This feeling the undersigned members of the Committee, embracing both fraternity and non-fraternity men, fully shared. They felt that, while the Class-day Nominating Committee had been organized with unusual powers to control the election of the Class-day Officers and Committee, the functions given it were to be used rather as means to simplify the Class-day Elections, than as instruments to coerce the Class in its choice of officers by placing before it nominees limited in number and not fully representing the different elements of the Class. Therefore, when the meeting was called to order on December 4th and the matter of selecting nominees was brought up, the undersigned signified that, for reasons such as above stated, they were not ready to proceed with the nominations until they had received assurance from the majority that all parts of the Class should be fairly represented among the nominees, and that they were unwilling at present to discuss the matter further in committee, where they were out-numbered two to one, but would gladly meet any representatives of the majority informally, where each party was on equal footing, and endeavor to come to an understanding in the matter.

The minority then withdrew, leaving the Committee without a quorum. Since that time the leaders of the majority have declined to meet the minority informally, and the minority have therefore refused to attend the meetings of the Committee until definite assurance is given them of a thoroughly non-partisan treatment of the questions at issue.

At a meeting of the majority held Saturday, December 7th, Chairman Harrington decided that the section in the rules adopted by the Committee at its first meeting, providing that eighteen shall constitute a quorum, is illegal, according to Cushing's Manual, § 276, a rule which refers to quorums of select or standing committees and provides that "a majority of members is necessary to constitute a quorum for business, unless a larger or smaller number is fixed by the assembly itself." On this decision, the majority have held meetings, calling them legal meetings of the Committee, and have proceeded to nominate candidates for Class-day Officers. At the first meeting under a majority quorum, one of the minority who was present protested against the illegality of such meetings. The protest is based upon the following considerations:

1. That the Class-day Nominating Committee is a committee in name only, being really a convention from the different courses and therefore having original jurisdiction as to its rules and regulations, just as has any other representative assembly.

2. That by the nature of their election the members of this committee as representatives of their courses, are directly responsible to their respective courses, and not to the class, as would be the case were this committee a select committee, a mere agent, instead of a representative body.

3. That therefore in no way do the rules governing select committees apply to this body.

4. And that, being a representative body, it must abide by the rules which it has adopted until they are legally repealed, and hence can now have no legal meeting without its adopted quorum of eighteen. (Cushing, §§ 18, 19.)

In connection with this matter we have consulted legal counsel, and are advised as follows: The mode of selection of the Committee (1) making it representative of the different courses, and (2) giving definite instructions as to its powers, and (3) making a definite term of office (until the election of Class-day Committee); all indicates that the Committee is not a mere servant or agent, controlled or revokable by the class at will, but that, once constituted, it is a representative body, like a Congress or House of Representatives, having the express jurisdiction given by the Class, and the implied power to adopt such rules as may be necessary to perform the duties imposed. One of these rules necessary is to fix a quorum. As the body is representative of the various courses in the Class, it is quite proper, in order to secure harmonious and fair distribution of the offices, to require a large number for a quorum. The Class not having fixed the quorum, it was the necessary right of the Committee to fix it. There must be some quorum, either expressed or implied (Cushing, § 18). Having fixed this quorum, it must recognize it, and can call no meeting, or take legal action of any kind at a meeting, except by vote of a quorum.

For comparison with the case in hand we might cite that of the "Technique" Electoral Committee. This committee, though elected by the class organization at the polls, and directly responsible to the Class, had full power to make its own rules and fix its quorum. How much more freedom, then, in regard to its powers, must the present committee, an assembly so fully exhibiting the nature of a representative body, possess!

In conclusion, the minority wishes to state that the ground for the position taken is not only the legal