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OF THE

House of Representatives

OF THE

THIRD CALLED SESSION

OF THE

THIRTY-SIXTH LEGISLATURE

BEGUN AND HELD AT

THE CITY OF AUSTIN, MAY 20, 1920



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1920

Resolved, That the House of Representatives respectfully request that Miss Annie Webb Banton temporarily release Mr. O. P. Basford from the position now held so that he may serve us further in the capacity of Reading Clerk.

Signed—John Davis of Dallas, Miller of Dallas.

The resolution was read second time and was adopted.

#### MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from the Governor, which were read to the House as follows:

Governor's Office,  
Austin, Texas, May 20, 1920.

To the Thirty-sixth Legislature in Third Called Session Assembled:

I have convened the Thirty-sixth Legislature in special session to take action with respect to the pink boll worm situation:

First. Because the Federal Horticultural Board of the United States Department of Agriculture gave notice to me of an intended quarantine of the interstate movement from Texas of cotton lint, cotton seed, seed cotton, cotton seed cake, meal and all other cotton seed products except oil, unless provision is made by the State of Texas to aid in effectively exterminating the pink boll worm where the infestation has been found, and the Legislature alone has authority to make such provision.

Second. Because, as a menace to the cotton industry of Texas, constituting the source of livelihood of a vast portion of the citizenship of this State, constituting the leading industry of the State and the foundation upon which the business of our general citizenship mainly rests, the duty devolves upon the representatives of all the people to take steps to protect it from even the possibility of disaster, and give heed to the warning of those who have pointed out a danger, while that danger is yet apparently in its incipency.

In supplemental form I shall communicate to you all of the facts and information in my possession, to be printed in your journals for the benefit of each member, and to guide him in reaching a conclusion.

The pink boll worm situation first called for legislation at the Third Called Session of the Thirty-fifth Legislature

(Chapter 11, approved October 3, 1917), creating a zone along the boundary between the State of Texas and the Republic of Mexico and defining limits of same for the purpose of aiding in the prevention of introduction into Texas of the pink boll worm; providing also for quarantine of territory in Texas in which said pink boll worm may be found; and later, by the Regular Session of the Thirty-sixth Legislature (Chapter 41, approved March 10, 1919), amending and supplementing the Act of 1917.

The Federal Horticultural Board was under the impression the latter part of the year 1919 that the pink boll worm infestation had been eradicated from Texas, and it was thought then that no further steps would be necessary, except regulation and close observation of growing cotton in areas heretofore infested. Under date of February 7, 1920, in a letter received by me a week later, the Federal Horticultural Board advised me that the recommendations of the Pink Boll Worm Commission, appointed under the Pink Boll Worm Act of March 10, 1919, amounted to an abandonment of declaring non-cotton zones to cover infested districts, and entered a very vigorous protest against this act. The board urged that the Pink Boll Worm Commission be instructed by me to reconsider their recommendation. Of course, I had no authority to enforce such instructions, but I brought the matter to the attention of the Commissioner of Agriculture, and I summoned members of the Commission, and urged the establishment of non-cotton zones to such extent as the Commission may deem necessary to eradicate the pest, and with a view to avoiding a quarantine against the interstate movement of cotton from Texas. It would seem, therefore, that the pest assumed more aggravated form according to the information of the Federal Horticultural Board between the latter part of 1919 and the latter part of February, 1920, and since then the demand for action on the part of the State by the board has been more persistent.

The Pink Boll Worm Commission advised me of the futility in their judgment of the establishment of non-cotton zones except upon making provision to reimburse cotton growers in the prohibited area for losses sustained. Nevertheless, out of respect to my request, the Pink Boll Worm Commission assembled and gave consideration to the

protest of the Federal Horticultural Board. On April 1, 1920, the Commission recommended the establishment of non-cotton zones, under the condition that provision for compensation is made.

On March 18, 1920, the following official notice was issued by the Federal Horticultural Board of the United States Department of Agriculture:

"The Secretary of Agriculture has information that the pink boll worm (*pectinophora gossypiella*), a dangerous insect new to and not heretofore widely prevalent within and throughout the United States, occurs at various points in Texas and Louisiana.

"It appears necessary, therefore, to consider the advisability of quarantining the States of Texas and Louisiana in accordance with the Plant Quarantine Act of August 20, 1912 (37 Stat., 315), as amended by Act of Congress approved March 4, 1917 (39 Stat., 1134, 1165), and of placing such restrictions and prohibitions on the movement from these States of cotton lint, cotton seed, seed cotton, cotton seed cake, meal and all other cotton seed products except oil and providing for such inspection, cleaning and disinfecting of railway cars and other vehicles and freight, express, baggage or other materials as a condition of interstate movement as shall be deemed necessary to prevent the spread by such means and agencies of the pink boll worm in other States.

"Notice is therefore hereby given that a public hearing will be held at the Department of Agriculture, Washington, D. C., Room 11, Federal Horticultural Board, at 10 o'clock a. m., April 6, 1920, in order that any person interested in the proposed quarantine may appear and be heard either in person or by attorney."

I appeared at the hearing and for the State of Texas protested against the establishment of a quarantine under any conditions against the interstate movement of cotton or cotton products from Texas. I pledged the co-operation of the State of Texas, so far as the powers of my office would permit, to work out such a plan as the United States Department of Agriculture, acting through the Federal Horticultural Board, might evolve, to the end of stamping out this infestation; provided, the Federal Horticultural Board declined to establish a quarantine against the interstate movement of cotton from Texas.

As a result of the hearing, the Federal Horticultural Board set forth the

following quarantine and restrictive action as necessary on the part of Texas, to stamp out the infestation and to prevent Federal quarantine:

"1. The State of Texas will establish and enforce a non-cotton area covering the regulated zone now in effect in southeastern Texas with certain additions to include new points of infestation which have been determined outside the old quarantine line. This zone involves all or portions of the counties of Jefferson, Chambers, Galveston, Brazoria, Harris, Liberty, Fort Bend, Jasper, and Newton.

"2. In addition to and surrounding this non-cotton area, as a further factor of safety, the State of Texas will establish and enforce a regulated zone of 25 miles in width. The growth of cotton in such regulated zone will be permitted under the restriction that the crop shall be under the full control of the State authorities in co-operation with the United States Department of Agriculture for the purpose of enforcing any safeguards that shall be determined to be necessary.

"3. The State of Texas will establish similar regulated zones of a ten-mile radius surrounding all oil mills in Texas which are known to have received seed during the last three years from the parishes in southwestern Louisiana now known to be invaded by this pest. Such points in Texas are now known to include Houston, San Antonio, San Marcos and Snyder.

"4. In addition it is understood and agreed that the State of Texas will maintain and continue the non-cotton zone established for 1918, including the counties of Presidio and Brewster, in the Great Bend of the Rio Grande; and will continue the quarantine with respect to Val Verde, Kinney and Maverick counties on the basis of a non-cotton zone, extending inward five miles from the Mexican border of these counties and the inclusion of a regulated zone of the portions of these counties outside of such border zone in which all cotton produced will be under the control of the State authorities in co-operation with the United States Department of Agriculture as in the case of other regulated zones."

With reference to these requirements, I respectfully report:

1. In view of the fact that the recommendation under date of April 1, 1920, of the Pink Boll Worm Commission established under the Act of March, 1919, and the certification thereof by

the Commissioner of Agriculture to me, is based upon the making of provision for compensation of those who sustain losses, I have not issued a proclamation establishing prohibited zones in portions of the counties of Jefferson, Chambers, Galveston, Brazoria, Harris, Liberty, Fort Bend, Jasper and Newton, as deemed necessary by the Federal Horticultural Board, because in my judgment the Act of March, 1919, does not authorize the Governor to issue a conditional proclamation, and same therefore would be null and void. The Pink Boll Worm Commission declined to recommend a non-cotton zone until provision is made for compensation.

2. Since the establishment of a regulated zone of 25 miles in width is based upon the establishment of a non-cotton area, set forth in the first requirement, this regulated zone can only be established when provision is made by the Legislature for the effective establishment of non-cotton zones. It should be mentioned, too, that a zone of 25 miles area cannot be established under authority of the present law.

3. As a substitute for the third requirement the Federal Horticultural Board has agreed that special observation zones without other restrictions will serve the purpose.

4. The fourth requirement has been substantially complied with.

The subject is therefore submitted for such legislation as may be necessary to enable the State of Texas to comply with the requirements of the Federal Horticultural Board, or in the absence of such legislation to adopt as a substitute that which you in your wisdom may deem best to meet the situation and protect and foster the cotton industry of the State.

Quarantine against the shipment of cotton products from Texas, on account of the pink boll worm infestation, have been established as follows:

Arizona, November 16, 1917.

Arkansas, March 9, 1920.

Louisiana, March 10, 1920.

Florida, March 10, 1920.

Mississippi, March 17, 1920.

Oklahoma, March 27, 1920.

South Carolina, April 1, 1920.

Announcement has been made that the States of Georgia, North Carolina and Alabama will quarantine unless the quarantine and restrictive measures proposed by the Federal Horticultural Board are made effective. It is announced, too, that if these measures are put into effect the States which have

imposed quarantine restrictions against the State of Texas will remove them.

Compensation to the owner for any field of cotton destroyed to accomplish the purposes of the Pink Boll Worm Act of March 10, 1919, was authorized by the Legislature, but no appropriation has yet been made to pay the losses incurred. Claims aggregating \$32,755.46 for cotton destroyed and \$2,199 for the expense of appraising same have been filed with the Commissioner of Agriculture of Texas and I recommend that your body make an appropriation to pay these claims when proved and certified according to law.

I recommend, too, that provision be made to compensate those who in the future may sustain losses for cotton destroyed under the direction of the State and that a fair and just method of compensation for losses actually sustained by those who are prohibited by the State from planting cotton be provided with safeguards that will save the State from imposition.

The Federal Horticultural Board is composed of men eminent in the science of entomology actuated solely by the purpose of saving the crops of Texas and other States from destruction. The plan offered is for eradicating an infestation which, in the judgment of the board, threatens the cotton industry of Texas and of the country.

I consider, however, it is for you to determine whether this plan is the best or after thorough consideration and a full and complete hearing of all who are interested and after counsel with those who speak for the Department of Agriculture of the United States a different plan or a change in the one here presented is preferable. Recommendations emanating from a source so high deserve the utmost consideration at your hands. They become more important, too, since it has been proposed to place restrictions on the movement of cotton and cotton products from all of Texas and seriously impair the value of our greatest crop, and injure the general business of the State unless measures to eradicate the pest are made effective.

While it presents problems that are difficult and the conflicting viewpoints are calculated to arouse feeling, I trust the subject will be approached by all concerned in the spirit of "let us reason together" and that a method will result which is fair and just and capable of successful operation.

Appearing before the Federal Horticultural Board at the hearing in Wash-

ington on April 6, with the aid of members of the Texas delegation in Congress and the representatives of commercial and agricultural interests of Texas and citizens of Texas who attended the hearing, I was successful in preventing the establishment of a quarantine against the interstate movement of cotton and cotton products from Texas. I pledged the co-operation of Texas to the end of meeting the demands of the situation and in keeping with that pledge I herewith submit the subject for such action as you may see fit to take, confident that in the combined wisdom of the membership of your body, the best interests of Texas will be served.

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 20, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: Pursuant to paragraph 4 of my initial message to you of this date, wherein I advised that I would furnish you with all the facts and information in my possession with respect to the pink boll worm situation, to be printed in your Journals for the benefit of each member, I hand you herewith copies of the following documents taken from the files in this office:

(a) Recommendation bearing date of January 17, 1920.

(b) Letter from Dr. C. L. Marlatt, chairman of Federal Horticultural Board, dated February 7, 1920.

(c) Notice of public hearing by the Department of Agriculture to consider the advisability of quarantining the States of Texas and Louisiana, dated March 18, 1920.

(d) Letter from the Texas delegation in Congress, dated March 19, 1920.

(e) Statement issued by the Secretary of Agriculture of the United States of April 6, 1920.

(f) Statement issued by the Secretary of Agriculture of the United States of April 10, 1920.

(g) Recommendation of Pink Boll Worm Commission, dated April 1, 1920.

(h) Minority report of E. B. Pickett, Jr., member of the Pink Boll Worm Commission, filed with the Secretary of Agriculture, dated April 7, 1920.

(i) Letter from Hon. Ben F. Chapman, Chief Clerk of the State Department of Agriculture, dated May 11, 1920.

(j) Report to the Governor of Texas on the pink boll worm situation in

Texas by Professor E. J. Kyle, Dean of the School of Agriculture et al.

Respectfully submitted,

W. P. HOBBY,  
Governor.

(a)

Houston, Texas, January 17, 1920.

Hon. Fred W. Davis, Commissioner of Agriculture, Austin, Texas.

Dear Sir: We, the commission appointed under Section 15 of the Pink Boll Worm Act of 1919, and each of us have investigated the pink boll worm situation in Harris county (similar statement made for each county represented), and have held public hearing duly advertised at Houston, Texas, at which meeting we have heard the testimony of inspectors and interested citizens, and have investigated the reports and affidavits covering the pink boll worm situation of the said county.

From the investigations made, and the testimony heard, we have reached the conclusion that under the circumstances the regulated cotton zone as proclaimed by the Governor on the 24th day of April, 1919, should be maintained for the crop season of 1920 under the present existing rules and regulations, with such additional regulations as the circumstances may demand.

We, therefore, recommend that the line of the present regulated cotton zone of Harris county be maintained for 1920, and in any case when pink boll worms are found within five miles or less of the present regulated zone line that an additional ten miles be included beyond the present regulated zone line opposite such infestations.

Respectfully submitted,

(Signed) BEN F. CHAPMAN,  
Chairman, Texas Department of Agriculture.

W. D. HUNTER.

U. S. Department of Agriculture.

H. J. REINHARD,

Texas A. and M. College.

K. M. TRIGG, JR.,

Appointed by the Governor of Texas.

H. W. BARKULOO,

Representing Harris County.

(b)

United States Department of Agriculture,  
Federal Horticultural Board.

Washington, D. C., February 7, 1920.

Hon. W. P. Hobby, Governor of Texas,  
Austin, Texas.

Sir: The Federal Horticultural

Board has been advised of the recommendations made by the Pink Boll Worm Commission appointed under the Pink Boll Worm Act of Texas of March 10, 1919, with respect to the areas of Texas quarantined on account of the pink boll worm of cotton. It is noted that the recommendation of this commission amount to an abandonment of the plan which has hitherto been followed of declaring non-cotton zones to cover infested districts and a reduction to a five-mile strip of the border non-cotton zone, which has been maintained for two years and which has hitherto included all of the counties of Maverick, Kinney and Val Verde. The board realizes that local pressure and anticipated difficulties in the enforcement of non-cotton zones under the State law led to this decision and that such decision was really one of expediency and does not represent the judgment of the commission as to the best course to be pursued for the eradication of the pink boll worm.

In view of the possible far-reaching future effect of these recommendations, if adopted and acted upon, on the entire cotton industry of Texas and of the South, I am venturing to bring to your attention the very strong feeling of this board with respect to this situation.

The board realizes fully that the continuation of a regulated zone in a region actually infested by the pink boll worm and bordered by vast cotton-growing areas of Texas, like that of the Trinity Bay district, would mean practically the abandonment of the effort to exterminate this insect. If such course should be adopted, it would become a question whether the Congress would be justified in continuing the appropriations to cover large scale clean-up work which would be constantly nullified by such growth of cotton in a district where it would be certainly infested. A regulated zone can do little more than restrict the spread of the insect and cannot stamp it out, and would, therefore, mean the slow but inevitable spread of the pest throughout the cotton growing States.

The losses which this insect is now causing in Egypt, in Mexico and in Brazil indicate that such spread in the South would result in a tax on the cotton crop of this country, ultimately, of hundreds of millions of dollars annually. The best methods of control which have been devised in Egypt and elsewhere have not prevented a loss of approximately 20 per cent of the crop, and

many of these methods could not be enforced in this country on account of the expense under our higher labor costs.

The board is convinced that there is but one method by which the extermination of this pest in Texas may be accomplished, and that is by ceasing to grow cotton in infested districts for a period of two or three years. The results so far obtained strongly support the possibility of exterminating the pink boll worm by this method; for example, the insect has not reappeared in the Hearne district where a cotton-free zone has been maintained beginning with 1918. The single non-cotton year in the large Trinity Bay district was not sufficient, as shown by the reappearance of this insect throughout this district in the fall of 1919, on the other hand, the stopping of the growth of cotton in 1918, although not fully enforced, has reduced the insect to negligible numbers as compared with the conditions of 1917. It is known that some of the larvae can carry over in the seed to the second year and, either by this or other means, the insect has maintained itself in this district. The recurrence of 1919, however, has been at fairly widely separated points throughout this district, and very few infested plants and larvae have been found. Such recurrence is significant chiefly in indicating that the complete extermination of the insect has not been effected, and that enough insects are still present in the district to develop within a few years full infestation and maximum damage, together with undoubted rapid spread to greater areas.

The results of the clean-up work of the winter of 1917-18 in the Hearne and Trinity Bay districts and of 1918-19 in the Pecos district, together with the enforcement of non-cotton zones for two years at Hearne, add for one year in the Trinity Bay district, give strong reason to anticipate the ultimate extermination of the pink boll worm if the more radical plan of establishing non-cotton zones where needed is continued. The abandonment of this plan would mean the loss of everything that has been gained, including the advantageous position we are now in. It would mean further that all the Federal and State moneys heretofore used for control work on the border and in Texas had been expended to no purpose.

Continuing to grow cotton in the Trinity Bay district under whatever regulations will simply mean the further spread of the insect and the consid-

erable enlargement of the area infested and make difficult, if not impracticable, the return later to the more radical action of enforcement of non-cotton zones. At such time, even greater opposition may be anticipated from planters, and the same legal questions may come up for settlement so that nothing will be gained in these respects by postponing such action and, moreover, a valuable opportunity of combating a serious pest may be lost.

Under Federal funds, this department, in cooperation with your State, is now completing a thorough-going clean-up of this district, which, in view of the slight infestation determined, puts the plan of extermination on a very favorable basis. The general planting of cotton this year would make a similar clean-up next winter vastly expensive and it is even doubtful in view of all the circumstances whether Congress would be willing to continue funds for such purpose.

This is a matter which interests not only the State of Texas, but all other cotton producing States of the South and in view of the importance of this crop, is of National concern. The relinquishment of the full powers of control which the State has provided for by law and the consequent opportunity for the slow but constant spread of this pest must necessarily bring to the front the consideration of quarantine on the part of other States or of the Federal Government with respect not only to the areas actually infested, but probably also to the entire cotton output of Texas.

In view of this situation, this board strongly urges the State of Texas to maintain for the next two or even three years, if necessary, the Trinity Bay district as a non-cotton zone, and also to maintain the full county-wide non-cotton zones on the Texas border with respect to such zones hitherto established, or any other similar zones which it may be necessary to establish later. As an aid to the carrying out of such action, the board urges that an active campaign of education be instituted to develop public sentiment not only in the districts concerned, but throughout the State to support effective maintenance of such zones under the authority given in the Pink Boll Worm Act.

The board urges further that the Pink Boll Worm Commission be instructed to reconsider its recommendations with the understanding that the responsibility for the continuation or abandonment of the

one opportunity for the extermination of this insect rests with the State authorities.

Yours very truly,  
(Signed) C. L. MARLATT,  
Chairman of Board.

(c)

United States Department of  
Agriculture,  
Office of the Secretary,  
Federal Horticultural Board.

Washington, D. C., March 18, 1920.

Notice of public hearing to consider the advisability of quarantining in the States of Texas and Louisiana on account of the pink boll worm of cotton.

The Secretary of Agriculture has information that the pink boll worm (*Pectinophora gossypiella*), a dangerous insect, new to and not heretofore widely prevalent within and throughout the United States, occurs at various points in Texas and Louisiana.

It appears necessary, therefore, to consider the advisability of quarantining the States of Texas and Louisiana in accordance with the Plant Quarantine Act of August 20, 1912 (37 Stat., 315), as amended by act of Congress approved March 4, 1917 (35 Stat., 1134, 1145), and of placing such restrictions and prohibitions on the movement of these States of cotton lint, cotton seed, seed cotton, cotton seed cake, meal and all other cotton seed products except oil, and providing for such inspection, cleaning and disinfection of railway cars and other vehicles and freight, express, baggage or other materials as a condition of interstate movement as shall be deemed necessary to prevent the spread by such means and agencies of the pink boll worm into other States.

Notice is, therefore, hereby given that a public hearing be held at the Department of Agriculture, Washington, D. C., room 11, Federal Horticultural Board, at 10 o'clock a. m., April 6, 1920, in order that any person interested in the proposed quarantine may appear and be heard in person or by attorney.

(d)

Washington, D. C., March 19, 1920.

Hon. W. P. Hobby, Governor of Texas,  
Austin, Texas.

My Dear Governor: We notice in the daily press of the 11th instant that the Pink Boll Worm Commission adheres to

its former plan of permitting cotton to be cultivated under prescribed regulations in that section of Texas infested by the pink boll worm, notwithstanding the fact that the horticultural board of the Department of Agriculture has determined that non-cotton zones in infested areas is the only hope of exterminating this destructive cotton pest.

When we recall that in Asia, Africa, Brazil and the Hawaiian Islands the pink boll worm annually reduces the lint yield from 20 to 50 per cent and cuts the oil bearing qualities of the seed very materially that the minimum loss in India from this pest is more than ten million dollars annually and that it caused the abandonment of cotton cultivation in Hawaii, where in 1915 the loss in lint was from 50 to 99 per cent the decision of the Pink Boll Worm Commission is not only a distinct disappointment, but is extremely alarming. Practically all cotton growing areas of the world except the United States, are infested with the pink boll worm and the cotton production greatly reduced or destroyed. The United States is free from this tenacious insect scourge except small areas in South Texas. In these infested areas cotton planting and raising should be prohibited, and the State of Texas should compensate those who suffer a pecuniary loss thereby. This action should be taken immediately, and the State should provide funds to compensate those who may be prohibited from planting cotton in such infested areas. The House has just passed an appropriation of three hundred and eighty-five thousand dollars to aid the State of Texas in the extermination of this destructive pest, and Texas should do her part or must suffer the consequences, which are too terrible to contemplate. Texas, raising as it does, four million bales of cotton annually, the loss will be staggering if the pest spreads throughout the State.

Under the laws of our country, it is within the powers of the Department of Agriculture to quarantine in order to protect each State of the Union as far as it can, from infestation by injurious and destructive agricultural pests. Therefore, with the pink boll worm established in certain counties of Texas, the other cotton producing States may demand a quarantine against cotton shipments in interstate commerce, and it may be the Department of Agriculture will grant such a demand, unless we follow their recommendation and establish

a cotton free zone in the infested areas. With this quarantine established, each bale of cotton shipped from Texas will have to be fumigated, which will cost three dollars per bale.

The risk we run is too great, the calamity we would be subject to is too severe to take the chances and subject ourselves to the awful catastrophe which would be precipitated upon us by permitting them to plant cotton in such areas, when we should prohibit them from doing so, and pay them for the damage they suffer.

We permitted the boll weevil to enter our State without taking drastic steps to destroy it, and it has not only been a plague to Texas since then, but has spread over practically the entire cotton growing South. Let us profit by experience.

The State should not hesitate to provide adequate funds to aid in exterminating the pink boll worm, and maintain the cotton free zone along the border in order to avoid the greatest calamity that has ever threatened our welfare.

Sincerely yours,

Signed—C. A. Culberson, Jas. Young, Rufus Hardy, J. P. Buchanan, Sam Rayburn, Tom Connerly, John N. Garner, Marion Jones, Joe H. Eagle, Morris Sheppard, J. J. Mansfield, Lucian W. Parrish, Eugene Block, Thomas L. Blanton, Hatton W. Summers, Carlos Ee, Fritz G. Lanham.

(c)

(Copy.)

U. S. Department of Agriculture.  
Divisions of Publications.  
Office of Information.

#### The Pink Boll Worm Situation.

The Secretary of Agriculture today issued the following statement on the pink boll worm situation:

"The pink boll worm menace has been prominently before the State of Texas for the past four years, since its discovery in Mexico in 1916 and the determination of its presence over limited areas in Texas in the fall of 1919.

"The cotton and other interests of Texas are aware of the active effort that has been made by the Federal Government, in co-operation with the State, to eradicate the insect and to prevent its further entry from Mexico, and of the fact that Congress, during these years, has appropriated some \$1,400,000,



the greater part of which has been expended in Texas for the prosecution of the work. Some \$600,000, for its continuation is provided in the bill making appropriations for the next fiscal year which is now pending in Congress.

#### Money Not Spared to Fight Pest.

"The campaign against the pink boll worm has included not only the clean-up of the infested areas at great cost to the Government, but also the maintenance of a border quarantine between the United States and Mexico, involving the control of all traffic between these two republics. Further than this, the Government has controlled the entry of foreign cotton, and has provided for its fumigation and disinfection at an expense of millions of dollars to the importers, this control extending even to the cotton mills and until the imported product is actually utilized in manufacture. There has been no halting as to appropriations or as to work to free Texas and other sections from the pink boll worm and to safeguard the United States from this new menace to the cotton crop and related industries.

"The control operations prevented the further entry of the pest from foreign sources, and, up to last year, brought Texas to a very favorable situation with respect to the possible ultimate extermination of the insect. It has already been practically eliminated from two, if not three, of the areas known to be infested in that State, and in the larger Trinity Bay area the clean-up was so thorough that not a single specimen was found during the season of 1918. The work at the end of 1918 was therefore in a most advantageous position and there was every reason to anticipate its early successful completion.

"Unfortunately, at the end of that season the planters in the large Trinity Bay district made strong demands that they should be permitted to grow cotton in 1919 under restriction—these demands being based on the success of the Federal clean-up operations and the apparent elimination of the pest. The experts of the department advised strongly against this plan, realizing that complete success could not be obtained except by the elimination of cotton culture for a period of two, or preferably three, years. Ultimately, however, the growth of cotton under restriction was allowed and the State Pink Boll Worm Act was amended by the Legislature to make such course possible, but this was

with the definite understanding by the Federal Department of Agriculture that, if the growth of cotton in the invaded district should result in the reappearance of the pink boll worm in the district, the authorities of the State would promptly re-establish a non-cotton zone for all infested areas and maintain it for such period as might be determined to be necessary to complete the eradication of the pest. In this agreement, the department was advised, the planters of the district also joined.

#### Importance of Non-cotton Zones.

"The unfortunate but natural result of this resumption of cotton planting has been the scattered reappearance of the pink boll worm over the entire area formerly infested, with some extensions into new territories. The fact that the insect can live over to the second year in the larval stage probably largely accounts for the infestation of 1919, and this emphasizes the necessity of maintaining non-cotton zones for a longer period, or probably for at least three years.

"This was the status of the work at the end of 1919. A new and very serious phase of the situation developed early in 1920 as the result of the failure of the State of Texas to carry out the program of control which had been promised if the insect should reappear in the quarantined and restricted district, namely, the reconversion of that district into a non-cotton zone. This failure to act has been due to the strong opposition on the part of planters in the infested districts, and, the apparent unwillingness on the part of the authorities to take the drastic action which the situation required.

"An added danger resulted also from the determination, early in February of this year, of the establishment of the pink boll worm in southwestern Louisiana, in the parishes of Cameron, Calcasieu and Jeff Davis. The reappearance of the insect in Texas and its discovery in Louisiana together present, perhaps, the most serious situation which has ever confronted the cotton industry of the United States, and unless the work which this situation necessitates can be promptly undertaken, both as to Louisiana and Texas, the results of the efforts at extermination already carried out in Texas will be lost and the pink boll worm will certainly get out of hand and become a permanent and very serious limiting

factor in the production of cotton in this country.

#### Situation in Louisiana Favorable.

"Promptly following the discovery of the infestation in Louisiana, the authorities of that State established a drastic quarantine prohibiting the growth of cotton in the infested parishes, and, at a recent convention held in New Orleans, steps were taken to secure a large State fund for the purpose of aiding in control work and, particularly, for the reimbursement of planters in the quarantined districts for the net losses due to the prohibition of the growth of cotton. The situation at the present time, therefore, as to Louisiana is on as favorable a basis as could be desired, and this department has every reason to expect thorough-going co-operation in the clean-up and control work. If this co-operation is maintained, it seems probable that the insect can be eradicated in that State within two or three years.

"Strong efforts have been made to secure similar co-operation on the part of Texas, such co-operation in fact as the State has hitherto given in the work. These efforts have included petitions and memorials to the Governor of Texas by the Texas representatives in Congress, the Texas Board of Trade, and other important associations, and responsible citizens of the State, as well as definite and emphatic recommendations in letters and telegrams from this department. Similar recommendations have been made by the Pink Boll Worm Commission created under the Texas Pink Boll Worm Act of 1919.

"The one drawback to success now is the delay of Texas in establishing non-cotton zones for the infested areas in that State, a delay which has already resulted in the planting of considerable portions of these areas to cotton. The destruction of this cotton later on, if authorized by the State, will simply mean that much greater cost to the State and the Federal Government.

"This department has urged, from the beginning, that, in view of the sacrifices made by the planters in the invaded district in the interests of the State as a whole, steps should be taken by the State to reimburse them for their net losses, following in this respect the example already set by Louisiana. It has pointed out, also, that the control of the pink boll worm is of vital interest to Texas, as well as to all other cotton producing States, and

that the prompt exercise on the part of Texas of the full powers given in the Pink Boll Worm Act of 1919 of that State would do much to limit the need of drastic quarantine action, both State and Federal, which otherwise will undoubtedly have to be taken. Such State action, in fact, has either already been taken or is being contemplated by most of the other cotton-growing States.

#### Extermination Depends on Prohibition of Cotton.

"The strongest emphasis has been placed on the fact that the extermination of the insect in Texas and Louisiana is absolutely contingent on the prohibition of the growth of cotton in infested areas. The growth of cotton under restrictions, or the adoption of other methods of control, will simply mean the perhaps slower, but no less certain, ultimate spread of the pest. It has also been emphasized that extermination is possible only under present conditions—in other words, when the infestation is just beginning and when the insect is scanty in numbers and limited in distribution. Any postponement or limitation, therefore, of the effort at this time would mean practically the loss of the opportunity of extermination and an acceptance of the ultimate spread of the pest throughout the South. Furthermore, it has been strongly indicated that success in the eradication effort necessarily requires the complete co-operation of the States involved in the measures outlined, and that, if the effort should fail through any halting in the work or any limitation on the methods which alone can bring success, the responsibility therefor will rest upon the persons or communities concerned.

"The department is advised that the interests in Texas related to cotton production and utilization are, for the most part, strongly in favor of the program of extermination and of provision by the State for such compensation as may be just to the planters in the districts which will be directly affected by the prohibition of the growth of cotton. It is also advised that the normal production of cotton in these districts represents only about 1 per cent of the total production of the State and that, on account of unfavorable climatic conditions, a profitable crop is secured only once in two or three years. It recognizes that opposition to the proposed prohibition on the part of those affected is natural and, furthermore, that it has

been intensified by the fact that, whereas, the Texas law provides for compensation for crops destroyed in the control operations, the State has made no definite appropriation for that purpose and no reimbursement has been made for such losses. This situation strongly emphasizes the necessity of prompt action by the State to make provision for the reimbursement of these farmers whose sacrifices, as already indicated, are for the general welfare of the State and of the cotton industry.

#### Pink Boll Worm Worst Cotton Pest.

"There have been many misstatements about the pink boll worm and its importance which have resulted from propaganda against any control work whatsoever with respect to it. The most important of these statements are that the insect is an old and well known cotton pest in Texas and throughout the South, and that it is comparatively unimportant in its effect on the cotton crop, or that, granting perhaps that we have a new pest in the pink boll worm, it at least has not occasioned any damage to the cotton crop in Texas or elsewhere and is a negligible factor.

"The contention that the pink boll worm is an old and well known enemy of cotton, so far as it is based on an honest belief on the part of planters, is due to the confusion of this insect with the old-time boll worm of cotton, known also as the corn ear worm, and perhaps with a number of other native worms, which occasionally bore into the bolls of cotton. That the pink boll worm is an entirely different insect and actually exists in the district in question is based on adequate and conclusive determination by the experts of this department and of the Division of Insects of the National Museum at Washington. The history of the insect also is well known—its origin in India, its spread to Egypt, and from thence, with seed distributed over the world for planting, to practically every other cotton-growing country. The enormous losses which it is now causing in Egypt, Brazil, Mexico, the Hawaiian Islands, China, etc., are also matters of official estimates and records.

"The second contention, namely, that the pink boll worm has caused no loss to the cotton crop of Texas, is essentially correct, but it cannot be properly urged as an argument against any control work. That the insect has done little or no damage so far is due largely to the expenditure by the Federal Gov-

ernment of nearly a million and a half dollars in clean-up and other control work, and the fact that the pest is just beginning to get a foothold in Texas, and, on account of such control and its recent introduction, has not yet reached numbers sufficient to cause serious losses. It must be borne in mind that the invasion is now at a stage where extermination is possible and that this opportunity will have passed completely if the effort at control is stopped, or materially lessened, until the insect has become widespread and has had time to bring about, to any degree, the maximum amount of damage which it has caused in other countries and which it will undoubtedly ultimately cause in Texas and elsewhere in the South if it is not exterminated.

#### Responsibility of Texas.

"The success, therefore, of the work of extermination, which Congress has so liberally supported, is contingent on the action of the States concerned. Louisiana has undertaken to do what ought to be done under the circumstances. It remains for the executive and other authorities of Texas to determine whether this cotton pest shall be given the opportunity to overrun the State, and ultimately the South, or whether the campaign of eradication shall go on efficiently with the promise of success which is so encouraging from the work already carried out. This responsibility cannot be shifted. The situation has become much more serious on account of the failure of Texas to act under its law and under the authority already granted by the Legislature, but it is not too late to retrieve some or most of the damage which this failure has occasioned.

"The necessity at this time is the immediate declaration of non-cotton zones for the infested areas in Texas, so as to require the plowing up of the fields already planted and to stop further planting in such areas; and, in connection with this action, the taking of such steps as may be necessary to give assurance to the planters concerned of ultimate reimbursement by the State for their losses.

"The department is advised that the Governor of Texas has agreed to communicate with all the members of the Legislature with a view to secure their pledges to vote for a compensation measure at a special session to be convened within sixty days. He has also agreed to issue the necessary non-cotton

zone proclamation if the Pink Boll Worm Commission of the State so recommends. The Commission held a general hearing at Houston, Texas, on March 31 and the department of a non-cotton zone for the infested territory during the year 1920 on the basis of compensation to the farmers within the district. It is hoped that this recommendation will be put into effect promptly so that there may be complete co-operation between the department and the State and the effort to eradicate the pink boll worm may be vigorously carried out."

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U. S. Department of Agriculture,  
Division of Publications,  
Office of Information.

Federal and State Quarantine Action  
With Respect to the Pink  
Boll Worm.

As a result of the hearing conducted April 6 and 7 by the Federal Horticultural Board of the United States Department of Agriculture on account of the pink boll worm, and after consultation with the Governor and other authorities and representatives of the State of Texas, and with official and other representatives of the State of Louisiana, the Federal Horticultural Board will recommend to the Secretary of Agriculture the following quarantine and restrictive action to be enforced by these States in co-operation with this department with the object of preventing the further spread and effecting the extermination of the pest. The prompt carrying out of these plans has been definitely promised by the official representatives of these States.

Quarantine and Restrictive Action as to  
Texas.

1. The State of Texas will establish and enforce a non-cotton area covering the regulated zone now in effect in Southeastern Texas with certain additions to include new points of infestation which have been determined outside of the old quarantine line. This zone involves all or portions of the counties of Jefferson, Chambers, Galveston, Brazoria, Harris, Liberty, Fort Bend, Jasper and Newton.

2. In addition to and surrounding this non-cotton area as a further factor of safety, the State of Texas will es-

tablish and enforce a regulated zone of 25 miles in width. The growth of cotton in such regulated zone will be permitted under the restriction that the crop shall be under the full control of the State authorities in co-operation with the United States Department of Agriculture for the purpose of enforcing any safeguards that shall be determined to be necessary.

3. The State of Texas will establish similar regulated zones of a ten-mile radius surrounding all oil mills in Texas which are known to have received seed during the last three years from the parishes in southwestern Louisiana now known to be invaded by this pest. Such points in Texas are now known to include Houston, San Antonio, San Marcos and Snyder.

4. In addition it is understood and agreed that the State of Texas will maintain and continue the non-cotton zone established for the last two years at Hearne, Texas, and the non-cotton zone established for 1918, including the counties of Presidio and Brewster, in the great bend of the Rio Grande; and will continue to quarantine with respect to Val Verde, Kinney and Maverick counties on the basis of a non-cotton zone, extending inward five miles from the Mexican border of these counties and the inclusion in a regulated zone of the portion of these counties outside of such border zone in which all cotton produced will be under the control of the State authorities in co-operation with the United States Department of Agriculture as in the case of other regulated zones.

The Governor of Texas has agreed for the State to promulgate immediately the non-cotton zones indicated and to take steps for the prompt establishment of the restricted zones referred to. He has further stated that he will convene the State Legislature in extraordinary session during May for the purpose of making such amendments as may be necessary to the Pink Boll Worm Act of the State to carry out the action indicated and to make provision by specific appropriation of State moneys for the reimbursement of planters in the non-cotton zones for the losses which they may sustain as a result of the prohibition of the growth of cotton and for the reimbursement of such planters for cotton actually produced in 1919, and which has already been destroyed in control operations with respect to the pink boll worm.

### Quarantine and Restrictive Action as to Louisiana.

1. The State of Louisiana will establish and enforce as a non-cotton area all of the parishes of Cameron, Calcasieu and Jefferson Davis. Inasmuch as these parishes include a considerable area beyond known infestation, the requirement of a regulated zone surrounding these parishes is deemed unnecessary.

2. The State of Louisiana will establish a regulated zone of a ten-mile radius surrounding all oil mills in Louisiana which are known to have received seed during the last three years from the parishes of southwestern Louisiana now known to be invaded by this pest. Such points in Louisiana are now known to include Shreveport, Monroe, Bunkie, Alexandria, Broussard, Eunice and Gretna.

The Governor and other authorities of Louisiana have already taken steps to provide and enforce such non-cotton zone and also for the reimbursement of the losses of planters in such zone as a result of this action.

### Proposed Quarantine Action by the U. S. Department of Agriculture.

The execution of this agreement and plan of action arrived at by the Federal Horticultural Board of this Department and the official representatives of the States of Louisiana and Texas will make it possible, the Secretary of Agriculture states, to limit the Federal quarantine to the non-cotton and the regulated zones described as to these two States. This action will be supplemental to the State quarantines and for the purpose of giving Federal authority and aid in their enforcement.

It will place no restrictions on the movement interstate of cotton and cotton products out of the sections of Texas and Louisiana not included in the quarantined districts; in other words, the districts actually known to be invaded by the pink boll worm and the districts which have been placed under regulation on account of contiguity to such districts or suspicion of possible infestation through movement of cotton seed. It is believed that it will be possible to discontinue many if not all of the regulated zones about oil mills in Texas and Louisiana which are under suspicion on account of having received seed from the invaded districts in Louisiana should the thorough inspection of the

season of 1920 show absence of invasion by the insect at these points.

### Cotton Products Included.

It is proposed that these quarantines and restrictions covering movement of products out of the non-cotton and regulated zones of the States of Texas and Louisiana shall apply to all cotton products other than oil, including seed cotton and cotton lint—baled or unbaled—cotton seed, cotton seed hulls, cotton seed cake and meal, and bagging and other containers that have been used with respect to cotton, and shall include also provision for such inspection and cleaning of common carriers, vehicles, etc., as may be necessary to prevent the accidental transportation of cotton seed.

The Department believes, and has been tentatively so advised, that this action on the part of Texas and Louisiana as co-operated in by the Federal Department of Agriculture will make it possible for the other cotton States of the South which have already issued quarantines or are contemplating issuing such quarantines against Texas and Louisiana on account of the pink boll worm to accept the Federal quarantines as fully meeting the needs or at least to limit such quarantine's action to the areas and products covered by the Federal quarantine and by the quarantines promulgated by the States of Texas and Louisiana.

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### Recommendation of Pink Boll Worm Commission.

Houston, Texas, April 1, 1920.

Hon. Fred W. Davis, Commissioner of Agriculture, Austin, Texas.

We, the Pink Boll Worm Commission as provided for by the Pink Boll Worm Law of Texas, have in compliance with the law held a public hearing in the city of Houston on March 31 and April 1, 1920, for the purpose of determining what action should be taken with reference to the area infested by the pink boll worm, which territory is defined as Zones 2 and 3, as described in a proclamation by the Governor, bearing date of April 24, 1919, embracing all or parts of Galveston, Brazoria, Harris, Chambers, Jefferson, Hardin and Liberty counties, and some additional infested territory in Harris, Orange, Jasper and Newton counties.

We believe the nature of the infesta-

tion within the area above described is of such a nature as to require quarantine regulations. Therefore, we recommend that a non-cotton zone embracing the aforementioned territory be proclaimed for the year of 1920 and including an area five miles beyond the outermost known places of infestation.

Provided, however, that such zone be dependent upon provision being made to pay for all cotton heretofore destroyed by process of law within this territory, and further dependent upon adequate provision being made to fully indemnify the farmers of the aforementioned territory for the losses they may sustain by reason of the fact that they are not allowed to plant, cultivate and harvest cotton. Until such time as provision is made for such compensation, the regulated zone as now constituted shall remain in full force and effect.

Signed—C. W. Minson, Galveston county; John F. Hargraves, Chambers county; W. H. Nichols, Brazoria county; H. W. Barkaloo, Harris county; R. E. McDonald, State Department of Agriculture; M. C. Tanquary, A. and M. College; W. D. Hunter, United States Department of Agriculture; K. M. Trigg, Jr., appointee of the Governor; J. C. Eisentraut, Jefferson county.

This is to certify that the above is a true and correct copy of the recommendation of the Pink Boll Worm Commission of said date.

R. E. McDONALD.

Subscribed and sworn to before me, this the 13th day of April, A. D. 1920.

(Signed) J. R. GRANBURY,  
Notary Public.

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(Copy)

Liberty, Texas, April 7, 1920.

Hon. Fred W. Davis, Commissioner of Agriculture, Austin, Texas.

Dear Sir: As a member of the so-called Pink Boll Worm Commission which met in Houston, Texas, on the afternoon and night of April 1, 1920, representing Liberty county upon such commission, I file this as a minority report upon the questions then being considered by said commission, and in opposition to the recommendation made by a majority of such commission, to wit:

1.

The preamble or introductory portion of said recommendation reads: "We, the Pink Boll Worm Commission as pro-

vided by the Pink Boll Worm Law of Texas, have, in compliance with the law, held a public hearing in the city of Houston on March 31 and April 1, 1920." I would not subscribe to such a statement, because I am positively of the opinion that this so-called commission was not a legal body, was not sitting "as provided by the Pink Boll Worm Law of Texas," and that said meeting was not held "in compliance with the law." Therefore, I am of the opinion that the proceedings of the so-called commission are null and void.

And further the said recommendation of the majority reads: "We believe the nature of the infestation within the area above prescribed is of such a nature as to require quarantine regulations. Therefore, we recommend that a non-cotton zone embracing the aforementioned territory be proclaimed for the year 1920." First, I doubt if the alleged infestation is of such a nature as to require any quarantine regulations and this opinion is based upon information which I have gathered from the statements and sworn testimony of persons who are held out as being expert entomologists. And, secondly, the facts, in my judgment, do not justify the establishment of a non-cotton zone in any part of the area included in the above reference.

2.

As a minority of such commission, I recommend that the regulated zones within the several counties affected, as established in the early part of this year (in January I think it was) and now in force, be allowed to remain as now constituted, and this recommendation is based upon the various facts and statements which said board heard and listened to, and after the same were by me carefully considered.

I am thoroughly convinced that this alleged infestation can be controlled by the existing regulated zones, and that there is no foundation for the exaggeration which has been scattered broadcast relative to this alleged pink boll worm discovery, and that the excitement and fear produced in the minds of the people unacquainted with the truth of the situation, could be easily and entirely dispelled if those who are so excited and in a state of fear could be made acquainted with the facts as they actually exist in this county and in other nearby counties involved in this controversy.

Respectfully submitted,

(Signed) E. B. PICKETT, JR.

This is to certify that the above is a true and correct copy of the recommendation of the Pink Boll Worm Commission of said date.

(Signed) R. E. McDONALD.

Subscribed and sworn to before me, this the 13th day of April, A. D. 1920.

(Signed) J. R. BRANBERRY.

Notary Public.

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Department of Agriculture,  
State of Texas.

Fred W. Davis,  
Commissioner.

Ben F. Chapman,  
Chief Clerk.

Austin, Texas, May 11, 1920.

Hon. W. P. Hobby, Governor of Texas,  
Capitol.

Dear Governor: In response to your request of last Saturday, I submit the following history and statements with reference to the pink boll worm. You possibly may select from what is said herein some material to incorporate in your message on this subject to the Legislature.

The first published report or record of the pink boll worm of cotton according to Dr. W. D. Hunter, member of the Federal Horticultural Board, Washington, D. C., is a paper presented to the Entomological Society of London on June 6, 1942, entitled "Description of a Species of Moth Destructive to the Cotton Crops of India," by W. W. Saunders, a distinguished English entomologist. This is the same insect now known as the pink boll worm which is causing so much concern in practically all of the cotton producing countries.

It was not until the early part of the present century that the insect received close attention, and since that time several bulletins and reports have been published upon its habits and distribution.

From published reports it seems certain that India and possibly Southern Asia are probably the original home of the pink boll worm, where its food consisted of the wild and cultivated cotton of those countries. It seems to be the opinion of some that the natural range of the insect extended to Central Africa, but did not reach the Nile Valley until 1906 and 1907. The first authentic record of the insect as a serious cotton pest in Egypt dates back to 1911, and it has since that time destroyed a large portion of the yearly cotton crop of that country, in spite of the expensive efforts of that government to control it.

It would seem that our hemisphere became infested at two places simultaneously, viz.: In Brazil in 1911 and in Mexico the same year, and in both cases imported Egyptian cotton seed seemed to be responsible for the infestations. The infestation in Mexico, however, was not known to our government until 1918.

The latter infestation, which concerns us mostly, can be traced to two shipments of Egyptian cotton seed, 125 sacks planted near Monterey in the State of Nuevo Leon, and the six tons planted in the vicinity of San Pedro, in the southwestern part of the State of Coahuila, in a large basin-like section known as the Laguna. Recent investigations have determined that the worm exists in several other communities in Mexico.

The first infestation in Texas was found at Hearne, Robertson county, on September 3, 1917, and later findings developed in the counties of Jefferson, Hardin, Liberty, Chambers, Harris, Galveston, Brazoria, Orange and counties in the Trinity Bay district of Texas. Recent infestations have also been found in Presidio, Brewster, Ward and Kinney counties in the extreme western part of the State.

The present known range of this serious cotton insect is therefore as follows: East Africa, West Africa, Egypt, Nigeria, Zanzibar, India, Asia, Bengal, Ceylon, Burma, Straits Settlements, China, Philippines, Hawaii, Brazil, Mexico, Texas and Louisiana.

Inspection work in badly infested cotton fields of Texas revealed to entomologists that in some cases practically every seed was destroyed by the pink boll worms. Where bolls were attacked early an inferior grade or no lint was formed.

With reference to the damage in other countries the following is quoted from Dr. W. D. Hunter's department bulletin No. 723, page 5:

"In the first place it destroys a certain number of bolls or portions of bolls, in which case the lint produced is short and kinky. The injury, however, does not end with the reduction in the yield of lint. The crop of seed is correspondingly reduced, and what is obtained is of light weight and poor grade. In the crushing of Egyptian seed in England it was found that the oil content was lower than normal by about 20 per cent and that the oil actually was of dark color and of comparatively low value. The work of the insect is also of

importance in connection with seed for planting. The percentage of germination is naturally low and much larger quantities must be planted to secure a stand.

"It is evident from what has been said that the pink boll worm must be of interest to all classes of persons concerned in the cotton trade as well as to those engaged more especially in the cultivation of the crop and the utilization of the seed.

"The most accurate information concerning the damage by the pink boll worm is in a recent paper by L. H. Gough. This investigator conducted studies in lower and middle Egypt to determine the number of bolls attacked by the pink boll worm. The samples consisted each of 100 green bolls taken at random in fields in various localities. These samples were sent to Cairo where they were given a very careful examination. The total number of bolls examined in this work was 108,400, and the examinations were continued from July to November. The following are the results of this investigation:

"Percentage infested during July, less than 10.

"Percentage infested during August, from 10 to 25.

"Percentage infested during September, from 25 to 75.

"Percentage infested during October, from 75 to 80."

"These figures show in very striking manner the damage of which the pink boll worm is capable. They may be taken as a fair indication of the injury which would be done in the United States, as the seasonal conditions here are similar to those in Egypt. In short, they show that approximately 25 per cent of August bolls and 50 per cent of the September bolls would be destroyed or rendered practically valueless by the insect. They further illustrate the rapid increase of infestation of green bolls with the advance of the season, and indicate the possibility of a high reduction of yield, particularly in all late-maturing cottons where the second and third pickings are of importance. Fortunately for Egypt, one of the principal varieties of cotton grown there, the Sakellarides, matures its early crop and yields most of its cotton with the first picking. In spite of this favorable condition, however, and of expensive control operations enforced by the Government, a very conservative estimate by experts indicates a loss of at least 17 per cent to the

Egyptian crop due to this insect. In the Hawaiian Islands the pink boll worm has prevented the development of the cotton industry which at one time showed considerable promise. With relation to German East Africa a statement is made that the pest normally becomes so abundant in two or three years after its introduction in the field as to necessitate abandoning the crop.

"In Brazil the Minister of Agriculture recently has collected data for an estimate of the damage to the cotton crop caused by the pink boll worm by addressing communications to the governors of the principal cotton producing states of the Republic. The following is a summary of the results of this investigation:

Losses on Account of Pink Boll Worm in Brazil: Crop of 1917.

Brazilian State.	American Currency.
Maranhac .....	\$ 750,000.00
Piauhv .....	500,000.00
Ceara .....	10,000,000.00
Rio Grande de Norte.....	2,500,000.00
Parahyba .....	5,925,000.00
Pernambuco .....	5,750,000.00
Alagoas .....	1,575,000.00

"The loss referred to in the table ran from 30 per cent of the crop in the State of Alagoas to two-thirds of the crop of 30,000 metric tons, in the State of Ceara.

"In Mexico the actual injury caused by the pink boll worm was investigated by the Joint Commission representing the Mexican and American Commission. This commission visited many places or plantations in the Laguna in 1917. It reported that the loss to the crop of 1917, chargeable to the pink boll worm was not less than 30 per cent. Mr. August Busck, who was a member of the commission, personally estimated losses ranging from 30 to 50 per cent with individual fields showing even higher losses."

In a letter to his field men under date of December 10, 1918, Dr. Hunter gives this information:

"The November issue of the Boletin de la Camara Agricola Nacional de la Comarca Lagunera contains an important article of the losses caused by the pink boll worm in Mexico. A summary of these losses is given below, as it furnishes a number of valuable talking points which can be used in interviews with farmers:

"By data very close to the truth, it



is estimated that the actual cotton crop amounts to 120,000 bales, and according to the opinions of most authorities, the worm destroys 25 per cent of the total crop, that is to say, the 120,000 bales produced is only three-fourths of the crop which should be harvested.

"Below we give the losses represented by 40,000 bales:

#### Losses to Agriculture.

200,000 quintals equal 40,000 bales of lint.....	\$12,000,000.00
This quality of fibre would produce 18,408 tons of seed at .....	1,104,408.00
Total .....	\$13,104,408.00

#### Deductions.

Picking 27,612,000 kilos of seed cotton .....	\$ 1,104,480.00
Ginning of 200,000 quintals .....	480,000.00
Administration .....	200,000.00
Freight to Mexico City on 200,000 quintals of lint .....	322,000.00
Freight on 18,408 tons of seed .....	14,400.00

Total deductions... \$ 2,100,880.00

Net loss to planter.....\$11,003,600.00

#### Losses to Employees.

Picking 27,612 kilos of seed cotton .....	\$ 1,104,480.00
Administration expenses..	200,000.00
Salaries of employes in the gins, mills, etc.....	400,000.00

Total .....

#### Losses to Railroads.

Freight on cotton.....	\$ 322,000.00
Freight on seed.....	14,400.00

Total .....

#### Losses to States of Coahuila and Durango.

Tax on cotton seed at \$3 per ton.....	\$ 53,224.00
Losses to Federal Government.	
6 per cent of the State taxes .....	\$ 33,134.00
Ad valorem tax on lint...	60,000.00
Ad valorem tax on seed..	5,522.40

Total .....

"The above figures do not take into account that in cases of more than one

sale of cotton or seed the taxes would be correspondingly increased, nor do they consider the profit which would accrue in the manufacture of the 40,000 bales of lint and the corresponding amount of seed.

#### Losses in Local Business.

"Supposing that each planter keeps his proportion of the loss of eleven odd million dollars (which, since he has not lost it really constitutes a gain), this amount, at least the \$1,700,000 paid to employes, should have passed into local commerce, producing corresponding benefits and notable increase in prosperity of the district.

"And how much would the industries which manufacture the fiber and the seed gain, and how much would have passed into the hands of the laborers of these industries if it were not for the pink boll worm?

"This enormous loss is only that in connection with the crop of this year. How long will it continue?"

Investigations made during 1919 in the Laguna district covering the whole of the growing season of the cotton crop up until it was harvested show that about 20 per cent of the total production of bolls were lost. It will be noted that Laguna lies in a more southerly latitude than the cotton belt of the United States but due to the altitude it has a temperature very similar to that of the southern half of the cotton producing section of Texas. It has an annual rainfall of about eight inches and must depend upon irrigation for the balance of its moisture.

No experiments have been made on a large scale in the United States to determine the effect of our climate upon the life of this insect. Ever since the pest has been known to exist in Mexico, the State and Federal governments have persistently combated its introduction and spread into the United States. Therefore by the expenditure of large sums of money in efficient control work the worm has not been allowed to do any considerable damage to the cotton crop of this country.

In Hawaii, which is a very humid section, the cotton production has been abandoned except in one small island on account of the ravages of this pest. In Mexico and Egypt, where we find extreme dry seasons, destruction has ranged from 15 to 60 per cent of the crop.

The South produces about 12,000,000

bales, or 100 times as much as reported from the Laguna district. If the pest should become established throughout the cotton producing section of the South, and its damage here was equal to that quoted above from Laguna, then the loss to the cotton industry would be more than one billion dollars annually.

The introduction, spread and ravages of the Mexican boll weevil covering a period of the last twenty years, should serve as an object lesson to invite the earnest and serious consideration of the most effective methods to check, control and eradicate this new pest that are available. It is very probable and in fact admitted by leading Southern entomologists that the boll weevil could have been stopped in its spread by the establishment of non-cotton zones soon after he made his first appearance in Duval county, Texas. It is to be hoped that the pink boll worm will never establish itself throughout the cotton growing territory and add its destruction annually to that wrought by the weevil and the numerous other insects and climatic conditions.

Yours respectfully,  
(Signed) BEN F. CHAPMAN,  
Chief Clerk.

(J)

#### Report to the Governor of Texas on the Pink Boll Worm Situation in Texas.

By Professor E. J. Kyle, dean of the School of Agriculture; Mr. T. O. Walton, Director of Extension; Mr. A. B. Conner, Acting Director of the Texas Agricultural Experiment Station; Dr. J. O. Morgan, Professor of Agronomy; Mr. A. H. Leidigh, Agronomist in the Experiment Station; Dr. M. C. Tanquary, State Entomologist and Chief Entomologist of the Experiment Station; Mr. S. W. Bilsing, Professor of Entomology; Mr. H. M. Eliot, Chief of the Division of Farm and Ranch Economics in the Experiment Station; Mr. W. B. Lanham, Assistant Director of Extension; Mr. P. K. Whelpton, Professor of Farm Management of the Agricultural and Mechanical College of Texas.

#### Contents.

Part I.—The pink boll worm—life history of this insect; areas of infestation; extent of its ravages in the several countries; possibilities of eradication

and preventing reintroduction into the country.

Part II.—Crop substitutes for cotton, including pasture crops, hay crops, silage crops, concentrates and fruit and vegetable crops.

Part III.—Administration and compensation. Source of data and proposed organization to administer the proposed act relating to regulated or non-cotton zones and compensation for losses incurred as result of regulation or destruction of cotton crops.

Part IV.—Investigation in pink boll worm control. A suggested program of research studies in method of control in case eradication methods may prove ineffective.

#### Report on the Pink Boll Worm Situation in Texas.

##### Part I.

##### The Pink Boll Worm.

##### Importance as a World-wide Cotton Pest—Brief History of Spread in Cotton Countries and Effects in Each.

"The pink boll worm (*Gelechia*) *Pectinophora gossypiella* Saunders is one of the most destructive cotton insects known and ranks among the half dozen most important insect pests of the world. It occurs in the cotton districts of Asia, Africa and the Hawaiian Islands, its ravages in these regions amounting to more than those of all other cotton insects combined. The pink boll worm repeatedly reduces the yield of lint 50 per cent or more and materially lessens the amount of oil obtained from the seeds. The minimum yearly loss from this insect in Egypt is estimated at 10 per cent of the value of the crop, but normally much more damage is done by it. Maxwell-Lefroy states that the minimum loss in India is more than \$10,000,000 annually. In the Hawaiian Islands the cultivation of cotton has practically been abandoned on account of this pest, which, during 1915, infested from 50 to 99 per cent of the bolls in the few fields yet remaining and destroyed from one-half to nine-tenths of the lint."—From Bush.

The first published record of the pink boll worm was in 1842 by an English entomologist, W. W. Saunders. He received that year specimens of what was reported as a very destructive cotton insect from the superintendent of the

government cotton plantations at Broach, India. Nothing further was published on this insect until 1904 when J. Vosseler wrote an article regarding the great injury done by the insect in German East Africa. Several other articles about the pest in that country appeared during the next few years. In 1909 Dr. D. T. Fullaway of the Agricultural Experiment Station at Honolulu published an account of the pink boll worm and its relation to cotton culture in the Hawaiian Islands, stating that it appeared to have been introduced from India within a very few years. Since that date quite a number of papers have appeared on the subject.

The original home of the insect is supposed to be southern Asia and its original host plants were the wild and cultivated cotton of that region. The occurrence of the insect in Egypt is apparently traced definitely to large shipments of seed cotton or imperfectly ginned cotton from India in 1906-07, and the spread of the insect from the points in the lower delta near Alexandria where this cotton was sent from re-ginning, throughout the delta and ultimately throughout Egypt is so circumstantial as to leave no doubt of the entry of the insect at that time into Egypt. The insect was first noted in Egypt in 1911 and the first severely infested fields, one near Alexandria, was noted in 1912. The increase of the damages from this insect in Egypt has been steady since 1912, and this in spite of the very laborious and expensive control operations enforced by the Egyptian government.

The present known range of the insect outside of this country as given by Hunter is East Africa, West Africa, Egypt, Nigeria, Soudan, Zanzibar, India, Bengal, Ceylon, Burma, Straits Settlements, China, Philippines, Hawaii, Brazil, and Mexico. The introduction into Brazil and Mexico is very recent and the available records show very clearly how it was accomplished. It seems that in the years 1911, 1912, and 1913 the government of Brazil imported nine tons of Egyptian cotton seed and that this seed was sent to agricultural inspectors and by them was distributed further throughout the cotton-growing districts. The insect was introduced into Mexico in 1911 by two importations of Egyptian seed.

#### Nature and Amount of Damage.

"The pink boll worm affects cotton

production in several ways. In the first place it destroys a certain number of bolls or portions of bolls, in which case the lint produced is short and kinky. The injury, however, does not end with the reduction in the yield of the lint. The crop of seed is correspondingly reduced, and what is obtained is of light weight and poor grade. In the crushing of Egyptian seed in England it was found that the oil content was lower than normal by about 20 per cent, and that the oil actually secured was of dark color and comparatively low value. The work of the insect is also of importance in connection with seed for planting. The percentage of germination is naturally low and much larger quantities must be planted to secure a stand.

"It is evident from what has been said that the pink boll worm must be of interest to all classes of persons concerned in the cotton trade as well as to those engaged more especially in the cultivation of the crop and the utilization of the seed.

"The most accurate information concerning the damage by the pink boll worm is in a recent paper by L. H. Gough. This investigator conducted studies in lower and middle Egypt to determine the number of bolls attacked by the pink boll worm. The samples consisted of each of 100 green bolls taken at random in fields in various localities. These samples were sent to Cairo, where they were given a very careful examination. The total number of bolls examined in this work were 106,400 and the examinations were continued from July to November. The following are the results of this investigation:

"Percentage infested during July, less than 10.

"Percentage infested during August, from 10 to 25.

"Percentage infested during September, from 25 to 75.

"Percentage infested during October, from 75 to 89.

"These figures show in a very striking manner the great damage of which the pink boll worm is capable. They may be taken as a fair indication of the injury which would be done in the United States, as the seasonal conditions here are similar to those in Egypt. In short, they show that approximately 25 per cent of August bolls and 50 per cent of the September bolls would be destroyed or rendered practically valueless by the insect. They further illustrate the rapid increase of infestation of green bolls with the advance of the season,

and indicate the possibility of a high reduction of yield, particularly in all late maturing cottons where the second and third varieties of cotton grown there, the Sakellarides, matures its crop early and yields most of its cotton with the first picking. In spite of this favorable condition, however, and of expensive control operations enforced by the government, a very conservative estimate by experts indicates a loss of at least 17 per cent to the Egyptian crop due to this. In the Hawaiian Islands the pink boll worm has prevented the development of the cotton industry which at one time showed considerable promise. With relation to German East Africa, a statement is made that the pest normally becomes so abundant in two or three years after its introduction in the field as to necessitate abandoning the crop.

"In Brazil the minister of agriculture recently has collected data for an estimate of the damage to the cotton crop caused by the pink boll worm by addressing communications to the governors of the principal cotton-producing states of the republic. These data show the losses to the cotton crop in Brazil for the year 1917 to amount to \$34,000,000.

"The loss referred to in the table ran from 30 per cent to the crop in the State of Alagoas to two-thirds of the crop, or 30,000 metric tons, in the State of Ceara.

"In Mexico, the actual injury caused by the pink boll worm was investigated by the joint commission representing the Mexican and American commissions. This commission visited many plantations in the Laguna in 1917. It reported that the loss to the crop of 1917 chargeable to the pink boll worm was not less than 30 per cent. Mr. August Busck, who was a member of the commission, personally estimated losses ranging from 30 to 50 per cent with individual fields showing even higher losses."—From Hunter.

#### The Insect and Its Life History.

The parent of the pink boll worm is a small dark brown moth bearing a close resemblance to the ordinary clothes moth, having a wing spread of about three-fifths to four-fifths of an inch. The eggs are laid on the green bolls or in the flowers and hatch in from four to twelve days. It has been estimated that a female may deposit about one hundred eggs. The larva, upon hatching, bores its way into the boll. The

food of the larva is the seed within the boll. During the summer season the larva stage is from 20 to 30 days, but this may be greatly prolonged, sometimes lasting over two growing seasons. The pupa stage lasts from 10 to 20 days.

The entire life from the laying of the egg to the next egg-laying may be accomplished, under favorable conditions, in 35 days, but 40 to 50 days is the more common period even in mid-summer, and in the colder months the life cycle may extend over three or four months. Thus, 4, 5, or even 6 overlapping generations may be produced in a year.

The winter is passed in the larva stage in the seed. Busck found all stages of the insect to be present in Honolulu on May 18.

#### Possibility of Eradication and of Preventing Re-introduction Into This Country.

Cotton is the chief and favorite food plant of the pink boll worm and it shows no choice among varieties.

"Observations made in India, Egypt, and Brazil show that the pink boll worm, under certain conditions, may propagate in plants other than cotton. These include okra, Indian hemp, hollyhock and related plants. In so far as okra and hollyhock are concerned, these observations have been confirmed by investigations made recently in Mexico by Mr. August Busck and his associates. In Texas, in addition to okra, which is very commonly grown, there are four species of hibiscus even more closely related to cotton than okra, which might support the pink boll worm. These wild plants grow in large colonies, and are of very general occurrence. The inspections made during the season in the non-cotton zone have included the minute examination of many thousands of these plants. In cases all of the seed pods on large groups of these plants growing in the vicinity of pink boll worm infestations of the year before, were examined with negative results."—From Hunter.

During the summer of 1916, about 400 carloads of Mexican cotton seed were shipped to Texas oil mills. At that time it was not known that the pink boll worm existed in Mexico. However, on November 1, 1916, it was discovered that the cotton of the Laguna district was infested by this insect, and it was first introduced into Texas with the seed imported from that region.

The Mexican seed shipped to Texas was received by eleven oil mills located in various parts of the State. Immediate steps were taken by the Federal Horticultural Board to prevent the insect from becoming established. The cotton-growing vicinity of the mills which had received Mexican seed was thoroughly inspected and the first specimen of pink boll worm was found at Hearne, September 10, 1917, in a small cotton field adjoining a mill which had received Laguna seed. On October 5, 1917, a single specimen was found at Beaumont, near an oil mill which had also received Mexican seed. The next specimens were found near Anahuac, Chambers county. This infestation cannot be connected with seed shipped from Mexico, and according to the reports of investigations made, the infestation at Anahuac was due to "the washing ashore and breaking of a number of bales of Mexican cotton, which were carried inland by a storm which passed over Galveston in August, 1915."

Additional field examinations, according to the reports, showed the southeast Texas infestation to extend from Beaumont, Jefferson county, to Arcola, about seven miles from the Brazos river. The northernmost point of infestation was in Liberty county, about eighteen miles north of the town of Liberty. This area includes all of Chambers, Galveston, and Jefferson counties and portions of Liberty, Harris, Brazoria and Hardin counties.

In west Texas three distinct areas of infestation were found to be established, two along the Rio Grande river, one comprising Val Verde, Kinney and Maverick counties—however, no infestations were found in fields in Val Verde, Kinney and Maverick counties, but only in a car at Eagle Pass—the second, Presidio and Brewster counties; the third infestation comprising portions of Reeves and Ward counties. No very definite information relative to the establishment of infestations is available, but it is altogether probable the infestations along the Rio Grande river were made possible by the presence of the insect on the opposite side of the river. The infestation in Reeves and Ward counties has been traced to infested seed received from Presidio county.

In February, 1920, the insect was discovered in Orange county and shortly thereafter in the parishes of Cameron, Jefferson Davis and Calcasieu of Louisiana. The infestation of Cameron par-

ish was very severe and it has been assumed that the insect had been present for a period of at least two years.

The present infestation of the pink boll worm in Texas is localized in four zones.

Upon the discovery of a light infestation of the pink boll worm at Hearne, a non-cotton zone, known as Zone 1, with a radius of three miles, was declared February 25, 1918, and maintained until October 15, 1919, when it was reduced to the city limits of Hearne. No additional specimens of pink boll worm have been reported since the initial finding. Zones 2 and 3 comprise all or portions of nine counties in southeast Texas. The infested counties are: Harris, Brazoria, Galveston, Chambers, Liberty, Hardin, Jefferson, Jasper and Orange. The original non-cotton proclamation was made on February 25, 1918. On April 18, 1919, the Pink Boll Worm Commission at Houston recommended the changing of non-cotton zones 2 and 3 to a regulated zone for the season of 1919. On April 24, 1919, the proclamation regulated zone for the non-cotton zones 2 and 3 was issued. New infestations were found late in 1919 and a continuance of regulated cotton zones was recommended by the Pink Boll Worm Commission.

Zone 4 comprises Val Verde, Kinney and Maverick counties. On account of the discovery of the pink boll worm at San Carlos, Mexico, about fourteen miles from the Rio Grande river in the fall of 1917, a proclamation declaring Zone 4 a non-cotton zone was declared on February 19, 1918. Later the commission recommended that the non-cotton zone be restricted to an area of five miles parallel to the Rio Grande river.

Zone 5 comprises Presidio and Brewster counties. The non-cotton proclamation for this zone was issued on April 9, 1919. Outlaw cotton was grown during the season of 1919. The Pink Boll Worm Commission, in January, 1920, recommended the continuance of a non-cotton zone.

Zone 6 comprises Reeves and Ward counties. This is a regulated zone. The proclamation establishing a regulated zone was made on April 9, 1919.

The regulated zone has been maintained up to the present time.

## Part II.

### Crop Substitutes for Cotton.

If the policy of a non-cotton zone in the infested area is adopted it will be-

come necessary to cultivate substitute crops for cotton in the designated area.

It is the opinion of the agronomists of the college that this is an opportune time to inaugurate an active campaign for the development of an agricultural policy in this region based primarily on live stock production. This line of procedure involves more than the best utilizations of the natural

resources of the area in question. It is believed that the inauguration of such a plan will result in increased prosperity to the farmers of this region. As a basis for the type of agriculture recommended above, four classes of crops are required. They are, pasture, hay, silage and concentrates. Below is given a list of these different classes of crops adapted to southeast Texas, together with information as to planting dates:

## PASTURE CROPS.

Crops.	Varieties.	Best date of planting.	Latest date of planting.
Wild pasture.....			
Bermuda Grass.....	Common, Giant.....	Early spring.....	Summer.....
Paspalum.....		February 15.....	March 15.....
Bur Clover.....		October 15.....	December 15.....
Lespedeza.....		March 1.....	April 15.....
White Clover.....		February 15.....	April 1.....
Sweet Clover.....	White Bloom.....	February 1.....	April 15.....
Rhodes Grass.....		February 15.....	May 1.....
Sudan Grass.....		March 15.....	July 1.....
Para Grass.....		February 15.....	April 15.....
Cowpeas.....	Groit, New Era, Chinese Red, Whip- poorwill.....	April 15.....	July 15.....
Velvet Beans.....	Florida.....	March 20.....	May 15.....
Peanuts.....	Spanish.....	April 1.....	June 15.....
Second Crop Rice.....	All varieties.....		
Oats.....	Red Rust Proof.....	September 1.....	November 15.....
Barley.....	Tennessee Winter.....	September 1.....	November 15.....
Rye.....	Abruzzi.....	September 1.....	November 15.....

## HAY CROPS.

Crops.	Varieties.	Best date of planting.	Latest date of planting.
Prairie Hay.....			
Rhodes Grass.....		February 15.....	May 1.....
Sudan Grass.....		March 15.....	July 1.....
Sorghum.....	Red Top, Honey.....	March 15.....	July 1.....
Oats.....	Red Rust Proof.....	September 15.....	November 15.....
Cowpeas.....	Groit, New Era, Whip- poorwill.....	April 15.....	July 15.....

## SILAGE CROPS.

Crops.	Varieties.	Best date of planting.	Latest date of planting.
Sorghum	Red Top, Honey	March 15.	July 1.
Japanese Sugar Cane		Nov. or Feb.	April 1.
Corn	Tuxpan, Hasting's Prolific, Yellow Creole, June Corn	March 1.	June 15.

## CONCENTRATES.

Crops.	Varieties.	Best date of planting.	Latest date of planting.
Corn	Yellow Dent, Prolific	March 1.	May 15.
Peanuts	Spanish	April 1.	June 15.
Rice Bran			
Rice Polish			

Considering the great diversity of pasture, hay, silage, and concentrate crops adapted to this region, the committee recommends that this institution formulate some definite systems of crop planting and crop utilization for men who are engaged in, or may engage in, (1) dairy farming, (2) beef cattle farming, and (3) hog raising, that will enable these farmers to proceed in a sys-

tematic way in getting the maximum return from the enterprise.

Aside from live stock farming, this section has great possibilities in fruit and vegetable farming, being located near good markets in Houston, Galveston, Beaumont, and other cities. The following is a list of the fruit and vegetable crops adapted to this region:

Crops.	Varieties.	Best date of planting.	Latest date of planting.
Beans	Stringless, Greenpod	April 1.	June 1.
Beans	Tepary	April 15.	August 1.
Beans	Kentucky Wonder	April 1.	August 1.
Potatoes	Cobbler or Triumph	February 20	April 1.
Spinach	Aragon	October 1	February 15.
Spinach	New Zealand	February 1	May 1.
Cabbage	Early Jersey, Wakefield	Oct. 1, Jan. 15	Oct. 30, Mar. 1.
Sweet potatoes	Porto Rican	April 15.	June 1.
Cucumbers	White Spine	April 15.	May 10.
Cantaloupe	Rocky Ford	April 1.	May 10.
Peppers	Chinese Giant	February 10	April 1.
Egg Plant	Black Beauty	February 10	April 1.
Okra	Mammoth	April 1.	July 1.
Peas	Black Eye	April 1.	August 1.
Onions	Bermuda, Multipliers	October 1	November 1.
Squash	Yellow Summer	April 15.	June 1.
Watermelons	Tom Watson	April 1.	May 15.
Dewberries	Haupt	Dec. to Feb.	Nov. to March.
Strawberries	Klondyke	Nov. to Feb.	Oct. to March.
Asparagus	Palmeto	Nov. to Feb.	Oct. to March.
Sweet Corn	Adams Early	March 1.	April 1.
Orchard Plants		Dec. 1 to March.	

## Part III.

## Administration and Compensation.

It will be seen from Part I that an absolute promise cannot be given that a non-cotton zone will eradicate the pink boll worm. We can only state frankly that its favorite plant is cotton, and that it has been known to infest certain other plants which exist in Texas; but that minute examinations of many thousands of these plants in the infested zones have failed to reveal the presence of any of the worms. It can be further stated that in the one infested region in Texas where a non-cotton zone has been proclaimed and thoroughly enforced throughout a two-year period the insect seems to have been entirely eradicated. It should also be stated that a regulated zone has failed to eradicate the pest and we think we are safe in saying that no entomologist believes that a regulated zone can ever do more than check the rate of increase or spread of the insect if the zone is of any considerable size. As a means of eradication, therefore, a non-cotton zone thoroughly enforced is the only kind that would be effective.

However, the matter of a non-cotton zone for 1920 in southeast Texas because of the complex situation there resolves itself into one of feasibility. A non-cotton zone not thoroughly enforced would be less effective than a regulated zone. An effort has been made by the Pink Boll Worm Commission to maintain a regulated zone in the infested region in southeast Texas. But it has been impossible for the commission to completely control the situation because the cotton growers had no assurance that they would be reimbursed for losses sustained.

Under present conditions we face two alternatives which we should trace to their logical conclusions. In the first place, a regulated zone for the present year can be established and a definite policy adopted for putting a non-cotton zone into effect next year. This has appealed to many because the cotton that has been planted in the infested region has already reached that stage of advancement that it would make it difficult to destroy it. Both the labor and expense would be a considerable item. There are also practical difficulties of administration connected with the process of destroying the present cotton crop that would arise. On the other hand, if this policy were adopted it would almost certainly bring a Federal

quarantine at an early date, which, if applied with the same stringency as that adapted to Mexico, would undoubtedly cost the State many millions of dollars, besides the incalculable inconvenience and interruptions and delays to traffic. It would also put off one year and perhaps longer, the final solution of the problem. It would, however, to present the other side of the question, save the loss of the value of this year's cotton crop in that region, which has been estimated by some as amounting to as much as five million dollars, and might assure better co-operation on the part of the people in this district in the future. It would also give another year for investigation of the subject of other food plants of the insect and help to determine whether or not a non-cotton zone would solve the problem of eradication.

The other alternative is to establish a non-cotton zone for this year. This, it seems, could not be made effective much, if any, before the present crop is ready to be harvested and it would, therefore be too late to plant and grow other crops. It would, therefore, involve the payment of the full value of the cotton crop grown in that district this year. It might also result in the refusal of the farmers of the district to co-operate, which in itself would present serious problems. This could be obviated in only one way, viz.: by not only a fair but quite liberal reimbursement for all losses sustained, and a prompt settlement with the individual farmers. This plan would certainly prevent a Federal quarantine with all of its attendant financial losses and inconveniences.

In arriving at a final decision with reference to which of these alternatives should be finally adopted, we should not forget to compare the cost connected with establishing an effective non-cotton zone with chance thereby of eradicating the pest, with the possible financial losses in case the insect spreads over the entire cotton belt of the State. It would seem, judging from authoritative reports, that 10 per cent would be a conservative estimate of the possible losses due to the insect should it become established in this State. The average cotton yield for Texas for the ten-year period ending with 1909 was 3,590,300 bales. Estimating the value of each bale at \$100 this would amount to \$538,545,000, and 10 per cent of this sum would be \$53,854,000. This would represent an annual loss on cotton lint



in Texas alone. This does not include the loss to the cotton seed crop, which would be several million dollars more. In addition to that, until the insect became established in other States, as it surely would, there would also be the burden of a Federal quarantine.

A thorough study of the activities of the Pink Boll Worm Commission seems to show that the failure of the Legislature to provide an appropriation with which to reimburse farmers for the losses sustained as a result of the destruction of cotton in the infested areas as provided in Section 6 of this Act is largely responsible for the dilemma in which we find ourselves at the present time. It is not reasonable to expect the farmers to cheerfully consent to the destruction of their crops for the public welfare without due compensation therefor. It seems, therefore, necessary to take account of this fact in future legislation relating to this subject.

It is heartily recommended that an appropriation to pay for cotton destroyed in 1919, together with interest on the payments allowed, be made available by the Legislature at the earliest practicable date. In order that the interest of the general public, as well as the farmers who have sustained losses, may be protected it is recommended that a staff of men trained in farm management methods be appointed to gather and compile data bearing upon all questions of losses sustained by farmers and by gin owners because of restriction on the growing of cotton and the destruction of cotton fields within the infested areas. It is suggested that data bearing on this subject be secured from the following available sources:

- (1) Ginners' Report.
- (2) Bureau of Crop Estimates.
- (3) U. S. Census of 1920.
- (4) Office records of the Federal Horticultural Board.
- (5) A personal survey of the farm area.
- (6) Reports and records from each farmer in the restricted areas.

#### Amendment of the Texas Pink Boll Worm Act of 1919.

It is believed that the Pink Boll Worm Act can be made the basis for effective legislation dealing with this subject. But the Act should be so amended as to include the following additional features:

- (1) A Pink Boll Worm Commission. A Pink Boll Worm Commission ap-

pointed jointly by the Governor of Texas and the Secretary of Agriculture should be provided for in this Act, but its composition should be different from that provided for in the present Act. This Pink Boll Worm Commission should be composed of professional men, scientists and farmers notable either for business and administrative experience, technical knowledge or successful and practical farmers. This Commission should administer both State and Federal funds and have general supervision of the enforcement of the State and Federal laws.

(2) A County Board of Appraisers. The law should provide for a county board of appraisers whose duty it would be to secure reliable data on damages sustained on all cotton destroyed or losses resulting in substitution of other crops for cotton. The county board of appraisers should submit their reports containing all necessary data, with their recommendations and findings to the Pink Boll Worm Commission for final approval, modification or reversal.

(3) A Board of Entomologists, consisting of three men eminent as scientists, whose duty it should be to work under the general direction of the Pink Boll Worm Commission and supply said Commission with all necessary information as a basis for the orders and policies adopted by the Commission.

(4) Farm Management Specialists. The law should provide for a staff of farm management specialists and agronomists whose duty it would be to assist all farmers in the infested area in determining desirable substitute crops for cotton and offering expert advice as to methods of cultivation. This staff of specialists should also assist the county board of appraisers in securing adequate data on which to base estimates for losses sustained by individual farmers.

#### Appropriations Under This Act.

The Legislature should be urged to provide appropriations in adequate sums for carrying out the provisions of this Act as follows:

1. An appropriation to cover the cost of the cotton destroyed in the infested area in 1919 including interest on the same.
2. An appropriation to pay losses for 1920 and 1921.
3. An appropriation for administrative costs including salaries, traveling and office expenses of the county board of appraisers, the entomologists and

specialists in farm management and agronomy.

#### Part IV.

#### Investigations in Pink Boll Worm Control.

It would be short-sighted policy for the State to stop short of providing for a thorough investigation of methods of control of pink boll worm depredations in case of failure to eradicate the pest. With the history of the spread of the boll weevil fresh in the minds of most of our people we should profit by the experiences connected with the spread of the boll weevil throughout the cotton-growing States. If methods of control that are now well known had been adopted in the earliest years of the boll weevil millions would have been saved to the cotton growers of the South. Even should eradication measures prove wholly effective the cotton industry will continue to be menaced as long as infestation exists across the border of Mexico. Protective measures are, therefore, necessary for two reasons: (1) all efforts to eradicate the pest may prove ineffective and the pink boll worm may spread over the entire cotton areas of the State; (2) if this calamity should be prevented at the present time we will still not be free from the danger as long as the pink boll worm exists in Mexico. It seems, therefore, a matter of sound public policy to provide funds for an authoritative study of available methods of control of the pink boll worm should the spread of this worm become inevitable. The fact that the State of Texas has conducted no such investigation up to the present time seems to make it altogether advisable for the Legislature to appropriate an adequate sum for this undertaking.

Adequate and effective protective measures are dependent on a thorough and systematic investigation of the entire boll worm problem. This should consist of the following:

(1) A thorough study and review of all existing printed information in all languages relating to the pink boll worm.

(2) A comprehensive study of adequate methods of controlling the insect by both natural and artificial means.

(3) A complete survey of infested regions in Mexico.

It is recommended, therefore, that an appropriation be provided and that the Texas Experiment Station of the Agricultural and Mechanical College be in-

structed to make this investigation and report its findings to the Governor of the State.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees as follows:

By Mr. Thomas:

H. B. No. 1, A bill to be entitled "An Act making appropriation to pay the per diem and mileage of members and per diem of officers and employees of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, convened on the 20th day of May, 1920, by proclamation of the Governor, providing how accounts may be approved, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Thomas:

H. B. No. 2, A bill to be entitled "An Act making appropriation of the sum of sixteen thousand dollars, or so much thereof as may be necessary, to pay the contingent expenses of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, convened May 20, 1920, by proclamation of the Governor, providing how accounts may be approved, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Tillotson:

H. B. No. 3, A bill to be entitled "An Act to prevent the introduction into the State of Texas of the destructive cotton pest *Pectinophera gossypiella* Saund., hereafter referred to as the pink boll worm, and to control and eradicate such insect pest in the event its presence in this State is discovered, creating a zone along the boundary between the State of Texas and the Republic of Mexico, providing for the inspection of fields of cotton and for the inspection and general control of cotton and cotton products produced in such zone; providing for the quarantine of any territory in such zone whenever the pink boll worm in any of its stages shall be discovered within such zone or adjacent thereto in the Republic of Mexico; providing for the quarantine and control of any territory within the State in which the pink boll worm may be found, and for the eradication of the pest, and for compensation for cotton

Question—Shall the resolution be adopted?

RECESS.

On motion of Mr. Horton, the House, at 12:05 o'clock p. m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

#### RELATING TO PINK BOLL WORM.

The House resumed consideration of pending business, same being H. C. R. No. 1, relating to pink boll worm infestation.

Mr. O'Banion offered the following substitute for the resolution:

Be it resolved by the House of Representatives, the Senate concurring, That all hearings before the Committees on Agriculture of each House, relating to and including a complete investigation of the "Pink Boll Worm" be held before a joint meeting of the House and Senate in the Hall of the House of Representatives.

Signed—O'Banion, McCord.

On motion of Mr. Miller of Dallas, the resolution and the substitute were referred to the Committee on Agriculture, with instructions to report back to the House not later than 10 o'clock a. m. tomorrow.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Thomas House bills Nos. 1 and 2 were ordered not printed.

#### APPOINTMENT OF EMPLOYEES ANNOUNCED.

The Speaker announced the appointment of the following employes of the House:

Secretary to Speaker—Read Granberry.

Stenographer to Speaker—Carl L. Boes.

Porter to Speaker—General Jackson.

Page to Speaker—Billy Minter.

Assistant to Enrolling and Engrossing Clerks—Vernon Elledge.

Assistant to Journal Clerk—Miss Jimmie Evans.

Assistant Sergeant-at-Arms in Gallery—W. C. Nichols.

Elevator Man—Mike Davis.

Pages—Morris Foster, Chapman

Baber, Aaron Cole, Walter Guest, Randolph Seales, John Jefferson.

Stenographers—Misses Rose Hansen, Ora Taulbee, Erna Swiedon, Ilene Vaughn, Lehlia Highsmith, Virgie Thorp, Merle Elledge, Winnie Thomas.

#### MESSAGE FROM THE GOVERNOR.

Mr. S. Raymond Brooks, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Governor's Office.

Austin, Texas, May 20, 1920.

To the Thirty-sixth Legislature in Third Called Session:

There is a crisis in the school affairs of Texas which has prompted me to embrace the subject of making provisions for maintaining the public schools and the educational institutions of Texas during the next scholastic term in my proclamation convening you in extraordinary session.

A serious handicap to the efficient operation of the University of Texas, the College of Industrial Arts, the Agricultural and Mechanical College, and the six State Normal Colleges is presented because of the unusual increase in the cost of education, growing out of conditions over which you have no control.

There is even a more acute situation with respect to the common schools of the State, since there has been an actual closing of the doors of many schools during the term now ending, while indications point to the closing of a much larger number of schools over the State during the next scholastic term, unless provision is made to maintain them.

You will be supplied with data and information bearing upon this highly important subject.

I requested a committee appointed by me to consider the matter of public schools and the higher institutions of learning, and give the same thorough consideration and submit recommendations with respect to that which is essential now for adequate support. This committee was composed as follows: Dr. W. B. Bizzell, College Station; Miss Mamie Bastian, Houston; Miss Annie Webb Blanton, Austin; Dr. F. M. Bralley, Denton; J. C. Cochran, Gonzales; F. W. Cook, San Antonio; Lynch Davidson, Houston; C. E. Evans, San Marcos; L. J. Hart, San Antonio; J. A. Hill, Canyon; L. H. Hubbard,

Belton; T. N. Jones, Tyler; D. E. Lyday, Fort Worth; E. R. Pedigo, Austin; F. C. Proctor, Houston; T. H. Shelly, Tyler; Chas. G. Thomas, Lewisville; Leonard Tillotson, Sealy; Dr. R. E. Vinson, Austin; Miss Nellie White, Dallas; W. H. Bledsoe, Lubbock; H. P. Brelsford, Eastland; Richard F. Burgess, El Paso; R. M. Dudley, El Paso, and Chester Terrell, San Antonio.

The committee conducted the investigation and made recommendations, and while I am not sufficiently acquainted with the findings of the committee or the basis upon which these findings rest to join in the recommendations made, I respectfully request that you give them consideration, and that you make full inquiry into the educational needs of Texas, with a view to averting inefficiency or inadequacy in the schools of Texas, from the highest to the lowest. Even if what is deemed fully adequate cannot be provided to meet the situation with the revenues at the disposal of the State, I trust there will be sufficient liberality on the part of the Legislature to provide, keeping within the present revenues, whatever may be necessary to maintain instructors sufficient for all students seeking to enter the University, the College of Industrial Arts, the Agricultural and Mechanical College, and the Normal Schools of the State, and to at least bring to a minimum the inadequacy of first-class teaching talent for the public schools of Texas, and to prevent, if possible, the closing of any public schools in Texas during the next scholastic term.

Education is the only bulwark of free government, and the function of providing schools for all the children of all the people is the highest duty that devolves upon government.

Respectfully submitted,

W. P. HOBBY,  
Governor.

#### TO PROVIDE FOR SINE DIE ADJOURNMENT.

Mr. Pope offered the following resolution:

H. C. R. No. 2, Providing for sine die adjournment.

Resolved by the House, the Senate concurring. That the Third Called Session of the Thirty-sixth Legislature of the State of Texas adjourn sine die Thursday, May 20, 1920, at 4:30 o'clock p. m.

The resolution was read second time.

On motion of Mr. O'Banion the resolution was tabled.

(Mr. Marshall in the chair.)

#### HOUSE BILL NO. 1 ON SECOND READING.

Mr. Thomas moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 1 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Mr. Speaker.	Lawrence.
Alexander.	Lee.
Atlee.	Lidiak.
Baldwin.	Loggins.
Barker.	Lowe.
Barnes.	McCord.
Barrett of Bell.	McDonald.
Barrett of Jones.	McFarlane.
Beard.	McLeod.
Beasley.	McMillin.
Beavens.	Malone.
Bertram.	Marshall.
Biggers.	Merriman.
Biggs.	Miller of Austin.
Black, O. B.,	Miller of Dallas.
of Bexar.	Moon.
Black, W. A.,	Morris of Bosque.
of Bexar.	Morris of Medina.
Brown of Liberty.	Morris
Brown of Wilson.	of Montague.
Bryant.	Neal.
Burns.	Newton.
Burton.	Nordhaus.
Childers.	O'Banion.
Cox.	Owen.
Curtis.	Parsley.
Daniel.	Peavy.
Darroch.	Pedigo.
Davis, John,	Peyton.
of Dallas.	Pollard.
Dickson.	Pool.
Estes.	Quicksall.
Fairchild.	Raiden.
Faubion.	Reeves.
Ford.	Richards.
Garrett.	Roemer.
Hall.	Rogers.
Hamilton.	Rosser.
Heideke.	Sackett.
Hill.	Schlosshan.
Horton.	Scott.
Jackson.	Seward.
Johnson of Travis.	Smith of Hopkins.
Jones.	Sneed.
Kellis.	Stephens.
King of Erath.	Teer.
King of	Terrell.
Throckmorton.	Tharp.
Lackey.	Thomas.

## AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

## HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the Committee on Appropriations, as follows:

By Mr. Thomas:

H. B. No. 5, A bill to be entitled "An Act to make appropriations to cover authorized deficiencies in appropriations heretofore made for the support of the State government for the fiscal years ending August 31, 1919, and August 31, 1920, respectively, and declaring an emergency."

By Mr. Thomas:

H. B. No. 6, A bill to be entitled "An Act to make appropriations for deficiencies in appropriations heretofore made for the support of the State government for the fiscal years ending August 31, 1918, and August 31, 1919, to cover duly authorized deficiency claims registered in the office of the Comptroller of Public Accounts of the State of Texas, in accordance with law, and declaring an emergency."

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 21, 1920.

Hon. R. E. Thomason, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills and concurrent resolution:

H. B. No. 1, A bill to be entitled "An Act making appropriation to pay the per diem and mileage of members and per diem of officers and employees of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, convened on the 20th day of May, 1920, by proclamation of the Governor; providing how accounts may be approved, and declaring an emergency," by the following vote: Yeas 23, nays 0.

H. B. No. 2, A bill to be entitled "An Act making appropriation of the sum of sixteen thousand dollars, or so much thereof as may be necessary, to pay the contingent expenses of the Third

Called Session of the Thirty-sixth Legislature of the State of Texas, convened May 20, 1920, by proclamation of the Governor; providing how accounts may be approved, and declaring an emergency," by the following vote: Yeas 23, nays 0.

H. C. R. No. 3, Relating to action of the Louisiana Legislature on the question of ratifying the amendment to the Federal Constitution providing equal suffrage for women, by the following vote: Yeas 16, nays 5.

Respectfully,

W. V. HOWERTON,  
Secretary of the Senate.

## BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 1, "An Act making appropriation to pay the per diem and mileage of members and per diem of officers and employees of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, convened on the 20th day of May, 1920, by proclamation of the Governor, providing how accounts may be approved, and declaring an emergency."

H. B. No. 2, "An Act making appropriation of the sum of sixteen thousand dollars, or so much thereof as may be necessary, to pay the contingent expenses of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, convened May 20, 1920, by proclamation of the Governor; providing how accounts may be approved, and declaring an emergency."

H. C. R. No. 3, Relating to action of Louisiana Legislature on Federal suffrage amendment.

## MESSAGE FROM THE GOVERNOR.

Mr. S. Raymond Brooks, Secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Governor, which was read to the House as follows:

Governor's Office.

Austin, Texas, May 21, 1920.

To the Thirty-sixth Legislature in Third Called Session,

Gentlemen: I am in receipt of the following telegram from Dr. C. L. Marlatt:

Washington, D. C., A. M., May 21, 1920.  
Hon. W. P. Hobby, Governor of Texas,  
Austin, Texas.

Please wire exact date and time when it will be possible for me to read the Secretary's letter before the Legislature.  
(Signed) C. L. MARLATT.

10 A. M.

Dr. Marlatt is chairman of the Federal Horticultural Board of the United States Department of Agriculture, which board is clothed with quarantine authority for the protection of plants, and is composed of those experienced in the science of entomology. Dr. Marlatt will come from Washington to present to your body the views of the United States Department of Agriculture with respect to the pink boll worm infestation.

This message is presented to you for such action as you may wish to take.

Respectfully submitted,

W. P. HOBBY,  
Governor.

#### APPOINTMENT OF EMPLOYEES ANNOUNCED.

The Speaker announced the appointment of the following porters: B. A. Holland, C. Jackson, Jim Bedford, Will Pettit, J. N. Merriweather, Jno. Walker, Emzy Harrell, Tom Allen, W. M. Jones, Shelly Blocker.

#### EXPRESSING SYMPATHY FOR MR. SATTERWHITE.

Mr. Marshall offered the following resolution:

Whereas, We have just been advised of the death of the wife of our much beloved fellow member of the Thirty-sixth Legislature, Hon. Lee Satterwhite; therefore, be it

Resolved, That we tender our deepest sympathy to our beloved member in this dark hour, and that the Chief Clerk be instructed to wire Mr. Satterwhite, expressing the sympathy of the House, and that a copy of this resolution be printed in the Journal.

Signed—Marshall. Hill of Wheeler, Thomas, Bass, Beasley, Peyton, Miller of Dallas, Thomason of El Paso, Wilson, Thomason of Nacogdoches, Stephens. Hamilton, Reeves. McLeod, King of Throckmorton, O'Banion, Curtis, Cox, Lawrence. Smith of Hopkins, Johnson of Travis, Newton, McDonald, McCord, Jones, Ford, Tharp, McMillin, Parsley, Lee, Loggins, Sentell, John Davis of Dallas, Pool.

The resolution was read second time and was adopted unanimously.

#### NOTICE TO SECRETARY OF AGRICULTURE.

Mr. Tillotson moved that the Speaker be requested to confer with the President of the Senate and advise the Chairman of the Horticultural Board of the date deemed most convenient to hear the communication from the Secretary of Agriculture of the United States referred to in message from the Governor received today.

The motion prevailed.

#### PROVIDING FOR ADDITIONAL PAGES.

Mr. Fairchild offered the following resolution:

There being only 10 pages provided for in the original resolution and that being an inefficient number to dispatch the business of the House; therefore, be it

Resolved, That the number of pages be increased from 10 to 15, same to be appointed by the Speaker of the House.

The resolution was read second time.

Mr. Tilson moved to table the resolution, and the motion to table was lost. Question recurring on the resolution, it was adopted.

Mr. Pedigo moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

#### RELATING TO POSTAGE FOR MEMBERS.

Mr. Tilson moved to reconsider the vote by which the House on yesterday adopted a resolution providing postage stamps for members.

Mr. Sentell raised a point of order on consideration of the motion to reconsider on the ground that under the rules of the House, it would not be in order to make the motion at this time.

The Speaker sustained the point of order.

#### MESSAGE FROM THE SENATE.

Senate Chamber.

Austin, Texas, May 21, 1920.

Hon. R. E. Thomason, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted Committee Substitute House Concurrent Resolution No. 1, providing

RESOLUTION SIGNED BY THE  
SPEAKER.

The Speaker signed, in the presence of the House, after its caption had been read, the following enrolled resolution:

H. C. R. No. 1, Providing for an inquiry into the pink boll worm question of Texas.

## MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, Assistant Secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor, which were read to the House as follows:

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third  
Called Session:

Gentlemen: At the request of Representatives Taylor, Wilson and King of Erath, I submit for your consideration the following subject, to-wit:

"An Act to amend page 45, Sections 2 and 3 of the Act of the Thirty-fifth Legislature of the State of Texas, changing the date of holding the District Court of the Twenty-ninth Judicial District of Texas, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third  
Called Session:

Gentlemen: At the request of Senator Caldwell, I submit for your consideration the following subject, to-wit:

"An Act authorizing any county, or political subdivision thereof, or any defined road district thereof, now established and defined, or that may hereafter be established and defined, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third  
Called Session:

Gentlemen: At the request of Representative Malone, I submit for your consideration the following subject, to-wit:

"An Act to amend Chapter 80, Section 5, of the Acts of the General Laws of

the State of Texas, passed at Called Session of the Thirty-sixth Legislature of the State of Texas, changing the amount of salary to be paid to the assistant district attorney of Tarrant county, Texas, and providing for the appointment of two additional assistants, and prescribing their qualifications and salary, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third  
Called Session:

Gentlemen: At the request of Representative Curtis, I submit for your consideration the following subject, to-wit:

"An Act amending Chapter 57 of the Acts of the Second Called Session of the Thirty-sixth Legislature of the State of Texas, entitled 'An Act to amend Article 3871, Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 138, Acts of the Regular Session of the Thirty-sixth Legislature, relating to the compensation to be paid the assessor of taxes for assessing taxes for State, county drainage districts, road districts, or other political subdivisions of the county, and declaring an emergency,' and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third  
Called Session:

Gentlemen: At the request of Senator Caldwell, I submit for your consideration the following subject, to-wit:

"An Act to ratify and confirm a sale made by the University of Texas on July 17, 1919, of the property known as Penn Field, in Travis county, Texas, including four tracts of land, containing in the aggregate 327.33 acres, out of the Decker league, a lot in La Prella Place, a railroad right of way from the I. & G. N. railroad to Penn Field, and the improvements situated thereon and equipment belonging to and appurtenant to the same, authorizing the execution of a conveyance of title to said property, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third  
Called Session:

Gentlemen: At the request of Representative Miller, I submit for your consideration the following subject, to-wit:

"Authorizing and empowering certain municipalities of this State to fix and prescribe the annual salary or compensation of their city or corporation judge at not exceeding a maximum prescribed sum, fixing the maximum amount thereof, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office.  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third  
Called Session:

Gentlemen: At the request of Senator Dorrough, I submit for your consideration the following subject, to-wit:

"An Act incorporating the Texarkana Independent School District, authorizing the election of trustees, continuing the present trustees in office until the expiration of their term of office for which they have been elected under the existing law, which trustees shall be known as the Texarkana School Board, etc., and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third  
Called Session:

Gentlemen: At the request of Representative Miller, I submit for your consideration the following subject, to-wit:

"To amend Section 1, Chapter 19, Local and Special Laws, of the State of Texas, passed by the Thirty-sixth Legislature at its Regular Session, creating the Garwood Independent School District in Colorado county, reducing the area of said district on the east side of the Colorado river so as to include in said district only that portion of the James Nelson, C. C. Dye and Thos. Cartwright surveys lying west of the east line of the right of way of the Cane Belt Railway, and making no changes in the territory lying on the west side of the Colorado river, defining the boundaries thereof, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third  
Called Session:

Gentlemen: At the request of Representative Scott, I submit for your consideration the following subject, to-wit:

"An Act creating the Ganado Independent School District in Jackson county, Texas, defining its boundaries, providing for the election of a board of trustees to manage and control the public free schools within such district; vesting said district with the rights and powers and privileges and duties of an independent school district as provided by the general laws; providing that the taxes heretofore voted in the said independent school district shall not be repealed by this act; repealing Chapter 40 of the Special Laws of the Second Called Session of the Thirty-fifth Legislature, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third  
Called Session:

Gentlemen: At the request of Representative Hill of Wheeler, I submit for your consideration the following subject, to-wit:

"An Act to validate all common school districts in this State heretofore created, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third  
Called Session:

Gentlemen: At the request of Representative Barrett, I submit for your consideration the following subject, to-wit:

"Enlarging the Moran Independent School District in Shackelford county, Texas, defining its boundaries as enlarged, and providing for the election of the board of trustees to manage and control the public free schools within said district, to cause a public free school to be taught in the western portion of said enlarged district when considered necessary by the trustees of said district, provided that none of the land and territory added by this act to said



Moran Independent School District shall be subjected to the payment of any portion of the local maintenance tax now levied, assessed and collected in said district, except in so far as the same may be hereafter voted by the people of said enlarged district, as provided by the general laws of this State, naming the fiscal years as to taxes, investing said district with all the powers, rights and duties of independent school districts formed for free school purposes only, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Representative King, I submit for your consideration the following subject, to-wit: "An Act creating the Throckmorton Independent School District in Throckmorton county, Texas."

Respectfully submitted,

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Senator Caldwell, I submit for your consideration the following subject, to-wit: "An Act to validate sales of public free school land sold on August 18, 1895, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Senator Caldwell, I submit for your consideration the following subject, to-wit:

"An Act to amend Article 627 and Article 628 of the Revised Statutes of the State of Texas of 1911, so as to provide that any county, or any political subdivision or defined district, now or hereafter defined, of a county, may issue bonds for the purpose of constructing and maintaining concrete bridges, concrete culverts, concrete dikes, and concrete spillways, and to provide that when any political subdivision or de-

finied district of a county has issued bonds under the provisions of this act, the county shall not thereafter issue its bonds without taking over the roads of such political subdivision or defined district as authorized by Articles 637a, 637b and 637c, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Representative Richards, I submit for your consideration the following subject, to-wit:

"An Act to exempt electric light and water companies from payment of occupation taxes in towns and cities of less than 1200 inhabitants."

"An Act to amend Article 5049, Chapter 1, Title 104, of the Revised Civil Statutes of 1895 of the State of Texas, of Article 7355, Sections 26 and 27, Chapter 1, Title 126 of the Revised Civil Statutes of 1911, of the State of Texas, and to provide that an occupation tax shall not be levied upon water and light plants in cities and towns of less than 1200 inhabitants."

Respectfully submitted,

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Representative Cox, I submit for your consideration the following subject, to-wit:

"An Act defining pipe and gas lines engaged or to engage in the transportation, sale, purchase, use or distribution of natural gas; declaring all corporations, persons, partnerships, or associations of persons now engaged, or hereafter to engage in buying, selling, distributing, and transporting natural gas for profit in this State to be public utilities, and making them subject to the provisions of this act; excepting certain companies from the provisions of this act; giving the Railroad Commission of Texas the power to fix and regulate the price of gas and the rates and charges by such public utilities for service; empowering said Commission to make rules and regulations for their

conduct, and giving said Commission plenary power to make fair and equitable rules and regulations and the provisions of this act; fixing penalties for violation of this act, and the rules and orders of the said Commission; making certain violations a criminal offense and fixing the penalty therefor, and providing means for the recovery of such penalties as are not made criminal, either by the State of Texas, or by the party aggrieved by such violation; naming the tribunal in which such recovery may be had, and providing for the recovery of excessive charges by patrons of such public utilities; providing for equitable division of the proceeds of the sale of gas between transporting companies and distributing companies, and to apportion the supply of gas between places and persons and corporations; providing additional grounds for appointment of receivers; making this act cumulative, providing that the invalidity of any part of this act shall not invalidate the remaining parts hereof, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Representatives Miller, John Davis, John E. Davis, Horton and Laney, all of Dallas, I submit for your consideration the following subject, to-wit:

"An Act to amend Article 3903, Chapter 4, Title 58, of the Revised Civil Statutes of 1911, of the State of Texas, and as amended by Chapters 121 and 142 of the Regular Session of the Thirty-third Legislature, and as amended by Chapter 55 of the Regular Session of the Thirty-fifth Legislature, relating to the appointment of certain officers named in Articles 3881 to 3886 of the Revised Civil Statutes, of deputies or assistants in the performance of the duties of such officers, where such assistants or deputies are necessary for the efficiency of the public service; providing for an application to be made by such officers to the county judge of the county for authority to appoint same; prescribing the issuance by the county judge of an order authorizing the appointment of such deputies or assistants; providing that the officer desiring such deputies or assistants shall make affidavit that such assistants or deputies are neces-

sary for the efficiency of the public service; providing for the salary of the chief deputy and the other deputies or assistants; providing that the order of the county judge granting such authority shall state the number of deputies or assistants; providing that the officer requesting said deputies or assistants shall fix their compensation; providing the maximum amount allowed for deputies in counties having a population by the last United States census; providing the maximum amount allowed deputies in cities in excess of 125,000 inhabitants; in counties having a population of 100,000 inhabitants or more as shown by United States Census of 1920, and providing that in counties in excess of 100,000 inhabitants, district attorneys of any district or county attorney, is authorized, with the consent of the county judge of said county, to appoint two assistants in addition to his regular force, which two assistants shall not be required to possess same qualifications required by law for district and county attorneys; providing amount paid said deputies, also providing for seventy-five (\$75) per month for necessary expenses, etc., and declaring an emergency.

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Representative Wright, I submit for your consideration the following subject, to-wit:

"An Act creating and incorporating Archer City Independent School District in Archer county, Texas."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Representative Barrett, I submit for your consideration the following subject, to-wit:

"An Act to increase the limits of the Albany Independent School District of Shackelford county, Texas."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third  
Called Session:

Gentlemen: At the request of Senator Buchanan, I submit for your consideration the following subject, to-wit:  
"An Act creating the Lorraine Independent School District in Mitchell and Nolan counties, Texas."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. King of Throckmorton:

H. B. No. 10, A bill to be entitled "An Act creating the Throckmorton Independent School District in Throckmorton county, Texas; defining its boundaries, including the present Throckmorton Independent School District, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Cox, Mr. Curtis and Mr. Sentell:

H. B. No. 11, A bill to be entitled "An Act defining pipe and gas lines engaged, or to engage, in the transportation, sale, purchase, use or distribution of natural gas; declaring all corporations, persons, partnerships, or associations of persons now engaged, or hereafter to engage in buying, selling, distributing, and transporting natural gas for profit in this State to be public utilities, and making them subject to the provisions of this act; excepting certain companies from the provisions of this act; giving the Railroad Commission of Texas the power to fix and regulate the price of gas and the rates and charges by such public utilities for service; empowering said Commission to make rules and regulations for their conduct, and giving said Commission plenary power to make fair and equitable rules and regulations for enforcing the provisions of this act; fixing penalties for violation of this act, and the rules and orders of the said Commission; making certain violations a criminal offense and fixing the penalty therefor, and providing means for the recovery of such penalties as are not made criminal, either by the State of Texas, or by the party aggrieved by such viola-

tion; naming the tribunal in which such recovery may be had, and providing for the recovery of excessive charges by patrons of such public utilities; providing for the equitable division of the proceeds of the sale of gas between transporting companies and distributing companies, and to apportion the supply of gas between places and persons and corporations; providing additional grounds for appointment of receivers; making this act cumulative, providing that the invalidity of any part of this act shall not invalidate the remaining parts hereof, and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. Curtis:

H. B. No. 12, A bill to be entitled "An Act amending Chapter 57 of the Acts of the Second Called Session of the Thirty-sixth Legislature of the State of Texas, entitled 'An Act to amend Article 3871, Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 138, Acts of the Regular Session of the Thirty-sixth Legislature, relating to the compensation to be paid the assessor of taxes for assessing taxes for State, county, drainage districts, road districts, or other political subdivisions of the county, and declaring an emergency.'"

Referred to Committee on Revenue and Taxation.

By Mr. Miller of Austin:

H. B. No. 13, A bill to be entitled "An Act amending the act creating the Garwood Independent School District, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Scott:

H. B. No. 14, A bill to be entitled "An Act creating the Ganado Independent School District in Jackson county, Texas, defining its boundaries, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Barrett of Jones:

H. B. No. 15, A bill to be entitled "An Act enlarging the Moran Independent School District in Shackelford county, Texas, defining its boundaries as enlarged, and providing for the election of the board of trustees to manage and control the public free schools within said district; to cause a public free school to be taught in the western portion of said enlarged district when con-

Davis, John,  
of Dallas.  
Lackey.  
Lowe.  
Miller of Dallas.  
Murrell.

Roemer.  
Rosser.  
Stewart.  
Terrell.  
Tharp.  
Wright.

A quorum was announced present.  
Prayer was then offered by Rev. J. C.  
Mitchell, Chaplain.

#### LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Davis of Dallas and Mr. Miller of Dallas for today and tomorrow, on motion of Mr. Parnell.

Mr. W. A. Black for today and tomorrow, on motion of Mr. Lange.

Mr. Crumpton for the balance of this week, on motion of Mr. Curtis.

Mr. Lackey for the balance of the week, on motion of Mr. Atlee.

Mr. Roemer for today and tomorrow, on motion of Mr. Sentell.

Mr. Tharp for today and tomorrow, on motion of Mr. Cox.

Mr. Stewart for today and tomorrow, on motion of Mr. Smith of Hopkins.

Mr. Wright for today and tomorrow, on motion of Mr. Hill of Wheeler.

Mr. Darroch for today, on motion of Mr. Cox.

Mr. Bedell for yesterday and today, on motion of Mr. Stephens.

Mr. Tidwell for Thursday, Friday and Saturday of last week and Monday of this week, on motion of Mr. Parnell.

Mr. Terrell for yesterday, today and tomorrow, on motion of Mr. Ford.

Mr. Rosser for yesterday and today, on motion of Mr. Pedigo.

Mr. Lowe was excused for the balance of this week on account of sickness.

#### MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Representative Beard, I submit for your consideration the following subject, to wit:

"An Act creating Clarkson Common

School No. 70, of Milam county, Texas, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Satterwhite, I beg to submit for your consideration the following subject, to wit:

"An Act to amend Section 29 of Chapter 106, General Laws of the Regular Session of the Thirty-third Legislature as amended by Chapter 73, General Laws of the Regular Session of the Thirty-fifth Legislature, same being 'An Act to amend Sections 5, 6, 8, 9 and 29 of Chapter 16, General Laws of the Regular Session of the Thirty-third Legislature, approved April 2, 1913, the same being "An Act to repeal Chapter 8 of the General Laws of the Fourth Called Session of the Thirty-first Legislature of the State of Texas, approved September 6, 1910, known as the State Insurance Board Law, and to provide conditions upon which fire companies may hereafter transact business in the State of Texas, and to create the State Fire Insurance Commission, and to prescribe its duties and authority, and the duties and authority of each member thereof, and to fix the salaries of the members, and to provide for their appointment, and removal; and to provide that hereafter the rate of premiums to be charged by fire insurance companies in this State shall be fixed and determined and promulgated exclusively by said State Fire Insurance Commission, and to prohibit any such fire insurance company from collecting or receiving any premiums on account of policies of fire insurance issued by them, unless the rates of such premiums have been so fixed and determined and promulgated by said State Fire Insurance Commission,"' etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Brown of Wilson, I submit for

your consideration the following subject, to wit:

"An Act revising taxation power of Pandora Independent School District."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Stewart I beg, to submit for your consideration the following subject, to wit:

"An Act creating the Toyah Independent School District in Reeves county, Texas, defining its metes and bounds, providing a board of trustees therefor, vesting it with the rights and duties of independent districts under the general laws of the State, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Bonham, I submit for your consideration the following subject, to wit:

"An Act creating the Sodville Independent School District in San Patricio county, Texas, etc., and declaring an emergency."

Respectfully submitted,  
Governor

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Parnell, I submit for your consideration the following subject:

"An Act to create the Eighty-ninth Judicial District in Wichita county, Texas; to provide for the terms and the jurisdiction thereof; for the appointment of a judge of said district court; for the transfer of causes from the dockets of this and the other district courts provided for said county so as to expedite the trial of causes; to provide for a clerk of said court and for the prosecution of criminal causes in said

court and by the district attorney of the Thirtieth Judicial District, and in his absence, by the county attorney of Wichita county, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Parnell, I submit for your consideration the following subject, to wit:

"An Act creating the County Court at Law for Wichita county, Texas, and fixing and defining its duties, powers and jurisdiction, and also fixing the salaries of the judge of the County Court at Law and the salary of the county judge of Wichita county, Texas, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Tillotson, I submit for your consideration the following subject, to wit:

"An Act to amend an act creating the LaGrange Independent School District in Fayette county, Texas, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representatives Nordhaus, O. B. Black, W. A. Black and Lange, I beg to submit for your consideration the following subject, to wit:

"An Act to add three articles to Chapter IX of Title XVII of the Penal Code relating to theft, the same to be known as Articles 1349a, 1349b and 1349c, providing a penalty of not less than six years nor more than ten years confinement in the penitentiary upon conviction for the theft of motor vehicle, or

upon conviction of receiving and stealing stolen motor vehicle, and providing that upon the trial of any person charged with the theft of motor vehicle or of receiving and concealing stolen motor vehicle, the possession of such stolen motor vehicle without a written bill of sale, containing a specific description of such motor vehicle shall be prima facie evidence that the person having such stolen motor vehicle in his possession, is guilty of having stolen the same or of having received and concealed the same knowing it to have been stolen, or as the case may be, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Bonham, I submit for your consideration the following subject, to wit:

"An Act creating the Taft Common School District No. 12, San Patricio county, Texas, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Bertram, I beg to submit for your consideration the following subject, to wit:

"An Act establishing Common County Line School District No. 2 in Hopkins and Franklin counties."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representatives Nordhaus, O. B. Black, W. A. Black and Lange, I beg to submit for your consideration the following subject, to wit:

"An Act to amend Article 3875 of the Revised Civil Statutes of the State of

Texas of 1911, so as to increase the commissions of county treasurers of certain counties."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Holmes, I beg to submit for your consideration the following subject, to wit:

"An Act creating the Nome Independent School District in Jefferson county, Texas."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representatives Nordhaus, O. B. Black, W. A. Black and Lange, I beg to submit for your consideration the following subject, to wit:

"An Act to amend House bill No. 32, Chapter 55, Acts of the Regular Session of the Thirty-fifth Legislature."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representatives Lange, Nordhaus, O. B. Black and W. A. Black, I beg to submit the following subject for your consideration, to wit:

"An Act authorizing and empowering commissioners courts in all counties of the State of Texas to employ all clerical assistance they may deem necessary to properly attend to the affairs and business of the court and county, and authorizing said courts to fix the compensation and salaries of such assistants and clerks and to pay same out of the general funds of the county or any other available funds of the county."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Representatives O. B. Black, W. A. Black, Nordhaus and Lange, I beg to submit for your consideration the following subject, to wit:

"An Act to amend Article 3903, Chapter 4, Title 58, of the Revised Civil Statutes of 1911 of the State of Texas, as said Article 3903 was amended by Chapter 142 of the General Laws enacted at the Regular Session of the Thirty-third Legislature of Texas, and as amended by Chapter 55 of the General Laws enacted at the Regular Session of the Thirty-fifth Legislature of Texas, said article relating to the appointment of certain officers named in Articles 3881 to 3886, both inclusive, of said Revised Civil Statutes, of deputies or assistants in the performance of the duties of such officers, where such assistants or deputies are necessary for the efficiency of the public service; providing for an application to be made by such officers to the county judge of the county for authority to appoint same; prescribing the issuance by the county judge of an order authorizing the appointment of such deputies or assistants; providing that the officer desiring such deputies or assistants shall make affidavit that such assistants or deputies are necessary for the efficiency of the public service; providing for the salary of the chief deputy and the other deputies or assistants; providing that the order of the county judge granting such authority shall state the number of deputies or assistants; providing that the officer requesting said deputies or assistants shall fix their compensation; providing the maximum amount allowed for deputies or assistants in counties having a population of from 37,500 to 100,000; providing the maximum amount allowed deputies in counties having a population in excess of 100,000 as shown by the last scholastic census; providing that in counties having in excess of 100,000 inhabitants the county attorney is authorized with the consent of the county judge of said county to appoint two assistants in addition to his regular force, which two assistants shall not be required to possess the same qualifications as required by law for district and county attorneys; providing the amount to be paid

to said deputies or assistants; also providing for fifty dollars (\$50) per month for necessary expenses incurred by such county attorney; providing that any county judge who may require the services of an assistant or clerk shall procure authority therefor from the county commissioners court; providing that suit shall not be brought against any county judge who has heretofore employed a clerk or assistant and paid the salary of such clerk or assistant out of excess fees of said office, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Representative Nordhaus, I beg to submit for your consideration the following subject, to wit:

"An Act authorizing and empowering commissioners courts in all counties of the State of Texas to employ all clerical assistants they may deem necessary to properly attend to the affairs and business of the court and county, and authorizing said courts to fix the compensation and salaries of such assistants and clerks and to pay same out of the general funds of the county or any other available funds of the county.

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third  
Called Session Assembled.

Gentlemen: At the request of Representative Tharp, I beg to submit for your consideration the following subject, to wit:

"An Act to amend Section 12 of an act passed by the Thirty-sixth Legislature, amending an act passed by the Twenty-seventh Legislature, creating a more efficient road system for Coryell county, so as to permit the county commissioners to pay the prevailing prices for work done upon the road, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative R. D. Thompson, I beg to submit for your consideration the following subject, to-wit:

"To authorize the city of Greenville, Texas, to amend its city charter, after June, 1920, and prior to April 1, 1921, to provide for extension of its corporate limits, and for other purposes, authorized by law, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Fairchild, I beg to submit for your consideration the following subject, to-wit:

"An Act to amend Section 16 of Chapter 92, Special Laws, enacted at the Regular Session of the Thirty-sixth Legislature, the same being the Angelina county road law: providing for the issuance of bonds by said county, or any political subdivision or defined district thereof, validating bond elections heretofore held, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Daniel, I beg to submit for your consideration the following subject, to-wit:

"An Act to repeal Chapter 44, Special Laws, enacted at the Regular Session of the Thirty-fifth Legislature, known as a special road law for Houston county, as amended by Chapter 15 of the laws enacted at the First Called Session of the Thirty-fifth Legislature, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Hill, I beg to submit for your consideration the following subject, to-wit:

"An Act to authorize Wheeler county, Texas, to lay out, construct and maintain roads and bridges, and exempting said county from the limitations contained in Article 613, Title 18, Chapter 1, Revised Civil Statutes of 1911, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Walker, I beg to submit for your consideration the following subject, to-wit:

"An Act to amend Chapter 8, Acts of the Fourth Called Session of the Thirty-fifth Legislature, entitled 'An Act amending Chapter 80, Acts of the Thirty-sixth Legislature, creating the Burkeville Independent School District in Newton county, Texas, defining its boundaries and making a permanent site, and providing for the maintenance of the seven trustees that are now serving and providing for the election of their successors, investing said district and its board of trustees with full power, privileges and duties of towns and villages incorporated for free school purposes only, investing the trustees with the control of the public schools in said district, authorizing the levying and collection of taxes for certain purposes, authorizing the appointment of a tax collector and assessor, and authorizing the said board to be vested with all the authority that is vested in a board of independent school district by the general laws of the State of Texas; authorizing the trustees to collect all the debts that are due said district and to bring suit, and to collect all taxes that are due said district, validating certain indebtedness of Common School District No. 8 of said county, and providing for a permanent site of a high school on the tract of land where it is now located, and naming the surveys and parts of surveys included within



its boundaries, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 23, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Fly, I submit for your consideration the following subject, to-wit:

"An Act amending Section 8, Chapter 125, of the Special Laws enacted at the Regular Session of the Thirty-third Legislature, entitled 'An Act to amend "An Act to create a more efficient road system for Gonzales county, Texas, and making the county commissioners ex-officio road commissioners, fixing their salaries and prescribing their duties, etc.," passed by the Regular Session of the Thirty-third Legislature,' so as to fix the compensation that may be paid surveyors and engineers employed by the commissioners, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 27, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Lee, I beg to submit for your consideration the following subject, to-wit:

"An Act to amend Section 1 of House bill No. 136, enacted by the Second Called Session of the Thirty-sixth Legislature, amending and revising the metes and bounds of the Rucker Independent School District, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Tilson, I beg to submit for your consideration the following subject, to-wit:

"An Act creating the Olton Independent School District situated in Lamb county, Texas, defining its metes and bounds, vesting it with rights, pow-

ers, duties and privileges of independent districts incorporated for school purposes only under the general laws; providing for a board of trustees thereof; providing for a board of equalization, and prescribing the duties and authority of said board and of said trustees; declaring valid an issue of bonds heretofore voted; declaring valid a maintenance tax theretofore voted; declaring valid all debts owing to and by said district, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office.

Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Tilson, I beg to submit for your consideration the following subject, to-wit:

"An Act creating the Littlefield Independent School District, situated in Lamb county, Texas, defining its metes and bounds, vesting it with rights, powers, duties and privileges of independent districts incorporated for school purposes only, under the general laws; providing for a board of trustees thereof; providing for a board of equalization and prescribing the duties and authority of said board, and of said trustees; declaring valid an issue of bonds heretofore voted; declaring valid a maintenance tax theretofore voted; declaring valid all debts owing to and by said district, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

#### RELATING TO THE TICK ERADICATION LAW.

Mr. Barnes offered the following resolution:

Whereas, There are some provisions of the so-called tick eradication law which work a serious hardship on the cattle owners of Texas in so far that it requires clean and uninfected cattle to be dipped every fourteen days, a condition that we think improper and unwarranted; and

Whereas, The members of this House who are from districts that come under the operations of this law have been advised and assured that this law would be submitted at this session, and as a result have thereby informed the people of their districts that something would

By Mr. Baldwin:

H. B. No. 87, A bill to be entitled "An Act creating and incorporating the McCarty Independent School District in Dawson county, out of territory now composing Common School District No. 22 in said county, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Baldwin:

H. B. No. 88, A bill to be entitled "An Act to provide for a general educational survey of the State of Texas to create a committee, prescribe their duties, make appropriations to carry out the provisions of this Act, and declaring an emergency."

Referred to Committee on Education.

#### BILL RE-REFERRED.

On motion of Mr. Taylor, House bill No. 23 was withdrawn from the Committee on Judicial Districts and referred to the Judiciary Committee.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Curtis, it was ordered that House bills Nos. 35 and 20 be not printed.

On motion of Mr. Tilson, it was ordered that House bills Nos. 26 and 27 be not printed.

On motion of Mr. Miller of Austin, it was ordered that House bill No. 13 be not printed.

On motion of Mr. Lidiak, it was ordered that House bill No. 28 be not printed.

On motion of Mr. Smith of Hopkins, it was ordered that House bill No. 34 be not printed.

On motion of Mr. Barnes, it was ordered that House bills Nos. 30, 41, 44 and 47 be not printed.

#### MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, Assistant Secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,  
Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Tillotson, I submit for your consideration the following subject, to-wit:

"An Act to define and regulate the use of headlights on motor vehicles, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session Assembled.

Gentlemen: At the request of Representative Dodd, I beg to submit for your consideration the following subject, to-wit:

"An Act to amend Chapter 129, General Laws of the Regular Session of the Thirty-sixth Legislature, authorizing the State Board of Medical Examiners of this State, and making it their duty, under certain conditions, to cancel the license of any 'licensed practitioner of medicine' in this State, when the facts are made known to it, that such 'licensed practitioner of medicine' has been convicted in either a State or Federal court of a crime of the grade of felony, or one which involved moral turpitude, or aiding or abetting the procuring of a criminal abortion; authorizing said State Board of Medical Examiners to inquire into the facts of any particular case where a duly 'licensed practitioner of medicine' in this State has been convicted of a crime of the grade of felony in either a State or Federal court and his punishment assessed at either a fine or imprisonment, or both fine and imprisonment, other than the penitentiary, and providing for said practitioner to have a hearing before the State Board of Medical Examiners to exercise its discretion in revoking the license of 'licensed practitioners of medicine' in this State under certain conditions; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Dayton, I submit for your consideration the following subject for legislation, to-wit:

"An Act to amend Chapter 74 on pages 139 and 140 of the General Laws of the Regular Session of the Thirty-fifth Legislature of Texas as amended

by Chapter 154 on pages 284 and 285 of the General Laws of the Regular Session of the Thirty-sixth Legislature of Texas, so as to prohibit the sale, or offering for sale of road vehicles of certain carrying capacity with tires of less than the herein prescribed width within the State of Texas, fixing penalties for the violation thereof, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Satterwhite, I submit for your consideration the following subject for legislation, to wit:

"An Act creating the Dalhart Consolidated Independent School District in Dallam and Hartley counties, Texas, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Caldwell, I submit for your consideration the following subject, to wit:

"An Act to regulate the disposition of funds deposited or advanced for the use of rental of personal and movable property and to protect such depositors."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session:

At the request of Mayor A. E. Ammerman of Houston, I submit for your consideration the following subject, to wit:

"An Act granting to the city of Houston, Texas, all right, title and interest of the State of Texas to certain lands lying under the waters of Peggy's Lake, San Jacinto Bay, Crystal Lake, Scott's Bay and the San Jacinto River, adjacent to the Houston Ship Channel, for public purposes and for the development of commerce only, etc., and granting to the city of Houston the right, power and authority to authorize, establish,

construct, purchase, own, maintain, equip, regulate, operate and lease wharves, piers, docks, marine ways and other aids to navigation on said lands, and to dredge out or fill in space between the mainland or islands and such wharves, piers, docks, marine ways and other aids to navigation, and to construct or grant franchises for the construction on such wharves, piers, docks or lands so filled in, of elevators, warehouses, bunkers, railway terminals or sidetracks or other aids to navigation or commerce; reserving to the State of Texas the right at any time to place the operation of said facilities under the supervision of the Railroad Commission of Texas, and to provide reasonable wharfage and storage charges thereon; authorizing the city of Houston to remove and abate any encroachment or structure existing on said property, and to bring such suit or suits as may be necessary to carry out the provisions of this act; reserving all mineral rights in said lands to the State; authorizing the city of Houston to extend its city limits by ordinance so as to include said lands and that portion of the mainland adjacent and lying within a distance of fifteen hundred (1500) feet from the present short line for the limited purposes authorized by Chapter 25 of the General Laws of the Thirty-third Legislature, passed at its Regular Session, approved March 17, 1913; providing for the appraisalment of said lands by the Commissioner of the General Land Office, and the payment of such appraised value by the city of Houston for the benefit of the public free school fund of this State, and for the issuance of a patent or patents therefor; reserving to the State of Texas and the United States government the right to erect wharves, piers and buildings on said lands, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Sackett, I submit for your consideration the following subjects, to wit:

"An Act creating the Brady Valley Independent School District in Concho county, Texas."

"An Act creating the Paint Rock In-

dependent School District in Concho county, Texas."

"An Act creating the Millersview Independent School District in Concho county, Texas."

"An Act creating the 'Eden' Independent School District in Concho county, Texas."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Clark, I submit for your consideration the following subject, to-wit:

"An Act to repeal all special road laws heretofore enacted for Fayette county, Texas, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative R. R. Owen, I submit for your consideration the following subject, to-wit:

"An Act authorizing the separate incorporation of gas pipe lines now owned by oil and gas producing corporations, and authorizing oil and gas producing corporations to subscribe for and own the capital stock of the organized pipe line corporation and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: I have been requested by the Texas branch of the American Legion to communicate to you the following resolutions adopted by the American Legion executive committee:

Whereas, During the war and especially in all training camps of the United States, a great deal of prominence was given to the athletics and especially in the development of boxing; and

Whereas, This proved to us that training as such was invaluable to young men in building up the physical body and in teaching physical courage and self-reliance, a trait that has long been the heritage of America, but in late years seemed to be on the decline, especially in cities; and

Whereas, Clean sports of every character should be encouraged throughout America as tending to teach manliness and thereby to uphold the very heart of our democratic institutions; therefore, be it

Resolved, That the executive committee of the American Legion, Department of Texas, go on record as being unanimously and heartily in accord with the encouragement of boxing, under proper restrictions, and especially under the control of local post of the American Legion; and be it further

Resolved, That a committee be appointed to draw up and propose to the next State Legislature a bill to legalize non-professional boxing under proper and lawful control.

Out of respect to the request of the American Legion, composed of soldiers, sailors and marines in the military service of the United States during the late war, I submit the subject contained in these resolutions for your consideration.

The object sought by the American Legion is to permit, without violating the law, amateur and non-professional boxing in their own meetings, for the entertainment of the members of the American Legion, and for the continued physical improvement of those who engaged in the country's military services.

I would unhesitatingly veto any measure which would weaken the laws of the State as applied to prize fighting, or which would in any manner sanction professional boxing contests, but I would approve a measure enacted by your body which would accomplish the object sought by the members of the American Legion.

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representatives Bagby, Malone, Nordhaus, O. B. Black, Satterwhite, E. H. Childers, I submit for your consideration the following subject, to-wit:

"An Act to amend Article 1173, Chapter 4, Title 15, and Article 1142, Chapter 3, Title 15, of the Code of Criminal Procedure of the State of Texas, relating to the fees allowed sheriffs or other peace officers performing the same services in misdemeanor cases, to be taxable against the defendant on conviction, and the allowance to sheriffs by the commissioners court of the several counties in this State for the safekeeping, support and maintenance of prisoners in jail, or under guard, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of various members of your body, I submit for your consideration the following subject, to wit:

"An Act to amend Chapter 60 of the general laws passed by the Thirty-fifth Legislature, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Buchanan of Scurry, I submit for your consideration the following subject, to wit:

"An Act to create a more efficient road system for Eastland county, Texas, defining the duties and powers of the commissioners court of said county relative to roads and bridges and for other purposes."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Lange, I beg to submit for your consideration the following subject, to wit:

"An Act to amend Article 1460, Chapter 2, Title 29, of the Revised Civil Statutes of 1911, and amended by the

Thirty-fourth Legislature, page 203, and amended by the Thirty-fifth Legislature, page 337, also to amend Article 1464 and Article 1465, Revised Civil Statutes of 1911, providing for the appointment and compensation of county auditors in counties having a population of forty thousand inhabitants, according to the last United States census, or having a tax valuation of fifteen million dollars according to the last approved tax rolls, and also providing for appointment of assistants, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Buchanan of Scurry, I submit for your consideration the following subject, to wit:

"An Act to create the..... Judicial District; fixing its jurisdiction and the time of holding courts therein, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Bailey, I submit for your consideration the following subject, to wit:

"An Act to aid the city of Rockport in constructing revetments and shore protections, to widen and raise the grade of the street adjacent to the bay upon which said city is located, and to erect and maintain a municipal commercial wharf, bathing house and pavilion, and to acquire land necessary for the widening and raising the grade of Front street adjacent to said bay, all for public use, by donating to the said city the ad valorem taxes to be collected by the State of Texas on all property and from all persons owning property situated in Aransas county, Texas, for a period of twenty years, and to authorize said city to issue bonds for the purposes mentioned, and to provide a penalty for the misapplication of funds raised therefor, and to declare an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third  
Called Session:

Gentlemen: At the request of Representative Sneed, I submit for your consideration the following subject, to wit:  
"An Act creating the Frankford Common School District No. 38 in Collin county, Texas, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Representative Dodd, I submit for your consideration the following subject, to wit:  
"An Act validating the charters and amendments to charters of all cities of more than 5000 inhabitants in this State which have adopted or attempted to adopt charters or amendments of charters since the enactment of Chapter 147 of the General Laws of the Regular Session of the Thirty-third Legislature of 1913, and validating all proceedings had by the governing authorities of such cities, and all elections held in said cities wherein a majority of the qualified voters of said city voting on the question have voted in favor of such charter or charter amendments, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Senators Cousins, Bailey, Hall and Smith, I beg to submit for your consideration the following subject, to wit:

"An Act to amend Articles 16, 53 and 67, Chapter 73, of the General Laws of the Thirty-sixth Legislature passed at the Second Called Session thereof, being 'An Act creating the office of Game, Fish and Oyster Commissioner; providing for his appointment; prescribing his qualifications; defining his duties; authorizing the appointment of deputies; prescribing their qualifications; defining their powers and duties; and for the

protection of fish, oyster, turtle, terrapins, shrimp, crabs, clams, mussels, lobsters and all other kind of forms of marine life in the public fresh water, tidal and coast waters of the State and to protect the natural oyster beds and reefs and to provide for the location of private beds; prescribing the terms, tax and conditions upon which fish, shrimp, crabs, clams, turtle, terrapin, mussels, lobsters and all other forms and kinds of marine life may be taken from the waters of this State; providing that this act shall be construed to be a continuation of all former laws upon the subject; and providing that all suits now pending involving laws affected by this act shall not abate but shall be prosecuted under such former laws and under this act, and declaring an emergency'; providing license fee and tax on wholesale dealers in fish, oysters and other marine products and defining a wholesale dealer and fixing penalties; regulating the size of fish which may be sold or offered for sale, and prescribing penalties; fixing salaries of the Game, Fish and Oyster Commissioner, his chief deputy, and certain other deputies and employes, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Representative Pollard, I beg to submit for your consideration the following subject, to wit:

"An Act fixing the compensation for the official shorthand reporter in the Eighty-sixth Judicial District of Texas, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Representative Bonham, I beg to submit for your consideration the following subject, to wit:

"An Act to aid the city of Aransas Pass in constructing and maintaining seawalls, breakwaters, shore protections out into Red Fish Bay and to fill in

the space between the shore and such seawalls, breakwaters and shore protections from calamitous overflows by donating to it the ad valorem taxes collected on property and from persons in San Patricio county for a period of twenty years, and to provide a penalty for their misapplication, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representatives Bagby, Nordhaus, Bloor, Satterwhite and Childers, I beg to submit for your consideration the following subject, to-wit:

"An Act to amend Article 3903, Chapter 4, Title 58, of the Revised Civil Statutes of 1911, State of Texas, and as amended by Chapter 142 of the Regular Session of the Thirty-third Legislature, and as further amended by Chapter 55 of the Regular Session of the Thirty-fifth Legislature relating to the appointment of certain officers named in Articles 3881-3886 of the Revised Civil Statutes; of deputies or assistants in the performance of the duties of such officers, where such assistants or deputies are necessary for the efficiency of the public service; providing for an application to be made by such officers to the county judge of the county for authority to appoint the same; prescribing the issuance by the county judge of an order authorizing the appointment of such assistants or deputies; providing that the officer desiring such deputies or assistants shall make affidavit that such assistants or deputies are necessary for the efficiency of the public service; providing for the salary of the chief deputy and the other deputies or assistants; providing that the officer requesting such deputies or assistants shall fix their compensation; providing the maximum census; and providing that in counties having a population of from 37,500 to 100,000 as shown by the last scholastic census; and providing that in counties in excess of 100,000 inhabitants district attorneys of any district or county attorney is authorized, with the consent of the county judge, to appoint two assistants in addition to his regular force which two assistants shall not be re-

quired to possess the same qualifications required by law for district and county attorneys; providing amount paid such deputies, also providing for \$50 per month for necessary expenses, and to amend Article 3864 relating to the fees to be charged by sheriffs, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Sneed, I beg to submit for your consideration the following subject, to-wit:

"An Act to create a common county line school district to be known as Brushy District No. 91, to be under the jurisdiction, management and control of the county school board of Collin county, Texas, to be composed of the territory described in this act and defining the rights, powers and privileges of such district, providing a board of trustees, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Blutworth, I submit for your consideration the following subject, to-wit:

"An Act to amend Sections 1 and 6 (designated in the caption of the act to be amended as Sections 1494a and 1494f, of Chapter 2, of Title 29, of the Revised Statutes of 1911) of Senate bill No. 6 passed at the regular session of the Thirty-fourth Legislature, entitled, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Satterwhite, I beg to submit for your consideration the following subject, to-wit:

"An Act creating an independent school district to be known as Spearman Independent School District; and to provide for the creation of the board of trustees thereof; and authorizing the board of trustees to levy, assess and collect special taxes and pay current expenses for the maintenance and support of said schools; and providing for the election to fill vacancies occurring in the board of trustees; providing for a board of equalization; and prescribing the duties and authority of said board of trustees, and repealing all laws in conflict herewith, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of the educational committee recently appointed to draft suitable legislation with respect to relief of public schools and higher educational institutions of the State, I submit for your consideration the following subjects, to wit:

"An Act to amend Chapter 14, Section 2781, Revised Civil Statutes of 1911, relating to the salaries of teachers so as to remove the limitation as to the amount to be paid teachers."

"An Act to amend Chapter 96, Sections 107, 108, 109, 110, 110a, 110b, 114, 116, 117, 118, 119, 121, 122, 123, 124, of Chapter 96 of the Acts of the Thirty-second Legislature, and adding Sections 110c and 110d, and to amend Section 124a, Chapter 124, Acts of the Twenty-ninth Legislature, these amendments being for the purposes of defining points left indefinite, offering a choice of subjects for examinations, arranging for reasonable reciprocity in certificates, with other States, and emphasizing professional training."

"An Act to amend Article 2758, Chapter 12, Title 48, of the Revised Civil Statutes of the State of Texas, 1911, as amended by Senate bill No. 26, Chapter 41 of the General Laws of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, relating to the salaries of county superintendents of public instruction, increasing the salaries of said county superintendents, providing for office expenses, adding thereto Article 2758a, extending the jurisdiction and control of county superintendents to independent school dis-

tricts containing a scholastic population of one thousand or less and providing for appointments to fill unexpired terms, in case of vacancy, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 28, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Bagby, I beg to submit for your consideration the following subject, to wit:

"An Act to amend Chapter 111 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-sixth Legislature, 1919, entitled, 'An Act to amend Chapter 79 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature of the State of Texas, 1918,' relating to official shorthand reporters' compensation in certain counties and districts in this State; repealing all laws and parts of laws in conflict with said chapter and said section herein amended, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Lange, I submit for your consideration the following subject, to wit:

"An Act to amend Chapter 207 of the Acts of the Regular Session of the Thirty-fifth Legislature, approved April 9, 1917, and commonly known as 'The Acts Regulating the Operation of Motor Vehicles on Public Highways,' by amending Section 34 of said act, so as to except from the provisions thereof officers in the discharge of their official duties, and by adding Section 17a, creating a school zone on all streets or public highways in all incorporated cities of 25,000 inhabitants or more, on which public school buildings are located and have their main entrance, and limiting the rate of speed of all motor vehicles or motorcycles when entering or passing through such zones to not to exceed ten miles per hour between the hours of 8 o'clock a. m. and 4 o'clock p. m. of



any day on which said building is open for school purposes, making it the duty of the governing body of all such cities to cause to be erected or posted markers defining the boundaries of such zones."

Respectfully submitted.

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representatives Vaughan and Thompson, I beg to submit for your consideration the following subject, to-wit:

"An Act to create and establish the Dixon Independent School District in Hunt county, Texas."

Respectfully submitted.

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Morris, I beg to submit for your consideration the following subject, to-wit:

"An Act providing for reimbursing the members of the commissioners court of Montague county, including the county judge, for expenses incurred by them, as such commissioners court, and as members thereof, and including the county judge, in performing the official duties required of them, and providing for the payment of same, and declaring an emergency."

Respectfully submitted.

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senators Bledsoe and Witt, I submit for your consideration the following subject, to-wit:

"An Act to amend Title 116, of the Revised Civil Statutes of the State of Texas, as amended by the Acts of the Regular Session of the Thirty-sixth Legislature, Chapter 144, approved March 31, 1919, by adding thereto Article 6766h. Providing for the appointment by the Governor of bona fide inspectors of certain State live stock as-

sociations as rangers, and creating such appointees a Reserve State Ranger Force, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Sneed, I submit for your consideration the following subject, to-wit:

"An Act increasing the salary of the official court reporter for the 59th Judicial District of Texas to the sum of eighteen hundred (\$1,800) dollars per annum; providing the manner of payment of such salary, and declaring an emergency."

Respectfully submitted.

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Bledsoe, I submit for your consideration the following subject, to-wit:

"An Act creating and incorporating the Estacado Independent School District, in Crosby county and Lubbock county, Texas, etc., and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Baldwin, I submit for your consideration the following subjects, to-wit:

"An Act extending the boundaries of and adding territory to the Lamesa Independent School District in Dawson county."

"An Act creating and incorporating the Fairview Independent School District in Crosby county."

"An Act creating and incorporating the Johnson Independent School District in Terry county."

"An Act creating and incorporating Blythe County Line Independent School District out of territory in Gaines,

Terry and Yoakum counties."

"An Act creating and incorporating the McCarty Independent School District in Dawson county, out of territory now composing Common School District No. 22 in said county."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Walker, I beg to submit for your consideration the following subject, to-wit:

"An Act creating the Kirbyville Independent School District in Jasper and Newton counties, Texas.

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Satterwhite, I beg to submit for your consideration the following subject, to-wit:

"An Act creating an independent school district to be known as Dumas Independent School District."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Hall, I beg to submit for your consideration the following subject, to-wit:

"An Act creating the Hahn Prairie Independent School District in Wharton county, Texas, defining its boundaries."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 29, 1920.

Hon. R. E. Thomason, Speaker of the House of Representatives.

Sir: I am directed by the Senate

to inform the House that the Senate has passed

S. B. No. 7, A bill to be entitled "An Act to make an appropriation of one hundred and eighty-five thousand dollars to reimburse the Board of Regents of the University of Texas for expenditures made at Camp Mabry, Texas, and remaining on hand unpaid at the close of the war, out of the University available fund, in pursuance of Senate Resolution No. 12, passed at the Fourth Called Session of the Thirty-fifth Legislature, and declaring emergency."

Respectfully,  
W. V. HOWERTON,  
Secretary of the Senate.

#### ELECTION OF SERGEANT-AT-ARMS.

Mr. Daniel offered the following resolution:

Resolved, That the office of Sergeant-at-Arms is hereby declared vacant, the regularly elected Sergeant-at-Arms not having reported for duty at this session of the Legislature; be it further

Resolved, That the Chief Clerk be instructed to cast the vote of the House for Joe White for Sergeant-at-Arms, and that no Assistant Sergeant-at-Arms be elected for this session, unless such officer is deemed necessary by the Speaker of the House.

The resolution was read second time and was adopted.

#### RELATING TO STATE PENITENTIARIES.

Mr. Biggers offered the following resolution:

H. C. R. No. 6, Relating to manufacture of farm implements at State penitentiaries.

Be it resolved by the House of Representatives, the Senate concurring.

Whereas, The object of punishment for those who are incarcerated in the State penitentiary "is to suppress crime and reform the offender," thereby making the one upon whom punishment is visited a better and more useful citizen as well as to punish him for crimes committed against society; and

Whereas, Every report made by the Legislature or under its authority from the year 1850 down to the present time recites facts and conditions of the inhuman treatment that has been visited on the unfortunates committed to the State's care and charge; and in some instances point out crimes against those who are wards of the State and recite

had been allowed by former Auditor Huley and Manager Welborn.

The situation in respect to the station accounts is that the three stations, North Rusk, Maydelle and Palestine, will have to be gone over in detail during the entire period that Huley, Lacy and Dean were in charge of those stations in order to ascertain precisely what discrepancies exist; the accounts have been so badly handled by former Auditor Huley that it will require the time of an expert station accountant thirty to sixty days to do this provided all records can be located.

In the matter of shortage in bank account chargeable to Manager Welborn, which is covered by a false entry made by him crediting the bank with \$3327.85 in January, 1917, and other items mentioned in my report of February 20, 1920, an effort was made to locate the station accounts prior to the above date in order to ascertain whether the shortage is covered by failure of agents to make specific remittances, but the station records may be due to funds checked out at various times. This is a matter of detail that can be taken up later if necessary. The false entry is sufficient to prove the shortage. The detailed check is necessary to prove out whether or not other fictitious entries have been made and should be undertaken as soon as possible in order to assist Mr. Wylie in getting all matters straightened out it was decided to make a check of accounts of the new agent at Maydelle and the joint agency at Rusk for which purpose I telegraphed the Commission requesting the assistance of Mr. Moore, and at the same time telegraphed auditors of the Cotton Belt and T. & N. O. requesting a joint check of Rusk agency. The effort to obtain joint check was unsuccessful and is still subject of correspondence between Mr. Wylie and the other lines.

Mr. Moore went to Maydelle, going over the account with present agent from the time he was installed in December, 1919, to date, making complete check and instructing agent fully how to handle his accounts in order that they would be kept correctly.

Mr. Moore on his return to Palestine also finished writing up the general books for the month of December, 1919, and making proper entries and closing books for the year.

All the transactions and entries for the months of January and February 1920, are ready to be written up and Mr.

Wylie should have a bookkeeper to do that. If one is employed, I can in two or three days line him up in order that the current work will be properly cared for.

Have brought to Austin all papers relating to the tie shortage, also agents' monthly account current and other data covering shortage at the three stations. The general ledger and journal showing false entries to bank account have been placed in the Campbell National Bank at Palestine in care of Mr. Campbell, this being done to insure against loss by fire or theft of these records, which are absolutely essential in proof of claim against bond company.

Respectfully submitted,  
W. E. FITZGERALD.

Governor's Office,  
Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senators Bledsoe, Buchanan of Scurry, Gibson and Hall, I submit for your consideration the following subject, to-wit:

"An Act providing that no person shall be required to list for taxation bonds and other evidences of indebtedness issued by the State of Texas, or any county, city, school district, improvement district, or other municipal corporation, in the State of Texas and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 31, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Marshall, I submit for your consideration the following subject, to-wit:

"An Act to amend Article 3889 of the Revised Civil Statutes of 1911, as said article was amended by House bill No. 449, Chapter 158 of the Regular Session of the Thirty-sixth Legislature of the State of Texas, as said article was amended by Senate bill No. 60, Chapter 20, of the Second Called Session of the Thirty-sixth Legislature of the State of Texas, relating to the maximum fees that may be retained by the county judge, sheriff, clerk of the county court, county attorney, clerk of the district court, collector of taxes, assessor of taxes, justice of the peace and con-

stables of counties of this State having population of less than twenty-five thousand; and providing for the fees of such county officers and their deputies and assistants in all counties of such population, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Davidson, I beg to submit for your consideration the following subject, to-wit:

"An Act increasing the salary of the official Court Reporter of the Eightieth Judicial District of Texas to the sum of eighteen hundred dollars (\$1800); providing the manner of payment of such salary, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Witt, I beg to submit for your consideration the following subject, to-wit:

"An Act to amend Articles 3 and 4 of the Revised Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature of 1911, providing for the adoption of a child where the parent or parents have voluntarily abandoned such child."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Curtis, I beg to submit for your consideration the following subject, to-wit:

"An Act to establish a system of public roads and bridges for Tarrant county."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office.

Austin, Texas, May 29, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Smith, I submit for your consideration the following subject, to-wit: "An Act creating the Mt. Enterprise Independent School District of Rusk county."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, May 31, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Beason, I submit for your consideration the following subject, to-wit:

"An Act to amend Section 1 of Chapter 58 of the Local and Special Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Regular Session, which act was an amendment of the act creating the Winnie Independent School District in the counties of Chambers and Jefferson in the State of Texas."

Respectfully submitted,

W. P. HOBBY,  
Governor.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Fly, it was ordered that House bill No. 32 be not printed.

On motion of Mr. Sneed, it was ordered that House bill No. 63 be not printed.

On motion of Mr. Fairchild, it was ordered that House bill No. 43 be not printed.

On motion of Mr. Morris of Montague, it was ordered that House bill No. 66 be not printed.

On motion of Mr. Dickson, it was ordered that House bill No. 24 be not printed.

On motion of Mr. Curtis, it was ordered that House bill No. 65 be not printed.

On motion of Mr. Daniel, it was ordered that House bill No. 29 be not printed.

On motion of Mr. Taylor, it was ordered that House bill No. 23 be not printed.

On motion of Mr. Hill of Wheeler, it was ordered that House bill No. 33 be not printed.

On motion of Mr. Tharp, it was or-

dered that House bill No. 10 be not printed.

On motion of Mr. Baldwin, it was ordered that House bills Nos. 83, 84, 85, 86, 87 be not printed.

INVITING HON. LOUIS J. WORTHAM  
TO ADDRESS THE LEGISLA-  
TURE.

Mr. Curtis offered the following resolution:

H. C. R. No. 8, Inviting Hon. Louis J. Wortham to address the Legislature.

Be it resolved by the House of Representatives, with the Senate concurring, That the Hon. Louis J. Wortham be invited to address the Senate and the House in the House chamber on Wednesday evening, June 2, 1920, at 8 o'clock, on the "Educational Situation of Texas."

Signed—Curtis, Osborne, Cox, Malone, Johnson of Ellis.

The resolution was read second time and adopted.

RELATING TO PUBLIC SCHOOL  
FUND.

Mr. Bertram offered the following resolution:

Whereas, The State permanent school fund is \$72,865,496 and its county permanent funds aggregating \$12,751,493, which totals \$85,616,989, if at 5 per cent interest will give the available school fund \$4,280,849.45; and

Whereas, The ad valorem tax of 35 cents on about \$3,200,000,000 of taxable values of this State will give the available school fund of Texas \$11,200,000; and

Whereas, The one dollar poll tax will give the available school fund about \$500,000; and

Whereas, One-fourth of the occupation tax is about \$50,000; and

Whereas, The State has appropriated out of the general revenue \$2,000,000 per annum for the available school fund, amounting in all to the sum of \$18,038,849. This amount divided among 1,233,792 children in scholastic age in this State will give each child fourteen dollars and sixty cents; and

Whereas, The school board has only given each child eight dollars and fifty cents, which leaves six dollars and ten cents per capita for the 1,233,792 children, or \$7,551,517; and

Whereas, This seems to be an enormous amount for our school government; therefore, be it

Resolved by the House, That the Finance Committee on Appropriations

are hereby requested to give us the available funds from all sources for the rural schools of this State and, if possible, the amount of local county or district taxes that are used in the support of our common schools, and the amount appropriated to the Department of Education by this Legislature, and an itemized statement of the expenses of this department.

The resolution was read second time and was adopted.

RELATING TO WASTE PAPER.

Mr. Reeves offered the following resolution:

Whereas, The House of Representatives of the Thirty-sixth Legislature of Texas adopted a resolution authorizing the Superintendent of Public Buildings and Grounds to turn over to the American Red Cross all waste paper in the State Capitol; and

Whereas, The American Red Cross has no longer any need for the donation; therefore, be it

Resolved by the House of Representatives of the Thirty-sixth Legislature of Texas, That the Superintendent of Public Buildings and Grounds be and he is hereby authorized to turn over said waste paper to William B. Travis Chapter of the Daughters of the Republic of Texas.

The resolution was read second time and was adopted.

MESSAGE FROM THE GOVERNOR.

Miss Annie Houghton, Assistant Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,

Austin, Texas, May 31, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Bailey, I submit for your consideration the following subject, to-wit:

"An Act to amend Chapter 7, Title 22, of the Revised Civil Statutes of Texas, by adding thereto Article 956a providing for the bringing of suits for delinquent taxes by unincorporated cities and towns, prescribing the conditions precedent thereto, and for the employment of attorneys for the bringing of such suits, and for the recovery in such suits as a part of the costs thereof the same fees for city attor-

neys and special attorneys so employed as are now by law provided for county attorneys and district attorneys for the bringing of suits on behalf of the State and county for the collection of delinquent taxes, providing that in no case shall such city or town become liable for such fees, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 31, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Hill, I submit for your consideration the following subject, to-wit:

"An Act to amend Article 613, of the Revised Civil Statutes of the State of Texas, of 1911, providing that the issuance of certain county bonds shall be based upon and limited by the taxable values of the county, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Buchanan of Scurry, I beg to submit for your consideration the following subject, to-wit:

"An Act to amend Section 1, of Chapter 143, of the Special Laws of the Regular Session of the Thirty-fifth Legislature of the State of Texas, creating the Tahoka Independent School District, in Lynn county, Texas, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 31, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Baldwin, I submit for your consideration the following subjects, to-wit:

"An Act creating and incorporating Canyon Independent School District in Lubbock county, Texas, etc., and declaring an emergency."

"An Act creating and incorporating

the Idalou Independent School district in Lubbock county, Texas, etc., and declaring an emergency."

"An Act extending the boundaries of and adding territory to the Union Independent School District in Terry county, Texas, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Terrell, I submit for your consideration the following subject, to-wit:

"An Act to amend Sections 10 and 14, of Chapter 118, Special Laws, passed at the Regular Session of the Thirty-fifth Legislature, the same being a special road law for Cherokee county."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Faubion, I submit for your consideration the following subject, to-wit:

"An Act to increase the limits of Bertram Independent School District, in Burnet county, Texas."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Hill, I submit for your consideration the following subject, to-wit:

"An Act to create the Miami Independent School District in Roberts county, Texas."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator

Williford, I submit for your consideration the following subject, to-wit:

"An Act to amend Section 1, of Chapter 7, page 8, of the Acts of the Regular Session of the Thirty-third Legislature of the State of Texas, so as to provide that the suspension of sentence in certain cases of conviction of felony shall not apply to persons over the age of 25 years, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 31, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Buchanan and Representative Biggers, I submit for your consideration the following subject, to-wit:

"An Act to create the ——— Judicial District; fixing its jurisdiction and time of holding courts therein, etc.; and declaring that an emergency exists requiring the immediate passage of this act."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, May 31, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Beard, I submit for your consideration the following subject, to-wit:

"An Act creating the Fairview Independent School District in Milam and Williamson counties, Texas."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Pedigo:

H. B. No. 102, A bill to be entitled "An Act to regulate the disposition of funds to be deposited or advanced for the use or rental of personal and movable property, and to protect such depositors."

Referred to Judiciary Committee.

By Mr. Miller of Dallas:

H. B. No. 103, A bill to be entitled "An Act to amend Article 3903, Chapter 4, Title 58, of the Revised Civil Statutes, 1911, of the State of Texas, etc., and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Bludworth:

H. B. No. 104, A bill to be entitled "An Act to amend Chapter 2, Title 29, of the Revised Civil Statutes of 1911, by adding thereto Articles 1494a, 1494b, 1494c, 1494d, 1494e, 1494f, 1494g, 1494h and 1494j, etc., and declaring an emergency."

Referred to Committee on Counties.

By Mr. Brown of Liberty:

H. B. No. 105, A bill to be entitled "An Act making appropriation for the purpose of compensating persons whose property was destroyed, under Chapter 41, General Laws passed by the Thirty-sixth Legislature, etc., and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Morris of Medina:

H. B. No. 106, A bill to be entitled "An Act increasing the salary of the official court reporter of the Sixty-third Judicial District of Texas, etc., and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Parnell:

H. B. No. 107, A bill to be entitled "An Act providing that no person shall be required to list or render for taxation bonds and other evidences of indebtedness issued by the State of Texas, etc., and declaring an emergency."

Referred to Committee on Municipal Corporations.

By Mr. Terrell:

H. B. No. 108, A bill to be entitled "An Act to amend Sections 10 and 14 of Chapter 118, Special Laws passed at the Regular Session of the Thirty-fifth Legislature, etc., and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Beard:

H. B. No. 109, A bill to be entitled "An Act creating the Fairview Independent School District in Milam and

Bryant.  
Horton.  
Lackey.  
Lowe.  
Miller of Dallas.  
Murrell.  
Parsley.

Roemer.  
Rogers.  
Smith of Bastrop.  
Stewart.  
Wilson.  
Wright.

# MESSAGES FROM THE GOVERNOR.

Miss Anne Houghton, Assistant Secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Parsley, I submit for your consideration the following subject, to-wit: "An Act creating the Jean Independent School District situated in Young county, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Sentell, I submit for your consideration the following subject, to-wit: "An Act to amend Chapter 1, Article 4611, Revised Civil Statutes of 1911, relating to the celebration of marriage, so as to place additional and proper safeguards around the granting of marriage licenses by those authorized to grant same, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Stephens, I submit for your consideration the following subjects to-wit:

"An Act creating the Miles Independent School District in Runnels and Tom Green counties, Texas, etc., and declaring an emergency."

"An Act creating the Rowena Inde-

pendent School District in Runnels county, Texas, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Dorrough, I submit for your consideration the following subject, to-wit:

"An Act repealing Sections 1 to 3, both numbers inclusive, of Chapter 137, Special Laws enacted by the Regular Session of the Thirty-fifth Legislature, approved March 28, 1917, the same being an act creating a more efficient road system for Bowie county, Texas; adopting for said county the general laws of the State in relation to the issuance of bonds for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Satterwhite I submit for your consideration the following subject to-wit:

"An Act creating the Hartley Independent School District situated in Hartley county, Texas etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Satterwhite, I submit for your consideration the following subject, to-wit:

"An Act creating the Channing Independent School District in Hartley county, Texas, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.



Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Representative Tillotson, I submit for your consideration the following subject, to-wit:

"An Act to amend subdivision L of Section 16 of Chapter 207 of the Acts of the Regular Session of the Thirty-fifth Legislature approved April 9, 1917, and commonly known as the acts regulating the use of motor vehicles on the public highways, as amended in Chapter 161 of the Acts of the Regular Session of the Thirty-sixth Legislature approved April 3, 1919, by providing that cities of 10,000 inhabitants and over may establish safety zones, contiguous to railroad, interurban or street car tracks, and regulate the traffic passing same, in which event it shall not be necessary for motor vehicles or motorcycles to come to a full stop before attempting to pass railroad trains, interurban cars, or street cars stopped for the purpose of receiving or discharging passengers, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Representative Smith, I beg to submit for your consideration the following subject, to-wit:

"An Act to amend Article 206, Chapter 3, Title 10, Revised Civil Statutes of the State of Texas, relating to the duties, qualifications, manner of selection, length of term and removal of superintendents of the Confederate Home."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Representative Parnell, I submit for your consideration the following subject, to-wit:

"An Act directing the Governor, Lieutenant Governor and the Attorney General to deliver the property of the North-

west Texas Insane Asylum to the Board of Control, and conferring the authority conferred by Chapter 183, General Laws passed by the Regular Session of the Thirty-fifth Legislature, upon these officers, upon the Board of Control, and making said chapter applicable to the Board of Control, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

#### HOUSE BILL NO. 24 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 24, A bill to be entitled "An Act to amend Section 79 of the Local and Special Laws passed by the Regular Session of the Thirty-first Legislature, as amended in Chapter 76 of the Regular Session of the Thirty-fourth Legislature, the same being an act to create a more efficient road system for Lamar county, Texas, and defining the powers and duties of the commissioners court of said county, relative to roads and bridges of said county and making commissioners of said county ex-officio road commissioners, and providing for the amount of compensation to be collected from each road hand shall be two dollars per day instead of one dollar per day as at present provided for, and the collection of three dollars per day for teams instead of one dollar and fifty cents as at present, and providing further for the election of the county engineer of the said county, and prescribing the terms for which he should serve his duty and compensation, and providing conditionally for employment of consulting, etc., and declaring an emergency."

The bill was read third time and passed.

#### HOUSE BILL NO. 15 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 15, A bill to be entitled "An Act enlarging the Moran Independent School District in Shackelford county, Texas, defining its boundaries as enlarged, and providing for the election of the board of trustees to manage and control the public free schools within said district; to cause a public free school to be taught in the western portion of said enlarged district when con-

## EIGHTH DAY.

(Continued.)

(Wednesday, June 2, 1920.)

The House met at 9 o'clock a. m. and was called to order by Mr. Pope.

## MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Representatives Culp and Barrett, I submit for your consideration the following subject, to-wit:

"An Act to amend Section 11, Chapter 38, Special Laws of the Second Called Session of the Thirty-sixth Legislature, creating the Academy Independent School District of Bell county, Texas."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Dudley, I submit for your consideration the following subject, to-wit:

"An Act to amend Section 28, Article 1121, of the Revised Civil Statutes of the State of Texas by authorizing corporations, heretofore, and hereafter to be organized thereunder, to act as general commercial brokers, and as customs brokers in the United States and foreign countries, in addition to the powers already provided thereby, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Hill, I submit for your consideration the following subject, to-wit:

"An Act creating the Quail Independent School District in Collingsworth county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its boards of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Parnell, I submit for your consideration the following subject, to-wit:

"An Act creating a Special District Court for Wilbarger county, Texas, for the trial of civil cases, to be numbered 91, defining its jurisdiction, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

## HOUSE BILL NO. 99 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 99, A bill to be entitled "An Act re-establishing and redefining the boundaries of the present West Dallas Independent School District in Dallas county, Texas, and declaring an emergency."

The bill was read second time and passed to engrossment.

## BILL REREFERRED.

On motion of Mr. Curtis, House bill No. 103 was withdrawn from the Judiciary Committee and referred to the Committee on Counties.

## HOUSE BILL NO. 22 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 22, A bill to be entitled "An Act creating the Loraine Independent

Brown of Wilson.	Parnell.
Crumpton.	Poage.
Culp.	Pool.
Fairchild.	Raiden.
Heideke.	Seagler.
Laney.	Seward.
McDonald.	Smith of Hopkins.
McDowra.	Taylor.
McFarlane.	Thompson
McLeod.	of Harris.
Miller of Austin.	Veatch.
Moon.	Walker of Newton.
Neal.	Williams
Newton.	of McLennan.
Nordhaus.	

## Absent—Excused.

Beason.	Pedigo.
Bryant.	Rogers.
Lackey.	Smith of Bastrop.
Lowe.	Stewart.
Parsley.	

A quorum was announced present.  
Prayer was then offered by Hon. J.  
C. Murrell, a member of the House.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Wilson, for Monday and Tuesday, on motion of Mr. Childers.

Mr. Parsley, for today and indefinitely, on motion of Mr. Lee.

Mr. Beason, for today and tomorrow, on motion of Mr. Biggs.

Mr. Pedigo, for today, on motion of Mr. Satterwhite.

## MESSAGES FROM THE GOVERNOR.

Miss Anne Houghton, Assistant Secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Hopkins and Representative Jackson, I submit for your consideration the following subject, to wit:

"An Act prescribing procedure in suits where misjoinder of parties or causes of action exists so that such suits shall not on account thereof abate, but shall be subdivided and the different branches, within the jurisdiction of the court, given

subnumbers and said causes as divided proceed to trial on the original or amended pleadings, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Hill, I submit for your consideration the following subject, to wit: "An Act creating the Mobetie Independent School District in Wheeler county, Texas, etc."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Darroch, I submit for your consideration the following subject, to wit: "An Act to provide a more efficient road law for Mills county, etc., and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Bonham, I submit for your consideration the following subject, to wit: "An Act creating Common School District No. 2, Refugio county, Texas, etc., and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Laney, I submit for your consideration the following subject, to wit: "An Act to amend Sections 1, 2, 3, 4, 7, 9, and 11, of House bill No. 102, passed by the Special Session of the Thirty-sixth

Legislature and approved by the Governor, July 23, 1919, being an act regulating the sale of, and defining agricultural and garden seeds and mixed seeds; requiring their proper labeling; prohibiting mixture of seeds unless so labeled; providing for the collection of samples and their examination; defining noxious weeds and foreign matter; providing that certificate of analysis by the Commissioner of Agriculture shall be prima facie evidence in certain cases and regulating the measures of damages; designating an officer for the enforcement of the law, and fixing penalties for its violation."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 1, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Bryant, I submit for your consideration the following subject, to-wit:

"An Act creating Weatherly Common School District in Hall county, Texas, etc., and declaring an emergency."

Respectfully submitted.

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 2, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Baldwin, I submit for your consideration the following subjects, to-wit:

"An Act creating and incorporating the Carlisle Independent School District in Lubbock county, etc., and declaring an emergency."

"An Act creating and incorporating the Shallowater Independent School District in Lubbock county, etc., and declaring an emergency."

Respectfully submitted.

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 2, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Fly, I submit for your consideration the following subject, to-wit:

"An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil

Statutes of Texas, 1911, as amended by Chapter 7, General Laws of the Thirty-third Legislature, and Chapters 26 and 99, General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10, of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13, of the Fourth Called Session of the Thirty-fifth Legislature, and House bill No. 200, Acts of the Regular Session of the Thirty-sixth Legislature, Chapter 105, General Laws of the Thirty-sixth Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named, so as to include Armstrong, Dickens, Presidio, Liberty, Houston, Terrell and Throckmorton counties, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Miller of Dallas:

H. B. No. 131, A bill to be entitled "An Act to amend Section 28, Article 1121, of the Revised Civil Statutes of the State of Texas, by authorizing corporations, heretofore and hereafter to be organized thereunder, to act as general commercial brokers and as customs brokers in the United States and foreign countries, in addition to the powers already provided thereby, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Hill of Wheeler:

H. B. No. 132, A bill to be entitled "An Act creating the Mobeetie Independent School District in Wheeler county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon independent school districts and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect, and declaring an emergency."

Referred to Committee on Education.

By Mr. Jackson:

H. B. No. 133, A bill to be entitled "An Act prescribing procedure in suits where a misjoinder of parties or causes

that you appoint Master Jerome Wilson of Austin, a widow's son.

Very truly yours,

Signed—Brady, Estes, Miller of Dallas, Morris of Bosque, Reeves, Culp, Scott, Fly, Taylor, Garrett, McFarlane, Hall, Tidwell, Loggins, Burton, Osborne, Jackson, Lacey, Seward, Daniel, Baldwin, Lee, Sentell, Walker of Wise, Morris of Montague, King of Erath, Roemer, Reeves, Marshall, Merriman, John Davis of Dallas, Childers, McLeod, Malone, W. A. Black of Bexar, Quicksall, Beavens, Ford.

The resolution was read second time.

On motion of Mr. Vaughan, the resolution was tabled.

#### MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,  
Austin, Texas, June 2, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: The Treasury of Texas is in a condition so fortunate that it is possible for the State to give needed relief to the public schools of Texas without imposing an increased burden of taxes upon the people. Under the same condition, it is likewise possible to provide the State's higher institutions of education with instructors and facilities for operation during the next scholastic year.

In spite of the tremendous increase in the cost of living in the last three years, the cost of State government to the taxpayer in Texas has not been increased. With the exception of the fifteen-cent tax authorized by direct vote of the people to buy free text-books, the total tax rate fixed by the Automatic Tax Board in 1919 was the same as that fixed in 1917, and the rate in 1920, corresponding with the rate fixed in 1918, will bring into the Treasury revenues that are adequate for the purpose of the recommendation I herewith submit. In the absence of provision that will meet the demands of the most critical situation in the school affairs of Texas, the usefulness of all the educational institutions from the lowest to the highest will, without exception, be seriously impaired, while many of the public schools

in Texas will actually face the danger of disintegration.

Recent reports from about three hundred towns in Texas show the following facts concerning the present school term:

Forty per cent kept their schools open by private subscriptions.

Seventy-one per cent of these also raised property valuations.

Thirty-one per cent, not making private subscriptions, raised property valuations.

Sixteen per cent cut short their school term, while a few went in debt illegally.

I accompany this message with reports from towns showing funds raised by private subscription, also statements from several important localities in Texas, with respect to the actual shortage in teachers, and a greater prospective shortage, because of the lack of a living wage to pay the teachers.

More deplorable still was the condition with respect to the rural schools, whose terms were shortened and whose doors were closed in numerous instances, while the estimate has been made that the positions of 2000 teachers were vacated because of low salaries and 50,000 children deprived of the benefits of the schoolroom. It goes without saying, that if not properly dealt with, a situation which was lamentable during the present term bids fair to become alarming during the next term.

In the face of such a crisis, and in the face of a Treasury whose condition warrants it without calling upon the general citizenship of the State for increased revenues, the duty, in my judgment, devolves upon you as the representatives of all the people, to make an appropriation of five million dollars for the public schools of the State, and of approximately one million dollars for the institutions of higher education, to be paid out of the general funds of the State during the next fiscal year, and the duty will devolve upon me as the representative of all the people to approve such appropriation.

Careful consideration and investigation impresses me with the fact that such an appropriation will serve to keep most all of the public schools open, and that such an appropriation will retain in the service the teachers that are necessary to conduct the public schools and to continue the institutions of higher education.

I recommend that five million dollars be made available for the public schools, to be disbursed in the same manner as the available school fund, and that ap-

appropriations for the higher educational institutions be made as follows:

University of Texas.....	\$475,000
Agricultural and Mechanical College .....	137,500
Agricultural Experiment Stations .....	30,530
John Tarleton College.....	28,250
Prairie View Normal and Industrial Institute .....	9,135
Grubbs Vocational College....	21,200
College of Industrial Arts....	41,894
State Normal Colleges—(a)	
Sam Houston, \$33,280; (b)	
North Texas, \$61,560; (c)	
Southwest Texas, \$34,080;	
(d) West Texas, \$48,300;	
(e) East Texas, \$37,330; (f)	
Sul Ross, \$300.....	215,350
	<hr/>
	\$958,859

The program I urge upon you does not include the making of appropriations for buildings or improvements of a permanent nature, which in my judgment may be attended to without material loss of efficiency, by the Thirty-seventh Legislature; however, to insure teachers for the next scholastic term, and to maintain the school system of Texas, and to provide education for all of the children of the people of Texas, it is necessary to meet the responsibility of the hour. The amount I have mentioned, therefore should be placed at the disposal of the schools of Texas.

Respectfully submitted,

W. P. HOBBY,  
Governor.

State Department of Education,  
Austin.

May 31, 1920.

His Excellency, W. P. Hobby, Capitol.

At your request, I am furnishing the following set of facts. We shall be seriously handicapped in our school next year unless we get some aid from the State. We shall levy 75 cents local tax, based on an increased valuation in the city, but this will not be sufficient.

Three-fifths of our men teachers have already signified that they will not accept a place with us, and possibly half of the remaining will not stay under present salary prospects.

Already women teachers in the county are quitting the profession and going into factories in our city, and into the stores. The girls in the overall factory are making better salaries than our teachers. The men in the Frisco shops are making more than our high school

men. The girls from our high school who have finished in the commercial course are going out and getting larger salaries than our high school teachers. A number of our teachers, both in high school and in the grades, are taking a course in shorthand and typewriting, with the purpose of entering that business. A number of them have already quit.

The appropriation of the five million dollars will supplement our funds sufficiently that we shall be able to hold our organizations together and maintain the standard of our schools. If we do not get this appropriation, I am very apprehensive that the frame work of our teaching staff will be so permanently injured by resignations that we shall be seriously handicapped for several years.

Yours very sincerely,

(Signed) J. C. PYLE,  
Superintendent Sherman City Schools.

State Department of Education;  
Free Text-book Division;  
Austin.

His Excellency, W. P. Hobby, Capitol:

At your request, I am furnishing you a brief statement of the facts surrounding the teacher problem at Cleburne.

In the twenty-five years of service as a teacher in Texas, I have never seen so difficult an economic problem. Already more than half of the experienced teachers of the town have left us, and there is strong probability of our losing still others. This is true in spite of the fact that with a wonderful unanimity, the citizenship has voted some years ago a seventy-five-cent maintenance tax, and in mass meetings in the immediate past have petitioned the mayor and city council to increase all property renditions to one hundred cents on the dollar, present cash valuation, which in many instances will be double at least the cost of erection where buildings are involved.

In spite of these facts, and in spite of the fact that the board of trustees has apportioned every available dollar from all sources mentioned, the loss to the teaching profession mentioned above in our locality has occurred. I might say specifically that the number of children in Cleburne to be taken care of is so large that all funds available provide a maximum salary for grade teachers of only \$990, and a minimum of \$594, with the prepondering number in the lower salary schedule, for the reason that the experienced teachers in other vocations

are worth so much more than our maximum that they are unable to continue to make the sacrifice.

Concretely, we had thirteen girls graduate a year ago from the high school who had taken stenography and typewriting. At the end of the summer, three months later, there were only two high school women whose annual salary exceeded the average for this group of girls. Unless there is material relief from outside sources all worth-while teachers who are not handicapped by home conditions will be found elsewhere the coming fall.

As a representative of the profession, and particularly of that section of the State in which Johnson county lies, I respectfully urge that you do all that you can to have the school funds for the benefit of all children supplemented by direct appropriation.

Respectfully,  
(Signed) EMMETT BROWN.

May 31, 1920.

Hon. W. P. Hobby, Governor of Texas,  
Capitol.

Dear Sir: In my judgment, the appropriation of \$5,000,000 for additional support of the schools of Texas for the coming year would not only be an exceedingly valuable measure, but would meet with very widespread approval from the people of our State.

I have talked to men in every true walk of life, and so far as I can find, practically all would approve of measures leading to the advancement of schools.

Among these are representatives of three daily papers, Labor Council, the Chamber of Commerce, the Young Men's Business League, and practically all our other civic and industrial organizations.

The Houston schools already pay better salaries than do most schools in the State. However, we have practically no men applying for positions in our schools. Our higher salary schedule is attracting applications from practically all the best of the county teachers.

I know of one stenographer who has been at work two years and is making more than any high school teacher in our corps.

Negro porters and barbers are making more than the average salaries of our teachers.

Cities such as Houston need help very greatly, but after all they could as a fashion get along. The place

where relief is most needed is in the country districts. Unless some relief is granted, I do not see how it could be expected that more than half the schools of Harris county would be open during the coming year. It is, of course, nearly a truism to state that the country schools are the backbone of the educational system of our State.

I sincerely trust you will do everything in your power to secure an appropriation of not less than \$5,000,000 for the aid of our common school system. To do so, would, in my judgment, be very widespread general approval of citizens of our State.

Yours very truly,  
(Signed) P. W. HORN.

(Copy.)

May 31, 1920.

His Excellency, W. P. Hobby, Capitol.

Dear Sir: To illustrate the hopelessness of the teacher's condition, I make this single illustration:

Common laborers in Fort Worth get from \$4 to \$6 for an 8-hour day. Our most poorly paid teachers got \$72 a month for a month of 22 to 23 days; they have to work at least ten hours a day to do their work well. They get \$3.27 a day or 33 cents an hour. The most poorly paid laborer gets 50 cents an hour. The teacher has to work one and one-half hours in exchange for one hour's work of the laborer.

Yours truly,  
kms (Signed) R. L. PASCHAL.

(Copy.)

May 31, 1920.

Hon. W. P. Hobby, Governor of Texas,  
Capitol.

Dear Governor: As an illustration of the difficulty of maintaining properly qualified teachers in the schools, I beg to submit to you the following illustration:

In the city of Fort Worth lived two sisters; one a normal school graduate, who, under the present salary schedule in the city of Fort Worth, can be paid but \$77 per month. The other a girl fresh from high school who receives a salary of \$150 a month.

Illustrations of this kind can be multiplied indefinitely and the result is that we are not only unable to hold the teachers in the schools, but the younger people coming on are making no preparation whatever to enter the profession.

For two or three years in the city of Fort Worth, we have been unable

to maintain the schools with the revenues that have been provided and are running behind this year \$70,000, notwithstanding the fact that the people of the city very generously voted on June 17 of last year to raise the school tax from 50 cents to 71 cents on the \$100 valuation of property. Our building projects are at a standstill; our equipment already inadequate is deteriorating and our buildings and grounds are being neglected. In the rural districts of the State the teachers are refusing to sign contracts and the prospects for next year indicate that the 2000 schools that were without teachers this year will be below the number of vacant schools for next year unless some immediate relief becomes available. My information is from contact with people that they are unanimously in favor of strong measures of relief and I sincerely hope that you may see your way clear to encourage the present Called Session of the Legislature to provide the \$5,000,000 emergency appropriation which is now asked for.

Sincerely yours,

(Signed) M. H. MOORE,

Superintendent of Fort Worth Public Schools.

June 2, 1920.

His Excellency, Governor W. P. Hobby,  
Executive Office, City.

My Dear Governor Hobby: In response to your request for information as to public school funds, I am respectfully submitting the following:

A statement from the Comptroller's Office today gives the following statement as to the sources of the fund and the total:

Receipts Credited to Available School Fund From September 1, 1919, to May 1, 1920, and Sources from Which Received.

By balance, Sept. 1, 1919.	\$ 854,271.97
From tax collectors (ad valorem taxes, $\frac{3}{4}$ poll taxes and $\frac{1}{4}$ all occupation taxes)	10,680,305.96
Interest, land sales.	1,257,545.34
Interest, State Depositories	64,576.07
Interest, city, county and district bonds	504,061.46
Interest on State bonds	46,490.00
Interest on railroad bonds	7,295.24
One-fourth gross receipts	709,013.23

Total from all sources..\$14,123,559.27

The \$10,680,305.96 derived from taxes, includes the 15-cent ad valorem tax for text books. The proceeds of this portion of the tax, up to May 1, were \$3,279,498.48. Deducting this from the total of \$14,123,559.27, we have the amount available this year for per capita apportionment to the schools.

\$14,123,559.27  
3,279,498.48

\$10,844,060.79

There has been apportioned to the public schools, for 1,233,792 scholastics a per capita of \$8.50, amounting to \$10,487,232.

In reply to the question as to what percentage of increase to teachers' salaries, \$1,000,000 will give, exact figures for the present year are not available. An approximate estimate, which I believe to be a liberal one, is that \$1,000,000 would provide for an increase of between three and three and one-half per cent. Figures as to proceeds of local taxes for the present session will not be available until October. The amount will be greatly in excess of that of last session, as many districts have voted additional taxes, and others have raised property valuations. The total from local taxation last year was \$12,102,879.89. This office has no figures as to proceeds of county permanent funds. Report blanks issued before my administration do not call for such a report. I have caused these blanks to be revised, and reports for the present session do require this information, but these reports will not be due until October.

I am enclosing with this a copy of a report as to the Text Book Fund. This was sent to each member of the Legislature several days ago.

As to the investment of the State permanent school fund, the Comptroller's annual report shows the following balances, August 31, 1919:

Railroad bonds	\$ 1,703,317.00
State bonds	2,772,000.00
City, county and district bonds	18,616,811.26
Total invested in bonds	\$23,092,128.26

The report of the Land Commissioner about two years ago shows the estimated value of school lands and land notes to be about \$19,000,000, making a grand total of the permanent school funds of \$72,092,128.26.



It is quite evident that this fund does not produce an income of 5 per cent. Calculated on figures given above, it produces an income of 2.6 per cent.

As to the \$2,000,000 appropriated for rural aid, this is not disbursed on a per capita basis, but is appropriated to schools of 500 scholastics or less on the conditions prescribed in the Rural Aid Law.

The following figures will show the purpose for which this has been used:

Total amount for salaries of public school teachers .....	\$1,801,651.12
Total amount for libraries of rural schools .....	10,570.00
Total amount for transportation .....	8,015.00
Amount granted, to be approved by State Board at meeting, June 10....	5,154.00
Administration expenses to date .....	25,577.54
Balance of expense account on hand .....	14,422.46
Balance unappropriated to schools at this time....	134,609.88
	<b>\$2,000,000.00</b>

Number of schools which have received State aid.....4,612

Aid will be granted to other schools as they meet the conditions. A part of the appropriation will lapse to the State because some of the schools will not meet the conditions.

I am now preparing a full statement as to all funds and expenses of my department, which will be sent to the Committee on Finance. I am glad to furnish to the Legislature and to the public, any information which it desires in regard to funds, expenditures, or any part of our work. Our records are public records.

Respectfully yours,

(Signed) ANNIE WEBB BLANTON,  
State Superintendent.

#### School Districts Which Have Raised School Funds by Private Subscription.

Festoria, Montgomery county..	\$ 2,250.00
Carthage, Panola county.....	3,400.00
Roby Fisher county.....	1,300.00
Parker, Johnson county.....	200.00
Mt Vernon, Franklin county..	1,000.00
Kyle, Hays county.....	2,000.00
Wylie, Collin county.....	1,400.00
Ganado, Jefferson county.....	450.00
Meridian, Bosque county.....	1,500.00

Pleasanton, Atascosa county..	485.00
Avery, Red River county.....	300.00
Cunningham, Lamar county..	133.00
Megargel, Archer county.....	1,335.00
Wellington, Collingsworth county .....	5,400.00
Tioga, Grayson county.....	600.00
Pecos, Pecos county.....	1,000.00
Knox City, Knox county.....	4,000.00
Stamford, Jones county.....	2,250.00
Smithfield, Tarrant county...	175.00
Quanah, Hardeman county...	1,200.00
Ringgold, Montague county...	200.00
McDade, Bastrop county.....	200.00
Reagan, Falls county.....	500.00
Matagorda, Matagorda county	415.00
Palestine, Anderson county...	17,500.00
Comanche, Comanche county.	5,000.00
May, Brown county.....	320.00
Devine, Medina county.....	900.00
Merkel, Taylor county.....	2,800.00
Silsbee, Hardin county.....	250.00
Valley View, Cooke county...	950.00
Rotan, Fisher county.....	500.00
Brashear, Hopkins county....	204.00
Newcastle, Young county....	1,579.00
Port Lavaca, Calhoun county.	1,000.00
La Grange, Fayette county...	2,000.00
Eastland, Eastland county...	10,000.00
Rising Star, Eastland county.	2,100.00
Angleton, Brazoria county...	200.00
Garrison, Nacogdoches county	1,500.00
Grand Saline, Van Zandt county .....	1,700.00
Graham, Young county.....	1,800.00
Boerne, Kendall county.....	625.00
Bridgeport, Wise county.....	600.00
Whitney, Hill county.....	3,000.00
Livingston, Polk county.....	2,000.00
Rosenberg, Fort Bend county.	1,000.00
Crowell, Foard county.....	2,000.00
Velasco, Brazoria county....	210.00
Avinger, Cass county.....	50.00
Hearth, Rockwall county.....	175.00
Haskell, Haskell county.....	1,000.00
De Leon, Comanche county...	4,000.00
Como, Hopkins county.....	400.00
Howe, Grayson county.....	1,000.00
Itasca, Hill county.....	600.00
Chireno, Nacogdoches county..	200.00
East Bernard, Wharton county	135.00
Montague, Montague county..	625.00
Bardwell, Ellis county.....	1,200.00
Leesburg, Camp county.....	50.00
Millford, Ellis county.....	300.00
Forney, Kaufman county.....	1,200.00
Leonard, Fannin county.....	600.00
Aransas Pass, San Patricio county .....	3,000.00
Lampasas, Lampasas county..	1,500.00
Cisco, Eastland county.....	12,000.00
Dawson, Navarro county.....	550.00
Goose Creek, Harris county..	5,000.00

Conroe, Montgomery county..	6,000.00
Paducah, Cottle county.....	2,000.00
Cleveland, Liberty county....	790.00
Port Arthur, Jefferson county	20,000.00
Kirkland, Childress county....	200.00
New Waverly, Walker county...	300.00
Kosse, Limestone county.....	837.00
Byers, Clay county.....	921.00
Gunter, Grayson county.....	240.00
Sulphur Springs, Hopkins county .....	750.00
Beckville, Panola county.....	800.00
Quitman, Wood county.....	250.00
Poteet, Atascosa county.....	250.00
Menard, Menard county.....	1,200.00
Clyde, Callahan county.....	150.00
Ballinger, Runnels county....	1,348.50
Lodge, Hall county.....	133.00
Lufkin, Angelina county.....	5,500.00
Nocena, Montague county.....	400.00
Munday, Knox county.....	2,000.00
Salado, Bell county.....	1,000.00
Sanger, Denton county.....	1,200.00
Roscoe, Nolan county.....	1,235.00
Remlig, Jasper county.....	1,500.00
Tolar, Hood county.....	360.00
Stockdale, Wilson county....	463.00
Stanton, Martin county.....	750.00
Anderson, Grimes county.....	700.00
Alto, Cherokee county.....	6,000.00
Winters, Runnels county.....	700.00
Albany, Shackelford county..	1,000.00
Troup, Smith county.....	500.00
Slidell, Wise county.....	650.00
Sweetwater, Nolan county....	5,000.00
Jacksboro, Jack county.....	120.00
Bartlett, Bell county.....	400.00
Linden, Cass county.....	65.00
Gustine, Comanche county....	350.00
Clarendon, Donley county....	400.00
Buna, Jasper county.....	175.00
Bremond, Robertson county...	150.00
Blossom, Lamar county.....	292.00
Blanco, Blanco county.....	200.00
Alvarado, Johnson county....	750.00
Crockett, Crockett county....	1,200.00
Colorado, Mitchell county....	600.00
Coolidge, Limestone county...	2,000.00
Burleson, Johnson county....	640.00
El Campo, Wharton county...	1,200.50
Hearne, Robertson county....	1,200.00
Kerens, Navarro county.....	1,800.00
Lillian, Johnson county.....	4,000.00
Lone Oak, Hunt county.....	1,200.00
Liberty Hill, Williamson coun- ty .....	1,000.00
Washington Heights, Tarrant county .....	300.00
Eustace, Henderson county...	175.00

Governor's Office,  
Austin, Texas, June 2, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Repre-  
sentative Canales, I submit for your con-  
sideration the following subject, to wit:  
"An Act creating Riviera Road Dis-  
trict, in Precinct No. 3 of Kleberg  
county, Texas, etc., and declaring an  
emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 2, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Repre-  
sentative Tillotson, I submit for your  
consideration the following subject, to-  
wit:

"An Act requiring all parties making  
application for charters for State banks  
in the State of Texas to pay all actual  
expenses of an investigation by the De-  
partment of Insurance and Banking in-  
cident thereto."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 3, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Sen-  
ator Hall and Representatives Loggins,  
Brady and Beason, I beg to submit for  
your consideration the following sub-  
ject, to wit:

"An Act to aid the city of Freeport,  
Texas, in raising, strengthening and en-  
larging existing levees now partially  
protecting the said city from tropical  
storms and calamitous overflows, and  
in constructing and maintaining addi-  
tional levees, breakwaters, bulkheads,  
and other works incidental thereto, both  
within and without the corporate limits  
of said city of Freeport, by donating  
and granting to said city of Freeport  
for a period of twenty years, com-  
mencing with the fiscal year beginning  
September 1 1920, the State ad valorem  
taxes collected upon property and from  
persons, firms or corporations within the

defined limits of Brazoria County Road District No. 23 of Brazoria county, Texas, the boundaries of which include the city of Freeport, three-fourths of all moneys collected from State occupation taxes received from persons, firms, companies or associations of persons doing business within the limits of the said road district, and all State poll taxes collected from persons within the limits of said road district, except that belonging to the public school fund, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 3, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Blackburn, I submit for your consideration the following subject, to-wit:

"An Act to amend Chapter 98 of the Local and Special Laws passed by the Thirty-sixth Legislature at its Regular Session, approved March 24, 1919, entitled 'An Act creating the Leahey Independent School District in Real county, Texas, providing a board of trustees therefor, vesting it with all rights, powers and duties of districts incorporated for school purposes only under the general laws, and declaring an emergency.'"

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 3, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Witt, I submit for your consideration the following subject, to-wit:

"An Act to amend Section 1 of Senate bill No. 153, Chapter 66 of the Special Laws of Texas, passed at the Second Called Session of the Thirty-sixth Legislature of the State of Texas, and approved July 22, 1919, entitled 'An Act creating the Moody Independent School District in McLennan county, Texas; defining its boundaries, including the present Moody Independent School District, etc., and declaring an emergency.'"

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 3, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Wilson, I beg to submit for your consideration the following subject, to-wit:

"An Act to amend Sections 1 and 4, Chapter 88, Special Laws passed at the Second Called Session of the Thirty-sixth Legislature, approved July 23, 1919, creating and defining the boundaries of the Grafod Independent School District of Palo Pinto county, Texas, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 2, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representatives Walker of Newton, Faubion and Thomason of Nacogdoches, I submit for your consideration the following subject, to-wit:

"An Act to repeal Section 2, Chapter 96, General Laws of the Regular Session of the Thirty-third Legislature, as amended by Chapter 10 of the Acts of the Regular Session, Thirty-fourth Legislature, relating to the taking of fish, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 2, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Dean, I submit for your consideration the following subject, to-wit:

"An Act creating a more efficient road system for Walker county, Texas, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 2, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Representative Roemer, I submit for your consideration the following subject, to-wit:

"An Act to aid the city of Port Lavaca in constructing and maintaining

revetments, and in the restoring, protection and improvement of the harbor and bay shore front of the city of Port Lavaca, and for the purchase, by condemnation, or otherwise, of all lands necessary for said bay shore front and harbor improvements, all for public use, by donating to said city of Port Lavaca the ad valorem taxes to be collected by the State of Texas on all property and from all persons owning property situated in Calhoun county, State of Texas, for a period of twenty years, and to authorize said city to issue bonds for the purposes mentioned, and to provide a penalty for the misappropriation of funds raised therefor, and to declare an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, June 2, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Bailey, I submit for your consideration the following subject, to wit:

"An Act abolishing the George West Independent School District as created under the general laws and creating the George West Independent School District of Live Oak county; defining its boundaries by metes and bounds, validating the election of the present board of trustees and continuing them in office till the expiration of their present term; prescribing the rights, powers and duties of said school district and said trustees, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, June 2, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Loggins, I submit for your consideration the following subject, to wit:

"An Act to amend Chapter 10, General Laws passed at the Second and Third Called Sessions of the Thirty-fifth Legislature, which is 'An Act to amend Article 7235 Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99, General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth

Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include Brazoria county, and declaring an emergency.'"

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, June 2, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senators Caldwell, Suiter and Dean, I submit for your consideration the following subject, to wit:

"An Act to amend Section 17 of Chapter 83 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature, so as to provide that all proceeds heretofore and hereafter paid and collected arising from activities under such act affecting lands belonging to the University of Texas, save and except the royalties as provided in said act, shall be credited to the available fund of such institution, and shall be held by the Board of Regents of such institution in a special building fund, and shall be expended by them only for the erection of buildings or for other permanent improvements; and to provide that all royalties collected or paid under such act arising from lands belonging to the University of Texas shall be credited to the permanent fund of such institution, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, June 2, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of House Committee on Insurance and Banking, I submit for your consideration the following subject, to wit:

"An Act to amend Section 3 of an act entitled 'An Act further regulating banks and bank and trust companies incorporated under the laws of Texas by granting authority to such corporations to become members of Federal reserve banks,' etc., passed at the Second Called Session of the Thirty-third Legislature and approved October 19, 1914, so as to provide that every banking corporation chartered under the laws of this State

with a capital stock of at least twenty-five thousand (\$25,000) dollars and which does not become a member of a Federal reserve bank under the laws of the United States, shall at all times have an amount of cash on hand and cash from other banks equal to at least twenty (20) per cent of the aggregate amount of its demand deposits; and all banks not located in a central reserve city, having a capital stock of twenty-five thousand (\$25,000) dollars or more and which do not become members of the Federal reserve bank under the laws of the United States shall at all times have an amount of cash on hand and cash due from other banks equal to at least fifteen (15) per cent of the aggregate amount of its demand deposits."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 2, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Parnell, I submit for your consideration the following subject, to-wit:

"An Act extending the time for the development of permits to prospect for oil and gas issued by the State of Texas which said permits cover lands which are now or may hereafter be placed under the Federal receiver appointed by the United States Supreme Court in the controversy now pending between the State of Oklahoma and the State of Texas, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 2, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Canales, I submit for your consideration the following subject, to-wit:

"An Act to amend Section 1 of Chapter 42 of the Special Laws passed by the Thirty-sixth Legislature at its Second Called Session creating the Los Indios Independent School District in Cameron county by providing for the boundaries of said district more particularly defining its metes and bounds, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 3, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Bonham, I submit for your consideration the following subject, to-wit:

"An Act creating Bonnie View Independent School District in Refugio county, Texas, providing a board of trustees therefor, providing that said independent school district and the board of trustees thereof shall have and enjoy all the rights, powers, privileges and duties imposed and conferred by the General Statutes upon independent school districts in this State, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 3, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Witt, I submit for your consideration the following subject, to-wit:

"An Act to amend Article 1129, Chapter 2, Title 25, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature of 1911, providing for the exemption of cotton mills from the provisions of Articles 1125 to 1128, inclusive, of the Revised Civil Statutes, and providing an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 3, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Brown, I submit for your consideration the following subject, to-wit:

"An Act to amend Chapter 2, Title 18, of the Revised Civil Statutes of the State of Texas, as amended by Senate bill No. 370, of Chapter 203, on page 461, of the Acts of the Thirty-fifth Legislature, by adding thereto the Article 637g, providing that where a political subdivision or defined road district of a county has been established, or may hereafter be established, and issued bonds, that such district is empowered by and under the direction of the com-

missioners court to expend its funds for the purpose of constructing, maintaining or repairing a road beyond the limits of the boundaries of such district to extend not exceeding five miles in order to connect with a public road leading to the county seat of the county wherein such district is located, provided, however, that such funds which may be expended for the extension of such road beyond the limits of such district shall be expended by and under the direction of the commissioners court of the county in accordance with the provisions of this Chapter."

Respectfully submitted,

W. P. HOBBY,  
Governor.

SENATE BILL NO. 17 ON THIRD  
READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 17, A bill to be entitled "An Act to create the Nineteenth Judicial District; fixing its jurisdiction and the time of holding courts therein; providing for the appointment by the Governor of judge for Ninetieth Judicial District; providing that the district clerk of Stephens county shall be an officer of said judicial district, fixing his compensation for services rendered therein, and providing for the filling of vacancies in the office of district clerk in said county; and providing further, for the transfer of cases from and to the Forty-second Judicial District Court, and from one court to the other, and declaring an emergency."

The bill was read third time.

The Clerk was directed to call the roll and the bill was passed by the following vote:

Yeas—106.

Alexander.	Blackburn.
Atlee.	Bonham.
Baldwin.	Brady.
Barker.	Brown of Liberty.
Barnes.	Bryant.
Barrett of Bell.	Burns.
Barrett of Jones.	Canales.
Bass.	Childers.
Beard.	Cox.
Beasley.	Culp.
Beavens.	Curtis.
Bedell.	Daniel.
Biggers.	Darroch.
Biggs.	Davis, John E.,
Black, O. B.,	of Dallas.
of Bexar.	Davis, John,
Black, W. A.,	of Dallas.
of Bexar.	Dickson.

Estes.	Neal.
Fairchild.	Newton.
Faubion.	O'Banion.
Fly.	Osborne.
Garrett.	Owen.
Hall.	Parnell.
Hamilton.	Peevy.
Heideke.	Peyton.
Hill.	Pollard.
Ho mes.	Pope.
Horton.	Quicksall.
Jackson.	Reeves.
Johnson of Blanco.	Richards.
Johnson of Travis.	Roemer.
Jones.	Rosser.
Kellis.	Satterwhite.
King of Erath.	Scott.
King of	Sentell.
Throckmorton.	Seward.
Lacey.	Sm th of Hopkins.
Lackey.	Smith of Smith.
Lange.	Sneed.
Lawrence.	Stephens.
Lee.	Taylor.
Lidiak.	Teer.
Loggins.	Tharp.
McCord.	Thomason
McDowra.	of Nacogdoches.
McFarlane.	Thompson
McLeod.	of Harris.
McMillin.	T. o o p s o n
Marshall.	of Hunt.
Merriman.	Tidv ell.
Miller of Austin.	Veatch.
Miller of Dallas.	Vickers.
Morris of Bosque.	Walker of Newton.
Morris of Medina.	Walker of Wise.
Morris	Wilson.
of Montague.	Wright.
Murrell.	

Nays—3.

Bertram.	Tilson.
Dodd.	

Present—Not Voting.

Moon.

Absent.

Bagby.	Raiden.
Bludworth.	Sackett.
Brown of Wilson.	Schlosshan.
Burton.	Seagler.
Crumpton.	Terrell.
Ford.	Thomas.
Johnson of Ellis.	Tillotson.
Laney.	Vaughan.
McDonald.	Williams
Malone.	of McLennan.
Nordhaus.	Williams
Poage.	of Montgomery.
Pool.	

Absent—Excused.

Beason.	Rogers.
Lowe.	Smith of Bastrop.
Parsley.	Stewart.
Pedigo.	

of assistants in the State Reclamation Department; readjusting the salaries of such assistants for the three months ending August 31, 1920, and for the year ending August 31, 1921, abolishing the position of one technical assistant in said department by repeal of the item appropriating the salary therefor, and declaring an emergency."

S. B. No. 49, A bill to be entitled "An Act amending Article 3866 (2462), Revised Civil Statutes of the State of Texas 1895, relating to compensation for ex-officio services of the sheriffs of the State, and declaring an emergency."

S. B. No. 53, A bill to be entitled "An Act repealing Sections 1 to 3, both numbers inclusive, of Chapter 137, Special Laws enacted by the Regular Session of the Thirty-sixth Legislature, approved March 28, 1917, the same being an act creating a more efficient road system for Bowie county, Texas, adopting for said county the general laws of the State in relation to the issuance of bonds for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads, turnpikes, or in aid thereof, and declaring an emergency."

S. B. No. 55, A bill to be entitled "An Act to create the Ninety-first Judicial District; fixing its jurisdiction and time of holding courts therein; providing for the appointment by the Governor of a judge for said Ninety-first District; providing that the district clerk and county attorney of Eastland county each shall be officers of said Ninety-first District Court, and fixing their compensation for services rendered therein; providing for transfer of cases from and to the Ninety-first Judicial District Court and the Eighty-eighth District Court from one court to the other, requiring notice of such transfer of cases in certain instances to be given; providing that suits shall be alternately filed in said Ninety-first Judicial District Court of Eastland county and the Eighty-eighth Judicial District Court of Eastland county; providing that no grand jury in said Ninety-first District Court of Eastland county shall be organized unless it is specially ordered by the judge of said Ninety-first District; providing that from and after the first day of January of the year A. D. 1925 said Ninety-first Judicial District shall cease to exist; declaring that an emergency exists requiring the immediate passage of this act."

S. B. No. 62, A bill to be entitled

"An Act to create a more efficient road system for Walker county by amending Chapter 134 of the Special Laws of the Thirty-third Legislature as amended by Chapter 6 of the Special Laws of the First Called Session of the Thirty-fourth Legislature; by amending Section 7 of said Chapter 134 by striking out from Section 7 the provision requiring that the bonds therein referred to shall not be sold for less than par and accrued interest; by amending Section 19 of said Chapter 134 so as to leave it within the discretion of the board as to the employment of a skilled highway engineer; by amending Section 12 of said Chapter 134 so as to leave it within the discretion of the board as to the making up of complete maps, profiles and working plans, and the filing thereof; by amending Section 48 of said Chapter 6 of the laws of the First Called Session of the Thirty-fourth Legislature so as to leave it within the discretion of the commissioners court of Walker county as to the employment of a highway engineer in that portion of said county not included in any independent district; by amending Section 51 of said Chapter 6 by providing that all work done on the public roads in said county shall be done and performed under the direction and supervision of the highway engineer where one is appointed; by repealing Section 11 of said Chapter 134 of the Special Laws of the Thirty-third Legislature, and declaring an emergency."

S. B. No. 29, A bill to be entitled "An Act to provide for a general educational survey of the State of Texas, to create a committee, prescribe their duties, make appropriations to carry out the provisions of this act, and declaring an emergency."

Respectfully,

G. A. BAKER,

Assistant Secretary of the Senate.

#### MESSAGES FROM THE GOVERNOR.

Miss Annie Houghton, secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,

Austin, Texas, June 4, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Bonham, I submit for your

consideration the following subject, to-wit:

"An Act to amend Chapter 19 of the General Laws of the State of Texas, passed at the Second Called Session of the Thirty-sixth Legislature, by withdrawing the unsurveyed public free school lands from the operation of the provisions of said chapter, and providing for the application for and issuance of permits to prospect for oil and gas on such lands and regulating developments thereunder, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 4, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Johnson of Blanco, I submit for your consideration the following subjects, to-wit:

"An Act to validate the incorporation of Fredericksburg Independent School District of Gillespie county, Texas, etc., and declaring an emergency."

"An Act to create a more efficient road system for Blanco county, Texas, etc., and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 4, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Wright, I submit for your consideration the following subject, to-wit:

"An Act to amend Article 6901 of Chapter 29, Acts of the Thirty-fifth Legislature, and further amended by Chapter 98 of Regular Session of the Thirty-sixth Legislature, fixing the compensation of county commissioners in counties having a population of 29,000 or less, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Wood, I submit for your consideration the following subject, to-wit:

"An Act creating the Thompson's Hill Independent School District in Henderson county, Texas, etc., and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, June 3, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Horton, I submit for your consideration the following subject, to-wit:

"An Act re-establishing and re-defining the boundaries of the present West Dallas Independent School District in Dallas county, Texas, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, June 3, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Baldwin, I submit for your consideration the following subject, to-wit:

"An Act extending the boundaries of and adding territory to the Tahoka Independent School District in Lynn county, Texas, etc., and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, June 4, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Dorrough, I submit for your consideration the following subject, to-wit:

"An Act to amend Articles 628 and 632 of Chapter 2, Title 18, Revised Civil Statutes of 1911, as amended by Section — of Chapter 203, Acts of the Regular Session of the Thirty-fifth Legislature, so as to authorize any county or political subdivision or defined district thereof to issue bonds when hereafter authorized by a vote of two-thirds majority of the resident property taxpaying voters of said county or political subdivision or defined district thereof, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes or in aid thereof, to bear



a rate of interest to be fixed by the commissioners court not exceeding six per cent per annum and to mature at such times as may be fixed by said court serially or otherwise not to exceed thirty years from their date, and authorizing the commissioners court of such county to sell such bonds either in whole or in parcels to the highest and best bidder for cash at not less than their par value, and also to amend Article 637c of Section 2 of Chapter 203, Acts of the Regular Session of the Thirty-fifth Legislature, as amended by Section 1 of Chapter 38, Acts of the Second Called Session of the Thirty-sixth Legislature, so as to authorize county road bonds hereafter issued by any county pursuant to an election duly and legally held therein for the purpose of purchasing or taking over district roads within any road districts of the county and which exceed the amount necessary to offset and retire bonds outstanding against such road districts, which county bonds shall bear interest at a rate to be fixed by the commissioners court not to exceed six per cent per annum; providing that the provisions of this act shall apply to all counties having special road laws which authorize the issuance of county special road bonds or road district bonds under authority conferred by Chapter 2, Title 18, Revised Civil Statutes of 1911, and all amendments thereto; providing that nothing in this act shall be construed as invalidating any bond elections previously ordered or held within and for any county in this State or any political subdivision or defined district of any county under the provisions of Chapter 2, Title 18, Revised Civil Statutes of 1911, and amendments thereto or under authority of any special county road law, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 4, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Johnson of Blanco, I submit for your consideration the following subjects, to-wit:

"An Act to amend Sections 3 and 12 of Chapter 32 of the Local and Special Laws of the Regular Session of the Thirty-fifth Legislature, as Section 3 thereof was amended by Chapter 6 of

the Local and Special Laws of the Regular Session of the Thirty-sixth Legislature, so as to give the commissioners court authority to regulate the pay of road hands and teams; and to provide how road hands and teams summoned to work out their road duty may release themselves from said duty."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 3, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Senator Dean, I submit for your consideration the following subject, to-wit:

"An Act amending the Polk county Special Road Law, etc., and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 4, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Black, I submit for your consideration the following subject, to-wit:

"An Act to amend and revise the metes and bounds of Common School District No. 40 in Bexar county, Texas, etc., and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

#### HOUSE BILL NO. 64 ON THIRD READING.

Mr. Dickson moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 64 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Alexander.	Biggers.
Baldwin.	Biggs.
Barker.	Black, O. B.,
Barnes.	of Bexar.
Barrett of Bell.	Black, W. A.,
Barrett of Jones.	of Bexar.
Bass.	Blackburn.
Beard.	Brady.
Beasley.	Brown of Liberty.
Bertram.	Bryant.

Canales.	Neal.
Estes.	Osborne.
Hall.	Pollard.
Hamilton.	Pool.
Hill.	Rogers.
Horton.	Rosser.
Jackson.	Schlosshan.
Johnson of Blanco.	Sentell.
Johnson of Ellis.	Taylor.
Johnson of Travis.	Teer.
King of Erath.	Thomason
Lackey.	of Nacogdoches.
Lawrence.	Thompson
Lidiak.	of Harris.
Merriman.	Tillotson.
Miller of Austin.	Wilson.
Morris of Medina.	

## Absent.

Bagby.	Pope.
Beason.	Richards.
Crumpton.	Roemer.
Fairchild.	Seagler.
Holmes.	Terrell.
Lange.	Williams
Nordhaus.	of McLennan.
Parnell.	

## Absent--Excused.

Bludworth.	Miller of Dallas.
Brown of Wilson.	Parsley.
Burton.	Poage.
Laney.	Smith of Bastrop.
Lowe.	Stewart.
Malone.	Vaughan.

Mr. Raiden moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

## Reason for Vote.

I vote against killing this bill for such reasons as, that it is universally admitted that there is no correlation between the institutions of the present school system, and this bill proposes an investigation to secure a correlation that is sadly needed.

If there was action on the bill I would introduce an amendment to strike out the \$30,000 and substitute in place thereof \$1000.

For the reason that it would take but little labor and expense to formulate a proper school system.

KING of Erath.

## MESSAGES FROM THE GOVERNOR.

Miss Annie Houghton, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from

the Governor, which were read to the House, as follows:

Governor's Office,  
Austin, Texas, June 4, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Thomason, I submit for your consideration the following subject, to wit:

"An Act conferring certain powers upon the commissioners courts of this State, and authorizing said courts to appropriate and use any sum or sums of money out of the county funds for farmers' co-operative demonstration work and home demonstration work in their respective counties along the same lines as this work is or may be conducted by the Extension Service of the Agricultural and Mechanical College of Texas and the United States Department of Agriculture, in co-operation with said institution and department and upon such terms and conditions as may be agreed upon between the agent or agents of said Extension Service and the commissioners court and repealing an Act passed by the Regular Session of Thirty-second Legislature of the State of Texas, same being Chapter 62 thereof and an Act passed at the First Called Session of the Thirty-fifth Legislature, same being Chapter 35 thereof, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 4, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Hertzberg, I submit for your consideration the following subject, to wit:

"An Act creating a Common School District No. 40 of Bexar county, Texas."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 4, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Hertzberg, I submit for your consideration the following subject, to wit:

"An Act to amend Article 1161, of the Code of Criminal Procedure of

Texas, relating to the pay of bailiffs, and relating to the maximum amount of fees to be paid such bailiffs, and providing for the entry to an order of court in relation thereto upon the minutes, and providing that deputy sheriffs shall not receive pay as bailiffs."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 4, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Horton, I submit for your consideration the following subject, to-wit:

"An Act to regulate and supervise the sale and purchase in the State of Texas of stocks, stock certificates, bonds, debentures or other securities, and the transaction of business in this State of persons, joint stock companies, common law trust, co-partnerships, companies or other persons or organizations offering for sale in this State such securities, excepting companies incorporated under the laws of the State of Texas, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 4, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Parr, I submit for your consideration the following subject, to-wit:

"An Act adding to and making a part of the Alice Independent School District in Jim Wells county, Texas, certain territory now known and designated as the Adams Common School District No. 2, Jim Wells county, Texas, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 4, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Cousins, I submit for your consideration the following subject, to-wit:

"An Act validating the charters and amendments to charters of all cities

of more than five thousand inhabitants in this State, which have adopted charters, or attempted to adopt or amend charters since the 13th day of March, 1919, under Chapter 147, General Laws of the Regular Session of the Thirty-third Legislature of 1913, and validating all proceedings had by city councils or city commissions, or other governing authorities of such cities, in regard to the adoption of charters or amendments to charters, and conferring upon and delegating to said cities the powers enumerated in any such charters or amendments thereto, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 4, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Parr, I submit for your consideration the following subject, to-wit:

"An Act to amend Section 1, of Senate bill No. 399, Chapter 54, page 178, of the Local and Special Laws passed at the Regular Session of the Thirty-fourth Legislature of the State of Texas, entitled 'An Act creating the Benavides Independent School District, situated in Duval county; etc., and declaring an emergency,' and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 4, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Suiter, I beg to submit for your consideration the following subject, to-wit:

"An Act to validate common school districts containing less than nine square miles and created on or after July 1, 1919, and in which elections for the purpose of voting bonds have been held or may hereafter be held; validating said elections and the bonds issued or authorized to be issued in accordance with said elections; etc., etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 4, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Senator Williford, I beg to submit for your consideration the following subject, to-wit:

"An Act to amend 'An Act creating the Bremond Independent School District of Robertson county, Texas, etc., etc.,' and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Johnson of Blanco, it was ordered that House bills Nos. 163, 164 and 165 be not printed.

On motion of Mr. Thomas, it was ordered that Senate bill No. 67 be not printed.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, June 4, 1920.

Hon. R. E. Thomason, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 10, A bill to be entitled "An Act creating the Throckmorton Independent School District in Throckmorton county, Texas; defining its boundaries, including the present Throckmorton Independent School District, etc., and declaring an emergency."

H. B. No. 15, A bill to be entitled "An Act enlarging the Moran Independent School District in Shackelford county, Texas, defining its boundaries as enlarged, and providing for the election of the board of trustees to manage and control the public free schools within said district; to cause a public free school to be taught in the western portion of said enlarged district when considered necessary by the trustees of said district, etc., and declaring an emergency."

H. B. No. 16, A bill to be entitled "An Act to increase the limits of the Albany Independent School District of Shackelford county, Texas, as created and established by the Acts of the Thirty-sixth Legislature, House bill No. 539, and declaring an emergency."

H. B. No. 18, A bill to be entitled "An Act to validate all common school

districts in this State heretofore created, and declaring an emergency."

H. B. No. 19, A bill to be entitled "An Act creating and incorporating Archer City Independent School District in Archer county, Texas, out of the territory now composing Archer City Common School District No. 1 of said county, etc., and declaring an emergency."

H. B. No. 22, A bill to be entitled "An Act creating the Loraine Independent School District in Mitchell and Nolan counties, Texas, etc."

H. B. No. 23, A bill to be entitled "An Act to amend page 45, Sections 2 and 3 of the Acts of the Thirty-fifth Legislature of the State of Texas, changing the date of holding the district court of the Twenty-ninth Judicial District of Texas, etc."

H. B. No. 26, A bill to be entitled "An Act creating the Littlefield Independent School District, situated in Lamb county, Texas, etc."

H. B. No. 27, A bill to be entitled "An Act creating the Olton Independent School District, situated in Lamb county, Texas, etc."

H. B. No. 30, A bill to be entitled "An Act creating the Sodville Independent School District in San Patricio county, Texas."

H. B. No. 34, A bill to be entitled "An Act creating the Toyah Independent School District in Reeves county, Texas."

H. B. No. 45, A bill to be entitled "An Act to amend Section 1 of House bill No. 136, enacted by the Second Called Session of the Thirty-sixth Legislature, amending and revising the metes and bounds of the Rucker Independent School District in Comanche county, and declaring an emergency."

H. B. No. 74, A bill to be entitled "An Act creating the Paint Rock Independent School District in Concho county, Texas, etc., and declaring an emergency."

H. B. No. 83, A bill to be entitled "An Act extending the boundaries of and adding territory to the Lamesa Independent School District in Dawson county, and declaring an emergency."

Respectfully,

G. A. BAKER,

Assistant Secretary of the Senate.

#### HOUSE BILL NO. 74 WITH SENATE AMENDMENTS.

Mr. Sackett called up from the Speaker's table, with the Senate amendments, for consideration of the amendments,

Mr. O'Banion for today, on motion of Mr. McCord.

Mr. Holmes for today, on motion of Mr. Merriman.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Biggers, it was ordered that Senate bill No. 55 be not printed.

On motion of Mr. Baldwin, it was ordered that Senate bills Nos. 40 and 43 be not printed.

#### MOTION TO RE-REFER.

Mr. Parnell moved that House bill No. 119 be withdrawn from the Committee on Appropriations and referred to the Committee on State Eleemosynary Institutions, and the motion was lost.

#### RELATIVE TO TRAVELING EXPENSES OF STATE OFFICIALS.

Mr. Walker of Wise offered the following resolution:

H. C. R. No. 11, Relating to traveling expenses for State officials.

Be it resolved by the House, the Senate concurring, that:

Whereas, Official reports made to this House show that much State funds are expended by some State officials for traveling expenses; and

Whereas, There is much complaint of some officials being absent from the office going around the State, and even at times out of the State; therefore,

Resolved, That it shall be the duty of the Board of Control to have each and every department of State government to make quarterly reports to said Board of Control, stating what amounts, if any, have been expended by said departments, respectively, for traveling expenses, and the number of days that heads of same departments have been absent from their official headquarters, or office, and that said Board of Control make reports on premises to each session of the Legislature.

Signed—Walker of Wise, King of Erath, Morris of Montague, Reeves, McCord.

The resolution was read second time and adopted.

#### MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from

the Governor, which were read to the House, as follows:

Governor's Office,  
Austin, Texas, June 5, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Sackett, I submit for your consideration the following subject, to-wit:

"An Act amending the Special Road Law for Coleman county, Texas."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 5, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Wright I submit for your consideration the following subject, to-wit:

"An Act authorizing the city of Henrietta with a population of less than 5000 inhabitants, by a majority vote of the qualified voters of said city, at an election held for that purpose, to adopt and amend its charter, etc., etc."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 5, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Blackburn, I submit for your consideration the following subject, to-wit:

"An Act to amend Chapter 66 of the Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature, approved March 20, 1913, entitled 'An Act incorporating and creating the Sonora Independent School District, enlarged, of Sutton county, Texas, etc., and declaring an emergency.'"

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 5, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Marshall, I submit for your

consideration the following subject, to-wit:

"An Act creating the Truscott Independent School District in Knox county, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 5, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Smith, I submit for your consideration the following subject, to-wit:

"An Act creating the Bullard Independent School District in Smith and Cherokee counties, Texas; defining its boundaries, including the present Bullard Independent School District; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof, providing that the present board of trustees continue in office until the expiration of their respective terms; and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 5, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representatives Marshall, Hill and Bryant, I submit for your consideration the following subject, to-wit:

"An Act to create the Ninety-first Judicial District, fixing its jurisdiction and the time of holding courts therein; providing for the appointment by the Governor of the judge and district attorney of Forty-sixth District; providing that the district clerk of Wilbarger county shall be an officer of the said Ninety-first District Court, and fixing his compensation for services rendered therein; providing for the transfer of cases from and to the Forty-sixth Judicial District Court, and the Ninety-first Judicial District Court, from one court to the other, requiring notice of such transfer of cases in certain instances to be given, reorganizing the Forty-sixth Judicial District, and

providing for the time of holding court in the counties of Hardeman, Foard, Collingsworth, Childress and Hall; and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

#### HOUSE BILL NO. 82 ON ENGROSSMENT.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 82, A bill to be entitled "An Act to establish a State Athletic Commission, providing for their appointment of a secretary, fixing their compensation, providing an appropriation therefor, and regulating athletic contests and the art of boxing and sparring exhibitions and performances in the State of Texas."

With motion by Mr. Fly to reconsider the vote by which the motion of Mr. Curtis to postpone further consideration of the bill until 10 o'clock a. m. next Tuesday was lost, and motion by Mr. Dodd to postpone further consideration of the bill indefinitely, and amendment by Mr. Tidwell to strike out the enacting clause of the bill pending.

Mr. Owen moved the previous question on the motion to reconsider and the main question was ordered.

Question recurring on the motion to reconsider, yeas and nays were demanded.

The motion to reconsider was lost by the following vote:

Yeas—47.

Baldwin.	Merriman.
Barker.	Miller of Austin.
Biggers.	Moon.
Black, O. B.,	Morris of Bosque.
of Bexar.	Osborne.
Blackburn.	Owen.
Cox.	Parnell.
Curtis.	Peavy.
Estes.	Peyton.
Fly.	Pollard.
Hall.	Pool.
Horton.	Roemer.
Jackson.	Sackett.
Jones.	Satterwhite.
Kellia.	Schlosshan.
King of Erath.	Sentell.
King of	Seward.
Throckmorton.	Sneed.
Lackey.	Taylor.
Lidiak.	Teer.
McDonald.	Thomas.
McFarlane.	

Mr. John Davis of Dallas for last Saturday, on motion of Mr. Nordhaus.

Mr. Bedell for today and indefinitely, on motion of Mr. Schlosshan.

Mr. Tharp for today and indefinitely, on motion of Mr. Loggins.

Mr. Pedigo for today, on motion of Mr. Satterwhite.

Mr. O'Banion for today and indefinitely, on motion of Mr. Bryant.

Mr. Barrett of Bell for last Saturday, on motion of Mr. Owen.

Mr. Lowe was excused for today and indefinitely, on motion of Mr. Lackey, on account of sickness.

#### BILL ORDERED NOT PRINTED.

On motion of Mr. Marshall, it was ordered that House bill No. 175 be not printed.

#### RELATING TO CONSIDERATION OF LEGISLATION.

Mr. Tilson offered the following resolution:

Whereas, This Special Session of the Legislature was assembled for the express purpose of considering and investigating the pink boll worm and educational questions; therefore,

Resolved, That we favor and demand the immediate and continuous consideration of these questions until disposed of, to the end that final adjournment may be had at the very earliest moment practicable. Provided, that local bills may be considered.

The resolution was read second time and adopted.

#### EXTENDING SYMPATHY TO HON. W. A. POAGE.

Mr. Quicksall offered the following resolution:

Whereas, The Hon. W. A. Poage, an honored member of this House, is unavoidably detained and is unable to attend this session of the Legislature on account of illness; and

Whereas, He has been one of the hard workers among us, always on the alert, watching closely the interests of his constituents, as well as safeguarding the welfare of the State at all times; therefore, be it

Resolved by the House. That we offer to him our earnest sympathy in this his hour of suffering, and that the great Creator above will grant to him a return to health and alleviate his suffering, and this House prays for his speedy

recovery and that he be spared for many years of companionship to his family and the welfare of the community in which he resides; be it further

Resolved, That this resolution be spread on the Journal and a copy furnished to Mr. Poage by the Chief Clerk.

Signed—Quicksall, Terrell, King of Throckmorton, Williams, Beasley, Owen, Sackett, Childers, Raiden, Fly.

The resolution was read second time and adopted.

#### NOTICE GIVEN.

Mr. Thomas gave notice that he would on tomorrow call up the motion to reconsider the vote by which Senate bill No. 67 was on last Friday passed, which motion to reconsider was on that day spread on the Journal.

#### BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. C. R. No. 8, Inviting Hon. Louis J. Wortham to address the Legislature.

H. C. R. No. 9, Granting Hon. M. A. Childers leave of absence from the State.

H. B. No. 14, "An Act creating the Ganado Independent School District in Jackson county, Texas, defining its boundaries, etc., and declaring an emergency."

H. B. No. 28, "An Act to amend an act creating the La Grange Independent School District in Fayette county, Texas, etc."

#### MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, Assistant Secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,  
Austin, Texas, June 7, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Hall, I submit for your consideration the following subject, to wit:

"An Act providing for the redemption, by the owner, of land or lots heretofore sold, or that may hereafter be sold, to the State, city or town for taxes, and

repealing all laws in conflict with this act, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, June 7, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Blackburn, I submit for your consideration the following subject, to-wit:

"An Act to amend Chapter 66 of the Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature, approved March 20, 1913, entitled 'An Act incorporating and creating the Sonora Independent School District, enlarged, of Sutton county, Texas, etc., and declaring an emergency.'"

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, June 7, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Barnes, I submit for your consideration the following subject, to-wit:

"An Act creating Emory Independent School District in Rains county, Texas, etc."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, June 7, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Hill, I submit for your consideration the following subjects, to-wit:

"An Act creating the Booker Independent School District in Ochiltree and Lipscomb counties."

"An Act creating the Perryton Independent School District in Ochiltree county, Texas, etc."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, June 5, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Parnell, I submit for your con-

sideration the following subject, to-wit:

"An Act fixing the fees to be charged by the State Board of Water Engineers upon the filing of application for permits for the storage, diversion and use of water, limiting the maximum fees in the sum of six thousand dollars, providing the time and terms of payment to be made in installments, and providing for the fixing of the time for the commencing of construction work when the use of water contemplates the construction of a storage reservoir, and the manner of extending the time limits thereon, and the payment of fees therefor."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,

Austin, Texas, June 7, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Buchanan, I submit for your consideration the following subject, to-wit:

"An Act amending Aspermont Independent School District in Stonewall county."

Respectfully submitted,

W. P. HOBBY,  
Governor.

#### BILL RECOMMITTED.

On motion of Mr. Horton, House bill No. 148 was recommitted to the Committee on Education.

#### SPECIAL ORDER SET.

On motion of Mr. McDowra, House bill No. 157, providing for eradication of the pink boll worm, was set as a special order for 2 o'clock p. m. tomorrow.

#### RELATING TO PINK BOLL WORM INFESTATION.

Mr. Tillotson offered the following resolution:

H. C. R. No. 12, Relating to the determination of Texas to adequately protect the cotton industry against the cotton pest known as the pink boll worm.

Whereas, The Legislature of Texas was convened in Special Session to consider the issue raised by the Federal Horticultural Board of the Department of Agriculture of the United States, in urging upon the State the establishment of a non-cotton zone embracing all or parts of the counties of Galveston, Brazoria, Chambers, Harris, Liberty, Jefferson, Orange, Hardin and Jasper to erad-



Estes.	Sackett.
Heideke.	Schlosshan.
Lacey.	Seward.
Lackey.	Teer.
McMillin.	Tidwell.
Parnell.	Williams
Pope.	of McLennan.
Rosser.	

Absent—Excused.

Beason.	Peavy.
Bedell.	Pedigo.
Brown of Wilson.	Poage.
Fairchild.	Smith of Bastrop.
Laney.	Smith of Smith.
Lowe.	Stewart.
Miller of Dallas.	Tharp.
O'Banion.	Vaughan.
Parsley.	

(Speaker in the chair.)

## HOUSE BILL NO. 109 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 109, A bill to be entitled "An Act creating the Fairview Independent School District in Milam and Williamson counties, Texas, etc., and declaring an emergency."

The bill was read third time.

The Clerk was directed to call the roll and the bill was passed by the following vote:

Yeas—95.

Alexander.	Dodd.
Baldwin.	Faubion.
Barker.	Fly.
Barrett of Bell.	Ford.
Barrett of Jones.	Garrett.
Beard.	Hall.
Beasley.	Hamilton.
Beavens.	Hill.
Bertram.	Holmes.
Biggers.	Horton.
Biggs.	Jackson.
Black, W. A.,	Johnson of Travis.
of Bexar.	Jones.
Blackburn.	Kellis.
Bludworth.	King of Erath.
Brown of Liberty.	King of
Bryant.	Thro kmorton.
Burns.	Lange.
Burton.	Lawrence.
Childers.	Lee.
Cox.	Lidiak.
Daniel.	Loggins.
Darroch.	McCord.
Davis, John E.,	McDonald.
of Dallas.	McDowra.
Davis, John,	McFarlane.
of Dallas.	McLeod.
Dickson.	Malone.

Marshall.	Scott.
Merriman.	Sentell.
Miller of Dallas.	Smith of Hopkins.
Moon.	Sneed.
Morris of Bosque.	Stephens.
Morris of Medina.	Taylor.
Morris	Terrell.
of Montague.	Thomas.
Murrell.	Thomason
Neal.	of Nacogdoches.
Newton.	Thompson
Nordhaus.	of Harris.
Osborne.	Thompson
Owen.	of Hunt.
Peyton.	Tillotson.
Pollard.	Tilson.
Pool.	Veatch.
Quicksall.	Vickers.
Raiden.	Walker of Newton.
Reeves.	Walker of Wise.
Richards.	Williams
Roemer.	of Montgomery.
Rogers.	Wilson.
Sackett.	Wright.
Satterwhite.	

Absent.

Bagby.	Lacey.
Barnes.	Lackey.
Bass.	McMillin.
Black, O. B.,	Miller of Austin.
of Bexar.	Parnell.
Bonham.	Pope.
Brady.	Rosser.
Canales.	Schlosshan.
Crumpton.	Seagler.
Culp.	Seward.
Curtis.	Smith of Bastrop.
Estes.	Teer.
Heideke.	Tidwell.
Johnson of Blanco.	Williams
Johnson of Ellis.	of McLennan.

Absent—Excused.

Beason.	Peavy.
Bedell.	Pedigo.
Brown of Wilson.	Poage.
Fairchild.	Smith of Smith.
Laney.	Stewart.
Lowe.	Tharp.
O'Banion.	Vaughan.
Parsley.	

## VOTE RECONSIDERED.

Mr. Sackett moved to reconsider the vote by which House bill No. 98 was passed.

Mr. Nordhaus moved to table the motion to reconsider and the motion to table was lost.

The motion to reconsider prevailed.

## MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, secretary to the Governor, appeared at the bar of

the House and, being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,  
Austin, Texas, June 7, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Hertzberg, I beg to submit for your consideration the following subject, to-wit:

"An Act to amend Section 19 of Chapter 67, Special Laws, enacted at the Second Called Session of the Thirty-sixth Legislature, same being a special road law for Kerr county, Texas, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 7, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Hertzberg, I submit for your consideration the following subject, to-wit:

"An Act creating Somerset Independent School District in Bexar county, Texas, etc."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 7, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Blackburn, I submit for your consideration the following subject, to-wit:

"An Act to amend Section 19 of Chapter 67, Special Laws, enacted by the Second Called Session of the Thirty-sixth Legislature, same being a special road law for Kerr county, Texas, etc., and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 7, 1920.

To the Thirty-sixth Legislature in Third Called Session.

In view of what has been submitted for your guidance I am sure the critical

situation with respect to the schools of Texas, deplorable during the last scholastic term, and threatening disaster if not relieved before the next scholastic term, is apparent.

To make available the anticipated funds at the disposal of the State, without causing a deficit in the Treasury and without imposing additional taxes upon the people, is, in my judgment, the exact measure of consideration which should now be extended to all children entitled to the benefits of education in Texas. To provide less would be injurious to the cause of education; to provide more would present difficulties in raising revenue which can not be met with proper deliberation in the short time necessary for action. The public welfare was never more seriously involved than in the present crisis which if allowed to continue will put the life of the school system of Texas in jeopardy.

I present for your consideration a financial statement of the Treasury, prepared with care by the State Board of Control, as follows:

Statement made by State Board of Control of appropriations, balances and estimated balances from September 1, 1918, to August 31, 1921:

Balance, Sept. 1, 1918....	\$ 4,035,840.78
Receipts State ad valorem, general revenue, Sept. 1, 1918, to Aug. 31, 1919...	8,833,865.67
Receipts from other sources, general revenue, Sept. 1, 1918, to Aug. 31, 1919...	4,916,620.05

Total .....\$17,806,326.50

Disbursed from general revenue during the period mentioned above .....\$13,123,909.69

Balance Sept. 1, 1919.... 4,682,416.81

Receipts and estimated receipts from Sept. 1, 1919, to Aug. 31, 1920, as per statement of Comptroller of date May 12, 1920... 16,706,190.27

Total .....\$21,388,607.08

Appropriations available during fiscal year ending Aug. 31, 1920.....\$13,671,693.00

Estimated outstanding accounts, warrants and appropriations (these items were estimated by automatic tax board as required by Art. 7451, R. C. S., at \$4,210,000) we estimate as probable liabil-

ity already paid or  
which may yet be paid. . . . . 2,000,000.00

\$15,671,693.00

Estimated balance in general revenue Sept. 1, 1920, without deducting for any appropriations which the present called session may make. . . . . \$ 5,716,914.08

Estimated receipts from all sources Sept. 1, 1920, to August 31, 1921, on a basis of \$3.-400,000 valuation and a 30 per cent tax rate deducting the usual 20 per cent for losses and cost of collecting . . . . . 15,000,000.00

Total . . . . . \$20,716,914.00

Appropriations already made for fiscal year ending Aug 31, 1921, without including anything for appropriations which may be made by present Special Session or Regular Session, Thirty-seventh Legislature . . . . . \$12,690,160.70

Which would leave a balance of . . . . . \$ 8,026,753.30

This calculation of revenue is indeed conservative. It is estimated that the revenue to be derived from other sources will be the same as the current year while it is reasonable to expect that next year the receipts from royalties, corporation taxes and crude oil production will exceed those of the present year. It is to be considered, too, that the revenues here mentioned are based upon an ad valorem tax rate of thirty (30) cents. A rate of thirty-five (35) cents will bring a million and a half dollars additional into the Treasury and leave an estimated balance of \$9,500,000 on August 31, 1921, instead of the balances estimated above. While in my opinion it will not be necessary to fix the tax rate at thirty-five cents to provide the appropriations I have recommended for school purposes, yet if that necessity should arise in view of other appropriations required for State purposes, the rate may be fixed at thirty-five cents the same as the previous year, which in my judgment the patriotic citizenship of Texas will welcome as a means of saving the schools of Texas from an era of inadequacy and inefficiency.

It is therefore apparent that observing every rule of reason and keeping within its bounds of safety, the appropriation of five million dollars for the higher institutions of education to be used during the next scholastic term may be provided at this time without increased taxation, and without causing a deficit in the Treasury. Such an appropriation for the public schools to be distributed in like manner as the available school fund will afford each and every child in Texas an additional \$4 during the next scholastic period and will insure capable instructors and the continued operation of the higher educational institutions during the next term.

I fervently hope that in the wisdom of your body such provision will be made.

Respectfully submitted,

W. P. HOBBY,

Governor.

#### HOUSE BILL NO. 111 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 111, A bill to be entitled "An Act extending the boundaries of and adding territory to the Union Independent School District in Terry county, Texas, etc., and declaring an emergency."

The bill was read third time.

The Clerk was directed to call the roll and the bill was passed by the following vote:

Yeas—95.

Alexander.	Darroch.
Baldwin.	Davis, John E.,
Barker.	of Dallas.
Barnes.	Davis, John,
Barrett of Bell.	of Dallas.
Barrett of Jones.	Dickson.
Beard.	Dodd.
Beasley.	Ford.
Beavens.	Garrett.
Bertram.	Hall.
Biggers.	Hamilton.
Biggs.	Heideke.
Black, O. B.,	Hill.
of Bexar.	Holmes.
Black, W. A.,	Horton.
of Bexar.	Jackson.
Blackburn.	Johnson of Blanco.
Bludworth.	Johnson of Travis.
Brown of Liberty.	Jones.
Bryant.	Kellis.
Burns.	King of Erath.
Burton.	King of
Childers.	Throckmorton.
Cox.	Lawrence.
Daniel.	Lee.

Burton.	Morris of Medina.
Childers.	Morris
Culp.	of Montague.
Daniel.	Murrell.
Darroch.	Neal.
Davis, John E.,	Nordhaus.
of Dallas.	Osborne.
Davis, John,	Owen.
of Dallas.	Parnell.
Dickson.	Peyton.
Dodd.	Pollard.
Estes.	Pool.
Fairchild.	Quicksall.
Faubion.	Raiden.
Fly.	Reeves.
Ford.	Richards.
Garrett.	Roemer.
Hall.	Rogers.
Hamilton.	Sackett.
Hill.	Satterwhite.
Holmes.	Schlosshan.
Horton.	Scott.
Jackson.	Seagler.
Johnson of Blanco.	Sentell.
Johnson of Ellis.	Seward.
Johnson of Travis.	Smith of Hopkins.
Jones.	Sneed.
Kellis.	Stephens.
King of Erath.	Stewart.
King of	Taylor.
Throckmorton.	Teer.
Lange.	Terrell.
Lawrence.	Thomas.
Lee.	Thomason
Lidiak.	of Nacogdoches.
Loggins.	Thompson
McCord.	of Harris.
McDonald.	Thompson
McDowra.	of Hunt.
McFarlane.	Tillotson.
McLeod.	Tilson.
McMillin.	Veatch.
Malone.	Vickers.
Merriman.	Walker of Newton.
Miller of Austin.	Walker of Wise.
Miller of Dallas.	Williams
Moon.	of Montgomery.
Morris of Bosque.	Wilson.

## Absent.

Bagby.	Marshall.
Bass.	Newton.
Brady.	Pope.
Canales.	Rosser.
Cox.	Smith of Bastrop.
Crumpton.	Tharp.
Curtis.	Tidwell.
Heideke.	Williams
Lacey.	of McLennan.
Lackey.	Wright.
Laney.	

## Absent—Excused.

Beason.	Lowe.
Bedell.	O'Banion.
Brown of Wilson.	Parsley.

Peevy.  
Pedigo.  
Poage.

Smith of Smith.  
Vaughan.

## MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office.

Austin, Texas, June 7, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Baldwin, I submit for your consideration the following subject, to-wit:

"An Act creating and incorporating the New Lynn Independent School District in Lynn county, Texas, etc., and declaring an emergency."

Respectfully submitted.

W. P. HOBBY.

Governor.

Governor's Office.

Austin, Texas, June 8, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Roemer, I submit for your consideration the following subject, to-wit:

"An Act amending the act of the Regular Session of the Thirty-sixth Legislature, creating the Ray Common School District No. 27, in Goliad county, Texas, etc., and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,

Governor.

## HOUSE BILL NO. 147 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 147, A bill to be entitled "An Act to amend Section 3 of an act entitled 'An Act further regulating banks and bank and trust companies incorporated under the laws of Texas by granting authority to such corporations to become members of Federal reserve banks,' etc., passed at the Second Called Session of the Thirty-third Legislature, and approved October 19, 1914, so as to provide that every banking corporation chartered under the laws of this State

The roll was called and the following members were present:

Alexander.	Loggins.
Baldwin.	McCord.
Barker.	McDonald.
Barnes.	McDowra.
Barrett of Bell.	McFarlane.
Barrett of Jones.	McLeod.
Bass.	McMillin.
Beard.	Malone.
Beasley.	Merriman.
Beavens.	Miller of Dallas.
Bertram.	Moon.
Biggers.	Morris of Bosque.
Biggs.	Morris of Medina.
Black, O. B.,	Morris
of Bexar.	of Montague.
Black, W. A.,	Murrell.
of Bexar.	Neal.
Blackburn.	Newton.
Bludworth.	Nordhaus.
Bonham.	Osborne.
Brown of Liberty.	Owen.
Bryant.	Parnell.
Burns.	Peyton.
Burton.	Pollard.
Childers.	Pool.
Cox.	Quicksall.
Culp.	Raiden.
Daniel.	Reeves.
Darroch.	Richards.
Davis, John E.,	Rogers.
of Dallas.	Sackett.
Davis, John,	Satterwhite.
of Dallas.	Schlosshan.
Dickson.	Scott.
Dodd.	Seagler.
Estes.	Sentell.
Fairchild.	Smith of Hopkins.
Faubion.	Sneed.
Fly.	Stephens.
Ford.	Teer.
Garrett.	Terrell.
Hall.	Thomaa.
Hamilton.	Thomason
Hill.	of Nacogdoches.
Holmes.	Thompson
Horton.	of Harris.
Jackson.	Thompson
Johnson of Ellis.	of Hunt.
Johnson of Travis.	Tillotson.
Jones.	Tilson.
Kellis.	Veatch.
King of Erath.	Vickers.
King of	Walker of Newton.
Throckmorton.	Walker of Wise.
Lange.	Williams
Lawrence.	of Montgomery.
Lee.	Wilson.
Lidiak.	

Absent.

Bagby.	Heideke.
Brady.	Johnson of Blanco.
Crumpton.	Lacey.
Curtis.	Lackey.

Miller of Austin.	Taylor.
Pope.	Williams
Roemer.	of McLennan.
Seward.	

Absent—Excused.

Beason.	Pedigo.
Bedell.	Poage.
Brown of Wilson.	Rosser.
Canales.	Smith of Bastrop.
Laney.	Smith of Smith.
Lowe.	Stewart.
Marshall.	Tharp.
O'Banion.	Tidwell.
Parsley.	Vaughan.
Peevy.	Wright.

(Mr. Hall in the chair.)

A quorum was announced present.

Prayer was then offered by Hon. I. W. Culp, a member of the House.

#### LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Bedell for yesterday and today, on motion of Mr. McDowra.

Mr. Beason for today, on motion of Mr. Biggers.

Mr. Smith of Bastrop for today, on motion of Mr. Tilson.

Mr. Seagler for yesterday, on motion of Mr. Darroch.

Mr. Canales for today, on motion of Mr. Schlosshan.

Mr. Marshall for today and tomorrow, on motion of Mr. Alexander.

Mr. Pedigo for today, on motion of Mr. Johnson of Travis.

Mr. Rosser and Mr. Wright for today and tomorrow, on motion of Mr. Hill.

Mr. Tharp for today and tomorrow, on motion of Mr. Culp.

Mr. Culp for yesterday, on motion of Mr. Barrett of Bell.

Mr. Tidwell was excused for yesterday and today on account of sickness, on motion of Mr. John Davis of Dallas.

#### APPOINTMENTS OF EMPLOYES ANNOUNCED.

The Speaker announced the appointment of the following stenographer: Miss Grace Stanley.

The Speaker announced the appointment of Jim Thompson as porter to take the place of Carlisle Scott.

#### MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, Assistant Secretary to the Governor, appeared at the bar of the House and, being duly

announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,  
Austin, Texas, June 8, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Lawrence, I submit for your consideration the following subject, to-wit:

"An Act creating the La Fayette Independent School District in Camp and Upshur counties, Texas, etc., and declaring an emergency."

Respectfully submitted.

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 8, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representatives Sackett and Tillotson, I submit for your consideration the following subject, to-wit:

"An Act providing for the redemption, by the owner, of land or lots heretofore sold, or that may be hereafter sold, to the State, city or town for taxes, and repealing all laws in conflict with this act, and declaring an emergency."

Respectfully submitted.

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 8, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Hopkins, I submit for your consideration the following subject, to-wit:

"An Act to amend the road law for Denton county, Texas."

Respectfully submitted.

W. P. HOBBY,  
Governor.

GRANTING C. M. CALLOWAY LEAVE  
OF ABSENCE FROM LAND  
OFFICE.

Mr. Beard offered the following resolution:

Whereas, Mr. C. M. Calloway, who now holds the position of old title and deposition clerk in the Land Office, is now sixty-seven years of age and has been a faithful and efficient employee of the Land Office of the State of Texas for a period of fifty years; therefore, be it

Resolved by the House, That recommendation be and the same is hereby made to the Land Commissioner of the State of Texas that this honored and aged employe, in the recognition of his aforesaid services to the State, be by the Commissioner of the Land Office, at such time as is mutually satisfactory, granted a vacation and leave of absence of three months on pay.

And that a copy of this resolution be furnished the Land Commissioner and a copy be furnished to Mr. C. M. Calloway.

Signed—Beard, John Davis of Dallas, Dodd.

The resolution was read second time and adopted.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, June 8, 1920.

Hon. R. E. Thomason, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 5, Requesting the Industrial Welfare Commission to postpone fixing a minimum wage for women until after the next Regular Session of the Legislature.

S. B. No. 21, A bill to be entitled "An Act to amend Article 1173, Chapter 4, Title 15, and Article 1142, Chapter 3, Title 15, of the Code of Criminal Procedure of the State of Texas, relating to the fees allowed by sheriffs or other peace officers performing the same service in misdemeanor cases to be taxable against the defendant on conviction and the allowance to sheriffs by commissioners courts of the several counties in this State for the safe keeping, support and maintenance of prisoners in or under guard, and declaring an emergency."

Respectfully,

G. A. BAKER,  
Assistant Secretary of the Senate.

#### RELATING TO PAY OF EX-CONFEDERATES.

Mr. Bertram offered the following resolution:

Whereas, There is three billion two hundred million of taxable values in the State, of which the Confederate veterans are entitled to 5 cents on the \$100 valuation, which amounts to one million six hundred thousand dollars; and

Whereas, In some parts of this State a great many ex-Confederates do not un-

Whereas, The Hon. Cone Johnson, a distinguished citizen of Texas, is in the city of Austin, therefore, be it

Resolved, That he be and is hereby invited to address the House of Representatives tonight at 8:30 p. m.

Signed—Johnson of Ellis, Scagler.

The resolution was read second time and adopted.

#### MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,  
Austin, Texas, June 9, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Caldwell, I submit for your consideration the following subject, to-wit:

"An Act to amend Section 12 and Section 16 of Senate bill No. 51, Thirty-sixth Legislature, Second Session."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 9, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Barrett of Jones, I submit for your consideration the following subject, to-wit:

"An Act to validate the charter and incorporation of the city of Anson, adopted by the qualified voters of said city since the enactment of Chapter 147, page 307, of the Acts of the Regular Session of the Thirty-third Legislature, and filed in the office of the Secretary of State, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

#### HOUSE BILL ON FIRST READING.

The following House bill was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Thomas:

H. B. No. 190, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State

authorizing the payment of said miscellaneous items on the taking effect of this act and making additional appropriations for the support of the State government, and declaring an emergency."

Referred to Committee on Appropriations.

#### BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

H. B. No. 5, "An Act to make appropriations to cover authorized deficiencies in appropriations heretofore made for the support of the State government for the fiscal years ending August 31, 1919, and August 31, 1920, respectively, and declaring an emergency."

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, June 9, 1920.

Hon. R. E. Thomason, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. C. R. No. 10.

S. B. No. 74, A bill to be entitled "An Act creating the Thompson's Mill Independent School District in Henderson county, Texas; defining its boundaries; providing for a board of trustees in said county, etc., and declaring an emergency."

H. B. No. 11, A bill to be entitled "An Act defining pipe and gas lines engaged, or to engage, in the transportation, sale, purchase, use or distribution of natural gas; declaring all corporations, persons, partnerships, or associations of persons now engaged, or hereafter to engage in buying, selling, distributing, and transporting natural gas for profit in this State to be public utilities, and making them subject to the provisions of this act; excepting certain companies from the provisions of this act; giving the Railroad Commission of Texas the power to fix and regulate the price of gas and the rates and charges by such public utilities for service; empowering said Commission to make rules and regulations for their conduct, and giving said Commission plenary power to make fair and equitable rules and regulations for enforcing the provisions of this act; fixing penalties for violation of this act, and the rules and orders of

mit the passage of a just minimum wage law; therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That unless said minimum wage law is amended by the present Special Session of this Legislature so as to cure the defects in same and make same practical, workable and just, that the Industrial Welfare Commission provided for in said act, be and it is hereby requested and earnestly solicited not to fix, or attempt to fix any wage for females and minors at this time but that the same be deferred until after another regular session of the Legislature of the State of Texas shall have had an opportunity to correct the deficiencies in said law and to make it possible for the passage of an act which will not seriously be to the injury and detriment of both the employers and employees of this State.

The resolution was read second time and was adopted.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Pool, it was ordered that House bill No. 183 and Senate bills Nos. 84, 73 and 91 be not printed.

#### HOUSE BILL ON FIRST READING.

The following House bill was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Seagler, Mr. Daniel, Mr. Smith of Smith:

H. B. No. 192, A bill to be entitled "An Act fixing the compensation for the official shorthand reporter in the Third Judicial District of Texas, and declaring an emergency."

Referred to the Committee on Judiciary.

#### MESSAGE FROM THE GOVERNOR.

Mr. S. Raymond Brooks, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Governor's Office,

Austin, Texas, June 9, 1920.

To the Thirty-sixth Legislature in Third Called Session.

The State Democratic platform of 1918 contained the following:

"We believe that land settlement, the acquisition of homes by the homeless, the improvement of the general economic and social conditions of farm settlers within the State, are problems of the utmost importance to all the people of the State. We urge the submission to the people by the Legislature of an amendment to the Constitution which will have for its purpose the promotion of more intense agricultural development of idle land by assisting deserving and qualified persons to acquire farms and homes through an extension of the State's credit, properly safeguarded."

In fulfillment of this demand, House Joint Resolution No. 19, known as the home ownership amendment to the Constitution, passed the House of Representatives on February 7, 1919, by a vote of 110 ayes and 11 nays, and passed the Senate, with amendments, on February 13, by a vote of 22 ayes and 1 nay. The House concurred in these amendments by a vote of 115 ayes and 2 nays, and this question was submitted to a vote of the people of Texas on May 24, 1919. The official returns on this amendment were 152,422 for and 153,243 against, while returns of two counties giving a majority for the amendment were improperly made, and therefore not counted. Petitions are being circulated and very numerous signed requesting the State Executive Committee, at the meeting to be held Monday, June 14, to place upon the ballot the following: "For submitting an amendment to the Constitution providing for home ownership"; and "Against submitting an amendment to the Constitution providing for home ownership."

To obtain a further expression of the people and to further the cause of a measure which has been endorsed by the Democratic party of Texas and which has been endorsed by the members of your body by almost a unanimous vote, I recommend the passage of a concurrent resolution by your body requesting the executive committee to place this subject before the Democrats of Texas, because, in my judgment, such an expression on your part for the consideration of the State Executive Committee will be welcomed by that body, and will unquestionably result in favorable action.

Respectfully submitted,

W. P. HOBBY,  
Governor.



passed, and to table the motion to reconsider.

The motion to table prevailed.

#### Reasons for Vote.

Am opposed to the bill, but owing to the passage of the bill already will vote "aye" in order to make bill effective at once and thus save the State money and enable the soldiers to be paid at once.

#### POLLARD.

I vote "aye" on final passage of this bill for the reason that I do not want the members of the National Guard, dragged unnecessarily from their jobs, farm work and business, to have to wait ninety days for their insignificant salary. At best they will be the principal victims and sufferers by reason of this military maneuver and martial law action. On account of the boys I vote "aye" without feeling that I have stultified myself in this matter, for I do not concede the necessity nor the propriety of the action taken in connection with the Galveston strike. And because of the Bertram amendment.

#### BIGGERS.

I am opposed to Senate bill No. 67. This \$100,000 appropriation is for the purpose of maintaining martial law at Galveston, which I believe is unnecessary and unjust. The authorities at Galveston had pledged the non-union longshoremen protection against assault by the strikers in that city. We have no evidence that they have failed to keep their promise. There has been no bloodshed. No violations of the law by the strikers that I know of. I believe this bill does violence to the rights of the people of Galveston and also to the rights of the union labor of that city. I believe it unjust to compel the taxpayers of this State to pay \$100,000 to enable the authorities of this State to meddle where it is none of their business, and to assist a rich and merciless corporation to trample upon the rights and liberties of the honest toiler and cause their wives to want for the necessities of life and their children cry for bread. But my vote against this bill will not defeat it, and unless it gets ninety-five votes it will not become effective until ninety days after adjournment. Our soldiers were compelled to obey the command of those in authority and I do not want, by my vote, to compel them to do without their money for ninety days or discount their warrants. I therefore vote "aye."

#### DODD.

#### SENATE BILL NO. 11 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading.

S. B. No. 11, A bill to be entitled "An Act to amend Article 627 and Article 628 of the Revised Statutes of the State of Texas of 1911, so as to provide that any county or any political subdivision or defined district now or hereafter defined of a county, may issue bonds for the purpose of constructing and maintaining concrete bridges, concrete culverts, concrete dips and concrete spill-ways and to provide that when any political subdivision or defined district of a county has issued bonds under the provisions of this act the county shall not thereafter issue its bonds without taking over the roads of such political subdivision or defined district as authorized by Articles 637a, 637b and 637c, and declaring an emergency."

The bill was read second time.

Mr. Tillotson offered the following (committee) amendment to the bill:

Amend the bill by inserting in Section 1 and Article 627, after the word "Concrete" and before the word "bridges," the word "Steel."

Question—Shall the amendment be adopted?

#### MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,

Austin, Texas, June 10, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: May I direct your attention to the urgent need for amending the law to eradicate the cattle tick which has proven so disastrous to the cattle industry of Texas? Deficiencies in this law have become apparent because of the recent decision of the Court of Criminal Appeals. In order that the good work accomplished may not be lost, and in order that the cattle industry in Texas may have continued protection, I feel that the subject calls for remedial legislation and for such action as it is deemed

wise to take, before the adjournment of your body.

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 10, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: I transmit herewith below for your information, telegram I have just received from Hon. E. T. Meredith, Secretary, U. S. Department of Agriculture, Washington, D. C.:

"I have read the letters of the chairman of the Federal Horticultural Board presented in identical form on May 31 to you to the chairman of the joint committee and to the presiding officers of the Senate and House of the Texas Legislature, and I feel that I ought to say to you that this letter meets with my unqualified approval. The Department is still strongly of the opinion that unless provision is made for regional non-cotton zones the State of Texas will lose this only opportunity to effect the complete extermination of the pink boll worm. At the same time the letter of the Federal Horticultural Board in my judgment clearly sets forth the minimum conditions under which continuation of the efforts of the department to eradicate the pink boll worm from Texas will be possible entirely aside from the question of declaring non-cotton zones to cover the infested areas. If these conditions are not met the department will be compelled to withdraw its forces engaged in eradication work in Texas to treat the entire State as a unit and to proceed with the issuance of the quarantine discussed at the hearing on April 6 in order to protect the other cotton growing States."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

RECESS.

On motion of Mr. Beasley, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by Mr. Satterwhite.

#### SENATE BILL NO. 11 ON PASSAGE TO THIRD READING.

The House resumed consideration of pending business, same being Senate bill No. 11, providing for issuance of bonds by counties and subdivisions for construction of bridges, etc., on its passage to third reading with (committee) amendment pending.

Question recurring on the (committee) amendment, it was adopted.

Mr. Curtis offered the following amendment to the bill:

Amend by striking out that part of Section 1 beginning with the word "provided" in line 4, page 2, of printed bill, and continuing to and including the word "hereof" in line 8 of page 2, and amend the caption to correspond.

Mr. Owen offered the following amendment to the bill:

Amend Senate bill No. 11 by striking out the enacting clause.

Mr. Horton moved the previous question on the amendment and the bill and the main question was ordered.

Question first recurring on the amendment striking out the enacting clause of the bill, it was adopted.

Mr. Vaughan moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

#### SENATE BILL NO. 12 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading.

S. B. No. 12, A bill to be entitled "An Act to validate sales of public free school land sold on August 16, 1895, and declaring an emergency."

The bill was read second time and passed to third reading.

#### SENATE BILL NO. 13 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading.

S. B. No. 13, A bill to be entitled "An Act to ratify and confirm a sale made by the University of Texas on July 17, 1919, of the property known as the Penn Field in Travis county, Texas, including four tracts of land containing in the aggregate 327.33 acres out of the

## SENATE BILL NO. 33 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 33, A bill to be entitled "An Act to amend Chapter 87, General Laws of the Thirty-sixth Legislature, Second Called Session, 1919, entitled 'An Act making appropriations for the State government for two years beginning September 1, 1919, and ending August 31, 1921, and for other purposes, and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency,' in so far as said act relates to the salaries of assistants in the State Reclamation Department; readjusting the salaries of such assistants for the three months ending August 31, 1920, and for the year ending August 31, 1921, abolishing the position of one technical assistant in said department by repeal of the item appropriating the salary therefor, and declaring an emergency."

The bill was read second time and passed to third reading.

## SENATE BILL NO. 46 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 46, A bill to be entitled "An Act to amend Articles 3 and 4 of the Revised Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature of 1911, providing for the adoption of a child where the parent or parents have voluntarily abandoned such child."

The bill was read second time and passed to third reading.

## SENATE BILL NO. 49 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 49, A bill to be entitled "An Act amending Article 3866 (2462), Revised Civil Statutes of the State of Texas, 1895, relating to compensation for ex-officio services of the sheriffs of the State, and declaring an emergency."

The bill was read second time.

Mr. Bertram moved to postpone further consideration of the bill indefinitely.

Mr. Hall offered the following amendment to the bill:

Amend Senate bill No. 49 by adding at the end of Section 1 the following: "Provided, however, that no such ex-officio salary shall be allowed to any sheriff who has received the maximum salary allowed by law."

The amendment was adopted.

Question recurring on the motion to indefinitely postpone, it was lost.

Senate bill No. 49 was then passed to third reading.

## SENATE BILL NO. 51 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 51, A bill to be entitled "An Act to amend Section 28, Article 1121, of the Revised Civil Statutes of the State of Texas by authorizing corporations heretofore and hereafter to be organized thereunder, to act as general commercial brokers and as custom brokers, in the United States and foreign countries, in addition to the powers already provided thereby, and declaring an emergency."

The bill was read second time and passed to third reading.

## MESSAGE FROM THE GOVERNOR.

Mr. S. Raymond Brooks, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Governor's Office,  
Austin, Texas, June 12, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Darroch, I submit for your consideration the following subject, to-wit:

"An Act creating the Mullin Independent School District in Mills county, Texas, etc., and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

## BILL AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bill and resolution:

S. B. No. 67, "An Act making appropriation to pay the transportation,

Legislature, same being Chapter 62 thereof, and an act passed at the First Called Session of the Thirty-fifth Legislature, same being Chapter 63 thereof, and declaring an emergency."

The bill was read second time.

The House refused to pass the bill to engrossment.

Mr. Raiden moved to reconsider the vote by which the bill failed to pass to engrossment and to table the motion to reconsider.

The motion to table prevailed.

#### MESSAGES FROM THE GOVERNOR.

Miss Annie Houghton, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,  
Austin, Texas, June 12, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Morris of Medina, I submit for your consideration the following subject, to wit:

"An Act creating the Devine Independent School District in Medina county, Texas, etc., and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 14, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Parnell, I submit for your consideration the following subject, to wit:

"An Act creating the Oklaunion Independent School District, in Wilbarger county, Texas, etc., and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 12, 1920.

To the Thirty-sixth Legislature in Third Called Session:

Gentlemen: At the request of Senators Suiter and Hopkins, I submit for your consideration the following subject, to wit:

"An Act to amend Articles 2425 and 2427 of the Revised Civil Statutes of

the State of Texas of 1911, as amended by Chapter 145 of the Acts of the Regular Session of the Thirty-sixth Legislature so as to authorize and require the State Treasurer to deposit funds authorized or required by law to be kept in the State Treasury whether belonging to the State or not, in the State depositories provided by law, and so as to provide that the interest derived therefrom shall be prorated to the several funds in the State Treasury in proportion to the amount of money in such funds, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 14, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senator Buchanan of Seurry, I submit for your consideration the following subject, to wit:

"An Act creating the Olden Independent School District in Eastland county, Texas."

Respectfully submitted,

W. P. HOBBY,  
Governor.

#### HOUSE BILLS ON FIRST READING.

The following House bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Morris of Medina:

H. B. No. 196, A bill to be entitled "An Act creating the Devine Independent School District in Medina county, Texas, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Parnell:

H. B. No. 197, A bill to be entitled "An Act creating the Oklaunion Independent School District in Wilbarger county, Texas, etc., and declaring an emergency."

Referred to Committee on Education.

#### HOUSE BILL NO. 36 ON ENGROSSMENT.

The Speaker laid before the House as unfinished business for consideration at this time, on its passage to engrossment,

H. B. No. 36, A bill to be entitled

Thirty-fourth Legislature; by amending Section 7 of said Chapter 134 by striking out from Section 7 the provisions requiring that the bonds therein referred to shall not be sold for less than par and accrued interest; by amending Section 19 of said Chapter 134 so as to leave it within the discretion of the board as to the employment of a skilled highway engineer, and declaring an emergency."

## RECESS.

On motion of Mr. McDowra, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

## AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by Speaker Thomason.

## MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, Assistant Secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor, which were read to the House as follows:

Governor's Office,  
Austin, Texas, June 12, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: In my messages of January 14, 1919, to the Regular Session, and of July 2, 1919, to the Second Called Session, I communicated to you with respect to a voluntary fund raised under my direction to be used for the relief of those citizens of our State residing in the drouth stricken areas. To each of the messages above referred to, I attached a statement showing the condition of the fund at that time. I am accompanying this message with a statement of this fund as of July 20, 1920,

that it may be printed in your journals for the information of your members.

Respectfully submitted,

W. P. HOBBY,  
Governor.

Markets and Warehouse Department,  
Austin.

F. C. Weinert,  
Commissioner.

D. A. Gregg,  
Chief Clerk.

June 5, 1920.

Hon. W. P. Hobby, Governor, State of Texas, Austin, Texas.

Dear Governor: Recently I made you a brief synopsis of the condition of the drouth relief fund, with a promise that a full and complete statement would follow.

In accordance therewith I respectfully enclose herewith a statement in detail covering the entire period from September 1, 1918, up to May 20, 1920.

I have taken the liberty of mailing a copy of this report to each member of the committee.

Very respectfully,

(Signed) F. C. WEINERT,  
Commissioner.

FCW-k  
Encl

Statement of the distribution of the drouth relief fund as deposited in the four banks at Austin, Texas, to the credit of said fund from September 1, 1918, to May 20, 1920.

Total amount contributed, \$277,506.55.

Cash on hand including collections deposited in the following banks:

Austin National Bank.....	\$ 9,319.82
State National Bank.....	8,973.12
American National Bank.....	9,414.34
Citizens State Bank.....	12,205.14

Total .....\$39,912.42

Respectfully,

F. C. WEINERT,  
Administrator.

## Financial Statement of Distribution of Drouth Relief Fund, May 20, 1920.

County.	Alloted.	Notes to Cover.	Collected On Notes.	Notes to Balance.
Archer .....	\$ 4,050.00	\$ 4,050.00	\$ 375.00	\$ 3,675.00
Bandera .....	513.00	513.00	.....	513.00
Baylor .....	5,820.00	5,820.00	.....	5,820.00
Blanco .....	2,000.00	2,000.00	25.00	1,975.00
Borden .....	3,000.00	3,000.00	420.00	2,580.00
Brown .....	6,950.00	6,950.00	800.00	6,150.00
Burnet .....	3,000.00	3,000.00	455.00	2,545.00
Callahan .....	2,735.00	2,735.00	285.00	2,450.00
Castro .....	400.00	400.00	.....	400.00
Coke .....	2,465.00	2,465.00	150.00	4,315.00
Coleman .....	7,000.00	7,000.00	580.00	6,420.00
Concho .....	1,750.00	1,750.00	40.00	1,710.00

County.	Alloted.	Notes to Cover.	Collected On Notes.	Notes to Balance.
Cottie .....	3,975.00	3,975.00	.....	3,975.00
Coryell .....	5,015.00	5,015.00	620.00	4,395.00
Crosby .....	3,000.00	3,000.00	725.00	2,275.00
Childress .....	3,000.00	3,000.00	675.00	2,325.00
Comanche .....	3,400.00	3,400.00	.....	3,400.00
Dawson .....	3,000.00	3,000.00	565.00	2,435.00
Dimit .....	500.00	500.00	.....	500.00
Dickens .....	6,000.00	6,000.00	300.00	5,700.00
Edwards .....	900.00	900.00	150.00	750.00
Erath .....	3,000.00	3,000.00	470.00	2,530.00
Fisher .....	7,980.00	7,980.00	325.00	7,655.00
Foard .....	3,400.00	3,400.00	50.00	3,350.00
Garza .....	5,050.00	5,050.00	.....	5,050.00
Gillespie .....	5,050.00	5,050.00	4,275.00	775.00
Glasscock .....	3,000.00	3,000.00	250.00	2,750.00
Hardeman .....	5,000.00	5,000.00	300.00	4,700.00
Hall .....	1,000.00	1,000.00	500.00	500.00
Haskell .....	9,000.00	9,000.00	300.00	8,700.00
Howard .....	3,028.00	3,028.00	.....	3,028.00
Hood .....	3,000.00	3,000.00	.....	3,000.00
Hamilton .....	9,510.00	9,510.00	1,950.00	7,560.00
Hale .....	1,500.00	1,500.00	.....	1,500.00
Irion .....	2,000.00	2,000.00	575.00	1,425.00
Jones .....	10,000.00	10,000.00	1,835.00	8,165.00
McKinney .....	2,300.00	2,300.00	.....	2,300.00
Kemp .....	4,510.00	4,510.00	275.00	4,235.00
Knox .....	7,005.00	7,005.00	510.00	6,495.00
Kimble .....	1,500.00	1,500.00	.....	1,500.00
Lubbock .....	1,300.00	1,300.00	300.00	1,000.00
Lampasas .....	3,000.00	3,000.00	.....	3,000.00
Lynn .....	2,000.00	2,000.00	408.00	1,592.00
Llano .....	4,000.00	4,000.00	575.00	3,425.00
LaSalle .....	1,500.00	1,500.00	25.00	1,475.00
Mason .....	4,005.00	4,005.00	1,075.00	2,930.00
Mills .....	5,203.00	5,203.00	1,844.00	3,359.00
Mitchell .....	5,170.00	5,170.00	1,500.00	3,670.00
Medina .....	5,077.00	5,077.00	.....	5,077.00
Midland .....	2,375.00	2,375.00	850.00	1,525.00
Menard .....	6,909.00	6,909.00	1,950.00	4,959.00
Motley .....	1,500.00	1,500.00	1,500.00	.....
McCulloch .....	3,010.00	3,010.00	.....	3,010.00
Martin .....	1,900.00	1,900.00	.....	1,900.00
Nolan .....	4,932.50	4,932.50	545.00	4,387.50
Parker .....	3,980.00	3,980.00	.....	3,980.00
Runnels .....	5,150.00	5,150.00	1,440.00	3,710.00
San Saba .....	1,900.00	1,900.00	.....	1,900.00
Schleicher .....	3,300.00	3,300.00	350.00	2,950.00
Scurry .....	7,180.00	7,180.00	1,225.00	5,955.00
Stephens .....	950.00	950.00	.....	950.00
Stonewall .....	6,000.00	6,000.00	325.00	5,675.00
Swisher .....	1,500.00	1,500.00	300.00	1,200.00
Shackelford .....	2,180.00	2,180.00	125.00	2,055.00
Taylor .....	10,000.00	10,000.00	475.00	9,525.00
Throckmorton .....	250.00	250.00	100.00	150.00
Travis .....	100.00	100.00	50.00	50.00
Tom Green .....	8,965.00	8,965.00	2,100.00	6,865.00
Uvalde .....	6,438.63	6,438.63	.....	6,438.63
Webb .....	200.00	200.00	.....	200.00
Wilbarger .....	950.00	950.00	100.00	850.00
Young .....	1,125.00	1,125.00	.....	1,125.00
Zavala .....	3,750.00	3,750.00	550.00	3,200.00
\$273,106.13		\$273,106.13	\$ 35,492.00	\$237,614.13

Governor's Office,  
Austin, Texas, June 15, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Representative Vaughan, I submit for your consideration the following subject, to-wit:

"An Act amending Section 1, Chapter of Local and Special Laws of the State of Texas passed by the Thirty-sixth Legislature and entitled an act to amend, adding sections to said Act of 1913, passed at the Regular Session, and also amendments thereto, and providing that the commissioners court of Rockwall county, Texas, may condemn land and material of whatsoever kind for road and bridge purposes, and extending and affording a remedy and means to do so."

Respectfully submitted.

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 15, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: Citizens of the State continue to express deep concern felt in the action of the Legislature in dealing with the pink boll worm situation. In convening the Legislature in extraordinary session and in presenting this subject I submitted the representations of the Secretary of Agriculture of the United States speaking for the Federal government respecting the possible establishment of a quarantine.

I am constrained to again suggest the seriousness of the situation and to express the earnest hope that a satisfactory basis for the continued co-operation of the Federal government in the control and eradication of this cotton pest may be assured to the end that no just cause may be afforded for the imposition of a quarantine against the cotton industry of our State.

The State through the Legislature has heretofore been committed to a policy of control and eradication and upon the basis of the policy expressed in the statutes has invited the co-operation of the Federal government and the confidence of the producers of cotton throughout the South; and it is important to continue this policy in order to deal effectively with such encroachments of the pest as will justify the renewed intimation under date of June 10 by the Sec-

retary of Agriculture of a quarantine against the State as a unit.

I am now of the opinion that it would be wise, in addition to the passing of such new measure as the Legislature may see fit, to enact, separate and apart from such measure, an appropriation of \$100,000, to put into effect the pink boll worm law at present on the statute books of Texas.

The option then will be presented me of approving the new measure, or approving the appropriation to make the present one effective. If it appears that by enactment of the new measure the Federal government will withdraw its work of eradication and will impose a quarantine, this disastrous contingency may be avoided by having the choice of these two measures before me, one of which would meet my disapproval, while, of course, the one giving greatest protection to the cotton industry of Texas under the circumstances will become the law.

Such action by your body, giving me more latitude after your adjournment to continue negotiations with the Federal Department of Agriculture. I sincerely trust, will be the result of your deliberations.

Respectfully submitted.

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 15, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Senator Witt, I submit for your consideration the following subject, to-wit:

"An Act creating the Sharp Independent School District in Milam county, Texas, etc., and declaring an emergency."

Respectfully submitted.

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 15, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: At the request of Senator Witt, I submit for your consideration the following subject, to-wit:

"An Act creating the San Gabriel Common School District No. 8 of Milam county, Texas, etc., and declaring an emergency."

Respectfully submitted.

W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, June 14, 1920.

To the Thirty-sixth Legislature in Third  
Called Session.

Gentlemen: In September of last year probably the most destructive hurricane of record along the Texas coast wrought terrific havoc in the vicinity of Corpus Christi, Rockport and Aransas Pass. The property losses as a result of this hurricane ran into millions of dollars and the total loss of life has not yet been, nor probably ever will be ascertained.

Upon receipt of telegraphic advice with respect to the destruction wrought and the necessity of aid to the citizenship of that section, I issued an appeal to the people of Texas for voluntary funds with which to relieve the immediate distress. This appeal met with prompt response, not only at the hands of the citizenship of Texas, but of other States as well. The funds raised were remitted either direct to my office or were sent to the local relief committees organized in the various affected areas. As donations were received in the Governor's office they were promptly deposited in one of the several Austin banks to the credit of a storm relief account, and made immediately available for relief work.

Communications reaching me direct from the affected area informed me of the dire need of the inhabitants thereof, for the necessities of life in the nature of food and clothing. That this relief might be afforded before the suffering became acute, I appointed a committee of Austin bankers to purchase in the open market such supplies as local committees made requisition for. This committee was composed of the following well known men:

Hon. John W. Baker, State Treasurer.

Hon. H. A. Wroe, president, American National Bank.

Hon. W. H. Folts, vice-president, Austin National Bank.

Hon. Walter Bremond, assistant cashier, State National Bank.

Hon. Eldred McKinnon, vice-president, Citizens State Bank.

Hon. John W. Baker, State Treasurer, was made chairman of the committee, and before any accounts for supplies were paid out of the funds contributed, I required the approval of same by the committee above referred to. To each of the accounts for supplies purchased and forwarded an affidavit was required from the merchant furnishing same, to the effect that the goods covered by the in-

voice attached, was sold at actual cost price and that no profit was derived from the sale of same. Copies of these invoices are on file in the executive office and may be seen at the pleasure of any of the members of your body.

I am accompanying this message with a statement of the funds collected through the Governor's office together with a detailed statement of the disbursements of same, which statement was compiled and sworn to by my secretary.

By way of explanation, you will permit me to say that all checks drawn in favor of merchants were to cover invoices presented, to which was attached the affidavit above referred to. Checks as listed made payable to the various banks in the affected area, those payable to the American Red Cross and the one to J. E. Cotter of Aransas Pass were used locally for relief purposes. The distribution of those funds locally was effected through the American Red Cross organization, Southwest Division. That you may further be informed with respect to the work accomplished, I am attaching hereto a report made by that organization to me bearing date of June 7, 1920.

A record has been kept in this office of those contributing to the fund up to and including February 17, 1920, since which date the remittances coming in have been endorsed payable to the American Red Cross, Corpus Christi, Texas, and forwarded direct without having been cleared through the Austin banks.

Respectfully submitted,

W. P. HOBBY,  
Governor.

(Copy)

American Red Cross,  
South Texas Disaster Relief Headquarters,  
Corpus Christi, Texas.

June 7, 1920.

Hon. W. P. Hobby, Governor State of Texas, Austin, Texas.

Dear Governor Hobby: Enclosed is the financial statement sworn to before a notary public by E. H. Harris, disaster relief accountant, showing all receipts and all expenditures from whatsoever source received by the American Red Cross up to June 1, 1920.

We are enclosing copy of an article which we gave the "Corpus Christi Caller," thinking you might care for some of the facts contained in said article to give to the newspaper men in Austin, as this story contains some facts



which were not brought out in a sworn statement.

We still have some cases pending, but are winding up the work as rapidly as possible. I, personally, have been in the district for the past week and have visited the towns and made some additional appropriations. I will return to St. Louis, but will be back in the territory about July 10. From time to time we will be sending you other reports, and earnestly hope you will give us any suggestions or call for any explanation desired.

Very truly yours,

(Signed) A. W. JONES, JR.,  
Director South Texas Disaster Relief.  
AWJ-DD

(Copy)

When the American Red Cross closed its books to new applications on March 14 (six months after the storm), about \$309,000 had been expended on storm sufferers in Corpus Christi, Rockport, Aransas Pass, Port Aransas, Port Lavaca Port O'Connor, and nine other communities. The appropriations up to June first total nearly one-half million dollars, or nearly \$120,000 in the last three months. Of the total amount expended over \$250,000 appropriations have been made to Corpus Christi families and the farmers nearby. These facts and others were brought out in a statement issued a few days ago by A. W. Jones, Jr., Director South Texas Disaster Relief. Mr. Jones states the work was not yet finished, but was being wound up as rapidly as possible; that no new applications were being received, but a number of cases were pending. He also stated the office in the Amusu building would be closed until September, but that any business matters could only be handled by written communica-

tion through the Corpus Christi office.

According to the statement, appropriations for the month of May amounted to \$39,138.82, of which \$28,798.81 was expended in Corpus Christi. The April expenditure in Corpus Christi amounted to \$59,793.

The Corpus Christi local committee gave the Red Cross \$80,000 out of its total fund of \$240,000. In addition to this \$80,000 the Red Cross has spent over \$150,000 in Corpus Christi alone. When it closed the books to new applicants six months after the storm, appropriations had been made totaling \$309,142.99 to families in all the devastated towns. Since closing its books nearly \$120,000 more has been spent, or a total to June first of \$427,310.28. Of this amount \$266,059.10 has been spent in Corpus Christi and rural districts; \$66,066.14 in Rockport; \$68,619.25 in Aransas Pass, and \$26,565.79 in Port Aransas.

The sworn statement which was issued a few days ago shows that not a dollar of the funds sent in for storm sufferers has been spent for salaries, overhead expenses, or any of the expenses of the staff of trained workers handling the job, and that already over \$100,000 has been spent from National Headquarters fund and Red Cross Chapter funds.

Mr. Jones has been here for the last few days looking over the work and making appropriations on pending cases. He stated that over 4000 cases had been investigated and to date appropriations have been made to more than 1600 cases, including business, family and building and repairs.

The sworn statement of all receipts and expenditures since the Red Cross took over the work is as follows:

Corpus Christi, Texas, May 31, 1920.

American Red Cross, South Texas Disaster Relief,  
A. W. Jones, Jr., Director.

Statement of May 31, 1920—Summary of All Receipts and Expenditures to Date:

## Receipts.

Item No.		Amount.
1	Local Relief Committees.....	\$ 10,334 76
2	Port Aransas.....	11,145 20
3	Aransas Pass.....	9,624 18
4	Rockport.....	80,000 00
5	Corpus Christi.....	
6	W. P. Hobby, Governor, State of Texas. (See Item No. 21.).....	146,230 34
7	Houston, Texas, Relief Committee.....	35,000 00
8	Baltimore, Md., Relief Committee. (See Item No. 20.).....	5,770 17
9	Various donators direct to American Red Cross, detailed record on file. (See Items Nos. 18 and 19).....	14,273 28
10	Red Cross Chapters.....	19,414 35
11	American National Red Cross, Southwestern Division (See Item No. 22).....	95,518 00
12	Total receipts to date..... (See Item No. 25.)	\$ 427,310 28

Expended in entire area up to and including May 31, 1920, for relief only:

## Expenditures.

Item No.		Amount.
13	Port Aransas.....	\$ 26,565 79
14	Aransas Pass.....	68,619 25
15	Rockport.....	66,066 14
16	Corpus Christi, rural and small communities other than above mentioned.....	266,059 10
17	Total expenditures to date..... (See Items Nos. 30, 31 and 32.)	\$ 427,310 28

**Summary of All Receipts and Expenditures During the Month Ending  
May 31, 1920:**

**Receipts.**

Item No.	From Whom Received.	Date.	Amount.
18	S. B. Sorenson, Sr. & Sons, Rockport, Texas.	May 10, 1920	\$ 290 33
19	Mildred Seaton, Corpus Christi, Texas.	May 17, 1920	1 50
20	R. J. Beachman, Secretary Texas Relief Fund, Baltimore, Md.	May 17, 1920	65 17
21	W. P. Hobby, Governor, State of Texas, for Chamber of Commerce, San Antonio, Texas.	May 19, 1920	5,220 48
22	American National Red Cross, South-western Division.	May 31, 1920	33,561 34
23	Total receipts during May, 1920.		\$ 39,138 82
24	Total receipts prior to May 1, 1920.		388,171 46
25	Total receipts to June 1, 1920. (See Item No. 12.)		\$ 427,310 28

**Expenditures.**

Item No.	Area.	Amount.
26	Port Aransas	\$ 2,300 40
27	Aransas Pass	3,265 03
28	Rockport	4,595 28
29	Corpus Christi, rural and small communities other than those above mentioned	28,978 11
30	Total expenditures during May, 1920.	\$ 39,138 82
31	Total expenditures prior to May 1, 1920.	388,171 46
32	Total expenditures to June 1, 1920. (See Item No. 17.)	\$ 427,310 28

Salaries and all other expenses of Red Cross personnel in devastated area not included in above figures. These expenses are paid out of a special fund provided by National Headquarters, American Red Cross.

(Signed) E. H. HARRIS,

Disaster Relief Accountant.

Subscribed and sworn to before me this 7th day of June, A. D. 1920.

(Signed) DOROTHY R. DAVIS,

(Seal)

Notary Public Nueces County, Texas.

## Total Amounts Collected Through Governor's Office.

Date.		Amount.	Total.
Sept. 18	Austin National Bank, Austin. . . . .	\$ 5,814 11	
Sept. 20	" " " " . . . . .	11,544 57	
Sept. 24	" " " " . . . . .	18,559 44	
Sept. 25	" " " " . . . . .	9,955 45	
Sept. 27	" " " " . . . . .	1,636 44	
Sept. 29	" " " " . . . . .	1,852 88	
Sept. 30	" " " " . . . . .	12,109 18	
Oct. 1	" " " " . . . . .	6,766 54	
Oct. 3	" " " " . . . . .	347 85	
Oct. 6	" " " " . . . . .	1,789 41	
Oct. 8	" " " " . . . . .	525 80	
Oct. 9	" " " " . . . . .	2,971 77	
Oct. 10	" " " " . . . . .	1,549 11	
Oct. 14	" " " " . . . . .	2,450 59	
Oct. 16	" " " " . . . . .	262 10	
Oct. 21	" " " " . . . . .	2,095 26	
Oct. 27	" " " " . . . . .	20,754 68	
Oct. 18	" " " " . . . . .	400 00	
Nov. 5	" " " " . . . . .	1,871 92	
Nov. 8	" " " " . . . . .	5,640 55	
Nov. 14	" " " " . . . . .	533 10	
Nov. 18	" " " " . . . . .	1,262 50	
Nov. 20	" " " " . . . . .	35 47	
Nov. 25	" " " " . . . . .	10,001 50	
Dec. 2	" " " " . . . . .	103 50	
Dec. 12	" " " " . . . . .	85 44	
Dec. 20	" " " " . . . . .	1,195 30	
Jan. 10	" " " " . . . . .	360 30	
Feb. 18	" " " " . . . . .	25 00	
	Total. . . . .		\$ 122,399 76
Sept. 20	The Citizens State Bank, Austin, Texas. . .	\$ 12,468 20	
Sept. 26	" " " " " " . . .	4,391 21	
Oct. 4	" " " " " " . . .	6,203 87	
Nov. 18	" " " " " " . . .	400 00	
	Total. . . . .		23,463 28
Sept. 23	American National Bank, Austin, Texas. . .	\$ 10,000 00	
Sept. 23	" " " " " " . . .	11,000 00	
Sept. 26	" " " " " " . . .	250 00	
	Total. . . . .		21,250 00
Sept. 23	The State National Bank, Austin, Texas. . .	\$ 22,816 75	
Oct. 2	" " " " " " . . .	5,084 06	
	Total. . . . .		27,900 81
	Grand Total. . . . .		\$ 195,013 85

## Disbursements.

	Amount.	Total.
Checks drawn—Austin National Bank—		
Nelson Davis & Son.....	\$ 1,414 65	
Nelson Davis & Son.....	2,802 21	
Society Mills.....	811 60	
Quality Mills.....	405 30	
Armour & Co.....	954 01	
Armour & Co.....	496 09	
Austin White Lime Co.....	455 60	
Swift & Co.....	2,372 40	
Armour & Co.....	1,338 75	
Swift & Co.....	1,039 81	
Quality Mills.....	611 54	
Quality Mills.....	611 54	
Nelson Davis & Son.....	1,215 02	
Nelson Davis & Son.....	1,215 02	
J. E. Carter—Aransas Pass Relief.....	10,000 00	
Corpus Christi National Bank Relief.....	16,000 00	
Morris & Co.....	388 57	
W. H. Richardson & Co.....	38 72	
Walter Tips Co.....	50 40	
W. H. Richardson & Co.....	94 50	
State Bank of Rockport Relief.....	937 00	
First State Bank, Aransas Pass Relief.....	493 00	
First State Bank, Corpus Christi Relief.....	16,913 54	
Corpus Christi National Bank Relief.....	18,814 35	
City National Bank, Corpus Christi Relief.....	18,814 35	
Swift & Co.....	7,236 00	
American Red Cross.....	16,120 95	
Check returned unpaid.....	756 84	
Total.....		\$ 122,399 76
Checks drawn—American National Bank—		
Austin National Bank (Rockport Relief).....	\$ 10,000 00	
First National Bank, Rockport Relief.....	4,500 00	
State Bank, Rockport Relief.....	4,500 00	
First State Bank, Aransas Pass Relief.....	2,007 00	
San Antonio Drug Co.....	243 00	
Total.....		21,250 00
Checks drawn—Citizens State Bank—		
First State Bank, Aransas Pass Relief.....	\$ 3,000 00	
First State Bank, Corpus Christi Relief.....	16,000 00	
First National Bank, Rockport Relief.....	2,500 00	
State Bank, Rockport Relief.....	1,563 00	
American Red Cross.....	40 61	
Duplicate draft, El Paso.....	359 67	
Total.....		23,463 28
Checks drawn—State National Bank—		
Aransas Pass Relief Committee.....	\$ 10,000 00	
City National Bank, Corpus Christi Relief.....	16,000 00	
First State Bank, Corpus Christi Relief.....	1,900 81	
Total.....		27,900 81
Total disbursements.....		\$ 195,013 85

I certify the above to be a true and correct statement of receipts and disbursements of the Corpus Christi Storm Relief Fund, received in the executive office, period from the sixteenth day of September, 1919, to the seventeenth day of February, 1920, inclusive.

RALPH SOAPE,  
Secretary to the Governor.

Subscribed and sworn to before me this the 14th day of June, A. D. 1920.

(Seal.) LOULA CARPENTER,  
Notary Public, Travis County, Texas.

# BILL ORDERED NOT PRINTED.

On motion of Mr. Fly, it was ordered that House bill No. 97 be not printed.

# HOUSE BILL NO. 64 WITH SENATE AMENDMENTS.

The House resumed consideration of pending business, same being Senate amendments to House bill No. 64, relating to cattle tick eradication, with motion by Mr. Bertram that the House do not concur in the Senate amendments pending.

Mr. Jones moved the previous question on the pending motions, and the main question was ordered.

Question first recurring on the motion by Mr. Bertram to not concur in the Senate amendments, it was lost.

Question then recurring on the motion to concur in the Senate amendments, yeas and nays were demanded.

The House concurred in the Senate amendments by the following vote:

## Yeas—99.

Mr. Speaker.	Curtis.
Alexander.	Daniel.
Bagby.	Darroch.
Baldwin.	Davis, John E.,
Barker.	of Dallas.
Barnes.	Dickson.
Barrett of Bell.	Estes.
Barrett of Jones.	Fairchild.
Bass.	Faubion.
Beard.	Fly.
Beasley.	Hall.
Beason.	Hamilton.
Beavens.	Hill.
Black, O. B.,	Horton.
of Bexar.	Jackson.
Black, W. A.,	Johnson of Ellis.
of Bexar.	Johnson of Travis.
Blackburn.	Jones.
Bludworth.	Kellis.
Bonham.	King of Erath.
Boone.	King of
Brady.	Throckmorton.
Brown of Liberty.	Lackey.
Bryant.	Lawrence.
Burns.	Lee.
Burton.	Loggins.
Childers.	McDonald.
Crumpton.	McDowra.

McFarlane.	Sackett.
McMillin.	Satterwhite.
Malone.	Schlosshan.
Merriman.	Scott.
Miller of Austin.	Seward.
Miller of Dallas.	Smith of Hopkins.
Morris of Bosque.	Smith of Smith.
Morris of Medina.	Sneed.
Morris	Stephens.
of Montague.	Stewart.
Murrell.	Teer.
Nordhaus.	Terrell.
Osborne.	Thomas.
Owen.	Thomason
Parnell.	of Nacogdoches.
Peavy.	Thompson
Pedigo.	of Harris.
Peyton.	Tidwell.
Pollard.	Tillotson.
Pool.	Vaughan.
Pope.	Veatch.
Quicksall.	Walker of Newton.
Raiden.	Walker of Wise.
Reeves.	Williams
Richards.	of Montgomery.
Rogers.	Wilson.
Rosser.	

## Nays—5.

Bertram.	Moon.
Biggs.	Thompson
Garrett.	of Hunt.

## Absent.

Biggers.	McLeod.
Brown of Wilson.	Neal.
Canales.	O'Banion.
Cox.	Parsley.
Culp.	Roemer.
Dodd.	Seagler.
Heideke.	Sentell.
Holmes.	Taylor.
Johnson of Blanco.	Tharp.
Lacey.	Tilson.
Laney.	Vickers.
Lange.	Williams
Lidiak.	of McLennan.
McCord.	Wright.

## Absent—Excused.

Bedell.	Marshall.
Davis, John,	Newton.
of Dallas.	Poage.
Ford.	Smith of Bastrop.
Lowe.	

Bedell.	Neal.
Biggs.	Nordhaus.
Brown of Wilson.	O'Banion.
Cox.	Parnell.
Crumpton.	Parsley.
Culp.]	Pope.
Davis, John,	Sentell.
of Dallas.	Smith of Bastrop.
Dodd.	Smith of Smith.
Fairchild.	Stephens.
Ford.	Taylor.
Heideke.	Tharp.
Johnson of Blanco.	Tillotson.
Lacey.	Tilson.
Laney.	Veatch.
Lange.	Vickers.
Marshall.	Wright.
Moon.	

Absent—Excused.

Holmes.	Newton.
Lowe.	Poage.
McLeod.	Roemer.

A quorum was announced present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, June 16, 1920.

Hon. R. E. Thomason, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 90, A bill to be entitled "An Act to amend Article 3883 of Chapter 130 of the General Laws of the State of Texas, passed by the Thirty-fifth Legislature at its Regular Session, regulating the fees allowed county officers in certain counties in this State."

H. C. R. No. 14, Relating to an inquiry concerning the Medical Department of the University of Texas.

H. C. R. No. 15, Relating to the cost of making cement and to cement production in Texas.

Respectfully,

G. A. BAKER,

Assistant Secretary of the Senate.

#### MESSAGE FROM THE GOVERNOR.

Mr. S. Raymond Brooks, assistant secretary to the Governor, appeared at the bar of the House, and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Governor's Office,  
Austin, Texas, June 16, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senators Page and Gibson, I beg to submit for your consideration the following subject, to wit:

"An Act to confer upon trust companies with a capital of not less than \$500,000 the power to purchase, sell, discount and negotiate with or without its endorsement of guaranty, notes, drafts, checks, bills of exchange, acceptances, including banker's acceptances, cable transfers and other evidences of indebtedness, to purchase and sell, with or without its endorsement or guaranty, stocks, bonds, securities, including the obligations of the United States or of any State thereof; to issue debentures, bonds and promissory notes, to accept bills or drafts drawn upon it, but in no event having liabilities outstanding thereon at any one time exceeding five times its capital stock and surplus; provided, however, that with the consent in writing of the Commissioner of Insurance and Banking, they may have outstanding at any one time ten times its capital stock and surplus."

Respectfully submitted,

W. P. HOBBY,  
Governor.

#### RELATING TO EXPENSES OF STATE OFFICIALS.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 16, Relating to expenses of State officials.

Be it resolved by the Senate, the House concurring, That

Whereas, Official reports made to this House show that much State funds are expended by some State officials and assistants for traveling expenses; and

Whereas, There is much complaint of some officials and assistants being absent from the office going around the State, and even at times out of the State; therefore, be it

Resolved, That it shall be the duty of the Board of Control to have each and every department of State government to make quarterly reports beginning September 1, 1919, to the Board of Control, stating what amounts, if any, have been expended by said departments,