the District Court.

James Hogg was well aware that the railroads were not done with the fight. Gould and Huntington / railroad magnates of

the time<sup>7</sup> had not given up their efforts to control the Texas railway network. The actual scope of their 'secret agreement' and other 'gentlemen's agreements' was unknown to him, but there was constant and ample evidence of their unremitting purpose.<sup>7</sup>

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<sup>7</sup>Ibid., p. 159.

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The Attorney General was able to dissolve the International Traffic Association (the successor to the Texas Traffic Association) and the International Weigher's Association as illegal combines; and he also was able to weaken the out-of-state control of the state's railroads to a limited extent by compelling the railroads operating in Texas to re-establish their general offices in the state.

In the meantime, Hogg was aware, too, that additional regulatory legislation was needed. The small-town businessman, the rancher, and the farmer all clamored for additional reforms. Hogg worked to secure the enactment of a railroad commission law. The constitutionality of the establishment of such a regulatory body was clouded, so the Legislature in 1889 submitted to the voters of the state a constitutional amendment that would resolve all doubts as to the authority of the Legislature to create such a regulating agency. The pressure of public opinion prevailed and the amendment was approved.

During the hectic days of anti-trust and railroad legislation Foster was active in the performance of his duties as Commissioner of Agriculture, Insurance, Statistics, and History. He continued to supply the Attorney General with information concerning the insurance companies

together with pertinent advice and general moral support.

With the sale of his newspaper, the New Era, Foster became primarily dependent for a livelihood on his annual salary of \$2,000 as Commissioner, although he is generally credited "by his industry and prudent business management" with having "acquired a competency."<sup>8</sup> He seems to have been

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<sup>8</sup>Daniell, Personnel of the Texas State Government with Sketches of the Representative Men of Texas, p. 104.

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something of a speculator as well as a source of emergency funds to impecunious friends. There is evidence that his creditors were often in arrears and in some instances it is doubtful whether he was ever repaid for the loans he extended to friends. For example, the editor of the Southern Mercury visited Commissioner Foster in the capitol on November 30, 1889 (payday!), and borrowed \$325. Using a sheet of official letter-head stationery, Foster wrote out an "I.O.U." which the visitor acknowledged by his signature, "Sam H. Dixon, Editor Southern Mercury." Dixon left as additional security another note due the editor from E. Newton, for \$333.25, and further "secured (the loan) by accounts of the Southern Mercury."<sup>9</sup> Foster may have regarded the difference between the

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<sup>9</sup>Sam H. Dixon, Editor of the Southern Mercury (Dallas, Texas), Dallas, Texas, November 30, 1889, (to L. L. Foster), in L. L. Foster Papers.

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\$325 loaned and the \$333.25 pledged as security as a mild speculation. In any event, Dixon was an old friend, a Baylor graduate, and had published



an excellent history of Texas literature. As long as he was editor of the Southern Mercury, he rendered Hogg's cause great assistance.<sup>10</sup>

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<sup>10</sup>Cotner, James Stephen Hogg, p. 203.

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Foster possibly realized an \$8.25 profit from the transaction by collecting from E. Newton since the \$333.25 note is missing from Foster's papers; however, this appears unlikely for it is doubtful if he would have retained Dixon's letter had the debt been paid. Dixon had been House Journal Clerk in the Twentieth Legislature in 1887 and Chief Clerk in the House in the Twenty-Second Legislature in 1891.<sup>11</sup> After Dixon

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<sup>11</sup>Journal of the House of Representatives of the State of Texas, Twentieth Legislature, 1887, p. 6; Ibid., Twenty Second Legislature, 1891, p. 4.

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left the Mercury the paper pursued an anti-Hogg policy.

After Foster left Austin to become manager of the Velasco Terminal Railroad, John E. Hollingsworth, who had served as Chief Clerk when Foster was Commissioner of Insurance, and who had departed Austin on April 23, 1895, for New York to work as comptroller for the Mutual and Reserve Life Association,<sup>12</sup> wrote his former associate from New York:

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<sup>12</sup>Galveston Daily News, April 23, 1895.

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As [i] advised you two or three days ago I have to day drawn on you for \$100.06, /or \$1000.06--the figures have been marked over/ in order to tide over /sic/ another close place, and I trust you will be able to extend me this one more accommodation.

I say once more. I feel this time that I am really going to get out of deep water in a few days. I have just received my commission from Mr. Johnson to examine the Mutual Reserve and notified them if they do not refuse I will be able to get along for awhile. Again, I have at last secured an option and sufficient amount of the Bearing Stock to interest some capitalists in the west, and I expect them here Saturday morning. I have been at work at them for nearly two months and I got them in the notion before I could get the stock. We have given them 2 weeks to take 1500 shares for \$62,500. I firmly believe they will take it, but they exact a pooling contract in advance, which we are more than willing to give. I look to see B stock booming in next 30 days.

We are getting orders from Central of N J Railroad right along and they are increasing them--the number in each order. We have orders now waiting funds to pay for filling them. The western folks are headed by a banker, and have with them railroad people connected with large systems, and we will get a good business from the start. If our deal goes through I will get some money out of it enough to pay all I owe, and will send you a check and take up my stock. Bessonette still here and has two strings he is pulling, and expects to land some fish. He may, I will believe when I see them.<sup>13</sup>

<sup>13</sup>John E. Hollingsworth to Mr. (L. L.) Foster, (New York, March 9, (18) 98), in L. L. Foster Papers. The letter is written on stationery of the Texas Insurance & Financial Directory, Hollingsworth & Dodge, Publishers, J. E. Hollingsworth, H. W. Dodge, offices at 120 Broadway, New York City, (and) 111 West 7th Street, Austin, Texas.

Two weeks later Foster also found a trip to New York necessary.<sup>14</sup>

<sup>14</sup>Cotner, James Stephen Hogg, p. 457.

According to Mrs. T. D. McNeil, daughter of L. L. Foster, her father lost a thousand dollars in Hollingsworth's "schemes."<sup>15</sup> It would

<sup>15</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

appear that Foster's friend was indulging in a nineteenth century market manipulation, now illegal, that contributed some gaudy chapters in the history of the New York Stock Exchange. One scheme was for operators to join forces to form a "Pool." Public interest in a particular stock would then be generated by publicity and by artificial activity of the stock in question by the use of "washesales" (i.e., the simultaneous buying and selling of large blocks of stock). As the public bought, the price rose, and at the opportune time the pool operators would begin selling the stock short, until the price dropped to a level where they could buy it back thus making a profit both ways.

In order to secure control of the stock he had mentioned to Foster, Hollingsworth evidently needed funds to provide the required margin,<sup>16</sup>

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<sup>16</sup>Louis Engel, How to Buy Stocks, pp. 110-111.

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and Foster, no doubt, had been a previous source of funds. It was an exciting and speculative era and Foster's speculative and promotional instincts were not of the latent variety. Records of the Brazos County Probate Court indicate that at the time of his death he owned 32,495 in stock in six different oil companies. It is difficult to say just how much Foster invested in these stocks. Subsequently, however, the 1,250 shares of stock that he held in the Damon Mound Oil & Manufacturing Company, had a market value of \$125 for the lot, but were later sold for \$112.50 when the market declined. There is no record of the other stocks ever being sold.

Foster also had shares in the Smith Adjustable Car Axle B. Company

and the United States Compress Company, valued at \$500 each, to say nothing of a \$25 share of the Central Fair Association which he held. Foster's bank share holdings at his death appeared less speculative. He owned ten shares in the Citizens National Bank of Beaumont which were considered worth their market value of \$100 each and the thirty shares in the Grayson County National Bank in Sherman which were listed on the current market as worth \$100 each. Apparently, Foster placed about \$3,520 in speculative stocks, and another \$4,000, amounting to a little better than half of his investments, in what he regarded as sound bank stocks. Foster's daughter has stated she believes that he lost heavily in the Damon Mound speculation, and that he also lost \$4,000 in a bank failure at Sherman, Texas. If this is true, it may have been because his shares were assessable in the event of the failure of the bank. The records shows that he owned thirty shares of stock in the Grayson County National Bank, which were ultimately sold after his death for \$3,400, which included accrued dividends. Foster's estate also included ten acres of land in the oil district of Hardin County valued at \$200. There is no record of the final disposition of this property,<sup>17</sup> other than that, upon the final probaton of the

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<sup>17</sup>Minutes of the Brazos County Probate Court, M, January 1902, No. 698, pp. M 157-160, 175; p. 585; Interview of Robert E. Byrns with Mrs. T. D. McNeill, Dallas, Texas, May 28, 1963.

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Foster estate, all remaining property was distributed equally among the legal heirs.

Foster's personal papers reveal that he executed an order of

\$1,500 for stock in the Glover-Anderson Oil Company of Beaumont, Texas, on April 9, 1901, but the order may not have been delivered since the original letter and the bank drafts were found among Foster's papers after his death seven months later. The two banks upon which the drafts were drawn pressed claims against the estate for nearly that amount after Foster's death; hence, he may have borrowed the money for the purpose of purchasing Glover-Anderson Stock.<sup>18</sup>

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<sup>18</sup>Ibid.; I. L. Foster to W. B. Worthan, College Station, Texas, April 9, 1901, in I. L. Foster Papers.

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Foster did not fare as well as his friend, James Stephen Hogg, who became wealthy as a result of his investments in oil through the Hogg-Swayne Syndicate and the Texas Fuel Company merger in 1902 to form the Texaco Inc. of today.<sup>19</sup> Foster apparently was as enthusiastic

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<sup>19</sup>Cotner, James Stephen Hogg, p. 544.

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as his fellow-Texans during the excitement of the heady boom days of the Spindletop and Sour Lake oil fields near Beaumont that followed the bringing in of the fabulous Lucas Gusher on January 10, 1901, and he doubtlessly acquired the speculative oil stock shortly before his untimely death.

In the meantime, additional reform legislation in the state was to bring Foster to a new position of civic responsibility. The election of James Stephen Hogg as Governor of Texas had been accomplished

in spite of the strenuous opposition of the railroad interests. He had been ably supported by an organization of businessmen known as the State Freight Rate Convention and by the Farmers' Alliance. The people of Texas "thought that he [Hogg] alone of the candidates was in favor of protecting them against confiscatory and unjustly discriminating freight rates of railroads."<sup>20</sup> And according to Martin M. Crane, State

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<sup>20</sup>M. M. Crane, "Recollections of the Establishment of the Texas Railroad Commission," Southwestern Historical Quarterly, L, (April 1947), p. 480.

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Senator from Cleburne who was serving his initial term as such in the Twenty-First Legislature (although he had previously served in the House of Representatives) " . . . The politicians and some of the daily newspapers continued to denounce the advocates of the Railroad Commission as being next door to anarchists and opposed to all property interests."<sup>21</sup>

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<sup>21</sup>Ibid., p. 484.

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Once Hogg was in the Governor's Office, he continued to press for the necessary legislation, the legality of which had been cleared by popular mandate during the fall elections, authorizing by constitutional amendment the creation of a railroad commission. The legislature acted promptly. Five commission bills were eventually introduced in the twenty-second Legislature. Within the group favoring the establishment of a regulatory commission there were differences as to whether the

members of the commission should be appointive or elective. Hogg favored a commission appointed by the governor. He felt that placing the choice of selection upon the governor and the Senate would "compel [the] exercise of great wisdom and judgment in the selection."<sup>22</sup> The

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<sup>22</sup>Cotner, James Stephen Hogg, p. 24.

law provided for the creation of a Texas Railroad Commission composed of three members appointed by the governor with approval of the Senate for two year terms of office. (In 1894, as a result of a constitutional amendment, the commission was made elective with staggered six year terms and elections every two years.) The Commissioners were to receive a salary of \$4,000 a year. The commission was authorized to make classifications and to fix rates and fares charged by the railroads. It was later given authority to control the issuing of stocks and bonds by the railroads. The Railroad Commission became a law in April, 1891, in spite of the intense lobbying and pressure tactics of the anti-commission forces.

After the legislature adjourned, Governor Hogg set about selecting the three members of the commission. He "intended to pick commissioners who, not beholden to any special interest group, would have a sense of responsibility to all factions and all Texans."<sup>23</sup> For Chairman, he

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<sup>23</sup>Ibid., p. 248.

selected the venerable and highly respected United States Senator

from Texas, John H. Reagan, who accepted the chairmanship of the commission after considerable persuasion on the part of Governor Hogg. Hogg named William P. McLean to the commission with Senator Reagan. McLean was a Confederate veteran, a Representative to the Forty-third Congress, and judge, since 1884, of the Fifth Judicial District, where he gained an outstanding reputation for his judicial decisions.

The other member of the triumvirate appointed by the Governor was I. L. Foster. George Clark of Waco, leader of the Railroad Lobby, and the anticommission element

made a determined effort to block Foster's appointment by advocating an amendment to the Commission Law that would have made him ineligible, and he was also charged with having openly lobbied for the administration bill as an agent of the Governor. In the subsequent showdown fight over the charges Senate members were asked by friends of Governor to name even one man among them with whom Foster had, as alleged, discussed the Commission bill, either in or out of the capitol. No Senator was able to do so.<sup>24</sup>

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<sup>24</sup>Ibid., p. 246.

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Professor Cotner says Hogg selected Foster as a member of the first commission because he had accumulated a large store of factual knowledge about railroad affairs through his position as Commissioner of Agriculture, Insurance, Statistics, and History during the Ross and Hogg administrations. Furthermore, Foster enjoyed a reputation of wide acquaintanceship because of his three terms in the Legislature, and, too, he was known for his patience and technical skill in dealing with masses of facts. All these factors would make him a valuable member of the commission.<sup>25</sup>



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<sup>25</sup>Ibid., p. 246.

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Hogg was aware of Foster's strong leadership among the Texas Baptists, and of the support that he might carry among that group for administrative policies. Hogg, himself, had broad but firm religious convictions and while his parents "were of the Baptist persuasion,"<sup>26</sup>

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<sup>26</sup>Ibid., p. 576.

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he was not the active worker that Foster was in the denomination. Foster had once again received the singular honor of being elected President of the Baptist General Convention of Texas at the Waxahachie meeting in 1890 and was to serve until 1892, when he was elected President of the Baptist Sunday School and Colportages Convention at Dallas. He left that position to serve as a member of the Board of Directors until 1895. In 1894, he was President of the Board of Directors.<sup>27</sup> Foster was also a member of the Board of Directors of

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<sup>27</sup>Texas Baptist Herald, December 5, 1901; Dawson, A Century with Texas Baptists, p. 159; Frank Elisha Burkhalter, "The Laymen and Their Work," in Centennial Story of Texas Baptists, ed. by Harlan J. Mathews and others, p. 258.

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Baylor University from 1890 to 1896.<sup>28</sup>

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<sup>28</sup>See Chapter II, p. 21.

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Combining the secular with the sacred, Foster went to Georgia and attended the meeting of the Southern Baptist Convention in Atlanta and then visited Commissioner I. N. Trammel of the Georgia Railroad Commission in order that the Texas body might profit from the experience of that commission in railroad regulation.<sup>29</sup>

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<sup>29</sup>Cotner, James Stephen Hogg, p. 259.

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The new Texas Railroad Commission promptly set about June 10, 1891, to collect the necessary data connected with tariffs and freight rates, and soon commenced holding hearings that involved representatives of the common carriers and agents of commercial bodies. The commission worked with caution as it was aware that its actions would be subject to close scrutiny and that the anticommission forces were about to initiate legal steps to test the validity of the Commission Act in the Federal courts.

Realizing the need of an expert staff, the commission selected as its secretary J. J. Arthur, who had served for many years as rate clerk for the International and Great Northern Railroad. John T. Estill and A. H. Willie, Jr., were appointed clerks and a few months later E. D. True, H. C. Askew and H. L. Ziegler were named "expert clerks." It is of interest to note that all of these men had gained their knowledge of railroad affairs from their previous positions in the traffic departments of the several Texas railroads. It was soon evident from the beginning that the members of the commission were dedicated to the interests of the people of Texas; and while the Texas Railroad Commission

had more power vested in it than did the commissions of any of the other thirty-three states ~~which~~ <sup>that</sup> had adopted the commission concept, the Texas commission was primarily a regulatory body and not a punitive agency.<sup>30</sup>

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<sup>30</sup>St. Clair Griffin Reed, A History of the Texas Railroads, pp. 584-587.

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From the information gathered by the commission, it was quite clear that there was need for instituting proper control over the carriers. For example, as far back as 1872 before the idea of state regulation of railroad activities had been seriously considered, the Texas & Pacific Railroad had issued a pamphlet from its New York office describing in the most optimistic terms the prospects of the railroad. The railroad had received grants of land totaling 34,040,320 acres, of which 18,501,120 acres were from the State of Texas. The railroad hoped to emulate the Central Pacific Railroad which

In the six years inclusive from 1865 to 1870 during four years and a half of which period it was under construction, without through business, /Sic/ and, for the first three years, with less than 100 miles in operation, earned more than \$10,000,000 net over operating expenses, and nearly \$6,000,000 over operating expenses and interest on its bonds.<sup>31</sup>

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<sup>31</sup>The Texas and Pacific Railway its Route, Progress, and Land Grants, pp. 6, 9.

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There were forty-four separate railroad corporations in Texas on June 30, 1891. A year later, the first annual report of the commission

showed that by June 30, 1892, there were fifty-one separate railroads reporting to the commission. Railroad companies changed rapidly or disappeared. For example, during the year June 30, 1892, to June 30, 1893, the Kansas City, El Paso & Mexico Railroad reported that it actually had no mileage at all. The Wildare & Linden Railroad was also investigated and was found to have torn up its tracks and abandoned operation as a railroad. The charter of the Texas Trunk was forfeited and the line was in receivership. The Gulf Coast & San Francisco reported 1,058 miles of line of which 100 miles turned out to be in the Indian Territory (Oklahoma). The Texas & Pacific reported 1,388.27 miles of track laid, of which 348.37 miles were in Louisiana.

The commission's first annual report showed that the actual railroad mileage in Texas on June 30, 1892, was 8,977.455 miles, with a capital stock of \$131,410,605 and a total bonded indebtedness of \$231,218,354, thus constituting in all a capital stock and bond issue of \$365,628,959.<sup>32</sup>

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<sup>32</sup>Joseph Draper Sayers, Railroad Consolidations in Texas, 1891-1903, p. 68.

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The railroads, however, continued to oppose the commission, using their old tactics of questioning the constitutionality of the Railroad Commission Act, and maintaining that

railroad revenues cannot be reduced by the state without violating the Bill of Rights in the Constitution which prohibits the taking of property for public uses without adequate pay.<sup>33</sup>

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<sup>33</sup>The Railways and the Politicians a Showing of Railway Operations in Texas including Receipts and Expenditures for Ten Years past compiled from the Official Records of the State Government, p. 39.

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The Railroad Commission had worked out an operating procedure and by 1892 was meeting regularly to hear the railroads present their cases. The railroad companies were often represented by the ablest lawyers in Texas.<sup>34</sup>

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<sup>34</sup>A Brief before the Railroad Commission of Texas on a Hearing Before Fixing Rates Argument of J. W. Terry, Atty for the Gulf Colorado & Santa Fe Railway Company.

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The Commission called for certain specified information from the railroads. The first year of the commission's operations saw the issuance of a directive to the railroads which was divided into four main headings:

1. Maintenance of way and structures (trackage)
2. Maintenance of equipment (locomotives, including wipers and oil waste)<sup>35</sup>

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<sup>35</sup>Wipers are men who clean or "wipe" locomotives. Oil waste is shredded rags.

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3. The conducting of transportation (wages, fuel, water)
  4. General expenses (advertising, officer's wages)<sup>36</sup>
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<sup>36</sup>Classification of Operating Expenses as Prescribed by the Railroad Commission of Texas, 1891.

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By checking the rates against the revenue and deducting the overall operating expenses the Commission hoped to have a yardstick to determine fair and equitable rates. Judge Reagan, the chairman of the commission, was of the opinion that the eighth section of the Act authorized the Commission to change rates without prior notice; however, Foster and McLean were of the opinion that the railroads should be notified and be given an opportunity to be heard. Reagan accepted the opinion of the two other commissioners, and thereafter, prior notice was always given to the railroad companies in order to allow them to present reasons for their non-concurrence if they so desired.<sup>37</sup>

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<sup>37</sup>The Texas Railroad Commission Cases: Argument of Alexander G. Cochran, Gen. Solr. International & Great Northern Railroad Company St. Louis Southwestern Railway Company of Texas, and the Tyler South-Eastern Railway Company Before the United States Circuit Court at Dallas, Texas, July 22, 1892, p. 59.

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The commission received its first discouraging news in its efforts to regulate when Federal Judge Andrew P. McCormick in Dallas on August 20, 1892, granted an injunction restraining the railways from putting into, or continuing in effect, the tariffs or orders of the commission and further enjoined the commission from undertaking to enforce compliance or in anywise seeking to prosecute the railroads or to recover penalties from them.<sup>38</sup> For nearly two years thereafter the Texas

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<sup>38</sup>Cotner, James Stephen Hogg, pp. 302-303.

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Railroad Commission was impotent. Attorney General Culberson appealed

the case to the United States Supreme Court, and, finally, on May 26, 1894, the Texas law establishing the commission was ruled valid. Now that the highest tribunal in the land had spoken on the constitutionality of the Texas law the Commission renewed its efforts at railroad regulation. As an aftermath of the litigation (Pearson V. Farmers Loan and Trust Company), some revision of rates became necessary. Revised, the overall rate structure was downward, but the source of increasing income for Texas railroads that followed was attributed to an increase in traffic. As time went on, the Texas railroads and the Commission learned to work together for the mutual benefit of the public and the railroads.<sup>39</sup>

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<sup>39</sup>Ibid., pp. 375-377.

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After serving a second term in office as governor, Hogg decided to return to private life and his former Attorney General, Charles A. Culberson, with Hogg's backing, became Governor in January 1895. On April 7, 1895, the Galveston Daily News, which had always been lukewarm, and at times antagonistic, toward Hogg and the commission observed:

The railroad commission was quoted in the house to-day as having unofficially stated that there was no objection to the bill then pending to authorize the consolidation of the Houston and Texas Central, the Port Worth and New Orleans and the Austin and Northwestern. A member wanted the statement in writing, signed by the commission. There might be much when the campaign is on and this bill becomes a political issue in hunting down the evidence. But if written would be plain sailing. If the commission expresses opinion on such questions thereby influencing votes, why not write them down? It's opinions of such legislation ought to have great weight and would do much, if adopted, to take both the railroad and the commission out of politics.<sup>40</sup>

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<sup>40</sup>Galveston Daily News, April 7, 1895.

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The commissioners at this time were still appointive and the aroma of political plums unfortunately drifted to the nostrils of the new governor who on April 29 sent the nominations of

John H. Reagan, L. J. Storey and N. A. Stedman of Tarrant County to the Senate. The only change being Mr. Stedman in place of Mr. L. L. Foster.<sup>41</sup>

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<sup>41</sup>Ibid., April 30, 1895.

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At first, Nathan A. Stedman of Fort Worth, had intended not to accept the appointment. He was three years younger than Foster, and had a good practice as a railroad attorney, both as a prosecutor and as a defender. He had been a strong advocate of the commission and a staunch supporter of Governor Culberson. In the end, he decided to accept the appointment and to contribute his knowledge of transportation and its problems to the work of the commission. Years later the supposition was that Foster had resigned from membership on the commission. "He served as long as he desired, declining a nomination to succeed himself," reported the Dallas Daily Times Herald.<sup>42</sup>

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<sup>42</sup>December 2, 1902.

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However, the San Antonio Express stated in its obituary notice of Foster's death that "Governor Culberson for political reasons did not



re-appoint him; <sup>43</sup> this would seem to be the correct interpretation

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<sup>43</sup>December 2, 1901.

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because in 1898 when Foster was manager of the gubernatorial campaign of Congressman Joseph W. Sayers a routine press release issued by Foster brought a caustic letter from Monta J. Moore, of Cameron, in which he questioned the motives behind the Foster-Sayers alliance. The letter, published in the Galveston News, and addressed directly to Foster is of interest because it apparently explains why he was not reappointed for a second term on the Railroad Commission. Moore stated flatly that while a member of the Railroad Commission Foster had

prevailed on Hon. John F. Reagan to run for governor because neither of the other candidates, Mr. Culberson nor Mr. Lanham, was 'strong enough for free silver,' to suit you; that after Mr. Culberson was elected governor Mr. Crane made a personal appeal to him to re-appoint you to the Railroad Commission and which you failed to retain.<sup>44</sup>

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<sup>44</sup>Galveston Daily News, January 14, 1898.

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After Nathan A. Stedman's nomination was confirmed, the Galveston News gave Foster something of a backhanded compliment upon his departure.

In railway circles here Austin the appointment of Judge Stedman is well received and seemingly gives eminent satisfaction, baring a general expression of regret at the retirement of Commissioner Foster, who has grown wonderfully popular with railroad men. The conceded ability, integrity and firmness of Judge Stedman, however, go a long ways toward wiping out the regretful feeling at the loss of Foster.<sup>45</sup>

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<sup>45</sup>Galveston News, April 30, 1895.

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And so Foster once more returned to civil life.

## CHAPTER VIII

AT VELASCO, 1895-1898

Lafayette Lumpkin Foster remained in Austin less than a month after leaving the Texas Railroad Commission on the last of June, 1895. With a large family of five boys and two girls, an ever restless and ambitious Foster soon embarked upon a new career. He accepted the position of Vice President and General Manager of the Velasco Terminal Railroad and Dock Company in July, 1895.<sup>1</sup>

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<sup>1</sup>Galveston Daily News, July 31, 1895.

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Prior to his service on the Railroad Commission the press generally referred to Foster as the "Hon. Mr. Foster," but after his move to Austin as an appointed member of the state government, it often referred to him as "Commissioner Foster." For some reason, shortly before his departure from Austin, the title of "Colonel" was appended to him; and, was thereafter, invariably used by the press when referring to Foster. The title was purely honorary as Foster had no military connections whatsoever.<sup>2</sup> His friend, Colonel Edward M. House, acquired his title

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<sup>2</sup>Annual Reports of the Adjutant General of the State of Texas 1881-1900; Compiled Service Records of Confederate Soldiers from Georgia, National Archives and Records Service, Washington 25, D. C.; Certificate of Birth, State File No. 800880, Texas Department of Health, Bureau of Vital Statistics, Austin, Texas (delayed registration) (on reverse side is the statement that "father had no military service"); Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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by virtue of an honorary commission awarded by Governor Hogg, who made House a member of his personal military staff; but Foster was not so honored.<sup>3</sup> Foster, himself, never used the title.

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<sup>3</sup>Cotner, James Stephen Hogg, p. 318; Annual Reports of the Adjutant General, 1881-1900.

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Before the end of July, 1895, Colonel L. L. Foster arrived in the somnolent little seaport of Velasco at the mouth of the Brazos River. The Velasco Terminal Railroad, like many other Texas shortlines of the nineteenth century, had ambitious plans. The line had been chartered July 30, 1891, as "The Velasco Terminal Ry. Co." The Farwell interests, that built the State Capitol, and a railroad promotion concern by the name of Lee and Ferguson of Leavenworth, Kansas, were the original promoters of the railroad. They visualized developing the ancient Spanish and Mexican port of Velasco as a new deepwater port with a terminal railroad to connect with the Houston & Texas Central Railroad at Hempstead; and, with further extensions, to join other major rail systems in Central Texas. The promoters interested British Capital in the project, and by 1892 had built twenty miles of railroad to Chenango Junction, later changed to Anchor, where a connection with the International & Great Northern Railroad was made.

A shifting sand bar in the main channel of the harbor at Velasco precluded passage to all but light draft shipping, and it was thereafter realized that unless expensive dredging measures were initiated and the necessary tonnage developed, the project was doomed. The

improvement of the harbor would depend upon obtaining government aid for the dredging and jetty work. The government's large appropriations for the improvement of the port of Galveston were assuring that city pre-eminence as the leading Texas port; and, unless political pressure could divert some governmental funds to the port of Velasco, the Velasco Terminal Railroad would most likely become bankrupt.<sup>4</sup>

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<sup>4</sup>Reed, A History of Texas Railroads, p. 227.

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Foster's known business acumen and his skill as a negotiator with corporate groups, to say nothing of his political connections and his knowledge of railroad affairs, marked him as the man to help the ailing little railroad shake off the spectre of bankruptcy and receivership. When the vice presidency of the railroad was offered to him, he accepted the challenge and set to work immediately to try to improve the financial position of the company. He moved his family to Velasco for the summer, but not until later did he move them there on a permanent basis. At times, the family lived at a summer beach hotel called "The Old Surf Hotel," and on other occasions it lived in a beach cottage mounted on stilts. Living on the coast in this manner was a novelty to the formerly landlocked Foster family, and the members of the family made the most of their new environment. Foster, himself, had a spirited and skittish horse, and during ebb-tide he took great delight in driving at top speed in his buggy along the damp, hard-packed sand in the cool gulf breeze and salt spray.<sup>5</sup> The drive along the beach seemed to supply

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<sup>5</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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that relaxation necessary for one whose thoughts were often on the financial conditions of the "syndicate," as the Foster family referred to the railroad company.<sup>6</sup> A day or so after he had taken over his new

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<sup>6</sup>Ibid.

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duties, the Texas Railroad Commission issued a report dated August 1, 1895, itemizing the value of the Velasco Terminal Railroad. The total value of the company was estimated to be \$227,527.13. The trackage constituted the major item of value; and, significantly enough, the mileage was still twenty miles and only a fourth of the distance to Hempstead--the proposed terminal. Depots were valued at \$2,650; and, as is often the case of a terminal or connecting railroad, the rolling stock was valued at only \$6,660--probably consisting of a switch engine and a caboose.<sup>7</sup>

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<sup>7</sup>Galveston Daily News, August 3, 1895.

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Foster determined to make a strong effort to interest the Federal Government in developing the harbor at Velasco. He had not been in the game of politics for fifteen years without becoming conversant with the generally accepted methods of exerting political pressure at the seat of government, whether county, state or national; therefore, he

determined to take the necessary steps to exert appropriate governmental agency concerned. If properly, Velasco would be a deep water port, the Railroad would prosper, and the fortunes of the assured. Accordingly, a few months later Foster lobby for the Velasco interests.

Foster had powerful friends both in Washington. April 4, he wrote ex-governor Hogg, now a practitioner to sound him out on his views toward the Velasco. He asked him to use his influence on Senator Chilton to be put into office. James Stephen Hogg was an avowed enemy of smacked of professional lobbying, particularly in the name of public interests. In a letter to Edward Meyer on March 12, 1895, Hogg rejected Meyer's request for his influence to get some favor. In his reply to Meyer

I am so committed against the Lobbists here that I have a great aversion to that kind of service, that I have refused friends and proposed clients, to take part in legislation since my retirement . . .<sup>8</sup>

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<sup>8</sup>J. S. Hogg to Edward Meyer, March 12, 1895, p. 343, in Hogg Family Papers.

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Hogg was not inclined to be any more lenient with Washington, D. C., to whom he replied "in haste

Really I have never heard any expression in favor of or against government appropriation for a deep-water project at Velasco, so as to the letter to Senator Chilton requested favor of the 4th. You know the Senator

the facts connected with the work. No doubt in my mind that he would hear you as quickly in a just cause as anyone on earth. He knows you and knows as well as I do that you would not request him to do an unclean or improper thing. So my advice is that you see him in person.

So far as I am concerned that as a public measure it is quite as appropriate for the U. S. Government to make an appropriation for Velasco as for Sabine Pass, Galveston or Aransas Pass, or any other Texas port. If the measure is to aid private parties, then, of course, you know how I feel on that score. If the effort is for public aid for the public benefit for a free port—its merits cannot be overlooked by our Senators. On this line we all would be glad to help.<sup>9</sup>

<sup>9</sup>J. S. Hogg to L. L. Foster, April 9, 1896, Letter Press No. 12, pp. 617-618, in Hogg Family Papers.

Hogg then wrote to United States Senator Horace Chilton in response to Chilton's request that Hogg visit Washington before Congress adjourned. Hogg advised Chilton that after making a speech in Waxahachie he was heading North, and would stop off at the national capitol. He closed by remarking to Chilton that he would "be glad to see our friends and a great deal of you." Hogg's letter of April 8 to Foster (who was stopping at the National Hotel in Washington) was followed by a second letter dated April 15. In the letter Hogg wrote:

The probability is that soon after filling my engagement to speak at Waxahachie on the 4th of next May, I shall go to New York on professional business and will stop at Washington enroute where I hope to meet you for a little pleasure. Should you conclude to leave before my departure let me know it.

I trust you are having a pleasant and successful time and will be full of news and items of interest when you get back. No news except what you see through the papers.<sup>10</sup>

<sup>10</sup>J. S. Hogg to L. L. Foster, April 15, 1896, Letter Press No. 12, p. 656, in Hogg Family Papers.



After Congress adjourned without making an appropriation for the Velasco harbor project, Foster returned home to Velasco. In the meantime Hogg was in Chicago on July 7 as one of the Texas delegates to the National Democratic Nominating Convention, where he backed William Jennings Bryan as the party's nominee for President. The Texas delegation was not unanimous in its support of Bryan, even after his famous "Cross of gold" speech. In Chicago, Congressman Joseph W. Bailey, a lukewarm Hogg man on the Texas delegation, violently opposed the nomination of Bryan. After the Convention, Hogg worked hard for Bryan in Texas hoping to offset the Joe Bailey and George Clark opposition within the Democratic Party in Texas--the "Simon-pure" gold group--who opposed the free silver wing of the Party.<sup>11</sup>

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<sup>11</sup>Cotner, James Stephen Hogg, pp. 471-475.

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In Velasco Foster was apparently concerned over the widening schism among the Texas Democrats, and voiced his alarm in a letter to Hogg on September 12, 1896. He also may have asked whether or not Hogg was contemplating a withdrawal in the current Bryan-McKinley Presidential Campaign. The Foster letters to Hogg are missing, and the gist of their contents may only be surmised from the replies. On September 14, 1896, Hogg wrote Foster:

Yours of the 12th has had my careful consideration. I do hope your alarm is unfounded or that it is turned onto me for effect. If the latter is the object this is altogether unnecessary for I am perfectly willing to work where I can do the most good.

The National Committee joins Tammany and others in urging me to speak in New York. Elsewhere I am urged to go

in behalf of the National Ticket. Chairman Blake . . . urges me to campaign for the State and local tickets. So it goes. . . . I have asked Blake for a candid answer and I hope you will also give me one.<sup>12</sup>

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<sup>12</sup>J. S. Hogg to L. I. Foster, September 14, 1896, Letter Press No. 13, p. 375, in Hogg Family Papers.

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The Blake to whom Hogg referred was J. W. Blake, a Mexia banker from Foster's old home county of Limestone. Blake was chairman of both the Democratic Executive Committee and of the Free Silver Democratic League, and a close friend of both Hogg and Foster. After Foster's death in 1901 he was appointed administrator of the Foster's modest estate.<sup>13</sup>

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<sup>13</sup>Cotner, James Stephen Hogg, pp. 461, 463; Minutes Brazos County Probate Court M, No. 698, 699, pp. 157-160.

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Although William McKinley won the election, the support Hogg had accorded Bryan in his campaign created a lasting friendship between the two men. Foster, too, was a staunch Bryan supporter; and, several years later when he was President of the Agricultural and Mechanical College of Texas, he requested Hogg to invite Bryan to visit the College. Hogg was happy to make the invitation, but, if the "Great Commoner" accepted at that particular time, the fact is unrecorded.<sup>14</sup>

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<sup>14</sup>J. S. Hogg to L. L. Foster, December 11, 1899, Letter Press No. 16, p. 172, in Hogg Family Papers.

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Some years later Bryan revealed that if he had won the Presidency of the United States in 1896, he would have asked Hogg to be his Attorney General.<sup>15</sup> If this had happened, it is fascinating to reflect on the

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<sup>15</sup>Cotner, James Stephen Hogg, p. 475.

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part that Lafayette Lumpkin Foster might have played in national affairs. Foster's friends were many, his enemies few, his personal integrity was unquestioned, and his administrative and organizational abilities were widely recognized.

A few years later, Colonel Edward M. House, the nationally powerful figure in Democratic affairs and the personal confidant of Woodrow Wilson, numbered Foster among his able and worthy friends.<sup>16</sup> James

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<sup>16</sup>Rupert N. Richardson, "Edward M. House and the Governors," Southwestern Historical Quarterly, LXI, (July 1957), p. 63.

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Stephen Hogg had for a long time relied upon Foster, and with this powerful combination of Hogg & House who were aware of his value in the practical field of work-a-day government, it is reasonable to speculate that Foster would have gone to high places in the Federal administration. However, Bryan did not win, and Hogg did not become United States Attorney General, and thus Foster remained with the Velasco Terminal Railroad. In Velasco, Foster watched the Federal Government spoon out vast appropriations to Galveston which assured that city of continued pre-eminence as a port and Velasco languished

without Federal assistance.<sup>17</sup>

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<sup>17</sup>Reed, History of Texas Railroads, p. 327.

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In spite of his duties as a railroad commissioner and later as a railroad manager, Foster maintained an active interest in other affairs. In 1896 his six year service as a member of the Board of Trustees for Baylor University at Waco expired.<sup>18</sup> His Masonic activities were

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<sup>18</sup>Carl B. Wilson, "A Register of Baylor University 1845-1935," Vol. A-E, p. 2.

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necessarily limited because of his absence from Austin, although he maintained his membership in the Austin Lodge until his death.<sup>19</sup> He

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<sup>19</sup>Membership Card File Grand Lodge of Texas, Waco, Texas; Transactions of the E. E. Grand Commandery of Knights Templar of the State of Texas, Waco, Texas.

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retained his membership in the First Baptist Church of Austin until June 13, 1900, when he, Mrs. Foster, and son (Joseph Lumpkin) transferred their membership to Bryan.<sup>20</sup>

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<sup>20</sup>Irma Ferguson, Secretary, First Baptist Church, to Robert E. Byrns, Austin, Texas, May 17, 1963, in L. L. Foster Papers.

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During Foster's two and a half year assignment at Velasco he

apparently carried on the work of this first year on a commuter basis from Austin. During the first summer and on special occasions he often brought his family to Velasco. As Vice President of a railroad he and his family were entitled to free passes over other lines; hence, the problem of fares was of no consequence and basket lunches could always be carried. The Velasco position required considerable travel for promotional purposes and thus entailed long absences from home. Foster probably retained his residence in Austin for the first year since he is listed in the annals of the Baptist Church as a delegate from Austin and member from Austin of the Board of Directors of the Baptist General Convention of Texas at their meeting held in Belton, October 11-14, 1895.<sup>21</sup>

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<sup>21</sup>Proceedings of the Forty-Seventh Annual Session of the Baptist General Convention, Belton, Texas, October 11-14, 1895.

His daughter, Edna, who was a serious-minded, attractive girl of seventeen strongly devoted to her church, transferred her membership from Austin Baptist Church to the Velasco Church on March 31, 1897.<sup>22</sup>

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<sup>22</sup>Irma Ferguson, Secretary, First Baptist Church, to Robert E. Byrns, Austin, Texas, May 17, 1963, in L. L. Foster Papers.

This would indicate that Foster had finally settled his family in Velasco by that date with a view towards permanent residence, although the railroad had laid no additional steel and the hope of governmental aid for developing the harbor was fast fading. However, 1898 was another election year and the perspective might change if there were

significant changes in Congress.

The unfortunate Hayden controversy within the Baptist Church involved Foster to a great extent. Although of amiable disposition, Foster was forced to take part in the disagreement because of his membership on the Board of Directors of the Baptist General Convention. Samuel Augustus Hayden, like Captain Joseph D. Foster the father of L. I. Foster, had been a Captain in the Confederate Army, and like Captain Foster had also been captured and imprisoned in Ohio and released in 1865. Hayden moved to Texas and served as a pastor in various churches until 1882 when he became pastor of the First Baptist Church at Dallas and shortly afterwards purchased the official publication of the General Baptist Association--The Texas Baptist--and in 1887 combined it with his latest acquisition--The Texas Baptist Herald--into The Texas Baptist and Herald. Like Foster, Hayden, was very active in working for the unification of the Baptists in Texas.<sup>23</sup>

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<sup>23</sup>Webb and Carroll, Handbook of Texas, I, p. 787.

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The famous meeting of the General Association of Ennis in July 1885, in which the motion for unification of all Texas Baptists was affirmed had found both Foster and Hayden ardent supporters of the movement for unification. Foster was President of the Association. However, it was Hayden who offered the resolutions urging the combining of the various Baptist Associations and schools into one Baptist General Convention.<sup>24</sup> Foster and Hayden in the past had worked together on

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<sup>24</sup>Encyclopedia of Southern Baptists, II, pp. 1378-1379.

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various matters affecting the Baptist Church, since they were delegates to the annual meetings. Foster was President of the Baptist General Convention in 1890, and for several years following was a member of the Board of Directors of the General Convention and President of the Board in 1894.<sup>25</sup> The two men were probably good friends

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<sup>25</sup>Burkhalter, "The Laymen and Their Work," in Centennial Story of Texas Baptists, ed. by Mathews and others, p. 257.

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because Hayden seemed unusually careful to avoid involving Foster directly in the litigation following his break with the General Convention. He also praised Foster when writing Foster's obituary in 1901, but made only passing reference to his Baptist activities.<sup>26</sup>

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<sup>26</sup>Texas Baptist Herald, December 5, 1901.

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The controversy may have strained the relationship of the two leaders and, significantly, Foster never held a prominent position in the church after 1896. He may have, however, wearied of the entire business and after twenty years of active participation in the affairs of the state church desired to relinquish the arduous work to younger men. For example, at the 1890 meeting, when Foster was chosen President of the Baptist General Convention the magnitude of the operations for

which the Board was responsible entailed employing one hundred and twenty-one missionaries who preached at seven hundred and ten different stations. One hundred and three churches and two hundred and fifty Sunday Schools had been organized; forty-three elders and ninety-eight deacons had been ordained; and thirty-nine church buildings constructed at a cost of \$28,299.67.<sup>27</sup> It was also reported that "L.

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<sup>27</sup>Carroll, A History of Texas Baptists, p. 672.

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L. Foster of Austin" was a member of the General Executive Board of Directors on April 9, 1894, at Gainesville, and that the work of the Board was of such major importance that allnight sessions were necessary.<sup>28</sup>

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<sup>28</sup>Ibid., pp. 707-709.

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The initial sparks of the Hayden Controversy started when the Rev. R. T. Hanks and S. A. Hayden became involved in a minor newspaper controversy. Hanks had purchased the Baptist News and in it defended himself against the charges published by Hayden in Hayden's Texas Baptist and Herald. Finally, J. B. Cranfill, worrying over the lack of co-operative unity within the Baptist Convention, resigned as Secretary of the Convention and bought out Hank's paper. He changed its name to the Baptist Standard, and started a crusade for reconciliation. Cranfill was the same individual that the San Antonio Times had suggested as Lieutenant Governor with Foster on a proposed "Foster for



Governor" ticket in 1885.

The peace movement failed when Hayden attacked John Milton Carroll, successor to Cranfill, in the secretarial administration.<sup>29</sup>

<sup>29</sup>Encyclopedia of Southern Baptists, II, p. 1380.

Foster was active in the affairs of the Baptist Church during the time of the dissention. In his History of Texas Baptists, Carroll notes that at the 1893 meeting of the Convention Foster was a member of a committee of five to "examine thoroughly into all the workings and affairs of the Ministers' Relief Board." Some question had risen as to the management, functions, and even the necessity of this Board. The committee recommended that the Board be discontinued and its functions be placed in the hands of the Executive Board of the Convention.<sup>30</sup>

<sup>30</sup>Carroll, A History of Texas Baptists, p. 611.

The following year the General Executive Board of the Convention, whose field of interest now lay in that of State, Home and Foreign Missions, and Ministers' Relief Work, met April 9, 1894, and in addition to the regular business of the Church, appointed a Committee of five, which included Foster, to take into consideration a protest advanced by Dr. Hayden in which Hayden questioned the methods of operation, expenses and alleged secrecy of the Board. The "Board" in question was the General Executive Board of the Convention of which Foster was also a

member.

Foster and his committee worked "the better part of a day and an entire night in a careful and painstaking investigation" and concluded that the allegations were groundless.<sup>31</sup>

<sup>31</sup>Carroll, A History of Texas Baptists, pp. 709-711.

Hayden, however, reopened the issue and another meeting was held June 26-27, 1894. Foster's committee, "reported back in very strong language showing the baselessness of the charges and insinuations."

Carroll remarks that the two board meetings were

Two of the most significant board meetings ever held in Texas Baptist history. . . . In many respects the board's report of this year is one of the greatest in all our Texas Baptist history, its thoroughness, its completeness, its clearness, are remarkable. No places are left for interrogation points. It answers all necessary questions concerning the work itself and the expenses of administration.<sup>32</sup>

<sup>32</sup>Ibid., p. 717.

Hayden was still not satisfied and advocated a policy of "church sovereignty" as opposed to "the rule of boards." The Convention met in Belton, October 11-14, 1895, and declared:

The Convention is composed of persons chosen by churches, associations, and missionary societies as their messengers, and that when said persons are convened they, and not the churches, are the Convention.<sup>33</sup>

<sup>33</sup>Encyclopedia of Southern Baptists, II, p. 1380

Foster was also present at this meeting and was again nominated as a Director of the General Convention.<sup>34</sup>

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<sup>34</sup>Proceedings of the Forty Seventh Annual Session of the Baptist General Convention, Belton, Texas, October 11-14, 1895, p. 57.

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Hayden renewed his charges and when the Baptist General Convention met in Houston for their annual assembly October 9-13, 1896, official note was taken by the Convention that Hayden had attacked the Board editorially through the columns of his newspaper, The Texas Baptist and Herald.<sup>35</sup> The Board now consisted of thirty-eight members, including

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<sup>35</sup>Proceedings of the Forty Eighth Annual Session of the Baptist General Convention, Houston, Texas, October 9-13, 1896, p. 36.

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Foster who was still listed as a member from Austin. There were four hundred and ninety-three official delegates attending the meeting, the largest ever held up to that time. Hayden's charges were again considered and found without foundation, although the Board was not unanimous in its findings since six members took some exception to the majority report. Foster was not of the minority.<sup>36</sup> The question of

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<sup>36</sup>Carroll, A History of Texas Baptists, p. 733.

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co-education at Baylor University was also resolved for all time in the affirmative.<sup>37</sup>

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<sup>37</sup>Ibid., p. 743.

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The Forty-Eighth Annual Session of the Baptist General Convention is the last meeting in which Foster took an official part. Thereafter, his name no longer appeared in the annual reports of the Convention, although he probably attended as a spectator.<sup>38</sup> Foster may have been

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<sup>38</sup>Baptist Standard, December 5, 1901.

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an unwilling participant in the Hayden controversy and, while he sided with the majority, he may have felt that the entire affair was unwarranted and unnecessary and, furthermore, felt that compromise was always possible and at times desirable. In any event Hayden, himself, observed in 1901 that

This was the last official position he [Foster] ever held in the Baptist denomination. He was a man of untiring energy, excellent administrative ability, active industrious and a genius for close application. . . . He was an incorruptible politician whose management coupled with a large popularity registered his name in every office he sought and made him a valuable ally and leader in every campaign.<sup>39</sup>

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<sup>39</sup>Texas Baptist Herald, December 5, 1901.

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Foster was apparently well regarded by Hayden, although Foster remained with the General Convention and continued active in his local church. While he attended at least one of the annual sessions, ex-officio and unofficially, he may have attended others. It is certain

that he held no further state or regional office in the organization of the Baptist Church after 1896.

The annual session at Houston in 1896 was a trying one for Foster and much stormy debate resulted over the Hayden issue before the Convention adjourned in something akin to frustration.

The following year, with Foster not on the scene in any official capacity, the Convention convened at San Antonio. The credentials committee challenged Hayden's right to a seat and, after hearing him present his objections, voted on his expulsion. The vote was 582 to 102 for expulsion and he was denied a seat. Hayden again sought admittance at Waco in 1898, and again at Dallas in 1899, only to be denied admission each time. He then instituted suit for \$100,000.00 damages naming thirty-three key leaders of the Convention as defendants, but excluding Foster now no longer active in the Convention. The litigation dragged on and on until Cranfill, weary of the entire business, settled the suit from his own resources April 28, 1905, "without the knowledge, consent or cooperation, fraternally, financially, or otherwise, or any of the defendants."<sup>40</sup>

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<sup>40</sup>Encyclopedia of Southern Baptists, II, p. 1380.

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The Velasco Terminal Railway continued to languish. The hoped-for tonnage did not develop and revenues did not approximate expenses. No additional steel had ever been laid after the initial twenty miles, and by June 30, 1898, the stock and bonds per mile amounted to \$37,155, or a total of \$743,100. By June 30, 1901, the railroad had disappeared

as the Velasco Terminal.<sup>41</sup> The British bondholders were forced to take

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<sup>41</sup>Sayers, Railroad Consolidations in Texas, 1891-1902, pp. 76-79.

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the railroad over and they operated it after Foster left in 1898, with E. D. Dorchester~~x~~ as receiver, until 1901, when it was sold to Harry Masterson, I. H. Kempner, and L. L. Foster, who were representing a Boston Syndicate. The name was changed to the Velasco Brazos & Northern Railway Company on July 8, 1901. The line then went through two more receiverships until the discovery of sulphur in the area served by the railroad generated sufficient tonnage to insure the solvency of the line. It is now part of the Missouri Pacific Railroad.<sup>42</sup> The

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<sup>42</sup>Reed, A History of Texas Railroads, pp. 327-328.

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hurricanes of 1900 and ensuing years obliterated the settlement of Velasco and it no longer appears on the map of Texas as a separate city, but is now part of the corporate limits of the city of Freeport.

The bankrupt condition of the line at the time of Foster's departure in July of 1898 is reflected in the minutes of the Probate Court which listed the Velasco Terminal Railroad as owing Foster's estate the amount of \$195.57 as late as 1902.<sup>43</sup> Foster could not continue to

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<sup>43</sup>Minutes Brazos County Probate Court, M, No. 698, p. M. 175, 1902.

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support his family on the nebulous premise that the port of Velasco would be developed and accordingly he once again turned to politics.

CHAPTER IX  
SAYER'S CAMPAIGN MANAGER

The prospects of the Velasco Terminal Railroad becoming solvent and earning any dividends had evaporated, and the Farwell-Taylor Syndicate turned the project back to the British bondholders. Foster remained with the new management of the Terminal Railroad until the late spring of 1898;<sup>1</sup> but since the company offered little in the way

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<sup>1</sup>Galveston Daily News, January 14, 1898.

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of material returns, he once more directed his interests toward the political arena.

Foster had not fared well in the political maneuvering of the gubernatorial campaign of 1894 when he supported the chairman of the Railroad Commission, John H. Reagan, as the Democratic nominee for governor against Charles A. Culberson. Reagan had the initial support of Governor Hogg, but Culberson's campaign was ably managed by the astute Colonel Edward House. It seemed likely that the third strong candidate in the race, Samuel W. T. Lanham of the George Clark "Goldbug," conservative segment, might win the nomination if both of the "free silver" advocates, Reagan and Culberson, remained in the running. Reagan magnanimously retired from the race in order to avoid a split among the liberal group, and Culberson succeeded in gaining the nomination of the Democratic Party and thus became governor in 1895.<sup>2</sup>



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<sup>2</sup>Cotner, James Stephen Hogg, p. 414.

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Foster then being somewhat out of favor saw Nathan A. Stedman of Fort Worth, a strong Culberson supporter, appointed to his place on the Railroad Commission.

The approach of the campaign year of 1898 placed Foster in the same dilemma as that of the earlier campaign of 1894. Attorney General Martin M. Crane, an old friend of Foster's, was seeking the gubernatorial nomination. Crane also had the initial support of ex-governor Hogg, a friend of Foster. However, the powerful "maker of Texas Governors," Colonel House, would not support Crane, claiming that the custom of elevating the Attorney General of the preceding administration to the governorship was becoming a bad habit. Hogg remained relatively inactive in Crane's behalf, since the Attorney General had indicated a desire to stand on his own record. Hogg wished, too, to avoid the cognomen of "Boss" in the Democratic Party in Texas.<sup>3</sup>

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<sup>3</sup>Ibid., p. 479.

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Outgoing Governor Culberson desired to run for United States Senator, and House agreed to support his candidacy for the Senate concurrently with Sayer's gubernatorial campaign. Veteran Senator Roger Q. Mills was becoming increasingly unpopular with the "silver Democrats" of Texas because of his support of President Cleveland's "Sound Money" policy, and House felt that a "free silver" man, like

Culberson, should be sent to Washington as more representative of the true interests of the people. House, himself, was an interesting phenomenon of the times--wealthy, relatively young, a native Texan, he never sought political office for himself; his was the role of the counselor and the confidant--a role which he played deftly throughout his lifetime. Political maneuver and political power, although latent, were his life's blood and his reasons for existence. The "Texas Warwick", Edward M. House, was the power behind the scenes.

He controlled party conventions. Long before a convention was to meet he would select its major officers and secure their assent to serve. . . . Men to nominate the candidate for governor and make seconding speeches were selected and told what to say.<sup>4</sup>

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<sup>4</sup>Rupert N. Richardson, "Edward M. House and the Governors," The Southwestern Historical Quarterly, LXI (July 1957), p. 53.

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He . . . was well acquainted with at least Seven Texas governors, every one from L. S. Ross to O. B. Colquitt, both inclusive. He helped to elect and was associated somewhat intimately with four of them: James S. Hogg, Charles A. Culberson, Joseph D. Sayers, and S. W. T. Lanham.<sup>5</sup>

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<sup>5</sup>Ibid., p. 50.

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Sayers was a veteran congressman and sometime in 1897 the two, House and Sayers, determined to enter Sayers in the governor's race, but first the idea had to be built throughout Texas that Sayers should be the next governor. Actually, a more capable and respected individual

than Joseph Draper Sayers of Bastrop would be difficult to discover. It was agreed that Sayers would take no active part in the campaign as his congressional duties would keep him busy in Washington. House and Sayers both had a good opinion of Foster's political acumen and they decided to request Foster, the prominent and well known manager of the Velasco Terminal Railroad, to act as Sayer's campaign manager. Foster, being for all practical purposes "at liberty," readily agreed. The announcement that Sayers was definitely in the race for the Democratic nomination for governor and the official announcement that the Hon. L. J. Foster would be his campaign manager were accepted on their face value although the Galveston Daily News early in January 1898, noted the announcement with tongue-in-cheek applause, when its editor declared:

It has been freely remarked that the Sayers people were fortunate in the securing of a man like Colonel L. L. Foster of Velasco to manage the gubernatorial campaign of their favorite. As a matter of fact, Foster is smooth--smooth as a railroad man, as a politician and as a manipulator. It is true that before he made his debut in the political whirl he graduated from a country newspaper office, having once published a paper in Limestone County, but he has long since reformed, and he has learned much since that time. . . . After spending several years in the Legislature and as Commissioner of Agriculture, Insurance, History and Statistics<sup>7</sup> . . . he served on the railroad commission, making an enviable reputation for conservation and fairness.

From all this it will be seen that he is anything but a novice in politics, despite the fact that he is what would be termed a business man. He is schooled thoroughly in the art of political warfare, and in him the Sayers people have a manager who will not overlook any bets. He looks mild and innocent and good-natured, but before the fight is over the opposition will find that it takes more than a vicarious flutter to pluck his feathers. Foster is all right and will keep the rails in the proper place so far as the Bastrop man's fences are concerned.<sup>8</sup>

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<sup>6</sup>Galveston Daily News, January 9, 1898.

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Foster lost no time in starting the job of political fence mending for his candidate. He traveled about the state making political contacts and conducting conferences, and at Mexia conferred with State Democratic Executive Committee Chairman Blake on January 8.<sup>7</sup>

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<sup>7</sup>Ibid., January 10, 1898.

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"When asked about the political situation he just smiled and was practically mum," reported the editor of a leading Texas newspaper,<sup>8</sup>

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<sup>8</sup>Ibid., January 9, 1898.

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"and then in a burst of confidence, he observed that wherever he had been he found Sayers was all right, but that was all that could be dragged out of him,"<sup>9</sup> concluded the editor.

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<sup>9</sup>Ibid.

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In an article headed "Gossip From Dallas," the Galveston Daily News reported:

Mr. Foster will manage the campaign for Hon. Joseph D. Sayers, and will establish headquarters in this city Dallas along in the season. It is understood that Hon. E. M. House will direct affairs from Austin, and Mr. Foster will care for the interests of Judge Sayers in Central, North and Northeast

Texas . . . Ex-mayor Frank Holland will assist Mr. Foster at this end of the line. The gentleman from Velasco has been playing the game of politics for many years, and he is very sanguine that Judge Sayers will succeed Hon. Charles A. Culberson as Governor of Texas.<sup>10</sup>

<sup>10</sup>Ibid.

In the meantime, the beloved Lawrence Sullivan Ross died. Indian fighter, Confederate general, and Texas Governor, "Sul" Ross had been president of the Agricultural and Mechanical College at College Station since February 1, 1891. His death on January 3, 1898, of "congestion," probably pneumonia, was sudden and unexpected and followed his exposure to the elements during a hunting trip on the Navasota River near College Station. There was much speculation throughout the state on who would be named to succeed him as president of the college. J. W. Blake, chairman of the State Democratic Executive Committee, went on record as favoring Sayers for president of the college.<sup>11</sup> He probably

<sup>11</sup>Ibid., January 18, 1898.

hoped that Sayers would accept the honor and thus leave the gubernatorial field open to either George Taylor <sup>J</sup>ester, of Corsicana, with whom he had also been conferring on January 8, in Mexia,<sup>12</sup> or to Crane,

<sup>12</sup>Ibid., January 10, 1898.

the Attorney-General, and still a strong contender for the governorship

at this time. However, when House and Foster lined-up in the earlier days of the campaign, and Congressman Joseph W. Bailey joined the Sayer Forces, Sayer's prospects for gaining the nomination were so bright that Crane became discouraged and withdrew from the race. Blake's recommendation that Sayers be President of the Agricultural and Mechanical College of Texas was obviously a political maneuver to remove Sayers from the governor's race. In any event, Blake was inconsistent. Six months later while addressing the Texas School Teachers Convention at Galveston, he strongly opposed the practice of appointing "politicians" to the control of the State educational system.<sup>13</sup> No matter how well qualified Sayers may have been in other

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<sup>13</sup>Galveston Daily News, July 1, 1898.

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respects, he was not a member of the educational profession.

Foster nevertheless continued on his speaking tour and on January 10, in Austin, gave a prepared statement to the press which was published by the Galveston Daily News. In a lengthy column of newsprint, Sayers' record was defended and his stand for the "free and unlimited coinage of silver" was affirmed. The article stressed his adherence to the policies of the current state administration, to those that had been pursued by Hogg, and to the work of the Railroad Commission, the stock and bond laws, and other reform legislation. Foster admitted that the "Clark element" and the "Populists" seemed to favor Sayers, but ~~that said~~ this was no indication that Sayers favored the "Gold bugs," and anti-Hogg elements of the George Clark Wing of the party. Foster stated

that the support of the conservative and gold-standard people stemmed from personal admiration of Sayers and was not based on political reasons.<sup>14</sup>

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<sup>14</sup>Galveston Daily News, January 11, 1898.

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Foster's routine press release in Austin brought a long caustic, well-written letter from Monta J. Moore, of Cameron, a Crane supporter, which the Galveston Daily News carefully published. Moore evidently was no friend of L. L. Foster's and questioned his motives in allying himself with Sayers. Moore accused Foster and Sayers of being allied with the Farwell-Taylor Syndicate of North Texas, which had built the state capitol in return for three million acres of land. The deal, legal and fair as it appears today, was suspect at that time in the eyes of many Texans in the eighties and nineties.

The fact is considered [Moore continued] that the north Texas interests of the Farwell-Abner Taylor Syndicate are connected with Mr. Sayers candidacy for governor through its Velasco interests, and you, as general manager of the Velasco terminal railroad and manager of Mr. Sayers' campaign, constituted the connecting link.<sup>15</sup>

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<sup>15</sup>Monta J. Moore in "Letter to Hon. L. L. Foster," Galveston Daily News, January 14, 1898.

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Moore cast further aspersions on the Sayers-Foster combination. He speculated on the reason for this alliance "since Sayers had never given you [Foster] a political favor in his life" and Foster and Crane were known to be political as well as personal friends. "Why did Foster

turn on his friend Crane who had interceded for him with Governor Culberson in 1895 in an effort to keep Foster on the Railroad Commission?" he asked. Moore also accused Foster of being in the employ~~me~~ of the Farwell-Taylor interests not only to manage their Velasco property, but "to appear before Congress as a lobbyist to induce the government to purchase the improvements made by the Syndicate at the mouth of the Brazos."<sup>16</sup>

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<sup>16</sup> Ibid.

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The interjection of a personal note into the campaign impugning Foster's motives annoyed Foster more than did the usual political mudslinging of the day, and he promptly replied through the columns of the News to the charges that he was the connecting link between the Farwell-Taylor Syndicate and Joseph Sayer's<sup>1</sup>.

I do not represent the Farwell-Abner Taylor Capital Syndicate at the mouth of the Brazos river or elsewhere, but the new management who succeeded to the control of that enterprise, and thus vanishes this far fetched effort to connect Mr. Sayers through me and the capital [Sic] syndicate. . . . Mr. Moore's statement that I accepted employment to lobby for this or any other company at Washington is utterly false. I did, at a hearing before the Senate Commerce Committee, present in a public speech the importance in a commercial sense of opening a harbor at the mouth of the Brazos river, and of improving and opening the river to navigation. This general scheme of improvement involves the payment of the Brazos river channel and dock company the value of the property of the partially completed jetties constructed by that company, such value to be determined by the government, and will I think, receive the unanimous support of our senators and representatives in Congress. In my opinion, no other enterprise eventually promises greater benefits to the commerce of Texas than the construction of a harbor at the mouth of the Brazos river, and opening of the river to navigation as far as practicable by the general government. I intend again to appear before the



proper committees in congress when opportunity shall offer, as I have heretofore done, advocate an appropriation for the purpose named.<sup>17</sup>

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<sup>17</sup>Galveston Daily News, January 18, 1898.

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Foster maintained that he had always, up until then, supported Crane for any state office for which he aspired. He now carefully explained, however, that his support of Sayers was based on at least three excellent and worthwhile reasons:

1. By reason of his experience in public life and by his general knowledge of statecraft, he is the most thoroughly equipped man in the race for governor.
2. My father was a confederate soldier, having served in Lee's army throughout the entire Civil War first as Lieutenant and then as captain of a company in the Twenty-second Georgia regiment, and though a mere boy at the time, having no proper appreciation of the issues involved in that great struggle, my sympathies have ever since so strongly leaned toward the ex-confederate soldiers, that I have on ever occasion, other things being equal, thrown my influence in his favor, and on this ground I support Mr. Sayers for governor.
3. Before I became associated with Mr. Crane personally, I formed the acquaintance of Mr. Sayers. His courteous treatment of me and my friends who visited Washington at the beginning of Mr. Cleveland's first administration, and the valuable political aid rendered by him in behalf of my friends especially endeared him to me, and if political favors in the past are to be material considerations in influencing political action in the future and if personal and social relations are to be weighed in arriving at a conclusion as to the most suitable candidate for governor, then I have better reasons for supporting Mr. Sayers than any man in this race.<sup>18</sup>

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<sup>18</sup>Ibid.

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Moore's charge that Foster was an employee of the Velasco Terminal Railroad was certainly factual, and the accusation that Foster was a Washington lobbyist for the syndicate was undoubtedly true. Even ex-governor Hogg had questioned Foster's business in Washington.<sup>19</sup>

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<sup>19</sup>J. S. Hogg to L. L. Foster, April 8, 1896, Letter Press No. 12, pp. 617-618, Hogg Family Papers.

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However, in all fairness to Foster it must be said that he was genuinely interested in the entire Brazos River complex from a public as well as from a personal viewpoint. His experiences on the Railroad Commission had revealed the importance of transportation to the economy of Texas, and the development and improvement of all types of surface transportation continued to hold his interest. By the Fall of the next year, he had become chairman of the Brazos Improvement Committee, which met in Brenham, October 26, 1899, with representatives from all interested counties on the lower reaches of the Brazos watershed suffering from the disastrous flood of the late spring of 1899. Congressman Tom Ball and United States Senator Horace Chilton both addressed the meeting, as did also L. J. Storey of the Texas Railroad Commission. The committee advocated improving the channel of the Brazos sufficiently to make possible a navigable channel all the way to Waco, and went on record for continual harbor improvement at Velasco. Foster's efforts to divert Federal funds to the project had evidently by now met with a measure of success because the Convention took official note of the fact that

The general government has taken charge of the harbor at the mouth of the Brazos river, and the jetty works, costing private parties over a million dollars, has been given to the government, and the last congress appropriated \$85,000 as sufficient to complete the jetties . . .<sup>20</sup>

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<sup>20</sup>Galveston Daily News, October 28, 1899.

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The remark that the jetty works had been given to the government is indicative that the Velasco Terminal Railroad was by this time bankrupt.

Foster also believed that the Brazos channel project would alleviate the yearly flooding of the rich bottomlands and he expressed himself in an interview at Hempstead, October 27, that "making the Brazos bottoms profitable [for cultivation] every year," rests on "making the river navigable."<sup>21</sup>

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<sup>21</sup>Ibid.

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By early summer of 1898 it was evident that the Sayers-Culberson campaign for nomination on the Democratic ticket as candidates for governor and United States Senator, respectively, would be but a formality. So powerful was the alliance behind the two men that no aspirant for the governorship remained in the running, and the incumbent Senator Roger Q. Mills simply gave up and withdrew from the race for his re-election.

The press and public interest had other events to occupy their attention besides politics. The Spanish-American War burst forth and

provided the papers vast reams of copy. The presidency of the Agricultural and Mechanical College of Texas remained vacant and provided periodical opportunities for sounding out local sentiment on who should be chosen for that position. John Matthew Moore, member of the State Legislature from Richmond, thought it would be difficult to replace Sul Ross at A&M. He suggested the eminent horticulturist Thomas V. Munson or Professor Fred W. Mally<sup>22</sup> for the

<sup>22</sup>Frederich W. Mally was an eminent entomologist who later in 1899 came to the college as professor of entomology.

position. The name of the State Adjutant General, Colonel Woodford Haywood Mabry, was mentioned by others. Moore agreed that the latter's selection would enhance the military features of the college, but he was of the opinion that the selection of a military man might cause the military aspects of the college to dominate the industrial and agricultural science fields. Moore felt that the agricultural and mechanical features of the college should be emphasized.<sup>23</sup>

<sup>23</sup>Galveston Daily News, January 13, 1898.

Foster's interest in the college at this time was no doubt only academic. Foster had been an ex-officio member of the Board of Directors of the college when he was state Commissioner of the Department of Insurance, Statistics, History and Agriculture under Governor Ross. He therefore was familiar with the school and may well have maintained

a personal interest in the institution even after he joined the Railroad Commission in 1891 and administratively terminated his connection with the Board of Directors of the Agricultural and Mechanical college. Whether Foster knew it or not he was again to become vitally concerned with the affairs of the College.

CHAPTER X  
FOSTER ACCEPTS NEW POSITION

The presidency of the Agricultural and Mechanical College of Texas, vacant since the death of Lawrence Sullivan Ross on January 3, 1898, remained unfilled until July 1. During the interval, R. H. Whitlock, Professor of Mechanical Engineering, served as Acting Head of the College. In the meantime, the Board of Directors considered a number of possible candidates for the position and finally agreed that, from a practical as well as a political viewpoint, Lafayette Lumpkin Foster was best qualified for the presidency of the College.

The decision had not been easy. Speculation and suggestions had been abroad since early January.<sup>1</sup> Colonel Woodford H. Mabry, the State

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<sup>1</sup>Galveston Daily News, January 10 and 18, 1898.

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Adjutant General, was a strong contender for the position, and received half of the votes of the six board members each time the board convened to discuss the matter of a new president. Frank P. Holland, a former mayor of Dallas, editor of the Texas Farm and Home magazine,<sup>2</sup> and a

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<sup>2</sup>Judge Paine L. Bush to Robert E. Byrns, Dallas, Texas, May 29, 1963, in L. L. Foster Papers.

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member of the Board of Directors of the College, was one of the strongest supporters of Colonel Mabry for the presidency. After Foster's death in

1901, Holland recalled the controversy during an interview in Dallas.

I was opposed to him [Foster]. In fact I worked hard in behalf of the then Adjutant General, W. H. Mabry. I want to say, however, in the light of better acquaintance with the man, [declared Holland] that he has made the best President the Agricultural and Mechanical College has ever had.<sup>3</sup>

<sup>3</sup>Ibid.; Dallas Morning News, December 3, 1901.

Mabry's friends in the college were so determined in his behalf that had not the Spanish-American War burst on the scene, he would have probably been elected president of the college.<sup>4</sup> Colonel Mabry had long

<sup>4</sup>John L. Lane, History of Education in Texas, p. 308.

been prominent in Texas military affairs. He was a graduate of the Virginia Military Academy and was considered well qualified for the position by many who felt that a military man should be head of the State's foremost military school. With the advent of war, however, Colonel Mabry resigned as State Adjutant General, effective May 5, 1898, and took command of the 1st Texas Infantry Regiment.<sup>5</sup> Seven months

<sup>5</sup>Galveston Daily News, May 3, 1898.

later, on January 4, 1899, he died of cerebro-spinal meningitis in Havana.<sup>6</sup>

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<sup>6</sup>Ibid., January 4, 1899.

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Crane's withdrawal from the gubernatorial contest on May 16 prompted Foster, as manager of Sayers' race, to issue a statement from Austin that Crane's withdrawal "practically assures the nomination of Sayers." Simultaneously, a majority of Crane's backers officially switched their support to Sayers.<sup>7</sup> The balance of the token opposition

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<sup>7</sup>Ibid., May 17, 1898.

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melted away so completely that on the second day of the Democratic Convention held in Galveston on August 3-5, Sayers was nominated as the Democratic candidate for Governor of Texas by popular acclamation.<sup>8</sup>

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<sup>8</sup>Bryan Morning Eagle, August, 1898.

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With the outcome of the Sayers gubernatorial campaign now no longer in doubt and with Colonel Mabry no longer a contender for the presidency of Texas A&M, the logical choice for president of the Agricultural and Mechanical College seemed to be the governor-elect's campaign manager, Lafayette Lumpkin Foster. Local, national, and international events had intervened in May, 1898, to change the perspective by eliminating the soldier and making available the politician for the presidency. With the elimination of one of the chief contenders, the Board of Directors was soon able to reach a decision on a president



for the college, and on June 9, 1898, the Secretary to the Board,

W. R. Cavitt, wrote Foster

It is with much pleasure that I, as secretary of the Board of Directors, notify you of your unanimous election to the Presidency of the A&M College of this state, as a successor to the late Ex-Gov. L. S. Ross. We trust that you will find it consistent with your feelings and duties to accept this most worthy and useful position.<sup>9</sup>

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<sup>9</sup>W. R. Cavitt, Secretary, Board of Directors, Agricultural and Mechanical College of Texas, College Station, Texas, to Hon. L. I. Foster, Velasco, Texas, June 9th 1898, in L. I. Foster Papers.

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Cavitt was of the pro-Foster forces and was well versed in local campus politics. He, therefore, thought it advisable, as a friend, to suggest that Foster make no changes at the college until he had been thoroughly oriented after his arrival on the campus. The same mail that brought the official notification from Cavitt of his appointment, also brought a personal note to Foster from Cavitt penned "in haste" and attached to the official communication. Addressed to "Friend Foster," the note read:

I herewith hand you an official notice of your election to the Presidency of this College. I am proud of your election for many reasons, and hope you will accept the position. The President's residence is at your command. Let me know when to expect you and family that I may see that matters are arranged here for your reception. Any assistance I can render you here, will be most cheerfully given--and I say to you, "do not hesitate to call on me" for I am ready to help you. I am fully persuaded that the College will prosper under your management.

Now, I am not presuming to give you advice, but ask you as a friend, and for the good of this College that you promise no places to any one here until you are fully posted. Think our Board of Directors will convene between the 28th Inst. & 4th prox. at this place. Let me know when to expect you here.<sup>10</sup>

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<sup>10</sup>W. R. Cavitt to L. L. Foster, College Station, Texas, June 9, 1898, in L. L. Foster Papers.

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Several biographical sketches<sup>11</sup> of Foster state that he was Sayers'

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<sup>11</sup>Texas Baptist Herald, December 5, 1901; San Antonio Express, December 2, 1901.

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campaign manager and that Sayers appointed him to the Presidency of Texas A&M. Actually, Culberson was still governor and the Board of Directors made the appointment. They may or may not have been motivated by the hand-writing on the wall in the chirography of Joseph D. Sayers with strong overtones by Edward M. House. The Galveston Daily News carried the following:

Austin, Texas June 13.--Colonel I. L. Foster gave out the following from Sayers' headquarters to-day:

'Having accepted the office of president of the Agricultural and Mechanical College of Texas, to which I was recently elected, it is my purpose to retire from politics and devote my entire time and attention to the duties of that high and responsible position. The office is non-political and should in its administration be completely divorced from political influence. . . . I shall therefore terminate my connection with the campaign. In severing my connection with Sayers campaign committee, I do so with full confidence that it involves no change in the plans or policy heretofore pursued. Hon. E. M. House, who has for more than two years past had charge of the political interests of the Hon. Joseph D. Sayers, and who has given general direction to his present campaign will continue to have entire control of the campaign. . . . On account of the absence of Major Sayers at his post of duty in Washington, his friends have so far conducted the campaign for him, and the burden has fallen upon a few. In lieu of this fact, I suggest that great service can be rendered to the committee by volunteer speakers and workers who are willing to devote part of their time speaking and working in his interest.<sup>13</sup>

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<sup>13</sup>Galveston Daily News, June 14, 1898.

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Foster promptly answered Cavitt's official letter notifying him of the nomination. From Austin on June 14, 1898, he wrote the Secretary to the Board:

Understanding as I do from a personal acquaintance with the affairs of the College in former years, something of the duties and responsibilities of the President, and being successor of so able and distinguished a man as the late lamented President Boss, it is not entirely without trepidation and fear of my inability to meet public expectation in the administration of the office that I assume its responsibilities. The very large number of letters and telegrams received from citizens in all parts of Texas including numbers of the Alumni Association of the College, members of the press, educators of distinction and in fact representing every phase of public opinion, expressing satisfaction with my election, leads me to believe that public opinion approves of the action of the Board of Directors.

Elected without solicitation on my part, and I believe as a result of a conviction on the part of my friends and the Board of Directors that I would at least honestly and conscientiously strive to maintain the high standard of excellence which the institution has attained, and if possible press forward to still greater and nobler conquest, I appreciate more highly the honor conferred in my election. . . .

I earnestly invite the sympathy, cooperation and support of the people of the State in general, especially of the Alumni Association. . . .<sup>14</sup>

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<sup>14</sup>L. L. Foster to W. R. Cavitt, June 14, 1898, in Bryan Weekly Eagle, July 7, 1898.

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The state press had actually received the first word of Foster's appointment before Foster himself had been officially notified. A reporter from the Houston Post awakened Foster in his room at the Hutchins House in Austin at one-thirty on the morning of June 7 to tell

him of his acceptance by the Board as President of the college. When told of his selection, Foster seemed somewhat surprised.

'Were you not a candidate for the position?' asked the reporter.

In no sense of the word. I had neither solicited the appointment nor had it been solicited for me to my knowledge, replied Foster. I had heard that my name had been mentioned some months since in connection with the position, but my information was that it had not been seriously considered owing to the knowledge of my obligations in the present campaign. I had never been consulted upon the subject and the news is as much of a surprise to me as it will be to anyone in Texas.

Of course you will accept the position?

As to that, I will prefer not expressing an opinion until I am officially advised of my election. I will have time then to take the matter under consideration.<sup>15</sup>

<sup>15</sup>Clipping identified as probably from Houston Post, June 7, 1898, in File III c, miscellaneous clippings, McInnis Collection, Archives, Texas A&M University.

From the above it seems that the appointment of Foster was clearly a case of the office seeking the man, instead of the man seeking the office. It is of interest to note that Cavitt, Foster, Mabry, ex-governor Richard B. Hubbard, and other prominent Texans had been suggested for the presidency of A&M College several years earlier when it was rumored that President Ross would leave the position to become a member of the Texas Railroad Commission.<sup>16</sup> At that time Foster disavowed any

<sup>16</sup>Unidentified newspaper clippings, circa February-March 1895, File III c, McInnis Collection, Archives, Texas A&M University.

aspirations for the position, and made clear that he would not accept the presidency of the college unless under great pressure.<sup>17</sup>

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<sup>17</sup>Unidentified newspaper clipping, dated December 28, 1894, File III c, McInnis Collection, Archives, Texas A&M University.

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Foster appears to have been universally respected throughout the state, and the choice of the Board of Directors was, with the exception of the teachers, generally regarded with favor. The Bryan Daily Eagle observed that it had "seen nothing but the most favorable expressions regarding the election of Hon. L. L. Foster to the presidency," and the paper quoted various editorial remarks from among its exchanges reflecting the opinion of the state press.<sup>18</sup>

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<sup>18</sup>Bryan Daily Eagle, June 14, 1898.

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However, as always, there must be dissenting voices with discordant notes and the professional educators of Texas were not satisfied with the Board's choice. The "Election of Hon. L. L. Foster . . . looks too much like politics," the Galveston Daily News observed, and went on to say under an Austin dateline of June 13 that

Prof. R. B. Cousins, principal of the Mexia public schools, who is here on the faculty of the state school of methods and university summer normal, and who was the professional educator's candidate for the presidency of the Agricultural and Mechanical College, and who is also president of the Texas State Teachers' Association, voices the sentiment of the professional educators here in the following interview on the election of Hon. L. L. Foster, a non-professional educator, to the presidency of the . . . College.

Mr. Foster began his public career in Limestone County,

where I live. Many of my personal friends are his. Through these common friends I have learned to feel very kindly toward him. His election to the presidency of the Agricultural and Mechanical College must be regretted, however, for the reason that it violates a fundamental law, which is recognized in all lines of business, the law of special preparation for important work. A professional school man ought to have been elected. It is the weakest sophistry to say the president does not teach and therefore he need not know anything about that part of the work.<sup>19</sup>

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<sup>19</sup>Galveston Daily News, June 14, 1898.

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The state teachers met in Convention in Galveston two weeks after Cousins' remarks, and the matter of Foster's appointment was again brought up. The chairman of the state Democratic party, J. W. Blake of Mexia, addressed the teachers convention on June 30. He advocated compulsory education and a closer relationship between the churches and the schools in the state. "Without mentioning Foster by name and prefacing his remarks with the observation that he was intending no reflection on any one person, "especially on one of my closest friends in Texas," he further declared, "I regard him [Foster] as one of the best men that could have been selected for that position--outside of the profession--that should have went there. I know he is going to make a success in that institution, and I love him and respect him. He is one of the most competent, thoroughly practical men in this state, and no doubt so far as men of his calling can make a success of the work, he will make a success."<sup>20</sup>

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<sup>20</sup>Ibid., July 1, 1898.

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After this flowery preface, Blake went on record as opposing political control of the state's educational institutions and said that he regarded such control as an obstacle to the proper development of higher education in the state. However, Blake, too, was a clever politician and was simply applying the maxim of his friend, ex-governor Hogg, that "a man in politics must remember the people he happens to be with."<sup>21</sup> Blake could easily emulate a weather vane when political winds

<sup>21</sup>Cotner, James Stephen Hogg, p. 408.

were blowing, and conversant with the mood of the teachers he was quite aware which way this particular wind was blowing and went along with it.

Nearly every speaker during the session of the Convention at Galveston had something to say about the management of schools and educational institutions and systems by educators, rather than politicians and while no names were mentioned it was generally understood that this had reference to the Hon. L. I. Foster as president of A and M. . . . While politics was decried the predominate theme which permeated nearly all the papers and discussions was near akin to matters political and indeed one speaker . . . strongly urged all teachers to become politicians although he qualified the statement by saying that he did not refer to partisan politics, but to that higher politics which is synonymous with patriotism<sup>22</sup>

<sup>22</sup>Galveston Daily News, June 30, 1898.

Before adjourning on July 1, the Convention took up for consideration a resolution deploring "the tendency now manifest to fill the higher educational positions in our state with politicians . . . and believed that this policy was as incongruous as it would be to entrust the management of a locomotive to any other than an engineer."

Whereupon, Cousins explained that he had not been a candidate for the position, at Texas A&M College, but was simply speaking for the teachers association as their President. He also "spoke in complimentary terms of Mr. Foster [the first time Foster had been mentioned by name] and said he believed he would do good work in his position." Following Cousins' remarks an amendment to the proposed resolution was offered and accepted by the teachers declaring that the "Agricultural and Mechanical College, under the administration of Hon. I. L. Foster, shall have the hearty support and co-operation of the teachers of this state."<sup>23</sup>

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<sup>23</sup>Ibid., July 2, 1898.

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There were other vociferous persons who had taken the opposite viewpoint and who thought that it would be a major error in judgment to "place a classical theorist at the helm of an industrial college." Typical of these was K. K. Hooper. Two months prior to Foster's selection, Hooper in a letter to the Houston Post sought to dispel the idea that a professional educator was essential to the successful administration of Texas A&M College. He wrote:

Governor Ross was not a professional educator, in the strict sense of this term, but was pre-eminently a man of and for the masses, a student of human nature, experienced in the affairs of public trust, of executive ability, a firm but mild disciplinarian . . .

It would seem that this demonstration of the successful administration of a practical man would need no other argument to effectually dispel the delusion that a professional educator is essential for the further development of the Texas Agricultural and Mechanical College as is entertained by some. To the mind of the writer no greater error could be committed.<sup>24</sup>



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<sup>24</sup>Clipping identified as probably from the Houston Post, April 3, 1898, in File III c, Miscellaneous clippings, McInnis Collection, Archives, Texas A&M University.

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Thus viewed by suspicion and skepticism by some and supported by warm endorsements of others, Foster embarked upon a new job which would require considerable tact and which would test to the utmost his ability to work with faculty, students, the Board of Directors, and the general public. Foster returned to Velasco and made preparations to move his family to the President's Home on the campus of the Agricultural and Mechanical College of Texas.<sup>25</sup>

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<sup>25</sup>The huge two and a half story Victorian frame President's Home built during Lawrence S. Ross' presidency in 1893 at a cost of \$4,500, was used by each succeeding President of the College until it was so severely damaged by fire in January, 1963, during the tenure of President Earl Rudder, that it was razed shortly afterwards.

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## C H A P T E R X I

### COLLEGE PRESIDENT

The Agricultural and Mechanical College of Texas was one of the land grant colleges established in the United States under the terms of the Morrill Act of 1862 to promote the study of agriculture and the mechanical arts, not to the exclusion of the liberal arts. Because of the Civil War and its aftermath, it was not until 1875 that the State of Texas was able to take advantage of the opportunities offered by Federal law to promote higher education in the state. Even then after the formal opening of the college in 1876, it was not until 1891 with the able administration of Lawrence Sullivan Ross, that the college started on the long road towards achieving the prominence it enjoys today.

When Foster became President, the college buildings were situated on a slight eminence in northeastern portion of the original 2,416 acre tract donated in 1872 by the citizens of Brazos County for the site of the college. Located on the northern reaches of the flat Texas gulf coastal plain, the college properties were surrounded, in part, by large ranches heavily wooded with oak. Interspersed among the larger private holdings in the area around the college were found more modest acreages devoted to the production of cotton, corn, and other row crops. Cotton plantations prevailed among the rich bottom lands of the Brazos River.

The climate of Brazos County was often humid and oppressively hot in the summer, but the winters were relatively mild. Their mildness,

however, on occasions, was broken by the frigid blasts of "Texas blue northers" and by freezing rain and occasionally snow.

The physical plant of the college consisted of a collection of miscellaneous frame and brick buildings. The four story "Main Building" of brick construction was the largest and most imposing and was used for offices and classrooms. The Mechanical Engineering Department was located in a rambling brick structure of shops and laboratories. Two barns, four silos, a milking shed, a shed for the slaughter house, and a "digger" constituted the Agricultural School. Not to be overlooked was the creamery which boasted a six horsepower steam engine and a four horsepower gasoline engine. There was also a small iceplant and an electric light plant. The latter provided not only lights but was capable of "affording power for electric fans for the mess hall."<sup>1</sup> An

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<sup>1</sup>Twenty-Second Annual Catalogue of the Agricultural and Mechanical College of Texas, 1897-98, pp. 67-71; Report of the Agricultural and Mechanical College of Texas, 1896/1897-1897/1898, p. 32.

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artillery shed provided protection for two three-inch breech-loading rifled cannon.<sup>2</sup>

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<sup>2</sup>Twenty-Second Annual Catalogue Session 1897/1898, p. 70.

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There were fourteen residences on the campus for professors, nine of them being of frame construction. There were also individual houses for the shop foreman, the florist-landscape gardner, and the head

janitor, and one or more small houses for servants and laborers.<sup>3</sup>

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<sup>3</sup>Report of the Agricultural and Mechanical College of Texas, 1896/1898, p. 32.

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The students lived in four brick barracks or dormitories and were fed in a large mess hall. The barracks were heated by wood burning stoves in each individual room. There were no water closet facilities or running water in the dormitories. In addition to these buildings, there was an assembly hall and an infirmary. Cesspools, outhouses, and a massive brick latrine for the cadets comprised the sewerage system. The source of water was equally primitive. The college water supply was either lauded or damned depending on the identity of the intended recipient of the information. The optimistic approach was intended for prospective students. Therefore, the college catalogues bragged about the natatorium with its bathrooms and a twenty-five by fifty foot swimming pool--"supplied by a deep well with pure white sulphur water . . . at a temperature of ninety-two degrees."<sup>4</sup> The building was unheated and

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<sup>4</sup>Annual Catalogues, 1895/1896, p. 70, and 1899/1900, p. 66.

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in a chronic state of disrepair. There were no other bathing facilities. An effort was made to provide students and faculty with "the purest and best possible supply of water for drinking purposes." The College furnished "carefully collected cistern water filtered through charcoal before entering the cisterns."<sup>5</sup>

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<sup>5</sup>Twenty-Seventh Annual Catalogue, 1902/1903, p. 71.

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In Foster's time it was blandly admitted that drinking water was "supplied from high, clean roofs."<sup>6</sup>

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<sup>6</sup>Twenty-Third Annual Catalogue, 1897/1899, p. 69.

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Rainwater caught in this manner might be hygienic enough, but the amount of water preserved was often insufficient, and the supply of water was then supplemented from the ordinary surface drainage caught in ponds. In 1893 the college inventory listed "six artificial ponds for water supply."<sup>7</sup> The water from these ponds was utilized to fill the under-

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<sup>7</sup>Report of the Agricultural and Mechanical College of Texas, 1896/1897-1897/1898, p. 32.

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ground brick cisterns in which water was stored.

As President, Foster sought to improve the water supply for the college. A few months after taking office he reported to the Board of Directors:

Water that can be used for drinking purposes is badly needed. At present the supply of drinking water is obtained from cisterns, and is unreliable. The water supply for stock and bathing purposes is abundant, but is so strongly impregnated with sulphur as to be unfit to drink and unsuitable for irrigation. It also corrodes and destroys the standpipe, mains and piping that convey it to various parts of the campus, so fast as to make it expensive to use.<sup>8</sup>

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<sup>8</sup>Ibid., p. 8.

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Foster recommended the drilling of a well of six hundred feet depth to tap the same strata from which the City of Bryan drew potable water.<sup>9</sup> The well was ultimately drilled but the water was also unfit

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<sup>9</sup>Ibid.

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for use and the well was abandoned.<sup>10</sup>

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<sup>10</sup>Ibid., 1898/1899-1899/1900, p. 11.

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The grounds of the college were planted with many of the oaks that have since matured to the magnificent trees of today, but when Foster first moved to the campus the trees were insignificant saplings scattered about on lawns composed of straggling prairie grass. Although the catalogue bragged that "the soil is sandy, and mud and water disappear within a few hours after rain,"<sup>11</sup> Foster complained in his

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<sup>11</sup>Twenty-Third Annual Catalogue, 1898/1899, p. 69.

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first "Report of the President" that there were no gravel walks or roads on the campus and with the exception of a few makeshift plank walks and sections graveled with "pieces of brickbats" the native soil alone provided the footing with the result that in "wet weather they become muddy and sloppy." He requested a "small appropriation annually to be expended for gravel" and concluded that the "work could be done with student labor."<sup>12</sup>

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<sup>12</sup>Report of the Agricultural and Mechanical College of Texas, 1896/  
1897-1897/1898, p. 7.

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When Foster became President, the faculty of the college consisted of President Foster, at an annual salary of \$3,500; ten professors whose respective salaries ranged from \$1,500 to \$2,250; nine associate, adjunct, and assistant professors ranging in salaries from \$600 to \$1,400; and one Commandant of Cadets--usually a Regular Army Officer detailed by the Army to the school under the provisions of the Morrill Act. During Foster's first year at the College a civilian commandant was hired since the war with Spain and the Philippine Insurrection required the services of the professional soldiers elsewhere and none could be spared for duty with the land grant colleges. The Army also recalled the pride of the College--the two field pieces--and it was not until 1899 that Foster was able to get replacements. In addition to the academic faculty, the College had six other staff members. These included a shop foreman, farm foreman, a bookkeeper, secretary, surgeon, and a steward (Bernard Sbisá) who for many years was one of the college's most valued members.<sup>13</sup>

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<sup>13</sup>Ibid., p. 33.

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Foster always had good relations with the student body. The students were on an average of three to four years younger than the average age of the student body of today. The minimum age of the students when Foster became President in 1898 was fifteen; however,

many of the entering freshmen were evidently a little older. Admission was by examination unless the candidate was a high school graduate, in which case he was admitted without examination. The examination was relatively simple. There were very few high school graduates found among the student body. Of three hundred and ninety-six students enrolled for the 1899-1900 school year, only five were listed as having finished high school.<sup>14</sup>

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<sup>14</sup>Twenty-Fourth Annual Catalogue, 1899/1900, pp. 10-17.

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The cadets were young, and Foster, reflecting upon his own early struggles and lonely years, proved to be a kindly compassionate leader. At the Junior class banquet of April 7, 1900, Foster was recognized with a toast of, "Here's to him who is a father to us, while our Fathers are not here--our President."<sup>15</sup>

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<sup>15</sup>Battalion, April-May 1900.

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Over half a century later Arthur Weinert of Seguin, Texas, one of Foster's Cadets of 1900, recalled that

President Foster was a father to all the boys. In walking down the street if he met a half dozen or a dozen of the boys he would stop and shake hands with all of them and say something pleasant.<sup>16</sup>

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<sup>16</sup>David Brooks Cofer, The Second Five Administrators of Texas A&M College, p. 114.

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After Foster's death Dr. Thomas Chalmers Bittle, Professor of Languages and the College Chaplain, wrote regarding Foster's relation with his students.

His addresses to them as a body were wise, timely, full of sound sense, and lacking in cant. He proposed to them no impracticable measures either as to morals or scholastic duties. He had been a self-reliant boy himself and he preferred treating the student from that standpoint. If he erred in judgment it was on the boys' side.<sup>17</sup>

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<sup>17</sup>Dr. T. C. Bittle, "In Memoriam," in A and M College Record, an unidentified magazine clipping in I. L. Foster Papers.

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At the close of Foster's second year at the College the first "Summer School and Summer Normal School" of six weeks duration was initiated. The session opened on June 18 and ran through July 28, 1901. Classes began at eight in the morning and terminated at six in the evening. It was in truth a long hot day. As an added inducement Foster was able to secure reduced railroad fares on a round trip basis for all students who enrolled in summer school. The ladies who desired to attend were assured of a "separate dormitory, in charge of a matron, . . . set apart for the use of the ladies in attendance, thus insuring perfect privacy."<sup>18</sup> Women were not permitted to attend the college

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<sup>18</sup>Bulletin of the Agricultural and Mechanical College of Texas, Summer School and Summer Normal School, College Station, Texas, June 18 to July 28, inclusive, 1900.

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during the regular school unless they were daughters of members of the staff and faculty. They were known locally as "The Campus Girls" and

were regularly enrolled in the college. Instead of diplomas, they were awarded certificates of completion; however, if they desired degrees, transfer to a coeducational college was necessary.

Total enrollment for the Summer Session was 105. Among the offerings during the summer was a number of courses specially designed for state public teachers. Foster hoped to bring about a closer relationship between the teachers in the public schools and Texas A&M College.<sup>19</sup>

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<sup>19</sup>Report of the Agricultural and Mechanical College of Texas, 1898/1899-1899/1900, pp. 14-15.

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This was the first and last Summer Session until 1909, although Foster had optimistically hoped the Summer Session would be established as a regular feature of the school. He expected to continue the experiment, and to expand the session to include various "short courses in agriculture, horticulture and the mechanical arts specially for the benefit of persons who can not avail themselves of the benefits of a college education."<sup>20</sup>

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<sup>20</sup>Ibid.

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In 1909 the idea of Summer School was revived and grew into the offering of a comprehensive series of "short courses," which later blossomed into a program of such courses being offered throughout the year by the University Extension Service.

Edna, Foster's oldest daughter, apparently never enrolled at the college, but went instead to Baylor Female College at Belton, Texas. However, when she was on the A&M Campus, her father encouraged her to participate in the campus social life and she was the official sponsor of Company "C" of the Cadet Corps for the years 1898 and 1899.<sup>21</sup>

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<sup>21</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, the former May Alma Foster, Daughter of L. L. Foster, Dallas, Texas, May 28, 1963; Battalion, May, June, 1899.

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Emma Watkins Fountain, the charming daughter of Professor Charles Perkins Fountain and the famed "Hutson Twins," Mary and Sophie, daughters of Professor Charles Woodward Hutson, were prominent both in class and on the campus. The "Hutson Twins" are portrayed wearing natty cadet grey blouses in the first regular edition of the college annual--The Long Horn--in 1903. They were "accredited the honor of having first placed before the senior class the question of getting out a college annual," the first such annual since 1898.<sup>22</sup>

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<sup>22</sup>Long Horn, pp. 9-10.

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The college and the community of College Station at the turn of the century was a small cloistered world that emphasized its isolation by pointing out that "College Station, not Bryan" was the post office and furthermore, that the local post office was "a money order office." Bryan, said the College catalogue, is the nearest town. It

is distant five miles, and it is almost impossible for any student to go to Bryan even for a short time, without his absence becoming known to the authorities. The temptations that beset young men in cities are entirely absent here.<sup>23</sup>

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<sup>23</sup>Twenty-Second Annual Catalogue, 1897/1898, pp. 67, 74.

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The City of Bryan, with its fourteen or fifteen saloons, (an average of two for each block) its public drunkenness, open gambling, and incidental gun play, was suspect and, therefore, forbidden to the students. The Cadets could visit Bryan only by special permission from President Foster himself.<sup>24</sup>

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<sup>24</sup>Ibid., p. 77; Lois Alyne Wilcox, "The Early History of Bryan, Texas," p. 87.

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A visit to the metropolis of Bryan from the hinterlands of College Station by members of the staff or faculty did not pass unnoticed by the Bryan newspaper. "Col. L. L. Foster, Prof. H. H. Harrington, Prof. Tilson and others were here from College yesterday," reported the Eagle.<sup>25</sup>

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<sup>25</sup>Bryan Morning Eagle, September 4, 1898.

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Foster habitually took his youngest daughter with him on many of his trips not only to Bryan, but elsewhere. May Alma, or "Sis" the family called her, was popular, pretty, and at eleven years of age was spoiled. The Eagle recorded on September 4, 1898, that "Miss Alma

Foster of College Station is the guest of Misses Nonie and Bertie Adams,"<sup>26</sup> and thus left for us a record of Alma May Foster spending

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<sup>26</sup>Ibid.

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a pleasant September Saturday long ago playing with two other little girls in Bryan while President Foster transacted business in the city. What Colonel Foster's business was the Eagle failed to record. It could well have been the purchase of yard goods for the dresses of his daughters's. He often enjoyed selecting the material and exhibited good taste in making the specifications for the dressmakers to follow."<sup>27</sup>

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<sup>27</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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The quiet lovely eighteen-year-old Edna Foster was to enter Baylor Female College at Belton, and her father could well have been making purchases for that event because a day or so later the Eagle noted that "Col. L. L. Foster left for Belton yesterday accompanied by his daughter, Miss Edna Foster, who will enter Baylor Female College."<sup>28</sup>

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<sup>28</sup>Bryan Morning Eagle, September 7, 1898.

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Now that Edna was away at college, little May Alma Foster became the center of attention on the A&M Campus. "Too many boys around A&M Campus," her father reflected; "Sis had better mind her studies and get

along with her music." With Edna at "Paylor-Belton" Foster felt that the opportunity for his youngest daughter to acquire a sound education in a good Baptist School was too fortuitous to miss. Foster's personal interest in Baylor Female College had been established at the famous meeting of the Baptists in Arkansas in 1885 when he was President of the Baptist General Association at the time of the merger of the Texas Baptists, and Foster himself served as a member of the joint committee which made provision for the establishment of Baylor Female College. When the fall of 1899 rolled around, Edna returned to "Paylor-Belton" accompanied by Alma, who likewise enrolled to continue her college education.

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2<sup>d</sup>           , September       , 1899.

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As for the harum-scarum Foster boys, they remained at College Station and took their chances with the Cadet Corps. "They were getting too laggard with their household chores anyway," recorded Foster. "Even when Joe is home he spends half of his time on the front porch reading with his feet propped up on the railing and the Jersey cows have dried up again because of the dereliction of the boys at milking time." As was customary in that day, the Foster family kept several cows as the source of the family milk supply. Foster was considered to be a kind and indulgent father, and was regarded as being "too easy on his family."<sup>30</sup>

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<sup>30</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963, and with Mrs. R. P. Marsteller, Bryan, Texas, March 1, 1963; Joint letter of Mrs. F. M. Rollins, the former Sophie Hutson, Gulfport, Mississippi, and Mrs. B. S. Nelson, the former Mary Hutson, to Robert E. Byrns, New Orleans, Louisiana, March 25, 1963.

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The Foster children were fast growing up. The eldest boy, Joseph Lumpkin (called "Jo(x)die" by his family) was an independent twenty-one year old youth when the family moved to College Station. He seems to have accompanied the family to their new home, but may have left for Dallas shortly thereafter since he lived in that city until his death in 1928.<sup>31</sup> He seems to have achieved some recognition in baseball

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<sup>31</sup>Death Certificate, State File No. 15784, Bureau of Vital Statistics, Texas Department of Health, Austin, Texas.

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circles throughout south central Texas and appears to have played professionally at times.<sup>32</sup> He evidently was home part of the time

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<sup>32</sup>W. F. Hutson to Lt. Col. Robert E. Byrns, Austin, Texas, February 28, 1963 in L. L. Foster Papers.

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since it is recorded that his membership in the First Baptist Church of Austin had been transferred to the First Baptist Church in Bryan on June 13, 1900.

The second boy, Walter Drew Foster, nearly twenty years old, accompanied the family from Velasco to College Station, and enrolled in the Fourth Class, or Freshman year. The records show that each of the

four younger boys attended the College intermittently during the years 1898-1902. Walter attended classes for the first year and probably the second,<sup>33</sup> and then went to work for the Houston & Texas Central Railroad

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<sup>33</sup>Twenty-Third Annual Catalogue, 1898/1899, p. 14.

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as a telegrapher and clerk and also functioned in the dual capacity of telegrapher and representative for the Western Union Telegraph Company.<sup>34</sup> This dual function was not uncommon in the days of manually

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<sup>34</sup>W. F. Hutson to Lt. Col. Robert E. Byrns, Austin, Texas, February 28, 1963.

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operated telegraph sets when railroads used the same medium for their business and the local station agent in a small community also often acted as representative for the telegraph company. Walter seems to have left school at the close of the Fall term of 1900-1901. Library records show that he borrowed a copy of Scribners' Magazine on November 7, 1900, which he returned in January 24, 1901.<sup>35</sup> No further mention

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<sup>35</sup>"Record of Books Circulated by the College Library, June 1, 1900-September 27, 1903," File III c, Archives, Texas A&M University.

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of him is made in the records of the College. He never married, but seemed to be the mainstay of the Foster family following the death of his father on December 2, 1901. Walter Drew worked for the railroad the remainder of his life. He died in Dallas in 1952 at the age of seventy-



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<sup>36</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963; Death Certificate, State File No. 12854, Bureau of Vital Statistics, Texas Department of Health, Austin, Texas.

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Henry Iveson Foster was seventeen years old and enrolled with his brother, Walter, for the school year of 1898-1899. Henry continued in school until the close of the 1899-1900 term. He was found deficient in credits at the close of his second year and was forced to return as an elective student for the term 1900-1901.<sup>37</sup> After the death of his

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<sup>37</sup>Annual Catalogues, 1898/1899, p. 14; 1899/1900, p. 12; 1900/1901, p. 16.

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father, Henry (or "Heinie"), as he was called by his fellow cadets<sup>38</sup>

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<sup>38</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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took "the Short Winter Course" in Horticulture offered by the College for the period from January 3--March 17, 1902.<sup>39</sup> This particular

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<sup>39</sup>Twenty-Sixth Annual Catalogue, 1901/1902, p. 19.

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course had nine students in it and was

designed to give a large amount of practical information during the ten weeks of the winter term to those men who do not desire to obtain a thorough college education.<sup>40</sup>

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<sup>40</sup>Ibid., p. 47.

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Afterwards, Henry Iveson worked for Major W. F. Hutson as a rodman on the Southern Pacific Railway for "some months in 1902." He remained with the Southern Pacific Railroad in various capacities including that of a towerman at Humble, Texas, near Houston,<sup>41</sup> until his death in 1920

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<sup>41</sup>W. F. Hutson to Lt. Col. Robert E. Byrns, Austin, Texas, February 28, 1963.

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at thirty-eight years of age.<sup>42</sup>

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<sup>42</sup>Death Certificate, State File No. 15784, Bureau of Vital Statistics, Texas Department of Health, Austin, Texas.

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Jacob Lawson was sixteen years old on September 5, 1898, but did not enroll in the college until the following year. He attended school for the ensuing three years until the Spring of 1902 after his father's death when the Foster family moved to Houston. "Dutch" (or "J. Lossie" as he was often known ~~as~~ even on official documents) was never promoted beyond the Fourth or Freshman year at the College. He was described as "a gentle boy . . . with quiet manners" and as being well liked by his teachers.<sup>43</sup> He died at the age of seventy-seven in 1959 at San Antonio,

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<sup>43</sup>Joint letter of Mrs. H. M. Rollins (the former Sophie Hutson) of Gulfport, Mississippi and Mrs. E. S. Nelson (the former Mary Hutson) of New Orleans, Louisiana, to Lt. Col. Robert E. Byrns, Gulfport, Mississippi, 25 March 1963; Twenty-Sixth Annual Catalogue, 1901/1902, p. 15.

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Texas.<sup>44</sup>

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<sup>44</sup>Death Certificate, State File No. 48145, Bureau of Vital Statistics, Texas Department of Health, Austin, Texas.

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The youngest boy in the Foster family, Mack Marion (dubbed "Macky") was fourteen at the time his father became President, and like his brother "Lossie," did not enroll in the college until the second year that the Foster family was in College Station. Little is known of "Mack" Foster beyond the fact that he was listed as a Fourth classman for the years 1899-1900<sup>45</sup> and that he died in San Antonio, September 19,

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<sup>45</sup>Twenty-Fifth Annual Catalogue, 1900/1901, p. 14.

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1928, at the age of forty-four.<sup>46</sup> Like his brothers, he started work

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<sup>46</sup>Interview of Robert E. Byrns with Mrs. T. A. McNeil, Dallas, Texas, May 28, 1963.

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with the railroad.<sup>47</sup>

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<sup>47</sup>W. F. Hutson to Lt. Col. Robert E. Byrns, Austin, Texas, February 28, 1963.

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President Foster was a kindly man, fond of his family. He spoiled the children. Deeply religious himself, he read the Bible every evening and attended Church regularly, seldom missing a service.<sup>48</sup> His sons,

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<sup>48</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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however, were reluctant to become involved in religious affairs, although the oldest seems to have been a member of the Baptist Church as early as November 30, 1892, when he joined the First Baptist Church of Austin.<sup>49</sup> However, Foster, himself, was no fanatic and while he

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<sup>49</sup>Ibid.; Irma Ferguson, Secretary, to Robert E. Byrns, First Baptist Church, Austin, Texas, May 17, 1963.

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neither smoked nor drank, many of his political friends did. He did not disapprove of dancing. In fact, he encouraged it among his children. Henry liked to dance and Foster urged the quiet reserved Edna, "a lovely person" now eighteen, to mix more in campus social activities whenever she was at home from college.<sup>50</sup> She often acted as hostess of the

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<sup>50</sup>Interview of Robert E. Byrns, with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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family during her mother's frequent illnesses while the family lived at College Station.<sup>51</sup>

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<sup>51</sup>Ibid.

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Foster, himself, seems to have been as active as ever. He had shaved the full beard of his earlier years and now wore a neat mustache.

He loved to hunt, fish, and ride. He was also fond of music, as were his children. May Alma at eleven years of age commenced a major in music at Baylor Female Seminary at Belton and continued it at Kidd-Key College in Sherman. Still later she served as organist for the River Street Baptist Church in Dallas for twenty-five years.<sup>52</sup>

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<sup>52</sup>Ibid.

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The campus home in College Station required all of the managerial ability of both Edna and her mother to function properly. Negro servants did the housework, but Mrs. Foster did most of the cooking over a woodburning kitchen range<sup>53</sup> not only for her family, but for visiting

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<sup>53</sup>Ibid.

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dignitaries and for the daughters of friends who arrived as weekend guests to attend the social functions of the Cadet Corps. "Mrs. Dobbs and Miss Crest of Groesbeeck were guests of Colonel and Mrs. L. L. Foster" observed the Battalion, at Commencement activities in 1899.<sup>54</sup>

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<sup>54</sup>Battalion, May-June, 1899.

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News items of this nature were repetitious in an all-male school where there were daughters to be chaperoned or sons to be visited. On gala occasions it was not unusual for the Governor of the State to spend several days on the Campus.

Governor Joseph D. Sayers and Adjutant [General] Tom Scurry arrived from Austin to-day . . . [for three days]. [Governor Sayers] expressed himself as delighted with the progress which the college had made and he and General Scurry both spoke in complimentary terms of the Corps of Cadets which passed before them, headed by the college band, enroute to the big mess hall.<sup>55</sup>

<sup>55</sup>Battalion, May-June, 1899.

The duties of the President's office claimed nearly all of Foster's time almost from the first day that he moved into his office in the Main Building. He had occupied the President's chair barely two weeks before he was called upon to address a meeting of the "Farmers Congress" on the aims and objectives of the College. The Morning Eagle reported that

It would be his aim [he said] to emphasize . . . [the institution] as an agricultural college. He said that while it was true that not all young men educated here became farmers, they exerted a beneficial influence for agriculture . . . [and he] "wanted the people of Texas, the taxpayers, to feel that the agricultural and mechanical College belongs to them."<sup>56</sup>

<sup>56</sup>Evven Morning Eagle, July 16, 1898.

From the beginning Foster was engrossed with the administrative details connected with supervision of the College. "I will thank you," wrote Governor Culberson, "to give me at your earliest convenience . . . the number of students for the past four years and the per capita cost of maintaining the institution."<sup>57</sup> Among other things, Foster found

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<sup>57</sup>C. A. Culberson to L. L. Foster, November 28, 1898 typed and autographed letter No. 106, "Official Book" from Nov. 18, 1898 to Jan. 18, 1899, Texas State Archives, Austin, Texas.

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time to placate faculty differences. H. H. Harrington, Professor of Chemistry and son-in-law of Foster's predecessor, "Sul" Ross, had aspired for the presidency of the College himself, and had resented the appointment of Professor of Mechanical Engineering, Roger Haddock Whitlock, as the Acting President following the death of President Ross. The new President was able to reconcile these and like differences, although friction again flared up after Foster's death.<sup>58</sup>

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<sup>58</sup>Cofer, Second Five Administrators of Texas A&M College, pp. 102-103; Report of the Agricultural and Mechanical College of Texas, 1900/1901, 1901/1902, p. 22.

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Foster believed that his most important responsibilities lay with the students--that he was at the College primarily for the benefit of the young men in his charge and that his personal interests were secondary. He "announced his intention to devote his entire time and energies in the future to the advancement of the interests of A&M College."<sup>59</sup>

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<sup>59</sup>Battalion, December, 1898.

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Accordingly, Foster familiarized himself with every facet of campus life from the problems of individual students to the improvement of the physical plant. In line with this policy he attended the Cadet social

and athletic functions whenever he had the time and opportunity. He seldom missed any student activity or function. He was President of the College Football Association,<sup>60</sup> and accompanied the team in its

<sup>60</sup>See Letterhead stationery listing dues paying members of the Athletic Association on stationery of the Football Association of Agricultural and Mechanical College of Texas, Boettcher Scrap Book, Archives of Texas A&M University.

off-campus games. An Austin newspaper reported that on October 22, 1898 in Austin, the University of Texas football team defeated Texas A&M team 48 to 0. "The game," observed the Austin reporter, "was not a brilliant exhibition of Football Playing," and noted further that "President L. L. Foster of the Agricultural and Mechanical College and about seventy-five of the cadets accompanied the team."<sup>61</sup>

<sup>61</sup>Unidentified Austin newspaper clipping dated October 23, 1898, in Boettcher Scrap Book, Archives, Texas A&M University.

Foster's cadets made a better showing a few weeks later when they played on the day before Thanksgiving the Add-Ran Christian University's Horned Frogs at Waco.<sup>62</sup> The score was 16 to 0 in favor of the Cadets.

<sup>62</sup>Ibid.; Add-Ran later moved to Fort Worth and became the Texas Christian University of today; Handbook of Texas, I, p. 7.

A "Foster," probably one of the President's sons, or perhaps Foster himself, was listed as officiating as lineman. During the game time out



had to be repeatedly called to keep the spectators off of the field and it was reported that "much unpleasantness [was] frequently created by the crowd which was always in the way, interfering continually with both officials in the performance of their duties." The game concluded with "Add-Ran leaving the field in a dispute."<sup>63</sup>

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<sup>63</sup>Unidentified newspaper clipping in the Boettcher Scrap Book in the Archives, Texas A&M University.

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At the close of the 1898 football season, the Battalion, student monthly publication, reflected the feelings of the team:

To Prof. Foster and Prof. Soule the team expresses its deepest gratitude. Their interest and help has been of great service and the spirit of the team much improved by the hope that they would not disappoint their friends on the faculty.<sup>64</sup>

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<sup>64</sup>Battalion, December, 1898. Professor A. M. Soule was football coach and Assistant Professor of Agriculture.

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The following year, 1899, Foster was very much in evidence at the Texas A&M-University of Texas football game as attested by the following doggerel which appeared in the Battalion:

And when we pierced the Varsity's line  
It made our President laugh  
For his boys were in for a good touch down  
In "double time" and a half.

However, the touchdown was ruled illegal by the officials and the cadets lost by a score of 6 to 0.

Our players proved that they have grit  
 And played an honest game  
 The referee robbed them 6 to 0  
 They held Varsity just the same.<sup>65</sup>

<sup>65</sup>Battalion, December, 1899, p. 14.

It was no doubt fortunate that Foster was present during the early day corps trips as his presence had a salutary effect on the often obstreperous spirits of the cadets.

There never was a general who handled his men in a calmer way than President Foster could control his cadets. /commented Arthur Weinert one of Foster's cadets in 1899/ Once when 300 or so cadets were in Houston for the Sewanee or Tulane game in 1899 something went wrong after the game and instead of going to the train to return to College, the cadets were marching down Main Street in the mud, near the Rice Hotel. President Foster had gone to the railroad station. Someone went after President Foster and carried him to where the boys were. The boys turned around immediately and went back to the station.<sup>66</sup>

<sup>66</sup>Quoted in Cofer, The Second Five Administrators of A&M College, p. 114.

Foster's first year at the Agricultural and Mechanical College of Texas was busy, interesting and at times no doubt trying. A smallpox epidemic throughout the state during the latter part of January and early February of 1899 prompted Foster to place the college under "a strict quarantine against the world until further notice."<sup>67</sup>

<sup>67</sup>Corpus Christi Caller, February 3, 1899.

Shortly after the smallpox scare had subsided, the severest winter weather in decades swept the United States and Texas suffered with the rest of the nation. Temperatures fell to minus 11° F. at Dallas; Bryan recorded minus 4° F. The warmest city in the state was Corpus Christi at plus 7° and the Corpus Christi Caller reported that the ice in the bay was strong enough for boys to walk on.<sup>68</sup> Galveston Bay froze over

<sup>68</sup>Ibid.; Bryan Daily Eagle, February 16, 1899.

to the extent that it was possible to drive a team and wagon from Galveston over the ice to Point Bolivar. The extreme cold brought a personal sorrow to the Foster family when word was received that Foster's brother-in-law, Drew Pender, Mrs. Foster's brother, had frozen to death aboard a ship in the Gulf of Mexico.<sup>69</sup>

<sup>69</sup>Dudley Whitcomb to Robert E. Byrns, Georgetown, Texas, March 20, 1963, in L. L. Foster Papers.

At College Station the woodburning stoves used to heat each individual room were stoked on a twenty-four hour basis which caused Foster to be continually uneasy over the possibility of fire breaking out in the uninsured buildings of the college. The wood smoke hung heavily in the damp and chilly air as the stoves consumed 3,000 cords of wood cut by contract from the college woods during that winter of 1898-1899.<sup>70</sup>

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<sup>70</sup>"Report of the Special Committee to visit the A&M College,"  
House Journal Twenty-seventh Legislature, 1901, p. 395.

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The State legislature was in session from January through May of 1899 and Foster, ever mindful of his responsibilities, spent many weary hours riding the cars of the Houston & Texas Central to the capital city to press for the funds necessary for the college.

The Battalion complained of overcrowding in the dormitories.

The . . . barracks have been entirely too crowded this year there being as many as four in a great many of the rooms . . . nearly one hundred students were turned away in September on account of insufficient space . . . Our natatorium has been allowed to get in bad condition.<sup>71</sup>

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<sup>71</sup>Battalion, January, 1899, p. 24.

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Foster himself had observed in his Biennial Report to Governor Culberson many students were

turned away in September, 1898 because they could not be accommodated. We have no means of knowing how many contemplated entering the College but were kept away by the President's announcement, made through the daily papers on the opening day, that the College was then full and unable to accommodate any additional students.<sup>72</sup>

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<sup>72</sup>Report of the Agricultural and Mechanical College of Texas, 1896/1897, 1897/1898, pp. 3-4, 6.

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Foster also noted that the salaries of the professors were paid from interest earned on the original endowment and from Federal funds received under the Hatch and Morrill Acts. The state was only asked to provide

buildings and equipment.

The Brvan Weekly Eagle of January 12, 1899, reported that at the beginning of the winter term on January 3, according to Capt. F. A. Reichardt, President of the Board of Directors, 391 students had already enrolled and the number was expected to reach 400 within the next few days. Already the enrollment was the highest in the history of the College.<sup>73</sup>

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<sup>73</sup>Brvan Weekly Eagle, January 12, 1899.

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Foster was successful in getting from the Legislature some increase in appropriations for the college, and the Battalion gratefully expressed appreciation for the new Agricultural and Horticultural Building and for a new barracks (Foster Hall) recently completed, and for an improvement in the sewerage system and the drilling of a well for drinking water.<sup>74</sup>

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<sup>74</sup>Battalion, May-June, 1899.

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In March a combined committee from the House and Senate of the Texas Legislature arrived on the campus to inspect the College. "President Foster," declared the Brvan Daily Eagle, "is very hopeful that the appropriation made by the present legislature will be in keeping with the needs of the institution, and there is reason to believe that he will not be disappointed."<sup>75</sup> Two years later, in February 1901, another

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<sup>75</sup>Evyan Daily Eagle, March 17, 1899.

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Legislative committee visited the campus and confirmed the validity of Foster's urgent pleas for appropriations. In fact, the Committee's report exceeded Foster's demands. It observed that many of the frame buildings had not been painted for twenty-five years and pointed out that the United States Government had refused to furnish a full complement of rifles to the school because the College had not provided a proper armory for adequate storage of weapons. The Committee was also critical of the shortage of faculty residences. "One of the professors now [occupies] a portion of the hospital, another lives in rooms of a students' dormitory, which must be vacated next session . . . [and] a third professor," it reported, "rooms in the Mess Hall."<sup>76</sup>

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<sup>76</sup>"Report of the Special Committee to visit A&M College," House Journal, Twenty-Seventh Legislature, 1901, p. 395.

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The Committee felt that the library should be expanded, and it recommended that an appropriation of \$5,000 be made for the purchase of books for the library. Probably realizing that appropriations for the library would be slow in coming, the Committee urged the Legislature to recommend "to the people of the State," that they each give "a book or two, healthy in tone and morals,"<sup>77</sup> to the library of Texas A&M College.

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<sup>77</sup>Ibid., p. 396.

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A shortage of funds for the College and for the University of Texas plagued the heads of the respective institutions for years until partially resolved by an act of the Legislature in 1931.<sup>78</sup> Although the College

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<sup>78</sup>Clarence Ousley, History of the Agricultural and Mechanical College of Texas, p. 82.

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was constitutionally a "technological branch" of the state university, it had its own Board of Directors separate from the governing board of the University of Texas. While the University of Texas Board of Regents made no request for a university tax, Foster continually pressed for a special tax for the Agricultural and Mechanical College of Texas.<sup>79</sup> It

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<sup>79</sup>J. L. Lane, History of Education in Texas, p. 190.

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was not quite clear in Foster's time that if the College were actually a "branch" of the university it was entitled to share in the earnings of the university's land endowment. This view was opposed by the University's Board of Regents and others for many years. Finally, in 1931, the legislature provided a division of the income from the University endowment on the basis of two-thirds to the University and one-third to Texas A&M College. By the time the problem was resolved, oil discoveries on the University lands had begun to provide substantial royalties to enhance the endowment fund.<sup>80</sup>

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<sup>80</sup>Ousley, History of the Agricultural and Mechanical College of Texas, p. 82.

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Toward the end of the school year, in May, 1899, Governor Sayers invited the entire faculty and student body of the College to Austin for a personal visit. The trip was made on a special train of the Houston & Texas Central Railroad which left College Station at noon Friday, May 26, 1899, and returned the following day. The student reporter wrote eloquently that

the weather was most propitious, the track clear, everyone knew his neighbor, our college band was along so that with bunting flying, singing, joking, eating, dozing, no indecorum to mar our glee we reached Austin at 6 o'clock P. M. . . . The Governor's reception from 8 to 11 o'clock that evening was an elegant function. The youngest Cadet felt as much at home in those handsomely decorated parlors as he does in Mr. Sbisa's mess hall. The exquisite courtesy and hospitality of our chief executive, his admirable lady and her coterie of charming attendants, will never be forgotten by the Collere of '99. Come over Governor, bring your lady and her suite with you, and we shall show you how we appreciate your kindness. Only one cadet got sick . . . Mr. Boyett should have known better than to eat all that Austin candy.

The youthful reporter recorded that the citizens of Austin were extravagant in their praise of the gentlemanly behavior of the cadets. The group returned the next day wiser and better men for having thus enjoyed themselves, declared the Battalion. It remains to be seen whether an outing of this character has any effect upon the "cramming" process which precedes final examinations.<sup>81</sup>

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<sup>81</sup>Battalion, May-June, 1899.

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The commencement ceremonies at the close of President Foster's first academic year at the college were impressive. Governor Joseph D. Sayers, with his Adjutant General, Tom Scurry, arrived and spent three days on the campus, devoting his attention to inspection of the Cadet Corps, the passing out of awards, and commencement activities.



Congressman Robert L. Henry of Waco was a guest of the college at this time, and members of the Board of Directors were present. The young lady sponsors presented the various awards to the proper cadet recipients. Sidney Beal, the Battalion recorded, was presented a medal by Miss Edna Foster, the company sponsor, for being the best drilled man of Company "C".<sup>82</sup> Company "C" also presented Miss Edna Foster with a handsome

<sup>82</sup>Ibid.

little writing desk to take with her when she returned to school at Belton.<sup>83</sup>

<sup>83</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

The Hon. R. E. Prince of Corsicana, delivered the commencement address on June 13 a little earlier than it had been originally scheduled to enable him to catch the north-bound train.

He gave much good advice to the students, saying among other good things that labor does not need to be dignified, it is dignity within itself; that a man should not choose a calling which takes from his neighbor, but one which adds to the common wealth of all. He also stated that agriculture and mechanics are the most honorable kind of labor, and he quoted Gov. Joe D. Sayers as saying he had rather be a farmer than a one horse doctor or a lawyer.<sup>84</sup>

<sup>84</sup>Frazes Pilot, June 15, 1899. Clipping from Boettcher Scrap Book, Archives, Texas A&M University.

Following the conferring of degrees by the President of the Board of Directors, F. A. Reichardt of Houston, Governor Sayers addressed the twenty-two graduates. Twenty-one students received the degree of B. S. and one that of M. S.<sup>85</sup> Governor Sayers congratulated them on securing

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<sup>85</sup>Twenty-Fourth Annual Catalogue, 1899/1900, p. 79.

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their diplomas which he described as "passports to the world, an introduction to the people among whom they shall hereafter make their homes." In conclusion he advised the boys to "go home and marry as soon as they can make money enough to buy good homes."<sup>86</sup>

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<sup>86</sup>Battalion, May-June, 1899, p. 54.

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The valedictorian of the Class of 1899 was E. J. Kyle, Captain of Company "A", and one of the colleges most distinguished graduates who in time returned to serve on its faculty for many years as a teacher and as Dean of the School of Agriculture. In his valedictory address, Cadet Kyle addressed President Foster:

Beloved President: When I think of the wonderful work you have already accomplished for this college, and of the kindness and sympathy you have shown us boys, it is impossible for me to voice the feelings of my heart, or to tell you of the deep love and devotion that this band of Texas youths bear towards you. You, to whom we have gone in time of trouble, and whom we have ever found a kind, sympathizing friend! Bright indeed is your future, as you stand at the helm of this institution and guide the ship of knowledge which is to supply the demands of the generations yet unborn.<sup>87</sup>

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<sup>87</sup>Ibid., May-June, 1899, p. 4.

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The Summer of 1899 brought devastating floods along the Brazos River bottoms causing a great deal of damage to property and heavy personal loss to the people of the Bryan-College Station area. The Brazos Improvement Committee was created, and Foster was very active in furthering its aims during the Summer and early Fall.<sup>88</sup>

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<sup>88</sup>See Chapter IX, p. 151.

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The school year of 1899-1900 opened with the usual two days of entrance examinations, starting on September 11, 1899. The dormitories were again overcrowded and a few prospective qualified students had to be turned away. "Misses Edna and Alma Foster left Tuesday,"<sup>89</sup> commented

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<sup>89</sup>Bryan Daily Eagle, September 24, 1899.

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the Eagle, "to reenter Baylor [Female] College at Belton."<sup>90</sup> The

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<sup>90</sup>Ibid., September 10, 1899.

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younger Foster boys entered Texas A&M College. Henry Iveson Foster enrolled as a Sophomore, and the two younger boys, Jacob Lawson and Mack Marion, enrolled as Freshmen. Each of the boys proved to be a rather indifferent scholar, and gave some embarrassment to their father.

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<sup>91</sup>Twenty-Third Annual Catalogue, 1898/1899, p. 14.

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Foster was again involved in various trips and visits in the interests of the school and community. The school year had just started when he made a trip to Austin,<sup>92</sup> where he maintained close personal

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<sup>92</sup>Ibid., September 16, 1899.

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relations with Governor Sayers. Indeed, he had been requested to come to Austin to discuss College affairs. The Governor wrote Foster a few weeks later that Mr. Jameson had returned to report that he "found everything in the Agricultural and Mechanical College in excellent condition." However, Governor Sayers took exception to a contract which had been awarded a member of the Board of Directors for furnishing certain supplies to "either the college or to the Prairie View Normal. . . . I have forgotten which."

This it occurs to me declared the Governor is a gross irregularity and should not be permitted. It will at least lead to unfavorable criticism. . . . I will be glad to see you in Austin the week after next as there is a matter about which I wish to confer with you especially.<sup>93</sup>

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<sup>93</sup>Joseph D. Sayers to L. I. Foster, October 28, 1899, in Joseph D. Sayers Papers, Texas State Archives.

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What the matter was is a matter for conjecture as Sayers carefully destroyed all correspondence that he received from prominent persons because, as he once stated,

I burned every letter that I received from national leaders . . . There are advantages that the living should not take of the lives of the dead . . . Biographies are never accurate for even the bitterest antagonist to the subject never tells the whole story and how much less frank can the autobiographer be?<sup>94</sup>

<sup>94</sup>Quoted in an interview by the Dallas News, April, 26, 1925, p. 84.

President Foster seems to have relegated his political, Church, and Masonic interests to a relatively minor role while President. Yet, he continued to read his Bible each evening, and he remained an active Church member, but played a comparatively minor role in the affairs of the Baptist State Convention. Foster seems to have become discouraged over the Hayden controversy that was racking the Texas Baptists at this time. Furthermore, his new position as leader of young men may have brought forcefully to his mind the need to maintain in practice a clear separation of Church and State, and particularly since matters were quite controversial at this time within the Baptist organization. After Foster's death the campus Chaplain, T. C. Bittle, wrote that

Colonel Foster was a sincere Christian. He was a firm believer in the potency of the Bible as a guide to manly life, and seems to have relied more upon it than any other denominational creed for his Christian faith.<sup>95</sup>

<sup>95</sup>T. C. Bittle, "In Memorium," A and M College Record, p. 3, an unidentified magazine clipping, in L. I. Foster Papers.

The Foster~~s~~ attended the Church services conducted on the campus by Chaplain T. C. Bittle, Professor of Languages, and attended the Bryan

Baptist Church only on those occasions between semesters when services were not held on the Campus. On June 13, 1900, Foster went through the formality of transferring his, Mrs. Foster's, and "Jodie's" (Joseph L.) church membership from Austin to Bryan.<sup>96</sup> Edna had long since

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<sup>96</sup>Irma Ferguson, Secretary, First Baptist Church, to Robert E. Byrns, Austin, Texas, May 17, 1963, in L. L. Foster Papers.

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transferred her membership to Velasco and subsequently to Bryan. The other children presumably belonged to the Bryan Church.<sup>97</sup> The boys were

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<sup>97</sup>Ibid.

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Baptists like their father.<sup>98</sup>

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<sup>98</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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Foster continued his membership in the Masonic Lodge at Austin and regularly paid his dues there. He never officially transferred to the Bryan Lodge although he no doubt attended their meetings and the records of the lodge show that the Brazos Union Lodge No. 129 of Bryan conducted his funeral services when he died in December 1901.<sup>99</sup>

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<sup>99</sup>Interview of Robert E. Byrns with Will K. Gibbs, Secretary, Brazos Union Lodge 129, AF and A.M., College Station, Texas, November 2, 1963.

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Ex-governor Hogg and Foster still corresponded on occasion. In one instance Hogg recommended one, W. B. Lawson, of Austin, as an instructor in Electrical Engineering at the Prairie View Normal School, the Negro college near Hemstead,<sup>100</sup> which was under the same Board of

<sup>100</sup>J. S. Hogg to L. I. Foster, March 8, 1899, Letter Press No. 15, p. 419, Hogg Family Papers.

Directors as that of the Agricultural and Mechanical College and which, in turn, had charged Foster with the supervision of Prairie View.<sup>101</sup> On

<sup>101</sup>Cusley, History of the Agricultural and Mechanical College of Texas, p. 161.

another occasion, Hogg recommended to Foster "Mr. M. P. Kelley . . . a contractor of long experience . . . for any plumbing work in and about the college."<sup>102</sup>

<sup>102</sup>J. S. Hogg to L. L. Foster, November 25, 1899, Letter Press No. 16, Hogg Family Papers.

When Foster sought to get William Jennings Bryan to come to the Campus to speak to the students, he sought the assistance of Hogg. The Great Commoner had spent part of the Winter of 1898-1899 with his family in Texas as guests of the Hogg. Bryan and his family had returned again to Austin for the Winter of 1899-1900,<sup>103</sup> and Foster

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<sup>103</sup>Cotner, James Stephen Hogg, pp. 483, 488.

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requested Hogg to extend an invitation for Bryan to visit the College.

Hogg indicated his willingness to do so, but informed Foster:

from what I understand of his intentions, he would hardly be able to go down there earlier than some time late in the Winter, or next Spring. It might be best, however, for you to write him directly, and rely on me to supplement your invitation.<sup>104</sup>

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<sup>104</sup>J. S. Hogg to L. I. Foster, December 11, 1899, in Letter Press No. 16, p. 172, Hogg Family Papers.

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Foster seems to have been unsuccessful in his attempt to get Bryan to speak at the college as the newspapers of the time make no mention of Bryan's appearance at College Station.

Foster avoided political activity when he became President of the College although he was careful to maintain contact with his political friends. He preferred to play the role of an observer, and concerned himself with politics only to the extent that by doing so he could benefit the College. He took no part in the "Democratic Carnival" held at the Dallas State Fair Grounds October 2 and 3, 1899, where not only eminent Texas Democrats spoke, but where such national figures as Oliver H. P. Belmont of New York, Champ Clark of Missouri, and William Jennings Bryan, all potential presidential candidates for 1900, also spoke.<sup>105</sup>

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<sup>105</sup>Bryan Daily Eagle, October 5, 1899.

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The Spanish-American War and the Philippine Insurrection had the effect of diverting attention from local political issues, and with the upswing in farm prices after 1897, the lot of the farmers had begun to improve and agrarian protest began to lose ground. Many of the political battles with which Foster had been personally involved had been largely resolved, as Sayers himself observed many years later during a reminiscent mood when discussing the affairs of 1899:

The issue of free silver had been pretty well settled by 1899 and 1900 and the railroads had been put under control through the creation of the Texas Railroad Commission, Anti-Trust Laws had been created and corporate wealth had been served notice that it could not dominate the affairs of the state. But all these disturbing questions had reached the conclusive state by that time, although the famous suit against the Waters Pierce Oil Company had to be prosecuted, one of the last fights against entrenched wealth.<sup>106</sup>

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<sup>106</sup>Quoted from an interview by the Dallas News, April 26, 1925, p. 84.

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Having met with relative success in securing sufficient funds to enable him to start his cherished building program, Foster promptly got work started for the construction of a new barracks building, or "dormitory" as it was termed in later and more genteel times. By February, 1900, the work was well under way, and it was announced in the Battalion that the building would be named Foster Hall upon its completion.<sup>107</sup>

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<sup>107</sup>Battalion, January-February, 1900.

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Foster was determined to use the \$31,000 which had been allocated for a new Agricultural and Horticultural Building as frugally as possible. In order to save the architect's fee, Foster's building committee had purchased an existing set of blue prints which probably had been used for an identical structure located elsewhere in Texas and, after the contract was let to a Bryan firm, Professor of Drawing, F. E. Giesecke, was designated as the Construction Superintendent. The extra duties imposed upon faculty members at times by parsimonious administrations often taxed heavily their patience. That of Professor Giesecke must have worn very thin during his tenure at the College on account of the numerous demands made upon his time outside the classroom, and at length he came to regard President Foster with some of the aversion that the Children of Israel reserved for their Egyptian taskmasters.<sup>108</sup>

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<sup>108</sup>Interview of Robert E. Byrns, with Prof. David Brooks Cofer, College Station, Texas, February 27, 1963.

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All building plans were drawn by Prof. Giesecke and "his department"--in other words, by Prof. Giesecke and an Associate Professor

whose time is divided between the departments of civil engineering and physics, and drawing; with this force it is not possible to divide the classes into sections small enough to insure the best instruction.<sup>109</sup>

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<sup>109</sup>Report of the Agricultural and Mechanical College of Texas, 1896/1897, 1897/1898, p. 27.

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The harrassed professor requested that an additional teacher be assigned to his department since the department also taught

writing and bookkeeping, freehand drawing from the flat and solid, mechanical drawing, including projections, shades and shadows and perspective descriptive geometry, Kinematic drawing, and strength of materials.

The number of students enrolled in the Department of Drawing numbered 317. Giesecke utilized some of his better students to assist him and considered that the State had been saved over \$1,000 in Architect's fees for \$44,500 "worth of buildings."<sup>110</sup> Since Professor

<sup>110</sup> Ibid., 1898/1899, 1899/1900, p. 29.

Giesecke's annual salary was \$2,000 and that of his associate, A. C. Love, was \$600, it would appear that these servants were in truth worthy of their hire.<sup>111</sup>

<sup>111</sup> Ibid., p. 77.

President Foster was not indifferent to the efforts expended by his Professor of Drawing and his department and warmly commended Professor Giesecke in his annual report.

It will be remembered that the plans for the new dormitory, the bachelor's hall, the cottages and for most of the repairs to buildings were by agreement between the Board and Prof. F. E. Giesecke, drawn by him, and the work of constructing them during its progress also received his careful supervision. It is my opinion that the college has received the full value of every dollar spent for new construction and for repairs under this arrangement, and that the work done will not only stand the test of expert criticism as to architectural design, material and workmanship, but also the test of time. . . . In addition

to the work done here he has also drawn the plans for the new dormitory at Prairie View and for remodeling and refitting the Kirby building at that place.<sup>112</sup>

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<sup>112</sup>Ibid., p. 12.

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The expediency of purchasing existing plans for the new Agriculture and Horticulture building removed a portion of the load from the Department of Drawing. Foster had authorized the purchase of the plans in haste the previous year in order to have a tangible plan to present to the State Legislature. As soon as the Board of Directors had authorized the construction and the contractor's bid had been approved, Foster was embarrassed to realize that Governor Sayers had never approved the plans, nor, in accordance with Texas Statutes, had the Governor designated the architects for the building. Foster then wrote his friend, Governor Sayers, and explained the situation.

The contract for the erection of said building was awarded to Messrs. Jenkins and Robb, of Bryan and Hearne, Texas, and they are ready now to begin work. Under the law it is necessary for you to designate H. F. Jonas & Co. as Architects for said building, at this point Foster wrote out in longhand between the typewritten lines "before construction can be proceeded with." The Committee simply purchased the plan of Messrs. Jonas & Co. and propose superintending the construction of the building through the agency of a competent man to be employed for that purpose. We have such a man here who has been superintending the construction of the new dormitory building since the opening of the College, which prevented the Committee is Fosters Building Committee from giving daily personal supervision of the work.

We desire, therefore, that you designate H. F. Jonas & Co. Architects for the building.<sup>113</sup>

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<sup>113</sup>L. L. Foster to Joseph D. Sayers, November 21, 1899, Sayers Papers, Texas State Archives.

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Construction of the new building began immediately, and by 1901 the structure was completed. The massive building with slate roof and interior rooms and partitions of solid brick construction was a campus landmark for years. In 1908 a fire broke out at eleven o'clock at night in the attic. Fortunately, the slate and brick construction kept the flames confined under the roof. However, the smoldering blaze defied all efforts of the Cadet Corps to extinguish it and in desperation an appeal for aid was sent to the Bryan Fire Department which loaded several pieces of fire fighting equipment on a "stub train" hastily provided by the International & Great Northern Railroad. The Bryan fire fighting equipment arrived at College Station in good time considering the circumstances and the fire was extinguished by two o'clock in the morning.<sup>114</sup> In 1924 the building was remodeled at a

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<sup>114</sup>Unidentified newspaper clipping in the I. J. McInnis Collection, Archives, Texas A&M University.

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cost of \$15,000, and redesignated "Science Hall."<sup>115</sup>

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<sup>115</sup>Ousley, History of Agricultural and Mechanical College of Texas, p. 161.

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Finally, outmoded, weakened, and badly in need of repairs, the

building was demolished by the Hobbs Demolishing Company of Austin during the Fall of 1963. The concern bid \$2,101 for the job including salvage rights excluding sixty thousand of the salvaged brick which were retained by the University for use in building a new campus home for its President.<sup>116</sup> The passing of this well-known landmark on the

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<sup>116</sup>Bryan Daily Eagle, August 8, 1963.

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campus was noted by newspapers throughout Texas. The Houston Post observed that the

Science Hall, built on the Texas A and M Campus in the 1890's and the site of studies for thousands of Texas Aggies through the years, will be demolished . . . and, unconsciously giving the reason, for the demolishing of the old building in the final paragraph, the Post concluded<sup>7</sup> Science Hall has stood vacant since the occupancy of the ultra-modern Plant Sciences Building. The Biological Sciences Building adjacent to old Science Hall was occupied several years ago.<sup>117</sup>

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<sup>117</sup>Houston Post, August 11, 1963.

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On the same day that President Foster wrote Governor Sayers about designating an architect for the new Agricultural and Horticultural building, he realized that no official architect had been designated for construction at Prairie View Normal School. Accordingly, he wrote the Governor requesting that Professor Giesecke be designated the architect for the dormitory at Prairie View since

the Board requested Prof. Giesecke to draw these plans as the appropriation was very small and it was necessary to save expenses as far as might be consistent with securing the best results . . . Prof. Giesecke receives nothing for his services as architect.<sup>118</sup>

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<sup>118</sup>I. L. Foster to Joseph D. Sayers, November 21, 1899, in Joseph D. Sayers Papers, Texas State Archives.

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Foster also wrote another letter to the Governor requesting that E. H. Holmes, Professor of Drawing at Prairie View, be designated architect for the construction of professor's cottages at the Normal School. Foster stated that the plans and specifications for these homes had already been drawn by Professor Holmes under the general supervision of Professor Giesecke. At the end of the typewritten portion of the letter, Foster penned a hasty note saying, "Prof. Holmes, receives no compensation for his services."<sup>119</sup>

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<sup>119</sup>I. L. Foster to Joseph D. Sayers, November 21, 1899, in Joseph D. Sayers Papers, Texas State Archives.

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For some reason Governor Sayers failed to designate Giesecke and Holmes as architects for the projects, and after Foster's death in December two years later President Pro Tem R. H. Whitlock, found it necessary to request Sayers to designate the architects. Whitlock stated that the construction at Prairie View (discussed in Foster's letters) had been completed in accordance with the plans drawn by Professor Holmes, but that no authorization could be discovered appointing an architect at "either AEM or Prairie View." Whitlock then requested the confirmation be expedited "in order to legalize the work done and to pay bills."<sup>120</sup> Whitlock ultimately received Governor

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<sup>120</sup>R. H. Whitlock to Joseph D. Sayers, February 6, 1902, in Joseph D. Sayers Papers, Texas State Archives.

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Sayers' confirmation of Holmes and Giesecke as architects on March 12, 1902, and thus cleared the way for paying for the construction that had been completed at both College Station and at Prairie View.<sup>121</sup>

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<sup>121</sup>Ibid., March 13, 1902.

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During the entire period of Foster's presidency at Texas A&M he continued to press the State Legislature for funds. His keen knowledge of state politics and his insight into the legislative mind which he had acquired by experience in the Legislature and during twenty-five years of active participation in the rough arena of Texas politics stood him in good stead during his encounters with the Legislature over College fiscal matters. However, Foster disliked the idea of begging for what he considered was legally and rightfully due the people of Texas through their Agricultural College. In his first report as President, Foster wrote,

I have stated fully the various needs of the College requiring the appropriation of a sum which in the aggregate appears rather large, but when it is remembered that for several years past no appropriation has been made for permanent improvements, with the exception of the new Mess Hall, and that it represents the accumulated wants of the College during a long period, it is not a large sum. In other words, divided into annual appropriations, the amounts for each year would be small. Such appropriations . . . would be far preferable and productive of better results than the same amount appropriated at irregular intervals with no certainty as to when it would be done, . . . It is distasteful to



the members of the Faculty and Board of Directors to be compelled to appear before the Legislature and beg for an appropriation with which to maintain the College, and about which there should not be a doubt. It is also distasteful to the Legislature to have them there.<sup>122</sup>

<sup>122</sup>Report of the Agricultural and Mechanical College of Texas, 1894/1896, p. 9.

Distasteful or not, Foster continued his fight for funds at every opportunity. On one occasion hearing that the House Committee on Finance was meeting during the Summer, Foster made a hasty trip to Austin in August to appear before the Committee.

He wanted new buildings for a Science Hall, chemistry, bacteriology and veterinary [sic] science. He also asked money for necessary improvements and repairs. He asked for \$25,000 for maintenance and support, the past appropriation having been \$19,500. He suggested that the ice and light plant be moved to Prairie View, and asked \$2,500 to pay for the moving.<sup>123</sup>

<sup>123</sup>Groesbeck Journal, September 12, 1901.

President Foster was unable to obtain sufficient appropriations for all of the improvements needed by the College; however, he had an ally in his friend Governor Sayers who pointed out to the opening session of the Twenty-seventh legislature on January 10, 1901, the necessity of adequately supporting the Agricultural and Mechanical College of Texas.

The institution, to be of permanent and substantial value, [said the Governor] must necessarily be of slow growth. Being in its nature and purpose somewhat of an experimental station its office should, in a great measure, be to demonstrate what is best adapted, in the way of agriculture

and kindred industries, to the conditions that obtain in the state.

This involves an expense, which sometimes seems unjustifiable and fruitless. Upon reflection, however, it will appear otherwise, because it is often as profitable and necessary to know in advance what ought not to be done as to know what should be done. If by gradual and steady pace in the direction indicated, the College shall finally become a great utility in the fields of agriculture and mechanics the expense incurred in order to attain this high estate will be small indeed, as compared with the benefits that are sure to follow.<sup>124</sup>

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<sup>124</sup> Joseph D. Sayers to the Twenty-Seventh Legislature, January 10, 1901, in Joseph D. Sayers Papers, Texas State Archives.

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Conditions at the College were measurably improved by the construction of new buildings and other facilities during Foster's tenure. Shortly after Dr. David F. Houston had been appointed on April 7, 1902, to the presidency of the College, after Foster's death, Governor Sayers in a routine letter requested that President Houston provide him with "a full and complete statement of all permanent improvements made and permanent property purchased . . . out of appropriations . . . since January 1, 1899."<sup>125</sup> Since all improvements taking place in 1902

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<sup>125</sup> Joseph D. Sayers to D. F. Houston, December 7, 1902, in Joseph D. Sayers Papers, Texas State Archives.

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were the result of action initiated by Foster, Houston's reply to Governor Sayers' request gives a comprehensive inventory of Foster's achievements and is quoted, in part:

Foster Hall erected in 1899 \$28,000.00

Brick building containing 55 rooms. Equipped with electric lights and has a water supply on each floor in each division. The building does not contain any bath rooms or water closets.

Agricultural and Horticultural Building \$31,000.00

Brickwalls . . . 28 rooms . . . slate roof . . . not only has electric lights, but water and water closets. The first floor of the east wing is fitted up as a dairy.

Cottages (7) \$11,000.00

. . . one a two story frame with electric lights and water supply . . . called Bachelor Hall--intended for instructors . . . The other six are one story frame cottages of five rooms each of . . . somewhat cheap design and construction, but . . . furnish fairly comfortable quarters for the families occupying them. . . . equipped with electric lights and a water supply.

Electric Light Plant \$17,000.00

. . . erected 1901 . . . includes pump rooms, two offices, and two sleeping rooms [the source of current is] . . . an American Ball machine, directly connected to a Stanley 1500-light alternating current dynamo, and to a five-ton De La Vergne Ice Machine . . . in a separate building is a Babcock Wilcox boiler costing \$2,000.00.

Tin-roofed Chemical-Veterinary Building \$31,000.00

Twenty-eight rooms . . . all improvements including water closets, and a ventilating system.

[The new buildings are] of attractive design.

Sewerage System \$8,000.00

. . . not considered completely adequate . . . the main lines with eight inch pipes . . . the outlet about one-half mile southwest of the main college gate. [The Sewerage System] did not include the residence rows of the Campus.

A new well [730' deep bored near the steam plant] \$2500.00<sup>126</sup>

126 Ibid.

The well proved to be disappointing; although President Houston

cautiously remarked that the water was "different in character from that supplied by the old deep well" and that it could be "used in emergencies," it was not potable and was abandoned a few years later. The new dormitory, Foster Hall, markedly reduced the perennial problem of overcrowding. Enrollment for the school year 1900-1901 amounted to 467 students.<sup>127</sup>

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<sup>127</sup> Report of the Agricultural and Educational College of Texas, 1900/1901, 1901/1902, p. 6.

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President Houston also noted that an additional \$13,700.41 was expended for equipment during Foster's presidency and of this sum the library received the greatest share. Two thousand seven hundred and fifty dollars were expended for "books in general literature, agriculture, horticulture, entomology, French, German, history, English, physics, applied science, general reference books and periodicals." The Mechanical Engineering Department received \$1,991.06; the Beeville Agriculture Sub Station \$2,548.12; and the remaining \$7,324.00 was expended at the Troupe Sub Station established during the last year of Foster's presidency. Foster received only \$4,575 to expend on repairs at the college as a stop-gap expediency and his successor,<sup>128</sup> President

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<sup>128</sup> Ibid.

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Houston, complained to the Board of Directors that there was "much work that needed to be done. . . . There is not a building on the

grounds which does not need repainting," he declared. Houston urged the expenditure of "\$15,000 or \$20,000 . . . on the college [as] . . . a downright matter of economy."<sup>129</sup>

<sup>129</sup>Biennial Report of Board of Directors, Agricultural and Mechanical College of Texas, 1900/1901, 1901/1902, p. 17.

It was Foster, however, who had initiated a building program at the College, and who shortly before his death was gratified to see that his program was well underway. Foster had been able to secure and spend appropriations amounting to \$158,468.78 for the improvement of the physical plant of the College and for the development and extension of two sub stations.<sup>130</sup>

<sup>130</sup>D. F. Houston to J. D. Sayers, December 13, 1902, in Joseph D. Sayers Papers, Texas State Archives.

Much yet needed to be done. To the Twenty-eighth Legislature, which convened a year after Foster's death, Sayers again complained that

the dormitories are heated by ordinary stoves, with wood as fuel; they are without bathing facilities and modern sanitary arrangements; . . . members of the faculty are compelled to occupy as quarters the rooms intended and needed for other purposes . . . the barns, out-houses, roads, sidewalks and drains are in a dilapidated condition.<sup>131</sup>

<sup>131</sup>Joseph D. Sayers to the Twenty-Eighth Legislature, January 16, 1902, in Joseph D. Sayers Papers, Texas State Archives.

Sayers, however, was quick to commend the efforts of the College faculty

to accomplish as much as they did in spite of the limitations set by the lack of sufficient funds.<sup>132</sup>

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<sup>132</sup>Ibid.

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Engrossed as Foster was with the trying and frustrating business of maintaining, improving, and expanding the physical plant of the College with a paucity of funds where every dollar had to be coaxed from a Legislature reluctant to expend money from a dwindling treasury, he still had time to donate to the main purpose of his office--the welfare and education of the students. For example, San Jacinto Day, April 21, was celebrated with the

usual hop given by the Foster Guards, with the additional attraction of a reception tendered by Col. and Mrs. L. L. Foster to the Corps . . . in the spacious parlors of the President's mansion, where all was made beautiful with flowers and bric-a-brac tastefully arranged.<sup>133</sup>

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<sup>133</sup>Battalion, April-May, 1900.

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Foster had time also to attend the Junior class banquet on April 7.<sup>134</sup> He remained an active member of the Athletic

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<sup>134</sup>Ibid.

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Association,<sup>135</sup> and young lady friends of the Cadets were frequent house

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<sup>135</sup>Battalion, January-February, 1900.

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guests in the Foster home. "Miss Hassel, of Dallas," reported the Battalion, "has been the guest of Miss Reta Sbisa and Col. and Mrs. Foster for the past two weeks."<sup>136</sup>

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<sup>136</sup> Ibid.

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During the commencement exercises in June, 1900, at the close of his second year at the college, Foster followed the principal speakers, J. W. Blake, and Governor Sayers, who had spoken again that year, with a "masterly, impromptu set of observations for the graduates."<sup>137</sup>

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<sup>137</sup> Cofer, The Second Five Administrators of Texas A&M, p. 105.

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Foster told the young men to remember that

The problem of all the ages has been to keep the farmer on the farm. I studied this between the plow handles. The solution of the problem lies in the scientific education of the agricultural classes. The farmer wants to escape from the farm because he has followed the plow since the days of Adam simply as a slave follows the direction of his master, and it was with an ignorance of the science of his profession as dense as the darkness of Egypt, which did not furnish the character of employment to entertain and instruct a man at the same time. Until he sees in the growing corn, orchards and cotton problems that will employ his mind as well as his hands, he will seek those professions where this can be found. It is not the wealth of a man or his calling or his occupation, but the proper exercise of his intellect that will make him satisfied. The farmer must have both physical and intellectual work, but the general trend of our schools for a hundred years has been to educate man away from physical labor. The agricultural colleges are trying to teach the youth of this country that it is dignified to labor with their hands. A man cannot come to this College and tell whether a boy is worth \$50,000 or 5 cents. There are boys in this College who never worked a day in their lives before they came here, but who have yielded to the sentiment prevailing here that labor is proper for all.

Teaching a boy how to follow a plow and to handle a hoe is not education. That can be done in any cotton field at a much less cost, but it is the scientific knowledge and instruction in the principles of agricultural chemistry and those things that are hidden from the masses of farmers in the bosom of nature that are revealed here, and which distinguish between the farmers taught here and those who are mere apprentices of manual labor. Manual labor is necessary as a part of a practical education, and we put it into practice here, but it is not sufficient of itself.

Within a few miles of this place I can show you a graduate of this College who is a successful tiller of the soil, and a little further I can show you a successful dairyman, graduate of this institution, and so you will find them all over the state. In my office I can show you numerous applications for stockmen, dairymen, etc., and on nearly every railroad in Texas I can show you men who are at work with their minds as well as their hands, who received their education here. Our graduates are not afraid to work. I hope to live to see schools of this kind the most largely attended of any in the Southern States.<sup>138</sup>

<sup>138</sup> Battalion, June 1900; Cofer, The Second Five Administrators of A&M, pp. 105-106.

Professor David B. Cofer has commented that the foregoing is indicative of

the sound educational policy which interested and motivated Colonel Foster . . . and which attest the type of education that President Foster wished to see emphasized in this College and which kind of training for the life work and career of the individual, may be the reason for his popularity in the state and for his influence over students.<sup>139</sup>

<sup>139</sup> Ibid.

It will be recalled that Blake, then living in Sherman, had been critical of Foster's appointment to the Presidency in 1898 before the State



Teachers Association in Galveston when actually, he was a friend of Foster's

Shortly before the opening of the Fall term of the school year, 1900-1901, a disastrous hurricane swept over the Texas coast on Saturday, September 8, 1900. The City of Galveston was destroyed with an appalling loss of nearly seven thousand lives. The storm swept many miles inland, however; the wind velocity was considerably diminished by the time it reached College Station and only minor damage was inflicted on the fences and small frame buildings of the College. The roof of the mess hall received the greatest damage and required extensive repairs.<sup>140</sup>

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<sup>140</sup> Report of the Agricultural and Mechanical College of Texas, 1900/1901, 1901/1902, p. 17.

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The storm had abated by Monday, September 10, and the College opened the new school year as originally scheduled with the usual first two days being given over to entrance examinations. Regular classes started on Wednesday, September 12. The faculty and students of Texas A&M promptly collected one hundred and sixty-three dollars from among themselves, and President Foster forwarded it to Governor Sayers for the use of victims of the great hurricane. The Governor through his Secretary acknowledged the contribution from the college "for the benefit of the storm sufferers," and the Secretary on behalf of the Governor requested Foster to extend thanks to the faculty and students.<sup>141</sup>

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<sup>141</sup> Joseph D. Sayers to L. I. Foster, President Agricultural and Mechanical College of Texas, September 20, 1900, in Joseph D. Sayers Papers, Texas State Archives.

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The harrassed Governor, with his secretary, moved a cot into his office in the capitol and, operating on a twenty-four hour basis, consolidated and directed the relief and rescue agencies for the ruined and destitute city.

Foster continued his activities in behalf of the school. He attended the football games, so important to the students, the public, and college presidents. Baylor was played three times during the season. The Texas A&M boys won the initial game 6 to 0; however, resting on their first effort, the Farmer<sup>s</sup> lost the last two games to the Baptist<sup>s</sup> by scores of 6 to 17 and 0 to 46, respectively. They ~~failed~~<sup>scored</sup> even worse against the University of Texas, by failing to score in the two game series. The University won by lopsided scores of 32 to 0 and 46 to 0 <sup>and the season closed 142</sup> ~~for Texas A&M.~~

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<sup>142</sup>George Sessions Perry, The Story of Texas A. and M., p. 246.

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With the bleak football season over, Foster became more actively concerned with other matters. The Twenty-Seventh Legislature convened on January 10, 1901, and during the succeeding months Foster periodically made tiring trips to Austin to present the financial requirements of the College to the Legislators.

Foster was appointed by the Governor to membership on the Texas State Industrial Educational Committee, because of his interest in any activity relating to the mission of the College, particularly in the areas pertaining to agriculture, industrial and mechanical engineering.

He was the only college president on the Committee. The other members represented the interests of the Texas secondary schools. Little is known of Foster's activities as a member of the Committee. The Bryan Eagle recorded on one occasion that Foster was in Austin as a Committee member to help "formulate plans for the gradual introduction of manual training in the public schools of the state."<sup>143</sup> Judging from Foster's

<sup>143</sup> Bryan Morning Eagle, April 17, 1901.

reputation as a man of energy and ambition, and also because of his position as President of the Agricultural and Mechanical College, he was no doubt very active in the organization, and possibly even traveled about the state to speak to local groups of teachers and school officials on matters regarding the introduction of industrial and mechanical training into the secondary schools of Texas. On one of these occasions he said:

Man is an intellectual being, and any kind of labor, on the farm or elsewhere, that retards intellectual growth, and is an obstacle in the way of the development of his higher faculties, will sooner or later drive him away from it to some calling which affords the mind equal opportunity for development of the body.

There must be--there is--a wider range of mental effort open to man than that suggested by the confines of professional life, and the key to it will be found in industrial education.

There never was a time in the history of the Agricultural and Mechanical College when it could not have been improved and made more serviceable to the people, nor will there ever come such a time until growth and advancement shall cease to be the law of life.<sup>144</sup>

<sup>144</sup> Quoted by Bittle, "In Memorium," A and M College Record, p. 3, unidentified magazine clipping, in L. L. Foster Papers.

The school year of 1900-1901 ended with the flurry of the year-end three-day graduation and commencement activities. On the evening of June 11, 1901, W. A. Shaw of Dallas gave the principal commencement speech; and that night, it was reported,

the first A and M Commencement of the new century floated out upon the bosom of music to the measure of dancing feet--faded with the dimming lights, and to the young men became a memory tinted with peach blow cheeks, braided with tresses dark or gold, and jeweled with sparking eyes.<sup>145</sup>

<sup>145</sup>Bryan Morning Eagle, June 12, 1901.

The two Foster girls returned from Belton Baylor for the Summer (1901), and renewed old friendships and again appeared among the "Personals" column of the Eagle, as visitors to Bryan. Accompanying them was Miss Ethel Hutson, who had attended Texas A&M College during the year as one of the "Campus Girls."<sup>146</sup>

<sup>146</sup>Ibid., August 24, 1901.

On the occasion of this the twenty-fifth commencement exercises of the College, Foster gave "a characteristic and forceful address of welcome" to the members of the Alumni at their annual gathering on the campus. It is not known now on what subject Foster chose to speak, but perhaps it was on the subject of the College library for the Alumni had appointed Foster a member of a committee "to provide ways and means for a 50,000 volume library at the College." Foster was an avid reader, and

particularly fond of history.<sup>147</sup>

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<sup>147</sup>ibid., June 11-12, 1901

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In the spring of 1901 there was a discussion among the Bryan-College Station community leaders concerning the merits of establishing a Brazos County fair. Foster was an enthusiastic advocate of the idea. He believed that a fair could be used as a medium to provide farmers with some knowledge of what the College was endeavoring to accomplish in the way of agricultural improvement and in better methods of farming. A mass meeting was held in Bryan on the evening of May 27, 1901, for the purpose of considering the feasibility of organizing a county fair. Foster brought several faculty members to the meeting. All of them made speeches to the assembly. The Eagle reported that Foster spoke eloquently in favor of the idea and pointed out the value of a fair in encouraging people to follow improved methods of agriculture by a display of what others had accomplished in seeking for excellence in agriculture and stock raising. A fair would encourage crop diversification and lessen dependence upon the one-crop (cotton) economy of the region, now suffering severely under the incursions of a new pest, the boll weevil, which had finally reached Central Texas.<sup>148</sup>

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<sup>148</sup>Bryan Morning Eagle, May 29, 1901.

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A few days after the first meeting of those interested in establishing a fair, Foster and a majority of the College faculty each

subscribed twenty-five dollars from their personal funds toward a central fund of \$5,000 to help finance the fair.<sup>149</sup> The magnitude of

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<sup>149</sup>Ibid., June 9, 1901.

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the twenty-five dollar subscriptions is evident when consideration is given to the fact that the amount represented anywhere from three to six days pay of the donors. Foster himself was paid slightly less than ten dollars a day. It was hoped that if the fair were financially successful the subscribers would be reimbursed. As evidence of good faith, each subscriber ultimately received a single share of the Central Texas Fair Association stock at a par value of twenty-five dollars. It is doubtful if the stock was ever redeemed at face value. Minutes of the Brazos County Probate Court listed Foster's share of stock as one of his dubious assets after his death.<sup>150</sup>

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<sup>150</sup>Index to Probate Minutes, Brazos County, January term 1902, No. 698, pp. 175-177, Brazos County Court House, Bryan, Texas.

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Foster continued to be active in the fair project during the Summer of 1901, and as interest in the fair grew the initially modest concept of a county fair expanded to include not only Brazos County but adjacent counties as well. Accordingly, the name was changed to "The Central Texas Fair," and Foster was appointed honorary vice-president.<sup>151</sup>

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<sup>151</sup>Bryan Morning Eagle, July 23, 1901.

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The Navasota Tablet acclaimed the initiative displayed by the leaders of Bryan and Erazos County. "Bryan is going to have a county fair this fall, boll weevil or no boll weevil." The Tablet further commented that the subscription for the fair had reached the \$5,000 mark.<sup>152</sup>

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<sup>152</sup>Navasota Tablet, quoted in the Bryan Morning Eagle, June 15, 1901.

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The fair was held November 5, 6, 7, and appeared to be a success judging from contemporary newspaper accounts. The fair buildings were constructed a short distance from the Bryan city limits and special trains were run from both Bryan and College Station to handle the crowds. The railroads also offered special excursion rates throughout Texas on all trains to Bryan. A balloonist made daily ascents to "an elevation of 8,000 feet" and descended by parachute setting off dynamite charges as he drifted down. An "automobile race" was advertised although this feature seems to have failed to materialize since the Eagle made no comment on the event. Governor Sayers also failed the committee on the opening day, and a substitute speaker, R. R. Prince of Corsicana, was hastily called on to make the opening address. However, Congressman S. W. T. Lanham, a hopeful candidate for the governorship, delivered a lengthy and eloquent speech on the second day of the fair which was carefully quoted by the Eagle. The Cadets from the Agricultural

and Mechanical College of Texas marched in the parade on the opening day, and a special football game against Baylor University was an added attraction. The Cadets won 6 to 0, and thereby avenged a defeat inflicted by Baylor the previous month at Waco.<sup>153</sup>

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<sup>153</sup>Evening Morning Eagle, November 6, 1901.

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## C H A P T E R X I I

### DEATH OF FOSTER

President Foster probably attended the fair in Bryan on November 5-7. It is doubtful that he would have missed the fair he had labored so diligently to promote. It is known that he also attended the annual session of the Baptist General Convention which met in Fort Worth on November 8-10, immediately following the fair.<sup>1</sup> If he attended the fair

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<sup>1</sup>Baptist Standard, December 5, 1901.

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on the last day he was exposed to an intermittent rain that fell and curtailed the closing activities. The following day, November 8, he was in Fort Worth in attendance at the Baptist General Convention held in the auditorium and gallery of the Fort Worth City Hall which was filled to capacity with 3,000 persons.

The cold damp weather of the 7th and the days following, coupled with sitting in an overstuffed auditorium, and with overexertion, presumably led to Foster developing a cold or possibly influenza, which eventually passed into pneumonia. Foster was confined to his bed. As President of the College he had been under considerable strain with multifarious duties, including the role of treasurer and disbursing officer, personally handling discipline within the Cadet Corps, and close supervision of academic matters.<sup>2</sup>

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<sup>2</sup>Report of the Agricultural and Mechanical College of Texas, 1900/1901, 1901/1902, p. 23.

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He also acted as the nineteenth century version of press agent and public relations official for the College. His enthusiasm for the institution drove him to make numerous trips for the benefit of the school. He was constantly seeking sources of additional funds. Since the College as a land grant institution of the Federal Government was the recipient of Federal funds, Foster made several trips to the national capitol on behalf of the College in an attempt to secure additional Federal financial assistance.<sup>3</sup> An Agricultural Experiment Station had

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<sup>3</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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been established at Beeville during the Ross administration, and Foster had secured approval to establish a second station at Troup, "near the south line of Smith County, about fifteen miles from Jacksonville and twenty miles from Tyler."<sup>4</sup> He was anxious that additional stations be

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<sup>4</sup>"The New Experiment Station," Farm & Panch, December 14, 1901, quoted by Judge Paine L. Bush, Dallas, Texas in letter to Robert E. Byrns, June 21, 1963, in L. L. Foster Papers.

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started as soon as possible.

The press of his official duties, coupled with his ready eagerness to be involved in every community and state activity possible had

gradually taxed his strength. The tiring train trips with the irregular hours and indifferent food all combined to undermine his general health. He suffered a personal sorrow in the fall of 1901 with the death in Cumming, Georgia, of his brother, Henry Iveson Foster.<sup>5</sup> This loss left

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<sup>5</sup>Clipping from unidentified Georgia newspaper, probably the North Georgia Tartist, in L. I. Foster Papers.

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only one half brother, Charlie Collins Foster, as the last surviving member of Foster's immediate family.<sup>6</sup>

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<sup>6</sup>Family Record of Joserh D. Foster, [dated] Dec 10th, 1892. This is an unsigned three-page typed ms. on letterhead paper of the office of Railroad Commissioner of Texas, in L. I. Foster Papers.

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The ailing president recovered to a limited extent from the attack of pneumonia, but he remained in a generally weakened condition and feared that he might be contracting tuberculosis. Laura Foster became alarmed and determined to take her husband away from the raw damp November air of College Station which permeated by the acrid woodsmoke from the many chimneys made respiratory ailments on the campus almost an occupational disease. The recently developed spa at Mineral Wells, Texas, west of Fort Worth, was growing in popularity among Texans. The dryer climate and the mineral waters, together with a period of rest at the new Hexagon House Hotel she thought would perhaps be beneficial to the weakened president of Texas A&M College. May Alma was back in school at Belton; Edna had decided to remain at College Station this

year; and the younger Foster boys were back in the Cadet Corps with Edna to look out for them on occasions. Therefore, the parents felt no uneasiness about leaving the children; so the President and Laura went to Mineral Wells for about ten days.

President Foster benefitted from the rest. After about ten days, it was decided to return to College Station in two easy stages. The first night the President and his wife spent in Dallas at the St. George Hotel. They arrived in Dallas on November 26, and prepared to start the train trip to College Station the following morning, however, Foster felt considerably weaker and appeared vaguely indisposed. He decided to remain in Dallas while Laura returned to College Station to see about the children and household affairs.

After the departure of his wife, Foster's condition became worse, and he went to bed in his hotel room at the St. George. Foster had many Masonic, Baptist, and political friends in Dallas who, learning of his serious indisposition, notified the family in College Station. It was then determined that the oldest son, Joseph Lumpkin, now twenty-four years of age, should go to Dallas to attend his ailing father. A special nurse was engaged and within the next several days Foster's condition seemed to improve to the extent that on Sunday, December 1 the nurse was dismissed and he was permitted to have visitors. One of his former students and favorites, Hal Mozely, Captain of the 1898 football team visited his friend late Sunday, December 1. Other former students, like Thomas Griffiths and Robert Reardon, called to aid in caring for their beloved President.<sup>7</sup>

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<sup>7</sup>Dallas Morning News, December 3, 1901; Interview of Robert E. Byrns with David Brooks Cofer, College Station, February 27, 1963.

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As <sup>4</sup>Mozely rose to go, Foster declared, "I am getting along splendidly. It will be only a day or two before I shall be out again."<sup>8</sup>

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<sup>8</sup>San Antonio Express, December 2, 1901.

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Foster and his son retired to the same room that evening and both slept until two o'clock the next morning when Joseph L. was aroused by his father. The sick man felt worse, and requested his son to get him a milk punch, which young Foster proceeded to do. The father seemed much relieved after drinking the milk punch, and both father and son again went to sleep. Two hours later, the son was awakened once more by his father gasping for breath. The young man hastened out to find a doctor, but none could be found at that hour; and, leaving word of the urgency of the moment with the night clerk on duty at the hotel desk, young Foster hurried back to his father. Lafayette Lumpkin Foster never regained consciousness, and died in his son's arms shortly after four o'clock on the morning of December 2, 1901. A few hours later representatives of the Dallas Masons escorted the remains from "Loudermilks Undertaking establishment" where the deceased had been moved, to the train for shipment to Bryan. The Times Herald listed the Masonic detail as: Stanley Crabb, E. M. Kahn, V. C. Armistead, W. C. Kimbrough, W. H. Gaston, Dr. A. A. Johnston, Dr. A. F. Bedoe, Sterling

Price, L. A. Daffan, General W. L. Cabell, Prof. J. L. Long, T. W. Griffiths.<sup>9</sup>

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<sup>9</sup>Dallas Daily Times Herald, December 2, 1901.

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The news of President Foster's death spread rapidly throughout Texas. Few persons knew that he had been ill, and the news of his death came suddenly and unexpectedly. The exact cause was never determined. Complications from pneumonia may have been the contributing cause. Some individuals have thought that he suffered a cerebral hemorrhage.<sup>10</sup>

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<sup>10</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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The sudden and unexpected death of President Foster shocked the Bryan and College Station communities. The Eagle gave a moving account of the receipt of the news of Foster's death.

The people of Bryan and College Station were shocked and grieved beyond expression yesterday morning by the news of the death of Col. I. L. Foster, President of the Agricultural and Mechanical College, at Dallas. The first intelligence was conveyed to this city in a telephone message to Mr. Cliff A. Adams, and rapidly passed from lip to lip, falling upon unwilling and almost incredulous ears. But, alas, it proved to be true. Col. Foster had been in ill health for some time and had visited Mineral Wells in the hope of recuperating, and while his condition was known to be serious by some, his death was not anticipated at this time and came as a sudden and severe shock to the family and friends.<sup>11</sup>

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<sup>11</sup>Bryan Weekly Eagle, December 5, 1901.

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Joseph L. Foster accompanied the body of his father to College Station, and as the train stopped at Calvert, forty miles north of Bryan, he was joined by General H. B. Stoddard and W. R. Covitt of Bryan. The two prominent citizens had taken an early train to Calvert for the purpose of escorting the body the remainder of the distance to College Station.

At Bryan another delegation composed of local citizens and faculty members boarded the train for the short trip to College Station where the casket was removed from the baggage car and escorted to the campus home of the deceased President. A cadet honor guard stood watch throughout the night. The funeral was scheduled for three o'clock in the afternoon of December 3, 1901.<sup>12</sup>

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<sup>12</sup>"Funeral Notice," in L. I. Foster Papers.

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At the appointed time Foster's remains were carried by the elite Foster Guards, and escorted by the band, were followed by a long procession to the Assembly Hall which served as a chapel. The national colors, flown at half-mast, fluttered slightly in the breeze of the gloomy, somber December afternoon as the procession led by the cadets marching to the slow cadence of the funeral march covered the two blocks from the president's home to the Assembly Hall.

The casket was placed upon the stage which had been festooned with Spanish moss gathered from the campus oaks and interspersed with hot house roses. Potted palms placed about the stage completed the floral arrangements.<sup>13</sup>

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13. Photograph of Foster's casket, in L. L. Foster Papers.

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The Eagle described the casket as "bearing many beautiful floral tributes. . . . The rostrum . . . was banked with flowers and pot plants."<sup>14</sup>

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14. Bryan Weekly Eagle, December 5, 1901.

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Dr. Thomas Chalmers Bittle, Professor of Languages and College Chaplain, delivered the eulogy customary on such occasions.

A vast and sorrowful assemblage, filling the entire building, listened attentively to the service which was opened with prayer. The choir sang a hymn and Dr. Bittle delivered a brief and eloquent eulogy on the life and character of Col. Foster and his devotion to duty, in which he spared neither his health or personal comfort, his fixed policy being to leave nothing to be done by others when he thought it should have his personal attention.

A solo by Mrs. J. Webb Howell, "Lead, Kindly Light," was beautifully rendered after which Dr. W. C. Friley pastor, First Baptist Church in Bryan read the last chapter of Revelations, offered a prayer and delivered a brief discourse, alluding to the Christian character of the deceased. His remarks were chiefly based upon the possibilities of faith, which enable men and women to rise above the trials and afflictions of earth.

The further ceremonies were conducted by the Masons under the direction of Gen. H. B. Stoddard. The procession was formed and moved to the site selected for the College cemetery, on an elevation a short distance southeast of the campus. There a thousand people, state officials, members of the faculty, College officers, students and citizens of Bryan, College and other points, gathered about the solitary grave and witnessed the sacred and solemn rites of Masonic burial, Gov. Joseph D. Sayers, Past Grand Master of Masons, officiating. Reverently the words of ritual fell from the speaker's lips, and as the sun slowly sank into the haze of the bleak December



the last words of the final prayer died away, the earth was heaped upon the coffin and all that was mortal of a great and good man was left to rest in peace.<sup>15</sup>

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<sup>15</sup>Ibid.

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The funeral was attended by many prominent Texans. Present besides Governor Sayers, Comptroller R. M. Love, and Jefferson Johnson, from Austin, were Dr. Oscar H. Cooper, President of Baylor University; President W. A. Wilson of Baylor Female College at Belton; John M. Ackerman and Mrs. Ackerman of Navasota; John T. Garret of Calvert; and J. P. Falms of Hearne. The Board of Directors attended in a body. The Masonic Services were conducted by the Brazos Union Lodge 129 under the supervision of General Stoddard of Bryan.<sup>16</sup> General Stoddard~~x~~ was

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<sup>16</sup>Ibid.

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one of the most influential men in Brazos County. He had at one time been Adjutant General of the state, and had risen in later life to high rank in the Masonic Order and had become Grand Commander of the Knights Templars of the United States.<sup>17</sup>

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<sup>17</sup>Interview of Robert E. Byrns with Will K. Gibbs, Brazos Union Lodge No. 129, College Station, November 2, 1963.

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The remains of President Foster were interred at a site a quarter of a mile southeast of the small cluster of buildings which constituted

the College campus in the first years of the twentieth century. The College cemetery was located in the sheep pasture,<sup>18</sup> in what is now the

<sup>18</sup>Interview of Robert E. Byrns with David Brooks Cofer, College Station, Texas, February 27, 1963.

dormitory area served by Duncan Mess Hall, and was of necessity selected with some haste.

It has been purposed [sic] to establish a College cemetery for some time and yesterday, from sad necessity, the grounds were laid off and prepared. Since he is dead and can no longer guide the destinies of that great institution with a master hand, it is indeed fitting that his remains should repose in the soil he loved, while the memory of his noble and useful life will be a greater inspiration to the thousands of young men who will hereafter tread the college halls.<sup>19</sup>

<sup>19</sup>Evvan Weekly Eagle, December 5, 1901.

Expressions of sympathy and condolence were extended to the bereaved family from throughout Texas. The faculty of the University of Texas extended official condolences, and sent their sympathies to the family and to the faculty of the Agricultural and Mechanical College of Texas.

In the death of President Foster, [d]declared the University of Texas faculty, the educational interests of Texas have lost a strong and energetic champion, and the state itself a loyal citizen and a capable leader of men.<sup>20</sup>

<sup>20</sup>The University of Texas Record, IV (July 1902), p. 337.

Foster's old friend, ex-governor Hogg, was not at the funeral. Profiting from the Spindletop oil boom near Beaumont, Hogg was busy with his interests in the Hogg-Swayne Oil Syndicate and appears to have been enroute to New York at the time of Foster's death.<sup>21</sup>

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<sup>21</sup>Cotner, James Stephen Hogg, p. 533.

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The editor of the Farm and Ranch, Col. Frank P. Holland, at first lukewarm towards Foster's appointment to the presidency of the College in 1898, regretted the loss of such a man to Texas, and considered his death to be

a calamity to the College over which he presided so acceptably. . . . As President . . . he was rapidly inspiring confidence in the institution, enlarging its usefulness, and exalting its character . . . Col. Foster was a man of great administrative ability, of high moral character, thoroughly in sympathy with the agricultural interests of the state, and actively engaged in every movement for the benefit of farmers. It will require all the wisdom the Board of Directors can command to supply his place in the college . . . As a man, Col. Foster was plain, unassuming, social and personally popular.<sup>22</sup>

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<sup>22</sup>Col. Frank P. Holland, "Death of Col. Foster," Farm and Ranch, December 7, 1901, quoted by Paine L. Bush to Col. Robert E. Byrns, June 21, 1963, in L. L. Foster Papers.

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The College Chaplain, Dr. Bittle, who had delivered the eulogy at the funeral services, later wrote a moving obituary for his departed friend. He felt that President Foster left behind him an enviable moral legacy which was the measure of his true worth to the world.

. . . Back of the campus on a little rise, now set apart as the College cemetery, we deposited the other week the remains of a man whose wealth consisted not in what he had accumulated but what he has done for his fellow men . . . the most important feature in a college president's duty is the influence he exerts upon the youth in his charge. Colonel Foster was the boys' friend. He was ever on the alert to obtain them favors, and was always ready to supervise personally and maintain their rights . . .<sup>23</sup>

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<sup>23</sup>Bittle, "In Memorium," A and M College Record, in L. L. Foster Papers.

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The College faculty and the Board of Directors through appropriate resolutions, expressed their regrets and sympathy to the Foster family.<sup>24</sup>

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<sup>24</sup>A and M College Record, in L. I. Foster Papers.

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Jefferson Johnson and John W. Kokernot, the two members of the Board of Directors appointed to draft the resolution, gave special recognition to Foster's relations with Prairie View Normal School.

His relations with the Prairie View Normal . . . evinced a strong disposition on his part to the upbuilding of the colored race and the betterment of their mental and moral condition. What he has accomplished in this direction is now a part of the history of the Prairie View Normal . . .<sup>25</sup>

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<sup>25</sup>Jefferson Johnson and John W. Kokernot, typewritten carbon copy of undated Resolution in L. I. Foster Papers.

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The Board concluded, in its resolutions, to leave upon the records of the college a statement

showing our love and appreciation of President Foster as a man, a citizen and a public official, believing that his merits will give him an honorable place in the history of his state.<sup>26</sup>

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<sup>26</sup>Ibid.

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Throughout all Texas Baptist\* leaders mourned the loss of one of their most prominent layman. The editor of the Baptist Standard, official newspaper of the Baptist General Convention, declared that

In many respects President Foster had no superior in our denomination. He was a man of great self-poise of character. . . . The writer of these lines had known President Foster for almost twenty years. Only the other day at Fort Worth while in attendance on the State convention it was our pleasure to be thrown much with this distinguished brother. In a conversation there we both recalled our experiences in county journalism in the years gone by, when President Foster was editor of the Limestone New Era at Croesbeck, and the editor of the Standard was publishing the Advance at Gatesville, Texas.<sup>27</sup>

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<sup>27</sup>Baptist Standard, Dallas, Texas, December 5, 1901.

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The contentious Dr. S. A. Hayden of the dissident group of Texas Baptists expressed regret over the death of Foster. Writing in his rival newspaper, the Texas Baptist Herald, he said:

The denomination will be surprised and grieved to learn that Col. L. L. Foster, President of the Agricultural and Mechanical College suddenly and unexpectedly died at the St. George Hotel, Dallas last Monday morning at 4:30. Hayden then followed the announcement with a lengthy biography of Foster and concluded/ He was a man of untiring energy, excellent administrative ability active industry and a genius for close application . . . He was an incorruptible politician, whose management, coupled with a large popularity registered his name in every office he sought and made him a valuable ally and leader in every campaign . . .<sup>28</sup>

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<sup>28</sup> Texas Baptist Herald, December 5, 1901.

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Neither did the death of Foster pass unnoticed among the Baptists of his native state of Georgia. The North Georgia Baptist announced Foster's death and followed it a week later with a brief but interesting obituary, in which Foster was referred to as Lumpkin Lafayette Foster.

The announcement last week in the North Georgia Baptist of the sudden death of Hon. L. L. Foster at Dallas, Tex. was, indeed, shocking, coming as it did so closely after the death of his brother, H. I. Foster, of Cumming. Bro. Foster had a remarkable career, like governor Brown, of Georgia, he was always successful in all his undertakings and like him again he left the mountains of Georgia when a boy and sought his fortune in the west. [Governor Brown was the noted Civil War Governor of Georgia.] Again like him after he had accumulated property and had many positions of fame and honor, he still remembered from whence they came and never forgot 'the giver of all good gifts.' As our relations with him were remarkable we feel disposed to write of some things connected with his history.

Lumpkin Lafayette Foster was born near Cumming, Forsyth County, Ga., Nov. 30th, 1852, died at Dallas, Texas Dec 2, 1901, aged 49 years and two days. When brother Foster was about ten years of age his father, Capt. J. D. Foster, volunteered in the service of his country in the great Civil War and was promoted Captain of Company "E" 22nd Georgia Regiment. Lumpkin, with a younger brother and sister, were at this time (1861) left with their grandmother, Mrs. Mary Foster, who lived one mile south of Cumming. Our knowledge of him commenced here and we often met him at Cumming. [The remainder of the clipping has been lost.]<sup>29</sup>

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<sup>29</sup> Clipping from an unidentified Georgia newspaper--probably from the North Georgia Baptist, in L. L. Foster Papers.

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The above quotation provides a basis for assuming that Foster maintained relatively close connections with his Georgia relatives and boyhood friends; he certainly must have been well known there.

Edna Foster, acting as spokesman for the family and in accordance with custom, expressed thanks from the family through the columns of the press

I desire to express through the columns of your paper the sincere appreciation my mother, sister and brothers feel towards all our friends for the sympathies expressed and courtesies extended us during our late bereavement.

Sincerely,  
EDNA EARL FOSTER<sup>30</sup>

<sup>30</sup>A and M Collere Record, an unidentified magazine clipping, in L. L. Foster Papers.

President Foster died intestate leaving a modest estate of which his political colleague and friend, J. W. Blake of Sherman, Texas was appointed administrator by the Brazos County Probate Court. The estate which has been discussed at length in Chapter VII was relatively modest, but was sufficient for the immediate wants of Foster's family. As the children became of age they received the residue of the estate remaining at the time, and by June 11, 1906, the liquid assets had been nearly closed out through various disbursements to creditors and to the children. Strangely enough the 1906 entry in the records of Brazos County was the last until June 26, 1917, when a notation was made requesting a court order for the discharge of J. W. Blake as administrator and requesting that the remainder of the estate be awarded one half to Mrs. L. L. Foster and the other half to the six surviving children. The estate by 1917 consisted of ten acres of land in Hardin County and a number of miscellaneous shares of speculative stock presumed to be worthless. The minutes of the 1917 transaction quote Blake as

stating that "the failure to close the estate has been merely an oversight, and should have been closed many years since and what is remaining of the property of said estate should be delivered to those entitled to it."<sup>31</sup>

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<sup>31</sup>Index to Probate Minutes Brazos County, No. 698, p. 160M.

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After the first shock of their father's sudden and unexpected death had abated, the Foster family made preparations to move to Houston. The oldest son, Joseph Lumpkin Foster, had been working for several years, and the second son, Walter Drew, determined to do likewise. He withdrew from school upon completion of the short course in Horticulture in which he had enrolled, on March 17, 1902,<sup>32</sup> and went to

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<sup>32</sup>Twenty-Fifth Annual Catalogue Session, 1900/1901, p. 42; Ibid., Twenty-Sixth Session, 1901/1902, p. 19; Records, Association of Former Students A&M College, Memorial Student Center, Texas A&M University.

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work for the Houston & Texas Central Railroad at College Station. He had previously worked for the railroad at intermittent intervals prior to his father's death. Initially, he was employed as a clerk and telegrapher. He also served as telegrapher and local representative for the Western Union Telegraph Company.

Walter D. never married, but proved to be the mainstay of the family after Edna's death. Later settling in Dallas, he continued working for the railroad and died on March 2, 1952, at the age of seventy-two.<sup>33</sup>



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<sup>33</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963; Death Certificate State File No. 12854, Bureau of Vital Statistics, Texas Department of Health, Austin, Texas.

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The oldest of Foster's sons, Joseph L. later married, but left no children. He too, eventually found employment in Dallas, where he was still living at the time of his death on April 20, 1928, at fifty-one years of age.<sup>34</sup>

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<sup>34</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas Texas, May 28, 1963; Death Certificate State File No. 15784, Bureau of Vital Statistics, Texas Department of Health, Austin, Texas.

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Henry Iveson Foster, who was twenty years old, at the time of Foster's death, remained in school as an elective student,<sup>35</sup> and

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<sup>35</sup>Twenty-Fifth Annual Catalogue Session, 1900/1901, p. 16.

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afterwards moved to Houston with the family. He remained in Houston and worked for the Southern Pacific Railroad until his death at the relatively young age of thirty-eight years on January 3, 1920.<sup>36</sup>

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<sup>36</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963; W. F. Hutson, Austin, Texas, to Robert E. Byrns, February 28, 1963.

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Jacob Lawson who was nineteen and Mack Marion, nearly eighteen, dropped out of school upon their father's death.<sup>37</sup> Both ultimately

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<sup>37</sup>Records of Association of Former Students.

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settled in San Antonio where Jacob Lawson Foster died in his seventy-seventh year on September 13, 1959.<sup>38</sup> He was the only one of the

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<sup>38</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963; Death Certificate State File no. 48145, Bureau of Vital Statistics, Texas Department of Health, Austin, Texas.

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Foster sons to have children. His younger brother, Mack Marion, died in September 19, 1928 at the age of forty-four.<sup>39</sup>

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<sup>39</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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After the move to Houston, Edna was determined that her younger sister, May Alma, who was then fifteen, should return to school. Accordingly, Foster's youngest daughter continued her education. She enrolled at Kidd-Key College in Sherman, later termed North Texas College, and continued the study of music.<sup>40</sup> About 1905, Edna Foster,

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<sup>40</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963. Index to Probate Minutes Brazos County No. 699, pp. 266-267 O. County records reveal various disbursements by the administrator to May Alma Foster at North Texas College for "Board, Tuition, Sewing, Music, and Uniform allowance" until 1906.

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her mother and her brother, Walter Drew, moved to Dallas. Edna died

of appendicitis in 1909 or 1910. She never married. Laura Pender Foster survived her husband, the President of the Agricultural and Mechanical College of Texas, by twenty-eight years, dying in Dallas on May 27, 1929, and is buried in that city.<sup>41</sup>

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<sup>41</sup>Interview of Robert E. Byrns with Mrs. T. D. McNeil, Dallas, Texas, May 28, 1963.

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May Alma Foster (now Mrs. T. D. McNeil) of Dallas, is the only surviving child of Lafayette Lumpkin Foster. Interestingly enough her only son, T. D. McNeil, who attended the Agricultural and Mechanical College of Texas for two years during the period 1929-1930 and 1930-1931, is employed by the Dallas Times Herald, the modern version of the old Dallas newspaper that his grandfather Foster and Charles E. Gilbert published in 1885.<sup>42</sup>

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<sup>42</sup>Ibid.

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The administration of L. L. Foster is chiefly remembered as that period in which the small struggling College started to accelerate in growth towards the nationally respected institution of today--the Texas A&M University. Foster's brief three year tenure as President was marked not only by his efforts to improve the physical plant of the College, but also by his efforts to expand the agricultural extension services activities of the institution, and to secure Federal and State recognition and support for agricultural and industrial education in the

secondary schools of the states. His patience, perserverance, insight, and political acumen gained through twenty-five years of association with the rough and tumble methods of Texas politics enabled him to deal fairly with individuals from all walks of life to the benefit of the College and to his own credit.

The Texas A&M University has long since outgrown the buildings and campus of the Agricultural and Mechanical College of the turn of the century. The pride of the campus of 1901 was Foster's Agricultural Building which outlasted all other construction of his era, but it too fell to the wrecking hammers in 1963.<sup>43</sup> In a poetical as well as

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<sup>43</sup>Brvan Daily Eagle, September 9, 1963.

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practical sense it is appropriate that the salvaged brick from the building should be utilized in the construction of a new campus residence for future presidents of Texas A&M University.

With the headlong rush into the twentieth century, Lafayette Lumpkin Foster was soon forgotten--even his given names were in doubt and few persons knew what "L. L." represented.<sup>44</sup> Foster was not

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<sup>44</sup>Interview of Robert E. Byrns with David Brooks Cofer, College Station, February 27, 1963

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mentioned in the two hundred and sixty four page annual report of his beloved Baptist General Convention for 1902, the year after his death, nor was it remembered to include him with the other five eminent

Baptists who had died during the year preceding the report and were accorded the customary extensive full page eulogy.<sup>45</sup> Thirty-five years

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<sup>45</sup>Proceedings of the Fifty-Fourth Annual Session of the Baptist General Convention, Waco, Texas, November 7-10, 1902.

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were to pass before he received a measure of tardy recognition from the Baptist Church.<sup>46</sup> However, the recollection of their beloved president

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<sup>46</sup>Executive Board, Baptist General Convention of Texas, "The Laymen and Their Work," Centennial Story of Texas Baptist, p. 258.

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remained long in the memories of his students. Three years after his death the first edition of the Long Horn was dedicated to the memory of President Foster

To  
 The memory of the late  
 COLONEL L. L. FOSTER  
 Whose untiring efforts and deep integrity  
 During his three years as President of the College  
 Contributed so much toward its advancement,  
 this Volume is humbly  
 Dedicated by the Class  
 of 1903<sup>47</sup>

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<sup>47</sup>Long Horn, Texas A&M College, 1903.

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The College itself was derelict in preserving the memory of the former president. Except for a brief mention in Ousley's history published in 1915,<sup>48</sup> it remained for Professor David Brooks Cofery

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<sup>48</sup>Ousley, History of the Agricultural and Mechanical College of Texas, p. 62.

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of the English Department of the College to assemble the first biographical sketch of Foster in his story of The Second Five Administrators of Texas A&M College, 1890-1905.

The grave of Lafayette Lumpkin Foster, in the little cemetery in the south sheep pasture, was ultimately marked by a dreary monument made of round pebbles imbedded in a concrete matrix and perpetuating an error in his birth date. A few other burials were made at various times in this cemetery, but interest in developing the grounds languished. In 1928 the President of the College wrote Foster's widow:

The College as an institution has undertaken to keep this small burial place in the best condition it can, and I am happy to report to you that former officers of the institution have had your husband's grave marked with a permanent marker. We shall continue to look after the burial spot of your distinguished husband.<sup>49</sup>

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<sup>49</sup>T. O. Walton to Mrs. L. L. Foster, Office of the President, Agricultural and Mechanical College of Texas, College Station, Texas, August 1, 1928, in L. L. Foster Papers.

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In 1939-1940 because of the expanding campus and new construction the cemetery, which had only eleven interments by this time, was moved across the main highway and on the other side of the railroad tracks west of the campus. A new building known as Duncan Mees Hall was built on the former site of the cemetery. The new site of the cemetery was considered appropriate at the time (1939-40) as the campus faced

the two railroad stations and the main highway to the west. A broad drive extended from the Academic Building down to the railroad and the parallel highway. The ensuing years saw the closing of two railroad stations when passenger service was discontinued and, in time, the highway became of minor importance when the state constructed a new four-lane highway east of the campus. The construction of the A&M system's Administration Building and the magnificent "East Gate" entrance to the Campus leading to the imposing new building caused the college to be reoriented in the opposite direction from West to East. Today the cemetery lies forgotten alongside of the graveled road that leads to the college dumping grounds.

Foster Hall was razed in 1951, and now only a short street bearing the name of Foster Avenue, three blocks in length, commemorates the memory of President L. L. Foster.

In spite of the absence of physical monuments of stone, which are often of a transitory nature, Foster's position in Texas history seems to be ascending and his name, forgotten for over sixty years, recurs with increasing frequency as historians continue to investigate and record the events of the last quarter of Nineteenth Century of Texas history. L. L. Foster, self sufficient, self educated, and universally respected was an intimate friend of the leading historical figures of his time, and is to be ranked among such public figures as Judge John H. Reagan, Edward M. House, Lawrence Sullivan Ross, James Stephen Hoeg, and Joseph Draper Sayers.



L. L. FOSTER.

L. L. Foster Photograph circa 1891 when Foster was a member of the Railroad Commission. Courtesy Texas State Archives.





Foster and his family in Groesbeck 1885 or 1886. Right to left: Henry Iveson, Laura Pender, Edna Earle, Joseph Lumpkin, Mack Marion (baby), Lafayette Lumpkin, and Walter Drew. Jacob Lawson was standing in the missing part of the picture. Courtesy Mrs. T. D. McNeil.



L. J. Foster, circa 1880.  
Courtesy Mrs. T. D.  
McNeil.

Walter Drew Foster (seated)  
and Joseph Lumpkin Foster,  
circa 1880. Courtesy Mrs.  
T. D. McNeil





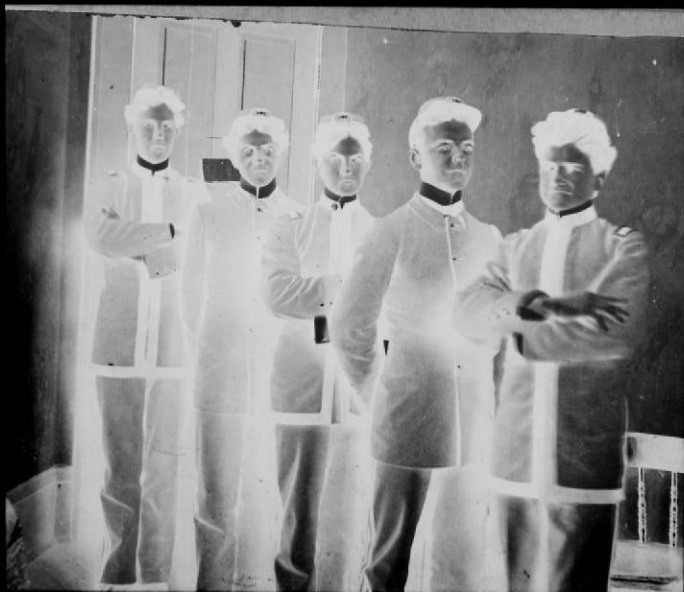
Edna Earle Foster, circa 1900. Courtesy  
Mrs. T. D. McNeil.



May Alma Foster, circa 1886. Courtesy Mrs. T.  
D. McNeil.



Henry Iveson Foster, Age 18 (extreme left), 1899. A&M  
Cadet Orchestra. Courtesy Mrs. T. D. McNeil



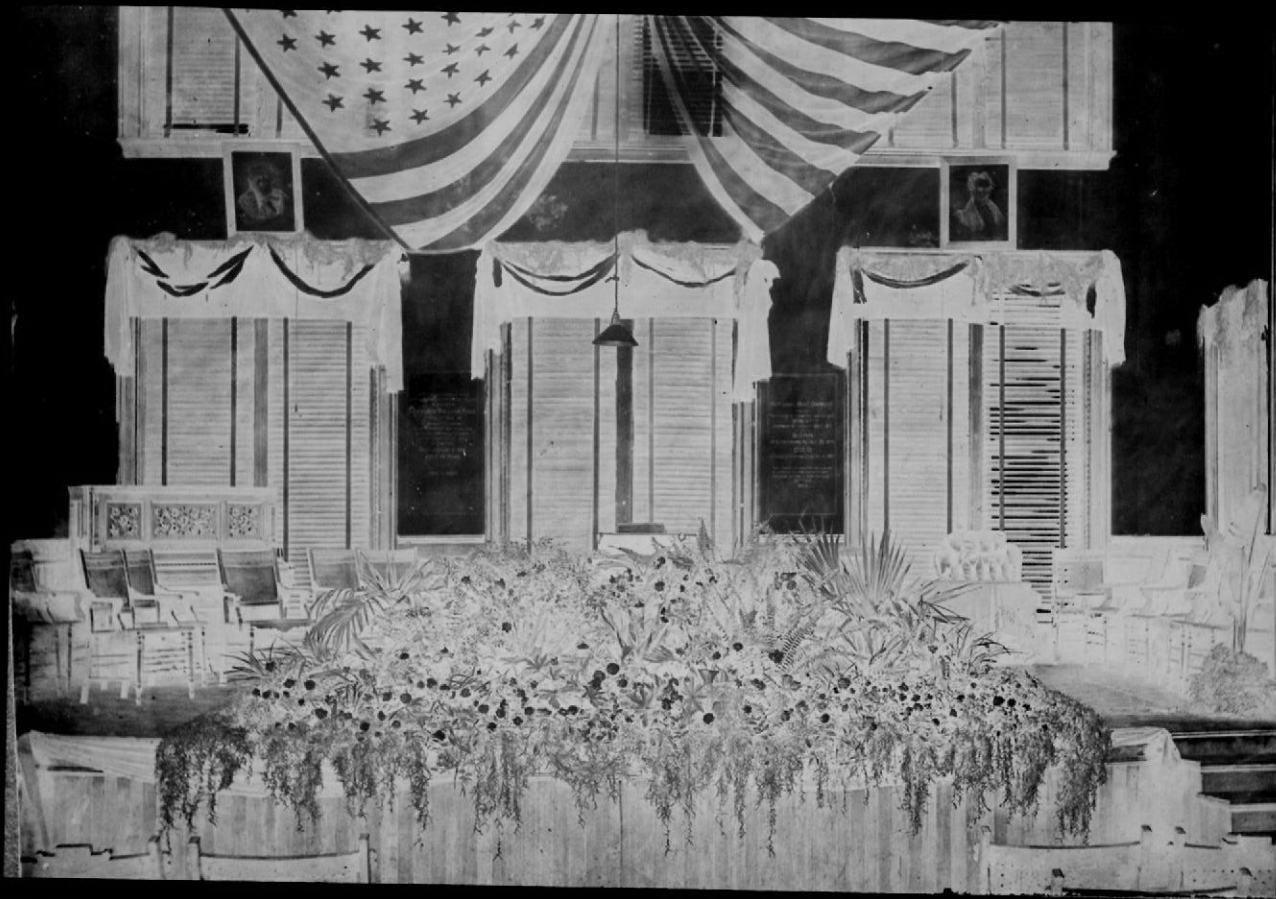
Henry Iveson Foster, (second from right) 1899.  
Courtesy Mrs. T. D. McNeil.



President L. L. Foster,  
circa 1898. Courtesy  
Mrs. T. D. McNeil



Laura Pender Foster, circa  
1908. Courtesy Mrs. T. D.  
McNeil.



Casket of President L. L. Foster on the stage of the  
College Assembly Hall, December 3, 1901. Courtesy Mrs. T.  
D. McNeil.





A&M Football Team 1901. Courtesy Aggieland Studio.

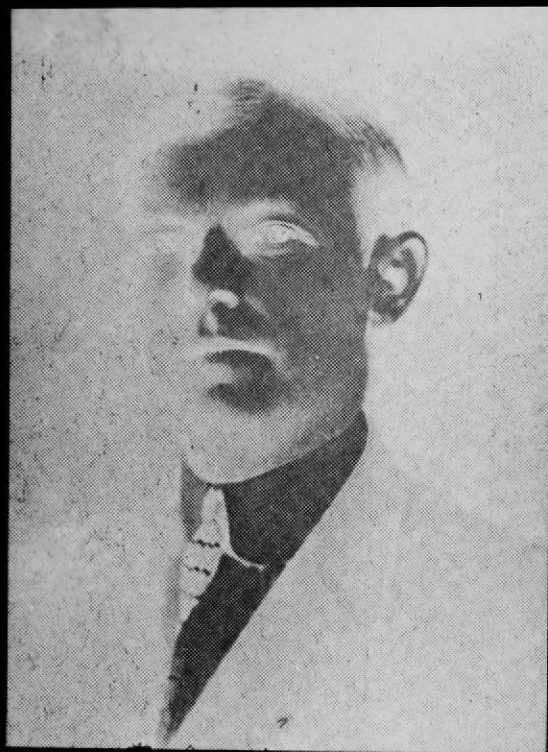




Henry Iveson Foster, his wife, her mother, and a friend.  
Houston 1915. Courtesy Mrs. T. D. McNeil.

Walter Drew Doster, circa  
1920, Dallas, Texas standing  
with daughter of Jacob  
Lawson Foster (background).  
Courtesy Mrs. T. D. McNeil.





Mack Marion Foster youngest son of L. L.  
Foster. Circa 1925. Courtesy Mrs. T. D.  
McNeil.



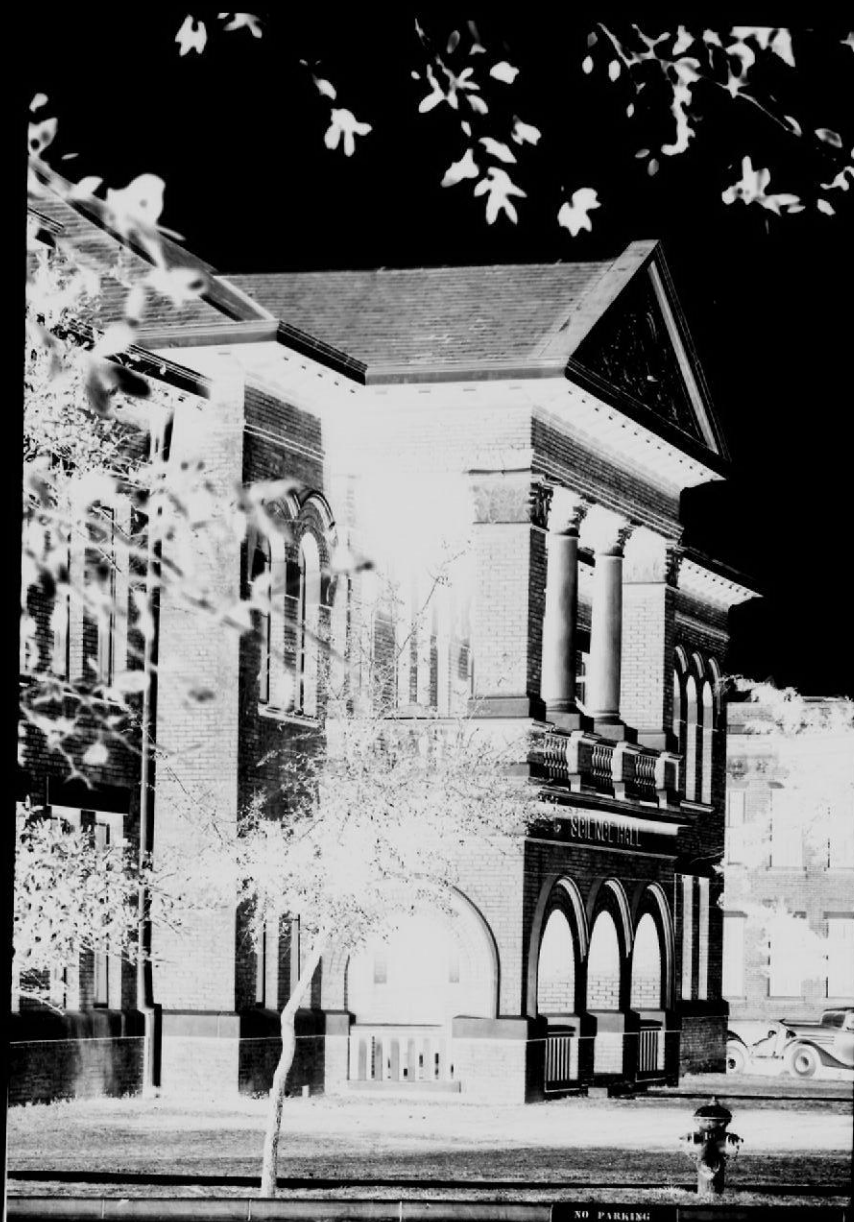
Mrs. T. D. McNeil (May Alma Foster), 1963. Courtesy Mrs. T. D. McNeil. Died in Dallas, Tx February, 1969.

Joseph Lumpkin Foster, circa 1912. (Child is only son of Mrs. T. D. McNeil and grandson of L. L. Foster. Courtesy Mrs. T. D. McNeil.





Foster Hall, 1899-1951. Courtesy Aggieland Studio.



Agricultural and Horticultural Building, 1901-1963.  
Courtesy Aggieland Studio.

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#### BIOGRAPHICAL SKETCH

The writer was born in Belfield, Stark County, North Dakota, January 14, 1910, the eldest of three sons of Walter Herbert and Dorothy Ann (Meier) Byrns. His father was a railroad telegrapher and station agent; and, consequently, it was necessary for the family to move from one place to another throughout the Western portion of the United States during the writer's boyhood.

The writer graduated from the Longmont Colorado High School in 1928, although he had attended in Albuquerque, New Mexico, high school for three years previously. Following graduation from Colorado State College, at Greeley, in 1933 with a Bachelor of Arts degree in English, he taught public school for two years in Colorado and then entered the United States Civilian Conservation Corps, in Colorado, where he served four years as a company grade officer and educational advisor. In 1936, upon the basis of six years previous enlisted service with the Colorado National Guard he was commissioned a Second Lieutenant, Infantry Reserve. In 1940 he volunteered for extended active duty in the United States Army, and was ordered to join the Second Armored Division at Fort Benning, Georgia. His World War II service was initially spent training with armor units at Fort Knox, Kentucky, and during the final fourteen months of the war, the writer was a battalion executive officer and later Commander of an armored amphibious battalion in the Southwest Pacific Theater.

Integrated into the Regular Army following the war, the author has

served as an instructor at the United States Army Armor School; been chief of an Armor Test Group in Alaska; a member of the General Staff of the Continental Army Command at Fort Monroe, Virginia; been a member of the Military Assistance Advisory Group to Denmark in 1955-58; and has served as an Associate Professor of Military Science at the Agricultural and Mechanical College of Texas, which has been his last duty assignment prior to retirement for service in March 1963, with rank of Lieutenant Colonel. He is a graduate of the Advance Course of the Armor School at Fort Knox, Kentucky, and of the Logistics Course of the Air Command and Staff School, Maxwell Field, Alabama.

In 1957, he married the former Lily Frederiksen of Mead, Colorado. They have two children: Robert Eugene, Jr., and Stephen Thomas Byrns. Permanent Address: 404 Timber Street  
College Station, Texas

Typist: Mrs. Wiley W. Bell



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