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OF THE

House of Representatives

OF THE

FIRST CALLED SESSION

OF THE

THIRTY-SEVENTH LEGISLATURE

BEGUN AND HELD AT

THE CITY OF AUSTIN, JULY 18, 1921

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Resolved, That the superintendent of the Girls' Training School be given the use of the House of Representatives for 8 o'clock Monday night, July 18, 1921, for the purpose of showing these slides, and explaining the work of this State institution.

The resolution was read second time and was adopted.

(Mr. Lackey in the chair.)

MESSAGE FROM THE GOVERNOR.

Mr. R. B. Walthall, 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:

Executive Office.

July 18, 1921.

To the Members of the Thirty-seventh Legislature Assembled in First Called Session.

Gentlemen: The Constitution of the State vests in the Governor the authority to convene the Legislature in special session. The Regular Session having adjourned without making provision for the support of the State government for the fiscal years, September 1, 1921, to August 31, 1923, makes it imperative that your honorable body be assembled in extraordinary session. The same article of the Constitution that gives the Governor power to reconvene you in special session demands that he give to you information in regard to the condition of the State, and that he recommend to you for legislative consideration such measures as to him seem wise. Therefore, in keeping with this constitutional provision and in the spirit of co-operation and mutual aid, this message is addressed to you.

The Times.

We are pioneering today amid the rocks and reefs and whirlpools of the most disturbed and uncertain financial ocean the world has ever known. These are testing times. The affairs of men are shifting. Things are abnormal. The world is at a turning point in civilization. The times challenge each of us to seek and to follow, by the grace of Him who rules eventually in the legislative halls of men, the light of right.

The People.

Under our form of government the people are the source of power. They

own the government. They are the State. They pay the taxes. All wealth comes from their sweat and toil. They are the repository of all the authority the government possesses. By their vote and voice we are temporarily their servants. We represent the folks at home. Our task is not an easy one. We should mobilize our best thoughts and render the highest service possible.

Business Conditions Generally.

Great business depression prevails throughout the land. Industry is heavily burdened and there is uncertainty in the air. We are passing through a financial crisis. Our people are followers of the plow. Crop values have decreased far below the cost of production. We have no market for our cotton, no market for our stock, no market for our farm productions, no banks from which we can borrow money and no money with which to pay our taxes. Farmers, stockmen, merchants, bankers, and all our people alike are hanging on the ragged edge of the financial world.

Must Economize in Public and Private Life.

In the face of tightening credit, moneyless markets, and industrial depression, simple justice to the taxpayers of Texas demands that we practice economy. Quit spending money except for actual necessities in public and private life is the only means of solving the pressing problems that are now pulling at the purse strings of the world. This is a time to conserve rather than consume. It is a time to retrench rather than enlarge. It is a time to legislate for the present rather than for the future. It is a time to break rather than forge shackles for the people. This is no time to launch new enterprises. Every dollar possible should be saved. No tax burdens beyond the absolutely necessary running expenses of the government should at this time be laid on the shoulders of the people. Common honesty demands economy in public affairs. Government expenses should be cut to the bone. A rich people and a poor State is better than a poor people and a rich State.

Our Government.

Our government is in no easier circumstances financially than are the people who compose it. In the logic of a

square deal, we should apply to the public service the same rigid rule of economy that necessity forces those to live under whose tax money supports the government. The time has come to call a halt upon unnecessary expenditures of the public revenue. Any increase of the tax burden, either upon property or industries, is, in the face of the circumstances that now confront us, unthinkable. Nothing in the scope of legislative authority will redound in greater benefit or prove more welcome to our people than an era of strict adherence to the plain mandate of our Constitution, which declares: "The Legislature shall not have the right to levy taxes or impose burdens upon the people except to raise revenues sufficient for the economical administration of the government."

In a State government, democratically administered, there are two matters of highest importance to the people. One is the proper collection and distribution of the tax money. The other is a strict and impartial enforcement of the law. If a government has these two fundamental foundation stones properly placed, it can easily build thereon a superstructure of government that can weather any storm. Therefore, in the light of present conditions the following thoughts are submitted to you for your careful and conscientious consideration.

Financial Legislation as Shown by the Records of the Past.

According to the Federal census of 1920, the population of Texas during the past ten years increased 21 per cent. while the wealth of Texas increased 33 per cent. During the ten-year period intervening between 1910 and 1919, inclusive, our State ad valorem tax rate increased from 4 cents on the \$100 of assessed valuation to 35 cents on the \$100. You will observe that while our population increased only 21 per cent and our wealth only 33 per cent, our tax rate increased 775 per cent. The appropriations made by the Legislature of 1911 for the two succeeding fiscal years totaled less than ten million dollars, while those of the Legislature of 1919 ran up to \$37,321,860. During the twelve years preceding 1919 the traveling expenses of the employees of the State climbed from approximately twenty-four thousand dollars to almost one million dollars. One becomes dazed and amazed in scanning the lengthy ap-

propriation bills heretofore passed in the name of governmental expenses. Our government is top heavy. Departments overlap each other. We have too many departments and too many employees. Within the next few days a special message will be sent to you dealing with this phase of our State government.

Perhaps a statement should here be made as to why \$5,245,420 appropriated by you during the Regular Session of this Legislature was by me vetoed. You gentlemen, without making appropriations of any kind for the support of the government and the maintenance of her institutions for the fiscal year beginning September 1, 1921, appropriated for various and sundry purposes \$12,699,405; \$10,699,405 of this sum was charged against the Treasury for the year beginning September 1, 1921, and ending August 31, 1922. When you add this last sum to the minimum allowance which the Board of Control, in its budget, has estimated as necessary for the support of the government during the ensuing fiscal year, which is \$13,023,051, you have \$23,722,456. Deduct from this amount \$6,000,000 expected to be raised from other sources and you have \$17,722,456. This aggregate sum would have been the net amount of money necessary to have been raised by the ad valorem tax rate. To get the gross amount necessary to be collected from the people it is necessary to add, as is provided for by law, for delinquencies and costs incident to collection of taxes, 20 per cent of the net sum to be raised, which calculation and addition in this instance makes \$21,266,947. If this \$21,266,947, as above stated, had been permitted to stand, it would represent the gross amount to be provided for by ad valorem taxation. The assessed value of all taxable property in the State is \$3,250,000,000. Dividing this amount into \$21,266,947 we get on this basis of appropriation 65 cents on the \$100 valuation, which would have been the tax rate demanded by said appropriations and which would have been 30 cents on the \$100 higher than the highest tax rate possible under the Constitution, and 43 cents higher on the \$100 than the present tax rate. Adding to this tax rate the 15 cents on the \$100 for free text-books, and 20 cents on the \$100 for public free school purposes, and the 5 cents on the \$100 for Confederate pensions, which said three taxes are fixed by the Constitution, and, therefore, must be levied, you have \$1.05 on the \$100, the to-

tal tax rate which would have been necessary to have been paid by the people had all the appropriations made at the Regular Session, together with the Board of Control's recommendations for the running expenses of the government, been permitted to stand. Readily can it be seen that this was a rapid drifting from the moorings of economy. The present ad valorem tax rate is 22 cents, for general purposes, on the \$100. It should not be raised. The highest possible ad valorem tax rate for general purposes under our Constitution is 35 cents on the \$100. The highest tax rate possible under existing laws for all purposes is 75 cents on the \$100. Notwithstanding this, the appropriations actually made and recommended to be made, together with the fixed taxes above mentioned, would have run the tax rate to \$1.05, an unconstitutional and unthinkable rate. While, of course, this high tax rate could not have been levied, under the Constitution, yet it shows that such appropriations would have put the State millions of dollars in debt. Such a contemplated State tax rate, in addition to our other taxes, municipal, county, and national, would, under present financial conditions, tend to place our people within the zone between taxation and confiscation. We can not reduce taxes as long as we increase expenditures. The way to keep down taxes is to keep down appropriations. Therefore in an effort on my part to slow up the drain on the public treasury and to keep down the tax rate and practice economy, as urged in my inaugural address, and by special message, \$5,245,420 appropriated during the Regular Session was by me vetoed. Other appropriations made by your honorable body, in my opinion, were two or three times larger than should have been made. The merit of these enterprises and institutions entitled them to liberal but not exorbitant appropriations. The law did not permit me to trim down these appropriations; there was no alternative for me except to approve the bills with all their appropriations or veto them and thus cripple worthy causes. In making the choice, the bills were approved. It seems to me that the time has come when this Special Session of the Legislature should set a new standard for real, worth-while economy in the administration of the State government. We must call a halt or be wrecked on the rocks of the financial ocean. The time to save money

is before it is spent, not afterwards. Appropriations must be kept within the revenues. It is no evidence of statesmanship to vote for every appropriation bill that is presented. Not a dollar should be appropriated for any purpose unless the dollar is available with which to pay it. There should be no raise in the tax rate. No additional burdens should be placed against real estate, farm land or city property. No tax burdened industry now producing in part the wealth of the country should feel anew the heavy hand of taxation. Any bill that comes to my desk that has for its purpose the placing of additional taxes against property, enterprises or institutions above mentioned, will be by me promptly vetoed. If in the sound, collective judgment of the Legislature additional revenues are to be had for worthy purposes, especially rural education, it should be raised by taxation on the pleasures and luxuries and the non-essentials of life, most of which are now practically free from State taxation. In order that you may provide additional revenue with which to aid our public free schools, and in order that you may provide the revenue for every dollar you appropriate, there is hereby submitted to you, for your legislative action, the entire field of revenue getting by means of taxation.

The Administration of the Law.

The law of the land is that stabilizing influence which holds society together. It is the foundation of every civilization. To uphold it is the first duty of a government. When a government ceases to enforce her laws, it ceases to be a government, and becomes a mob. A government must govern. Disregard for the law undermines the very foundation of organized society. If the State is to be respected, her laws must be obeyed. A lax enforcement of the law encourages a disrespect for the law. A disrespect for law makes criminals. Criminals fill the land with terror and make unsafe both life and property. "Obey the law" should be written on every school boy's tablet, should be chiseled on the cornerstone of every public building, should be arched over the doorway of every home and hung in letters of gold in every hall of State. For a country to permit crime is to commit suicide. To obey the law is life. To disobey it is death.

The genius of man has never found any better way to prevent crime than to punish criminals. If it were not for

the fear of the punishment of the law, neither your life nor your property would be safe for one hour. Repeal all our laws and turn mankind loose and you would not and could not live in Texas one week. It is the law that protects you, in property, in life, in liberty, and in the pursuit of happiness. That maudlin sentiment that loses sight of truth and justice and right and makes a hero out of every person who commits a crime is sapping the sovereign strength of the State. Punishment should follow crime as night follows the day. The law-abiding people should demand more certainty of punishment for the lawless element of the State. Society has two functions to perform in punishing criminals. One is to purify society and the other is to reform criminals. Society owes its first duty to itself.

For the past two years, Texas has witnessed and is now experiencing the greatest crime wave in her history. Lawlessness stalks throughout the land. This crime wave is but the result of a complete breakdown in the administration of our criminal code. The law no longer has terror for evildoers. We have minimized punishment for crime until it has stripped the law of its power. A traditional and a parasitic growth of technicalities has sucked the life blood out of the Penal Code of Texas. Therefore lawlessness is rampant. The wonder is not that so many guilty men escape, but that under our present system any guilty man is ever convicted. It is estimated that not 10 per cent of those who violate the law are arrested and not half of those who are arrested are convicted. Too much procrastination, too much probation, too many paroles, too many pardons, have robbed the law of its fear. Seven hundred and eighty convicts went out of the penitentiary last year by parole, by pardon, or by escape. The life of the law itself is now on trial. The good name of Texas is at stake. Her proud escutcheon is being hourly defiled. This special session of the Legislature should revivify, rehabilitate and re-electrify the criminal laws of the State. Let us take lawlessness out of our laws and give to them a deterrent influence. The administration and the non-administration of the criminal laws of Texas is a disgrace to our civilization. This carnival of crime should no longer be countenanced.

Argument has been made by some people that the officers and the people of the respective counties, are the judges

as to how the laws should be enforced in their respective counties, and that the enforcement of the laws in these counties, is not a matter in which the State should interfere, and that for the State to do so is a violation of the fundamental principles of local self-government. There is no such thing as local self-government in regard to violations of the law. Our Government was not instituted to favor criminals, but to protect the law-abiding. Every crime that is committed is a crime against the State. The State enacts laws, not the counties. The State is the sovereign government. Counties are but political subdivisions of the State and made by the State for the convenience of the State in the administration of the government. Every indictment charging an offense against the law begins in the name of the State and closes against the peace and dignity of the State. Every person in the penitentiary was sent there in the name of the State. The State paid the expenses of the sheriff who arrested him, of the judge who tried him, and of the penitentiary authorities that keep him. Therefore, the flag in behalf of law and order is raised in the name of the State. State laws, not county laws, are being violated. Counties enact no laws. When county officers protest against the State sending her rangers and her state officials to a county to enforce the laws, the protest is always made for the benefit of the criminals, and not the law-abiding people. If a county is permitted to set up its own standard for law enforcement then the criminals could take charge of some small county in Texas, and have a world of unrestrained lawlessness all their own. No parliament of gamblers, bootleggers, thieves, thugs, murderers, and trespassers of the law generally should be permitted to establish courts, elect officers and take charge of any county in this State. Civilization is not wrought out in disobedience to the law. The law should be enforced, and respected on every square foot of Texas soil.

Enforcement of the Prohibition Law.

The prohibition of the sale of intoxicating liquor is now written into the Constitution of both the State and the Nation. It is the universal law of the land. There was at one time an honest division of opinion among the law-abiding citizens of this country as to whether or not prohibition should be adopted; but since its adoption, since it is a part of the fundamental law of

the land, there can be at this time no division of opinion among law-abiding citizens as to its enforcement. It is the duty of all our people to obey it. Every good citizen must take his stand on the side of the enforcement of the law. We can no longer view with unconcern the open and ever-increasing violation of the prohibition law. In my judgment, in those communities where the law is being disregarded, it can be attributed to two reasons. One is unwilling officers, the other is the defects in the law itself.

The Legislature can and should, by appropriate legislation, remove both of these stumbling blocks in the pathway of the law. There are some necessary amendments to be added to the prohibition law so that it can be effectively enforced and thereby respected and obeyed. Disregarding the back-fire from bootleggers, gamblers and the viciously inclined, all law-abiding citizens of all races and classes, should join hands in making Texas clean and sober and safe for every person in it.

Needed Corrections in the Law.

The law as it is interpreted by the highest criminal court in this State will not permit a person who runs an illicit still to be convicted for making corn whiskey unless the prosecuting attorney can prove that the whiskey was not made for medicinal, scientific or sacramental purposes.

Why should the burden of proving this be placed on the State? The proof that the liquor was being made for legitimate purposes, if it was, is peculiarly within the knowledge of the defendant. If he is making the liquor legitimately, he must have a permit issued by the constituted authorities authorizing him to make such liquor. Why require the prosecuting attorney to bring the State Comptroller at great inconvenience and expense, hundreds of miles perhaps to prove that he had not granted a permit to the defendant to manufacture intoxicating liquor, when if the defendant had received the permit he could exhibit same and thereby end the prosecution.

Suppose a strange negro is found operating a still in a community. It is very difficult for the prosecution to prove that he is not a bishop, a licensed druggist, a scientist, or a preacher making the moonshine for sacramental purposes. Of course, he might be morally certain that such is not the case, but if he is required, as he is, to make affirmative proof of same, what witness

would he call to the stand? Yet that is the condition of the law today, under the present law. The courts must charge the jury that unless the State proves these things by positive testimony and beyond a reasonable doubt, the whiskey maker must go free. In other words, the law presumes that every still being operated in the State is being operated for the manufacture of liquor for medicinal, scientific or sacramental purposes. The presumption of the law should be that the still is being illegally operated. The person entitled to the special defense should be required to produce the proof that the intoxicant is being made within the law.

Is there any reason to require so much greater burden of the State in this than in other offenses where special exemptions lie? Certainly not. If a person is found carrying on his person a pistol he is presumed under the law to be guilty unless he can show that he has the right to carry the pistol under one of the exceptions in the statute. If a person is found in possession of stolen property, the law presumes he is guilty until he can prove that he had a right to possess the property. Our prohibition law should be amended so that when a person is found in the brush or in a cave manufacturing corn whiskey, that the law will place upon him the burden of showing that he was manufacturing same under one of the exceptions in the statute and that he held a permit authorizing him to manufacture same.

The prohibition law should also be amended so that a purchaser of intoxicating liquor will not be guilty of an offense under the law. This part of the prohibition law is inoperative for the reason that no prosecution, so far as has come to my knowledge, has yet been had in the State against any person for buying intoxicating liquor; yet under the law every person who buys intoxicating liquor is guilty of violating the law. The law should be amended in this respect. This change is recommended not for the benefit of the buyer, but in order that the law can be more easily and effectively enforced. When this change has been made in the law, then the buyer will be authorized to testify as other witnesses against the seller. As the law is at present, the buyer in the eye of the law, is not looked upon as being a witness worthy to be believed by the jury. The law should be amended so that a conviction may be had upon the testimony of the purchaser, if the jury trying the case

shall upon the consideration of such testimony in connection with all the other facts and circumstances, if any, in evidence in the case, believe beyond a reasonable doubt that the accused is guilty of selling, in violation of the law, the intoxicant. The prohibition law should be thus amended so that the illegal vendors of whiskey can be convicted. Did you know that with all of our courts, and all of our officers and with all our work last year, only fifty-eight persons were sent to the penitentiary for violating the prohibition law, when, as matter of fact, the law was being violated by day and by night. Twenty-four of these fifty-eight were pardoned; only thirty-four being punished in keeping with the provisions of the law. There are doubtless but few counties in the State which should not have had more than fifty-eight convictions for violating the prohibition law, had all violators been convicted. Under our system, as we are enforcing the laws now, the bootlegger has become bold and defiant. A number of Federal prohibition enforcement officers have been killed by them. Bootleggers no longer fear the State prohibition law.

Much credit is due the Federal officers for the enforcement of the prohibition laws in our State. A few days ago Federal officers went to an East Texas county, and in two days, according to public report, located forty-six stills and hundreds of gallons of booze. This county had a full corps of officers whose duty it was to apprehend these violations and prosecute the offenders. This was not done by them. Federal officers went into the county and performed this neglected duty.

A few weeks ago, Federal court opened in a South Texas county and in three days of court, as reported in the daily press, thirty-seven parties plead guilty and paid fines aggregating more than \$10,000 for violating the prohibition law. The law was being openly violated. There was no secret about it. The local officers made no effort to enforce it. It remained for the Federal officers to do so.

Whatever may have been our individual views in regard to the prohibition law, it is now our duty to respect it, uphold it, and enforce it. Whatever amendments are necessary to make the enforcement of the law effective, should by this special session of the Legislature be enacted.

The Practical Workings of the Suspended Sentence Law Is Conclusive Proof That It Should Be Repealed.

We have in this State what is known as the suspended sentence law. A study of its practical workings convinces me that it has failed in its purpose and should be repealed. The court records forcibly demonstrate that since its incorporation into the statute in 1913, disrespect for the offenses to which it may be applied has steadily grown. It is an incubator for evildoers. It makes of the law a shield for crime. It furnishes a loophole through which convicted criminals escape. It undermines the law. It is wrongfully persuasive to the potential criminal. It produces crime and crime begets criminals.

A law that encourages, as does this one, the vicious and criminally inclined, is fundamentally wrong. Not only is it fundamentally wrong, but its operation is a positive disgrace to the criminal jurisprudence of Texas. The law is not written, as is generally supposed, to aid the youthful wrongdoer, the aged offender, the feeble-minded, or those who may be over-persuaded; but is written in favor of certain laws, by applying to some, but not to others. Why discriminate against certain laws or encourage the violation of certain laws? To illustrate: if a person is found guilty of false swearing, he may have his sentence suspended, but if he is convicted of perjury he must go to the penitentiary. If he is found guilty of forging a check for a thousand dollars, he may have his sentence suspended, but if he is convicted of setting fire to a hen house the penitentiary is his lot. If one betrays the confidence of another and swindles him out of ten thousand dollars, he may have this statutory clemency extended to him; but if he is found guilty of taking five dollars from another's pocket, his punishment is confinement in the penitentiary. A cashier can wreck a bank, by applying the deposits entrusted to the bank's care to his own use and escape punishment by this loophole of this law, the suspended sentence; but if he enters the home of one of the depositors of the bank and steals a sack of flour, the law will not permit him to have a suspended sentence. A thief can steal your automobile and seek refuge for the crime under the terms of the suspended sentence law, but if he opens a garage and steals gasoline with which to run the automobile, he must, if convicted, go to the penitentiary. If a bootlegger sells

a bottle of booze that steals away the brain of man, he may have the benefit of the suspended sentence, but if convicted of robbing a person of a dollar—a term in the penitentiary is his sure punishment. Why should a person who deliberately steals your automobile not be punished for the crime? Why should the person who makes up his mind to forge your name to a check and thus rob you of your money, go unwhipped of justice? Why should the bank cashier who plots to pocket your money, have his sentence suspended? Why should the bootlegger, who for greedy and tainted gain, deliberately plans to trample beneath his feet the law, have the verdict of his guilt set aside by the provisions of the suspended sentence law?

The effect of the operation of the law is to virtually repeal and render nugatory those offenses in which the sentence is suspendable. During 1919-1920 more criminals were convicted and given the suspended sentence than were convicted and sent to the penitentiary. This is cheating the law. It is flooding the State with criminals. The machinery, however, for enforcing those laws goes on at a great expense to the people, in order that the offender may go through the form of a trial, to be told finally, that he will not have to suffer the punishment which the law, for the designated offense, inflicts. This law contravenes the spirit and the expressed purpose of the Penal Code in that it fails to punish the offender. It gives to a jury the authority to set aside the laws of the State. The law-breakers of the State are advised as to what laws the suspended sentence applies, and those laws are the ones most generally violated now. These criminals are violating the law, with the suspended sentence as a shield and a protector. This law is a millstone about the neck of the prosecutors of the State in their unequal fight with crime. Disrespect for the law by the criminally inclined and their escape from punishment by means of the suspended sentence has brought the courts, as agencies of the government for the enforcement of the law into disrepute. It is robbing the courts of their power, respect, and dignity. In Texas during the past two years more than two thousand convicted criminals have escaped punishment by means of the suspended sentence law. The farce and fraud of giving these two thousand and more violators of the law the suspended sentence, cost the taxpay-

ers of Texas more than a half million dollars. This was a foolish expenditure of their money. This law, breeding crime and incurring economic waste, should be wiped off the law books of this State.

The following statement showing the record of various counties in the State for the years 1919-1920 fairly represents the loose method of law enforcement through the suspended sentence law and by the granting of pardons and paroles:

- (1) Sent to penitentiary.
- (2) Given suspended sentence.
- (3) Pardoned, escaped, or paroled from penitentiary.

County	(1)	(2)	(3)
Angelina	6	13	4
Bexar	87	141	48
Bowie	20	20	13
Camp	8	9	4
Collin	11	52	6
Colorado	9	9	3
Comanche	1	6	4
Cooke	14	19	10
Dallam	3	4	6
Dallas	120	149	121
Denton	7	27	14
Eastland	33	55	9
Erath	5	13	11
Fannin	14	39	9
Franklin	0	11	1
Grayson	47	50	26
Guadalupe	4	8	2
Hall	1	6	5
Hamilton	1	3	2
Hardeman	1	4	0
Hardin	4	8	4
Harris	162	150	18
Harrison	17	15	13
Henderson	4	7	3
Hidalgo	2	4	3
Hunt	27	23	15
Jack	2	5	3
Jasper	4	9	3
Johnson	15	46	8
Kerr	0	4	1
Lamar	48	76	16
Liberty	16	11	9
Limestone	13	16	7
Llano	1	5	1
Lubbock	2	4	3
Marion	5	5	4
Matogarda	5	6	6
McCulloch	2	10	2
McLennan	82	37	60
Menard	0	5	1
Montague	7	13	5
Nacogdoches . . .	12	13	8
Navarro	17	36	14
Newton	5	6	3

County	(1)	(2)	(3)
Nolan	5	20	5
Nueces	4	6	1
Palo Pinto ...	5	5	3
Polk	15	10	5
Red River ...	21	20	5
Reeves	3	15	2
Robertson	5	10	6
Stephens	5	5	2
Tarrant	110	102	74
Travis	23	14	40
Trinity	3	3	4
Uvalde	2	12	3
Washington ..	9	10	5
Wise	5	30	5
	1059	1423	758

**Removal of Officers Who Wilfully and
Corruptly Fail or Refuse to En-
force the Law.**

The very life of a law consists in its vigorous enforcement. Its effectiveness is absolutely dependent upon it. When the government ceases, through its duly commissioned officers, to enforce the law as written in any given instance, not only does that particular law fall into disrepute, but that government itself undermines its own foundation and invites a substitution of the rule of the mob for the rule of the law.

The enforcement of our laws must depend largely upon the faithful and honest discharge of duties by all of our commissioned officers. Under our form of government, they are elected and vested with the authority and power to enforce our laws. Their business is to protect society from the criminal. It becomes their duty to do so, and in its performance they are supported, not only by the influence of a great majority of our citizenship, but the military power of the State and nation as well. Every resource of our government is subject to their command. There can be no legitimate excuse for dereliction of duty.

Our people, themselves, place their trust in their officers; they make them the guardians of their property, rights and liberties. An officer so honored should not fail his constituents. The government as a government, and the people as a people, have a right to expect the officers to maintain order and uphold the law. The people should accept nothing less. An officer who does less violates his oath of office and becomes unworthy of the further confidence of his people. If he wilfully and corruptly fails and refuses to enforce

the law, he should be immediately stripped of every official power and every insignia of office. If it can be proven by legal testimony in an open court and before a jury that he has wilfully and corruptly refused to enforce the law, on what theory should he be longer retained in office?

That there is necessity for such a law can not be questioned by anyone who has taken time to investigate. This is no indictment against all the officers of Texas, but it can be truthfully stated that there are officers in certain localities who openly and arrogantly, wilfully and corruptly fail and refuse to uphold the law. They protect the criminal and neglect the public. Instead of enforcing the law, they stand in the way of the law. This statement is made after investigation and with a full understanding of its meaning.

Therefore it is hereby recommended that the Attorney General of Texas be authorized to make investigations along the line of official misconduct and if after making said investigations he is of the opinion that some officer in Texas, who is charged with the duty of enforcing the law, is wilfully and corruptly refusing to enforce the law, then, in that event, it shall be the duty of the Attorney General, to file a petition in the name of the State of Texas, in any district court in the supreme judicial district in which the officer sought to be removed resides; provided, however, that before the Attorney General files suit, he shall give to the officer sought to be removed, an opportunity to be heard. If, after having heard the officer in his own behalf, the Attorney General is still of the opinion that said officer has wilfully and corruptly failed and refused to enforce the law, proceedings shall be filed looking to his removal. His removal can only come after it has been proven upon a trial in an open court and before a jury, that said officer has wilfully and corruptly failed or refused to enforce the laws of the State. He is to be tried in the supreme judicial district of his residence, but away from local alignment and political influence. There is no use to try him in his own county. Try him where both the State and the defendant can have a fair and impartial trial. If you try him in his own county where all his friends, relations, supporters and henchmen live, he can easily get one juror out of the twelve who will hang the jury and thereby defeat the ends

of justice. A bill thus providing for the removal of officers is not needed in so many counties, but in some counties it is badly needed. It will not hurt the good officers. The bad, dishonest officers are not entitled to be protected in their official misconduct.

State Aid for Public Education.

One of the most solemn problems demanding solution at the hands of this law-making body is to provide revenue and make appropriations from same for the support of our public schools. Money spent for the education of our boys and girls brings to the State her best returns. Upon the education of the masses depends the perpetuity of our institutions. The common schools are the foundations of good government. Their growth insures the future stability of the commonwealth. Ignorance and poverty are twins that march arm in arm with their faces to the past and their backs to the future. We must continue improving our rural schools until our boys and girls have as good educational opportunities as are to be had anywhere in the world. The best is not too good for them. It is earnestly recommended and urged that every dollar that can be spared be invested in the education and development of the more than one million Texas school children of today, on whose shoulders tomorrow will rest the duties and responsibilities of a high citizenship. The rural schoolhouse is and will forever remain the college of the masses, and, therefore, is a matter of deepest concern to every thoughtful citizen.

Redistricting the State Into Senatorial and Representative Districts.

The Constitution of Texas provides that the Legislature shall, after each United States decennial census, apportion the State into senatorial and representative districts of contiguous territory according to population.

Notwithstanding the Constitution of the State and the platform of the Democratic party demand that this redistricting be done, it has been neglected by the Legislature. It is a duty which the Legislature should not omit. Simple justice and right demand that it be done. The State long ago should have been redistricted. The wrong should now be righted. Not to redistrict would be a thrust at the very foundation stone of representative government. In re-

districting the State, it should be done with a vision that looks above and beyond personal political fortunes.

These Measures Presented on Merit Alone.

The thoughts herein set forth are presented to you on their merit for your wise council and legislative judgment. Their enactment into laws will not be further urged from the Executive office. The Constitution clearly defines the duties of Governor and Legislature. Neither is charged with responsibility for the other.

No Low Note Should Be Sounded by Anyone.

There is nothing in this message that is intended as sounding a low note in regard to the development of Texas and all her institutions. When times become normal, big things should be done. Constructive legislation of wide vision should be enacted. Our entire school system, from the red schoolhouse to the University, should be given new life; the marketing of farm products and the entire agricultural field should be worked over so that better returns can be had for the money spent; the conservation of our natural resources which have too long been neglected needs attention; permanent and enduring highways should be built; child life and the cause of labor are in need of some protecting law; in short, many shackles should be stricken from the limbs of Texas, and she should be permitted to march with steady and stately tread along the shining pathway of power and progress until she takes her place where she rightly belongs, not only the biggest, but the best State in the sisterhood of the American Union.

Subject for Legislative Consideration Submitted.

In keeping with the foregoing and as set forth in my official proclamation reconvening you in Special Session, there is hereby submitted to you for your legislative thought and action, the following subject matter, to wit:

1. To make appropriation, within the available revenues, for the support and maintenance of the State government and State institutions.
2. To provide additional revenue and make appropriation out of same for the better support of the public free schools of the State.

3. To enact legislation providing for the repeal of the suspended sentence law and amending the State prohibition law so as to make same more effective and easier of enforcement.

4. To provide an effective law for the removal of officers who wilfully and corruptly fail or refuse to perform their official duties in the enforcement of the law.

5. To redistrict the State into senatorial and representative districts as provided by the Constitution and as recommended by our party platform.

Cordially and respectfully submitted,
PAT M. NEFF,
Governor of Texas.

COMMUNICATION FROM STATE SUPERINTENDENT OF PUBLIC INSTRUCTION.

The Speaker laid before the House and had read the following communication from the State Superintendent of Public Instruction:

State Department of Education,
Austin, Texas, July 16, 1921.

To the Honorable House of Representatives,
State Capitol, City.

Gentlemen: In view of facts and figures submitted to you in regard to the padding of the scholastic census rolls in various parts of the State, and in view of contentions made by the Corpus Christi School Board, I respectfully ask that the Senate and House appoint a joint committee to confer with me and the Corpus Christi School Board, to go carefully into the facts submitted, and to advise with me as to further action in regard to the Corpus Christi matter, and to the retaking of the scholastic census in other sections of the State.

Respectfully yours,
ANNIE WEBB BLANTON,
State Superintendent.

ENDORSING CELEBRATION OF TEXAS FOUNDERS' DAY.

Mr. Pollard offered the following resolution:

H. C. R. No. 1, Endorsing a statewide celebration of Texas Founders' Day, and requesting the Governor to make proclamation thereof.

Whereas, In the year 1821, Stephen F. Austin, in the exercise of profound foresight and by virtue of overcoming innumerable hardships and difficulties, settled his first colony in Texas, and thereby made possible the development and growth of our commonwealth; and

Whereas, The principles for which he labored, and the hopes which were his inspiration have exercised profound influence upon the history and institutions of our people, and have contributed so greatly to our freedom, happiness and prosperity; and

Whereas, It is eminently fitting that the labors of this great statesman and patriot on behalf of the cause of free government be commemorated; now, therefore, be it

Resolved by the House of Representatives of the Legislature of Texas, the Senate concurring, That some day during the week beginning November 7, 1921, be, and it is hereby set aside for the purpose of commemorating and celebrating throughout the State of Texas in an appropriate manner, the centennial anniversary of the founding of Texas; and, be it further

Resolved, That the day so set aside be designated as Texas Founders' Day, and that the Governor of the State of Texas be, and he is hereby requested to issue his proclamation of the same, calling upon all loyal and patriotic citizens to make due observance thereof.

The resolution was read second time.
On motion of Mr. Williams of McLennan, the resolution was referred to Committee on State Affairs.

INVITING GENERAL DICKMAN TO ADDRESS THE LEGISLATURE.

Mr. Thompson of Harris offered the following resolution:

H. C. R. No. 2, Inviting General Dickman to address the Legislature.

Whereas, Major General Joseph T. Dickman, commanding the Eighth Army Corps, stationed at Fort Sam Houston, will in October of this year complete his allotted service in the United States Army and retire to private life. A career made brilliant by achievements as a citizen and soldier of the United States; and

Whereas, It was this distinguished officer who commanded the Army of Occupation in Germany following the recent world's war, planting the Stars and Stripes upon the banks of the Rhine; and

Whereas, During the troublesome days of reconstruction in this State and Nation General Dickman has been a pronounced leader in the preachment of 100 per cent Americanism, as earnestly and freely as he led the United States soldier in battling in defense of the honor and integrity of the Nation; now, therefore, be it

posed, together with the installation of suitable furniture and equipment, it is estimated by the Board that the cost in round numbers will be approximately \$200,000.

STATE BOARD OF CONTROL.

MESSAGE FROM THE GOVERNOR.

Mr. R. B. Walthall, 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, July 21, 1921.

To the Senate and House of Representatives of the First Called Session of the Thirty-seventh Legislature.

Gentlemen: I herewith submit to you for your consideration and legislative action the following subjects:

First. A law requiring that any and all moneys accruing to and received by any and all educational, eleemosynary and penal institutions of the State of Texas, and any and all departments of the government of the State of Texas, from any and all sources whatsoever, shall be paid into the State Treasury by the institution or department so receiving same; prohibiting moneys from being paid out of the Treasury except for the purpose for which they were appropriated; requiring the Board of Control to include in its budget for said departments, educational, eleemosynary and penal institutions, respectively, estimates of all items of expense and moneys to be paid out by such agencies in any manner whatever.

Second. The pink boll worm has proved to be a destructive pest in Mexico; has wiped out the cotton industry of the Hawaiian Islands; has done serious damage in Brazil, Egypt and other places, and according to scientific men and the commission that visited Mexico it is reasonable to believe that it will be as dangerous in Texas if permitted to establish itself and spread over the State. The Legislature should determine what the policy of the State should be in this matter and do that which seems to be best for the cotton industry of the State.

The present law is inadequate to properly deal with the situation and should be changed so as to make it more easily enforced. Farmers and others interested in the cotton industry are alarmed over the danger of this pest, and I have been requested by individuals and organizations to sub-

mit the subject to you for your earnest and deliberate consideration. The policies of the State in dealing with this matter should be defined. The State is threatened with a quarantine by the Federal government and other cotton growing States if we do not adopt measures to prevent the spread of this pest. These quarantines, if placed against the State, would result in untold hardships and damage to commerce which might cost the State much more than the cost of exterminating the pink boll worm.

Third. During the Regular Session of the Legislature a bill was passed providing for vocational education in connection with the acceptance of the benefits of an act passed by the Senate and the House of Representatives of the United States looking to the promotion of vocational education; designating the State Treasurer as custodian for the reception and distribution of all funds allotted to this State; designating and authorizing the State Board of Education to act in co-operation with the Federal Board for Vocational Education in the administration of the provisions of said act.

Friends of the bill asked the Governor to veto same on account of a clerical error in the bill. I am therefore submitting this to you for your consideration.

Fourth. During the Regular Session of the Legislature a vehicle license law was passed requiring that certain taxes be placed against commercial motor vehicles. It appears that the tax placed on motor trucks was entirely too drastic. Therefore, legislation in regard thereto is hereby submitted to you for such legislation as will encourage the use of commercial motor vehicles, and will at the same time safeguard the involved highways of the State. In this connection I also submit to you for your legislative judgment and enactment of laws looking to the maintenance and up-keep of the public highways of the State.

Fifth. I submit for your consideration the subject of amending Chapter 87, General Acts of the Regular Session of the Thirty-fifth Legislature, providing for organization and government of water improvement and irrigation districts as amended by subsequent statutes and relating to the power of such districts to incur debt, and issue bonds and validate proceedings of such districts.

Sixth. Article 4930 of the Revised Statutes of the State requires fidelity and surety companies doing business in

Texas to make a deposit with the Commissioner of Insurance and Banking of this State for the benefit of the holders of the obligations of such companies. A recent decision of the Supreme Court of Texas has probably changed the original intent of the law as to whether or not all the holders of the obligations of the surety companies were protected by this deposit; therefore I submit this for your legislative judgment and action.

Understanding that the matters of the investigation of frauds in taking the scholastic census and provisions to prevent further fraud in such matters, is under consideration by those especially charged with the educational affairs of the State, and in order that you may give your aid in correcting these alleged fraudulent transactions that heretofore occurred, and in order that proper legislation may be had to prevent the recurrence of same, this subject matter is hereby presented to you for your deliberation.

Respectfully submitted,
PAT M. NEFF,
Governor.

EMPLOYEES OF THE HOUSE.

The Speaker announced the appointment of the following employees:

Assistant Enrolling and Engrossing Clerk—Willis Posey.
Committee Clerk—Carlton R. Winn.

HOUSE BILL NO. 1 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1, A bill to be entitled "An Act to amend Chapter 78 of the Second Called Session of the Thirty-sixth Legislature, by repealing Section 31 of said act and adding and inserting in lieu thereof a new section known as Section 31, providing substantially that the manufacture, sale, barter, exchange, transportation, exportation, soliciting, taking orders for, furnishing or possessing of intoxicating liquors mentioned in this chapter shall be lawful if done for medical, mechanical, scientific or sacramental purposes and after a permit has been duly authorized and granted by the proper authorities for such purposes; providing that it shall not be necessary in prosecutions under this act to negative the exceptions above named nor to negative and disprove the issuance of permits for any of

the above named purposes, but that the same shall be available to the person charged as purely defensive matters; providing further, that upon the trial of any person charged with selling spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, or any other intoxicant whatever, a conviction may be had upon the testimony of the purchaser, if the court or jury trying the case shall upon consideration of such testimony in connection with all the other facts and circumstances, if any, in evidence in the case believe beyond a reasonable doubt that the accused is guilty as charged, and providing that the suspended sentence law shall not apply to convictions for any offenses under this chapter, and repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Fly offered the following amendment to the bill:

Amend House bill No. 1, on page 2, by adding after Section 1, the following:

Section 31a. The accomplice act shall not extend or apply to the "purchaser" or "receiver" as used in this act, but it is now declared that such "purchaser" or "receiver" is not to be held as a violator of the law under the terms of this act.

Mr. Henderson of McLennan raised a point of order on further consideration of the bill, on the ground that it seeks to amend the entire Chapter 78 of the Acts of the Second Called Session without re-writing the entire chapter and does not merely seek to amend just a section of the chapter.

The Speaker overruled the point of order.

Mr. Curtis offered the following substitute for the amendment:

Amend House bill No. 1 by striking out all that part of the bill as printed beginning with the word "provided" in line 6, page 2, and ending with the word "charged" in line 13, page 2, and inserting in lieu thereof the following: "Provided that nothing in this act shall be construed to prohibit the purchase or acceptance as a gift of intoxicating liquor or other intoxicants by any person for his own personal use."

Mr. Horton raised a point of order on consideration of the substitute, on the ground that it is not germane to the purpose of the amendment.

The Speaker sustained the point of order.

Beasley of Hopkins, Dinkle, Veatch, Melson, Quinn.

Question—Shall the amendment be adopted?

MESSAGE FROM THE GOVERNOR.

Mr. R. B. Walthall, 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, July 26, 1921.

To the Senate and House of Representatives.

Gentlemen: All duplications, each overlapping department, and every useless office in connection with the State government should be abolished. We have too many boards, bureaus and commissions. The State is burdened with governmental agencies. It is top-heavy. We have too much machinery and consequently too much overhead expense. The government should be simplified. There is no excuse for duplication and triplication of work.

If the people are to be given an effective government, if they are to be relieved from mounting taxes, we, their representatives, can make no better start than to begin by overhauling the administrative agencies of the State, wiping out some, consolidating others, reducing to a minimum the lengthy list of State employes, and demanding of all those who remain on the payroll an honest day's work for an honest day's pay.

The principle of concentration and correlation should be applied to our State government as it is applied to the business world. In keeping with the above economic principles, I renew my former recommendation that the work of the Warehouse and Marketing Department be transferred to the Department of Agriculture. The State should not support two departments for the purpose of administering the laws relating to agricultural work when one department could do it more economically and more efficiently. There is no sound reason for the government having duplicating departments. The work of the Marketing and Warehouse Department should not be abolished, but transferred. By the combining of these two departments it can be safely said that at least half of the employes of the Warehouse and Marketing Department could be eliminated and the work carried on efficiently and effectively.

The salary of these employes, together with their traveling expenses and upkeep of office will be a saving, conservatively estimated, of fifty thousand dollars a year.

State Tax Board and Tax Commissioner.

I recommend the repeal of those provisions of the law which authorize the creation of a State Tax Board. The duties devolved by this statute upon the said Board and Tax Commissioner may well be transferred to the State Comptroller and the Railroad Commission. The Railroad Commission should be authorized to ascertain the intangible asset values of the properties subject to intangible assets tax, apportion to the several counties the amount due each, and certify such amount to the State Comptroller, whose duty it would then be to certify to the tax assessor of each county the amount of the intangible asset values due each county, just as this office now certifies rolling stock values of railway lines. The Railroad Commission possesses the information essential to a determination of the value of the various elements entering into the intangible assets of railway properties, and should be able to discharge the duties herein specified with but little additional work and with greater expedition than is possible by the Tax Board under the present statutes. The State Comptroller can, without additional help, ascertain and report to the Legislature biennially the total of State revenues, thus fulfilling the only other material service the said Tax Board and Tax Commissioner have been performing. The Tax Board and the office of the Tax Commissioner should be abolished, effective September 1, 1921, and the work pertaining thereto should be, as a matter of economy, handled as above suggested, or by the Board of Control.

The Board for Agricultural Experiment Sub-Stations Should Be Abolished.

On investigation, I am sure the Legislature will find it wise to abolish the Agricultural Experiment Sub-Station Board that has in charge the branch experiment stations of the State. The duties of this Board should be given to the board of directors of the Agricultural and Mechanical College. This last named board has control of the main experiment station located at College Station and appoints the director for the entire agricultural experiment station system, including the sub-stations,

but strange as it may seem, the sub-station board, which is entirely independent of the board of directors of the Agricultural and Mechanical College, appoints the employes of the sub-stations. It goes without argument to say that this is an overlapping of duties and responsibilities, necessarily creating friction and misunderstanding. It is clearly in the interest of economy and efficiency and public policy that the entire administration of the experiment station system be placed under one head, and that one head, of course, should be the Board of Directors of the Agricultural and Mechanical College.

Mining Board and Inspector.

The duties, functions, and entire work of the Mining Board and the Mine Inspector should all be transferred to and operated by the Department of Labor, or to some other established department. This work can all be done by this department with but little additional expense or energy. There is no excuse for the State to send from the Mining Board a representative to visit a mine to investigate the ventilation and openings, etc., of the mine and then have the Labor Department to send another man the next day to look after the observance of the labor laws, and then on another day some other department send another representative of the State to see if any women or children are being overworked. Each representative who goes will probably cost the State a hundred dollars. One of these representatives could and should do the work of the three. This statement in regard to the investigation of a mine is a correct statement of how the business of the State in many respects is duplicated. The Labor Department has representatives to investigate the mines of the State, and there is no reason why the work of the mine inspector can not be carried on through these representatives just as thoroughly as it is now done, and to a great saving of the tax money. I commend this consolidation for your favorable consideration.

There are various other departments of the government that should have applied to them the principle of elimination and consolidation, but I have not had time to think them through sufficiently thoroughly to at this time make specific recommendations to you. I submit them all to you for study and legislation.

Too Many Employes on Public Payroll.

It is my judgment that we have too

many clerks, stenographers, and employes generally on the payroll of the State. If I owned Texas and were running the government for my private benefit, the first thing I would do would be to weed out every employe except just enough to do the work of the State by working eight full hours a day. This principle of economy should be put to the practical test in every department. The various official records of the respective departments will show the number of employes and the amount of work done. I call them to your attention for study and investigation.

An Army of Expensive Traveling Representatives.

The last Legislature appropriated approximately one million dollars to be used, not in paying the salaries, but the traveling expenses of the representatives of the State government. This statement tells a story of its own. Perhaps the most reckless waste today of the people's money goes to the superfluous perambulating agents of the State. The government seems to have been put on wheels. It is acting as guardian for too many private enterprises. This is not only paternalistic, but maternalistic. If wrongs are being perpetrated let the law prescribe penalties and let the courts enforce the laws and then it will not be necessary to have some traveling representative of the State to daily investigate either public or private affairs. After this long list of travelers has been properly reduced, require those who remain to travel as economically as those live who pay the bills. A man who spends his own money should spend it as he sees fit, but those who are entrusted with public funds should not send in traveling expense accounts, as some have done, around three hundred dollars a month. A person who travels that fast is going too fast to do much work. He should decrease his motion and increase his service. The Legislature should enact laws to eliminate all needless offices and laws that will not permit one dollar to go out of the public treasury that does not have for its purpose the bringing back of one dollar's worth of service rendered. Money paid out to unnecessary employes of the State has increased public expenditures and therefore increased taxes. The people who pay these expenses are chafing under the burdens. Therefore, I call these matters to your attention in order that you may make whatever investigation you see fit and pass whatever laws to you seem wise, looking to

the correction of these governmental wrongs. "We should not condemn the wrong, and still the wrong pursue."

All Appropriations Should Be Specific.

The State Constitution says: "No money shall be drawn from the Treasury but in pursuance of specific appropriations made by law." In view of this constitutional provision, I am taking the liberty of asking that all appropriations be itemized, as far as possible, so that the sum appropriated will show the specific purpose for which the money is to be spent. To combine two or more purposes in one item, as is frequently done, not only contravenes the Constitution, but also practically takes away from the Governor his veto authority, for the reason that if in his opinion one of the items be necessary and the other unnecessary, he would have to approve all the item, having no authority to approve a part of an item and disapprove the other part.

The Eyes of Texas Are on Us.

The eyes of five million people are looking to this Legislature to raise high the banner of economy and simplicity in the administration of their government. Graft and extravagance from the highest to the lowest amount is a problem that should be squarely faced and honestly solved. It should be remembered that little leaks break the dam. If we detect a little graft let us not belittle it, but expose it in order that all may know it and all may shun it. Let us join hands and give to the people of Texas a government of such economy and simplicity and observance of law that will make all good men love the State and all bad men respect it. Unless we render this needed service the day will come when an awakened people with an aroused conscience will themselves lay the ax at the root of the tree of evil.

Most sincerely,
PAT M. NEFF,
Governor.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, July 27, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 4, Relating to investi-

gating killing of George W. Ludwig and Jack Baldwin, convicts on Eastham Farm, on Friday, July 22, 1921.

Respectfully,

G. A. BAKER,
Assistant Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, July 27, 1921.

Hon. Charles G. Thomas, 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. 14, A bill to be entitled "An Act to amend Chapter 87, General Acts of the Regular Session of the Thirty-fifth Legislature, providing for organization and government of water improvement and irrigation districts, and amended by subsequent statutes, by adding to said statutes new sections to be known as Sections 138 and 139, relating to the power of water improvement and irrigation districts organized under the conservation amendment to incur debt and issue bonds, and validating proceedings of districts heretofore had, and declaring an emergency."

Respectfully,

G. A. BAKER,
Assistant Secretary of the Senate.

RECESS.

Mr. Miller of Dallas moved that the House recess to 10 o'clock a. m. tomorrow.

Mr. Curtis moved that the House recess until 9 o'clock a. m. tomorrow.

The motion of Mr. Miller of Dallas prevailed, and the House, accordingly, at 5:50 o'clock p. m., took recess to 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following bills were reported favorably by the appropriate committees as follows:

Revenue and Taxation: House bill No. 20.

Agriculture: House bill No. 31.

Judiciary: House bill No. 35.

Public Accounts and the Railroad Commission of Texas, and dividing such duties, powers, authority and functions between said Comptroller and said Railroad Commission, and declaring an emergency."

Referred to Committee on State Affairs.

SENATE BILL ON FIRST READING.

Senate bill No. 14, received from the Senate today, was laid before the House, read first time, and referred to the Committee on Conservation and Reclamation.

MESSAGE FROM THE GOVERNOR.

Mr. R. B. Walthall, 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, July 29, 1921.

To the Senate and House of Representatives.

Gentlemen: I submit to you for your consideration and legislative action the following subjects dealing with local matters:

First.

The creation of the Bowie Independent School District in Montague county, Texas, for free school purposes; defining its boundaries; investing the said district with exclusive control of its property and schools; providing for election of board of trustees and conferring upon them plenary powers; providing for the levying, assessing and collecting of taxes for the maintenance and control of said district, as provided by the laws and Constitution of Texas; providing also for the issuance and sale of bonds according to law; means for the collection of delinquent taxes; the validating of outstanding indebtedness; and repeal of conflicting laws.

Second.

The creation of the New Home Independent School District in Crosby county, Texas; defining its boundaries; providing for a board of trustees, defining their powers and authority, and authorizing them to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds, as provided by the laws and Constitution of Texas; providing for an assessor and collector of taxes; a board of equaliza-

tion for said district; providing that title to all public free school property within said territory shall vest in said independent school district; and providing for election and terms of office of board of trustees of said district.

Third.

The creation of the Snyder Independent School District in Hale county, Texas; defining its boundaries; investing it with exclusive control of its property and schools; providing for board of trustees and prescribing duties and authority; providing for an equalization board; declaring valid a maintenance tax and a bond tax heretofore voted; and declaring valid all debts owing to and by said district.

Fourth.

The creation of the Prairie View Independent School District in Hardeman county, Texas; defining its boundaries; providing for a board of trustees; and conferring upon said district and board all duties and authority provided by law.

Fifth.

The creation and incorporation of the Wellman Independent School District in Terry county, Texas; defining its boundaries; providing for election of a board of trustees, terms of office, qualifications, duties and authority; providing for a collector and assessor of taxes and a board of equalization; providing that title to all public free school property within said territory shall vest in the trustees of said district; declaring valid all debts owing to and by said district; providing for a seal; for filling vacancies on the board of trustees, and providing that said trustees shall be governed by the general laws in matters where this act is silent; and repealing conflicting laws.

Sixth.

The creation of the Goree Independent School District in Knox county, Texas; defining its boundaries; providing for a board of trustees, and conferring upon said district and board of trustees all duties and authority now provided by law; providing for retention of present trustees in office until expiration of respective terms; for validation of maintenance tax and bonds heretofore voted in said district; providing for extension of boundaries according to law; that outstanding bonded indebtedness of said district shall remain in full force, and assuming such

indebtedness; providing for a board of equalization, and a tax assessor and collector.

Seventh.

The creation of the Flatonia Independent School District in Fayette county, Texas; defining its boundaries; providing for a board of trustees and vesting title to all school property in said trustees and their successors; assuming a pro rata part of all outstanding bonded indebtedness; providing for continuation to expiration of terms of present trustees; authorizing trustees to exercise duties and authority conferred by law; validating and continuing in force local maintenance taxes heretofore voted in the territory of said district, until changed by said voters; providing for collection of taxes; and repealing conflicting laws.

Eighth.

The creation of the Stanton Independent School District in Martin county, Texas; defining its boundaries; providing for boards of trustees and conferring upon them the duties and authority imposed by law upon independent school districts; providing that those now in office shall be retained until the expiration of their respective terms; validating outstanding bond issues; providing for an election for assuming bonded indebtedness; providing for a board of equalization; and providing for repeal of Chapter 128, Local and Special Laws, Regular Session, Thirty-fifth Legislature.

Ninth.

The creation of the Rosenberg Independent School District in Fort Bend county, Texas; for free school purposes; defining its boundaries; providing for a board of trustees; vesting said district and said trustees with all the powers of an independent school district, as provided by law; assuming outstanding indebtedness; providing for elections in said district; for validating a certain bond issue and the election authorizing same; and authorizing said trustees to issue bonds and provide tax therefor.

Tenth.

The creation of the Goose Creek Independent School District in Harris county, Texas; defining its boundaries; providing for a board of trustees and conferring upon them all the duties and authority now imposed by the general

laws upon independent school districts; providing for the retention of the present trustees until the expiration of their respective terms; providing that said district shall be liable for its pro rata part of any outstanding bonded indebtedness heretofore voted by the Cedar Bayou Independent School District in Harris county, or any other school district whose territory is encroached upon by this act; providing for the appointment by the trustees of an assessor and collector of taxes for the district, and a board of equalization; and providing for repeal of Chapter 22 of Special Laws, Regular Session, Thirty-sixth Legislature.

Eleventh.

The incorporation of the Fruitvale Independent School District in Van Zandt county, Texas, for free school purposes; describing its boundaries; providing for board of trustees for the control of said district; conferring upon said trustees duties and authority imposed by law upon independent school districts; providing for assumption of outstanding bonded indebtedness heretofore voted; and providing for repeal of Chapter 1, Special Laws, First Called Session, Thirty-third Legislature.

Twelfth.

The amendment of Sections 1 and 2, Chapter 58, Local and Special Laws, Regular Session, Thirty-seventh Legislature, creating the Garwood Independent School District in Colorado county, Texas, redefining the boundaries of said district.

Thirteenth.

The repeal of Chapter 49, Special Laws, Regular Session, Thirty-seventh Legislature, creating the Lueders County Line Independent School District in Jones and Shackelford counties, Texas, and reviving Chapter 11, Special Laws, Second Called Session, Thirty-first Legislature, and all amendments thereto, except in so far as the same may have been repealed previously.

Fourteenth.

The creation of Vox Populi Common School District No. 5, Colorado county, Texas; defining its boundaries; providing that said district shall be under the general laws with respect to common schools, when not in conflict with this act; providing for board of trus-

tees; and validating local maintenance tax.

Fifteenth.

The creation of Nada Common School District No. 35, in Colorado county, Texas; defining its boundaries; providing that said district shall be under the general laws of Texas with respect to common schools, when not in conflict with this act; and providing for a board of trustees.

Sixteenth.

The creation of Coulter Common School District No. 45, in Colorado county, Texas; defining its boundaries; providing that said district shall be under the general laws of Texas with respect to common schools, when not in conflict with this act; providing for a board of trustees, and validating local maintenance tax.

Seventeenth.

The granting of authority to commissioners courts of any county having a population exceeding 200,000 persons and containing a city of over 160,000 persons, as ascertained by the United States census last preceding such official action, to establish, maintain and operate a law library for such county; provide funds, receive gifts or bequests, employ custodians; make orders, rules and regulations necessary for its establishment and maintenance; providing for establishment and payment of claims on account of such library; and repealing Chapter 61, Acts Thirty-seventh Legislature, Regular Session, and other conflicting laws.

Eighteenth.

The amendment of Chapter 46, General Laws, Regular Session, Thirty-fifth Legislature; reorganizing the Twenty-eighth Judicial District of Texas, and creating a criminal district court for the counties of Nueces, Kleberg, Kennedy, Willacy and Cameron, and prescribing jurisdiction as a criminal court; conferring power to try divorce cases, and causes for collection of delinquent taxes, and fixing time for holding terms thereof; providing for appointment and election of judge, sheriff, clerk, and attorney; limiting jurisdiction of the Court of the Twenty-sixth Judicial District of Texas; conforming and validating all writs, processes, bonds, recognizances and drawing of petit and grand juries of such courts to these changes; defining

the jurisdiction of the district court of the Twenty-eighth Judicial District of Texas; and repealing conflicting laws.

Nineteenth.

The abolishing of the Criminal District Court of Bowie county, Texas; repealing Chapter 28, General Laws, Fourth Called Session, Thirty-fifth Legislature, and Chapter 8, General Laws, Second Called Session, Thirty-sixth Legislature, creating the Criminal District Court of Bowie county; reviving any laws repealed by said statute not otherwise repealed; restoring jurisdiction of other courts of Bowie county; and making the act effective July 1, 1922.

Twentieth.

To fix the time of holding the courts in the Fifth Judicial District of Texas, validate all process, bonds and recognizances heretofore taken in the courts of said district, and all judgments rendered or to be rendered; repealing all laws in conflict therewith.

Twenty-first.

The creation of the Staples Independent School District in Guadalupe county, Texas, and defining its boundaries; providing said district with all duties and authority under the general laws for free school purposes; abolishing Staples Common School District No. 6; providing for collection of special school tax assessed within said Staples Common School District, and transfer of all funds belonging to said common school district to said independent school district.

Twenty-second.

The closing of West Sycamore street in the city of Denton, Texas, between Avenues A and B, upon concurrence of the city commission or governing body of said city for the purpose of utilizing the grounds for the benefit of the North Texas State Normal College.

Twenty-third.

The creating of the Ector County Independent School District in Ector county, Texas; defining its boundaries; providing for a board of trustees, and conferring upon them all duties and authority imposed by the general laws for independent school districts; providing for election of said trustees; for certain outstanding bonded indebtedness to be chargeable against the territory which voted same; that said district

may assume such indebtedness at an election for that purpose; vesting the title to all school property in the said trustees; and repealing laws and parts of laws conflicting with this act.

Twenty-fourth.

The creation of the Laneville Independent School District of Rusk county, Texas; defining its boundaries; vesting it with duties and authority provided by law; readjusting the boundaries of adjoining districts; providing for a board of trustees, and repealing conflicting laws.

Twenty-fifth.

The creation of the Altair Independent School District in Colorado county, Texas; defining its boundaries; providing for board of trustees to manage and control the public free schools of said district according to law; and investing said district with all duties and authority conferred by law upon independent school districts.

Twenty-sixth.

The creation of the Stamford County Line Independent School District in Jones and Haskell counties, Texas; defining its boundaries; providing for board of trustees; vesting it with duties and authority provided by law for independent school districts; providing for elementary schools; and repealing conflicting laws.

Twenty-seventh.

The extension of the limits of the Albany Independent School District of Shackelford county, Texas.

Twenty-eighth.

The creation of the McCaulley County Line Independent School District of Fisher and Jones counties, Texas; defining its boundaries; providing for board of trustees, levying, assessing and collecting of taxes, issuance and sale of bonds, as provided by law for independent school districts; and repealing conflicting laws.

Twenty-ninth.

The creation of the Canton Independent School District in Van Zandt county, Texas; defining its boundaries; providing for board of trustees; assumption of duties and authority conferred by law; for continuance in office of present trustees till expiration of re-

spective terms of office; assumption of debts owed to and by said district voting same; and repeal of conflicting laws.

Thirtieth.

The amendment of Art. 7235, Chapter 6, Title 124, Revised Civil Statutes, 1911, as amended by Chapter 72, General Laws, Thirty-third Legislature, and Chapters 26 and 99 of General Laws of Thirty-fourth Legislature et al., with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include Wheeler county.

Respectfully submitted,

PAT M. NEFF,

Governor.

EXTENDING COURTESIES OF THE FLOOR.

Mr. Curtis offered the following resolution:

Whereas, During the consideration of the appropriation bills for the various State educational institutions the members of this House desire and should have information ready at hand for the proper consideration of these measures; and

Whereas, The presidents of these institutions being like ourselves servants of the people and desirous of properly administering the sacred funds of this State and to the good of these institutions and the State at large; and

Whereas, The efficiency and dispatch can be attained through the personal attendance of these gentlemen and by personal contact with them; therefore, be it

Resolved, That the courtesies of the floor of the House of Representatives be extended to the presidents of the educational institutions of this State.

The resolution was read second time, and referred by the Speaker to the Committee on Rules.

INVITATION TO BARBECUE.

Hon. John T. Smith, being recognized by the Speaker, extended to the members of the House an invitation to attend a barbecue to be given by the citizens of Austin at Camp Mabry next Tuesday, August 2. at 6 o'clock p. m.

On motion of Mr. Lackey, the invitation was accepted by the House.

RECESS.

Mr. Lackey moved that the House recess to 2 o'clock p. m. today.

committee conduct said investigation with all the powers vested in them by the original resolution creating said investigation committee.

The resolution was read second time and adopted.

Mr. Martin offered the following resolution:

That whereas, by Senate concurrent resolution the Penitentiary Investigating Committee has been instructed to investigate the recent tragedy on the Eastham Farm, wherein George W. Ludwig and Jack Baldwin lost their lives by gunshot wounds, alleged to have been inflicted by a guard; and

Whereas, On May 10th of this year on the Eastham Farm one Lewis Smith, a convict, was stabbed twice in the back and his throat cut by Will E. Burnett, a fellow convict, from which injuries he later died; and

Whereas, The parents of said Lewis Smith, deceased, are resident citizens of Lamar county, Texas, and have been unable to learn the particulars respecting his death; therefore, be it

Resolved, That said Penitentiary Investigating Committee be directed to investigate the circumstances surrounding the death of the said Lewis Smith.

The resolution was read second time and was adopted.

MESSAGE FROM THE GOVERNOR.

Mr. R. B. Walthall, 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, July 30, 1921.

To the Senate and House of Representatives.

Gentlemen: I submit to you for your consideration and legislative action the following subjects dealing with local matters:

First. The creation of the Mexia Independent School District in Limestone county, Texas; defining its boundaries; vesting plenary control, duties and authority in said district and a board of trustees, as now conferred by the general laws covering independent school districts; validating bond election heretofore held and taxes assessed.

Second. The creation of the Tehuacana Independent School District in Limestone county, Texas; defining its boundaries; providing for board of trus-

tees and conferring upon said district and board of trustees the duties and authority imposed by law covering independent school districts; validating taxes or bonds heretofore authorized within the territory of said district; and providing for the raising of revenue, issuing bonds, building and maintaining schoolhouses, and organizing and maintaining a high school.

Third. The creation of the Kress Independent School District in Swisher county, Texas; defining its boundaries; providing for board of trustees; providing that said trustees shall exercise all duties and authority imposed by law covering independent school districts; and that present trustees continue in office until expiration of respective terms.

Fourth. The creation of the Love Independent District in Swisher county, Texas; defining its boundaries; providing for board of trustees; conferring upon said trustees duties and authority imposed by the general laws covering independent school districts; and providing for present trustees to continue in office till expiration of respective terms of office.

Fifth. The extension and enlargement of the area of the present Littlefield Independent School District; defining its boundaries; providing for retention in office of present board of trustees; validating all taxes and bonds now in force for the whole district as now extended; confirming the rights of the present trustees under the general laws of the State; and repealing conflicting laws.

Sixth. The creation of the Taft Independent School District in San Patricio county, Texas; defining its boundaries; providing for a board of trustees; vesting the management and control in said trustees, as provided by the general laws covering independent school districts; providing for the levying, assessing and collection of taxes, and the issuance and sale of bonds, as provided by law; and assumption by said district of all existing indebtedness of the Taft Common School District No. 12.

Seventh. The creation of the Gregory Independent School District in San Patricio county, Texas; defining its boundaries; providing for a board of trustees; vesting the management and control in said trustees, as provided by the general laws covering independent school districts; providing for the levying, assessing and collection of taxes, and the

issuance and sale of bonds, as provided by law; and assumption by said district of all existing indebtedness of the Gregory Common School District.

Respectfully submitted,

PAT M. NEFF,
Governor.

RELATING TO APPROPRIATIONS.

Mr. Smith sent up to the Clerk's desk, and had read to the House, certain remarks which he asked to be printed in the Journal, as a matter of personal privilege.

Mr. Burmeister moved that the remarks be not printed in the Journal, for the reason that they do not pertain to a matter of personal privilege.

Mr. Smith then asked permission of the House to withdraw his remarks, to which request several members objected.

Mr. Darroch raised a point of order on consideration of the objections on the ground that Mr. Smith has the right under the rules of the House to withdraw his remarks.

The Speaker overruled the point of order.

Question then recurring on the motion by Mr. Burmeister, it was lost.

Mr. Fly moved to reconsider the vote by which the motion by Mr. Burmeister was lost.

The motion to reconsider prevailed.

Question then recurring on the motion by Mr. Burmeister, yeas and nays were demanded.

Mr. Owen moved a call of the House for the purpose of maintaining a quorum pending consideration of the question of personal privilege, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll was then called and the names of the absentees were ascertained.

A quorum was announced present.

Mr. Williams of McLennan moved that the House adjourn until 2 o'clock p. m. Saturday, July 30.

Mr. Baldwin moved that the House adjourn until 10 o'clock a. m. next Monday.

Question first recurring on the motion by Mr. Baldwin, it was lost.

Question next recurring on the motion of Mr. Williams of McLennan, it was lost.

Question then recurring on the motion of Mr. Burmeister, that the remarks of Mr. Smith be not printed in the Journal, as they do not pertain to a matter of personal privilege, it prevailed by the following vote:

Yeas—94.

Barker.	Malone.
Barrett of Bell.	Martin.
Barrett of Fannin.	Marshall.
Beasley	Mathes.
of Hopkins.	Merriman.
Beasley	Miller of Dallas.
of McCulloch.	Moore.
Binkley.	Morris of Medina.
Bryant.	Morris
Burmeister.	of Montague.
Burns.	Mott.
Carpenter.	Neblett.
Childers.	Owen.
Chitwood.	Patman.
Crawford.	Perkins
Crumpton.	of Cherokee.
Cummins.	Perkins of Lamar.
Curtis.	Perry.
Darroch.	Pollard.
Davis, John E.,	Pope.
of Dallas.	Quicksall.
Dinkle.	Quinn.
Duffey.	Rice.
Duncan.	Rogers of Harris.
Edwards.	Rosser.
Estes.	Rountree.
Fly.	Rowland.
Garrett.	Russell.
Greer.	Satterwhite.
Grissom.	Shearer.
Hanna.	Smith.
Hardin.	Sneed.
Harrington.	Stevenson.
Henderson	Swann.
of McLennan.	Sweet of Tarrant.
Henderson	Teer.
of Marion.	Thomas
Hendricks.	of Limestone.
Hill.	Thompson
Horton.	of Red River.
Johnson	Thorn.
of Gillespie.	Thrasher.
Johnson	Veatch.
of Wichita.	Wadley.
Kacir.	Walker.
King.	Webb.
Laird.	Wessels.
Lauderdale.	West.
Lawrence.	Westbrook.
Leslie.	Williams
Lindsey.	of McLennan.
Looney.	Williams
McDaniel.	of Montgomery.
McLeod.	

Present—Not Voting.

Baldwin.

Absent.

Aiken.

Baker.

ing and conducting them for the two fiscal years beginning September 1, 1921, and ending August 31, 1923, as follows: Confederate Woman's Home, State Confederate Home, State Lunatic Asylum, State Pasteur Institute, Southwestern Insane Asylum, North Texas Hospital for the Insane, East Texas Hospital for the Insane, State Epileptic Colony, State Orphan Home, State Institution for Training of Juveniles, Girls Training School, State Colony of Feeble Minded, State Tuberculosis Sanatorium, Hospital for Crippled Children, Deaf, Dumb and Blind Institute for Colored Youths, Northwest Texas Insane Asylum, State Home for Dependent and Neglected Children, and declaring an emergency."

Respectfully,
G. A. BAKER,
Assistant Secretary of the Senate.

RECESS.

Mr. Moore moved that the House recess to 2:30 o'clock p. m. today.

Mr. Quinn moved that the House recess to 1:30 o'clock p. m. today.

The motion of Mr. Moore prevailed, and the House accordingly, at 12 o'clock m., took recess to 2:30 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2:30 o'clock p. m. and was called to order by the Speaker.

MESSAGE FROM THE GOVERNOR.

Mr. R. B. Walthall, 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, August 2, 1921.

To the members of the Texas Senate and House of Representatives.

Gentlemen: I hereby submit to you and recommend legislative action on the following subjects:

First. On the recommendation of practically all the American Legion members of the Legislature, I submit for your consideration and legislation the law passed at the Regular Session of this Legislature creating the American Legion Memorial Sanatorium of Texas at Kerrville, Texas, in order that the said bill may be amended authoriz-

ing the Board of Control to contract with the Federal government looking to the leasing of said sanatorium plant to the Federal government, in order that said Federal government may carry out the purposes set forth in the original bill creating said institution, and that said bill may be thus so amended as to care for now and hereafter in the most effective manner possible, all the ex-soldiers who suffer from tuberculosis.

Second. To make necessary appropriations for the support and maintenance of the Penitentiary System of the State for the coming fiscal year. In connection with this subject, for your information, I attach hereto and mark "Exhibit A" a financial statement submitted to me by the chairman of the Board of Prison Commissioners.

Third. An act to establish a legal rate for the publication of all proclamations, advertising, or notices of all kinds required by law to be published in newspapers in this State, providing for filing by newspapers with the Board of Control at Austin, Texas, a sworn statement of their regular rate for advertising, which is to be open for inspection, and repealing conflicting laws.

Fourth. To amend Section 28, Chapter 118, General Laws of the Thirty-second Legislature, Regular Session, 1911, entitled "An Act to authorize commissioners courts of the several counties of Texas to create and establish drainage districts, to construct canals, drains and ditches," etc.

Fifth. To change the statute relating to the manner of the disposition of oil and gas that may be in any of the State's unsurveyed public free school land, by either providing for the method of acquiring the oil and gas that may be therein, or amending the present statute, which provides for the relinquishment of a certain portion of the oil and gas that may be in the surveyed school and asylum land by adding thereto the unsurveyed public free school land with such relinquishments and reservations as may be for the best interests of the public.

Sixth. To amend Chapter 145, General Laws of the State of Texas passed by the Thirty-sixth Legislature at its Regular Session, which chapter was "An Act to amend Chapter 1 of Title 44 of the Revised Civil Statutes of the State of Texas, 1911, and to provide the manner in which State funds shall be kept and deposited; to define the State

Depository Board and its powers, and what banks may become State depositories, providing for the distribution of such State funds among such depositories, and repealing all laws in conflict."

Yours sincerely,
PAT M. NEFF,
Governor.

"EXHIBIT A."

Estimated cash requirements of Texas Prison System for period of fourteen months, July 1, 1921, to September 1, 1922.

Estimated Expenditures.

Cost of operation for fourteen months, based on cost for first six months of 1921, monthly cost of operation being \$85,143.29	\$1,192,006 06
Land notes maturing during above period.....	\$ 130,370 00
Interest on land notes....	5,172 20
	\$ 135,542 20
Note for live stock maturing	\$ 30,000 00
One year's interest on same	2,340 00
	\$ 41,340 00
Cash rental on leased land due December 31.....	\$ 1,104 50
Note maturing, executed in part payment of State cotton oil mill.....	\$ 31,250 00
Interest on same one year.	1,875 00
	\$ 33,125 00
Contingent liability for balance of purchase price on portion of Blue Ridge Farm, payable upon execution of proper conveyance	\$ 40,000 00
Total estimated expenditures	\$1,443,117 70

Estimated Receipts.

Cash on hand July 1, 1921	\$ 194,848 85
Estimated Cotton Production—	
2750 bales, at \$50.....	\$ 137,500 00
1375 tons seed, at \$18....	24,750 00
	\$ 162,250 00

Estimated Sugar Cane Production—

Cane to be sold under contract	\$ 81,000 00
Cane to be milled.....	43,500 00
	\$ 124,500 00

Estimated sales of second sugars and blackstrap molasses in process of manufacture	16,000 00
Estimated sales of cattle and hogs above consumption by forces.....	12,000 00
Walker county road warrants (on hand) estimated present selling price	24,000 00
Estimated amount to be realized on notes and accounts receivable	30,000 00

Total estimated receipts.....	\$ 563,598 85
Appropriation required to operate and maintain prison system to September 1, 1922.....	\$ 879,518 91

Above estimates based on there being no material changes in present price levels, nor in present prison population. The system will have no corn for the market, and will be fortunate if it has a sufficient supply for its needs until next year's crop.

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. Faubion:

H. B. No. 76, A bill to be entitled "An Act to amend Sections 5, 6, 7, 8, 31, 31a, 34, 39, 42, and 43, of Chapter 157 of the General Laws of the Thirty-sixth Legislature passed at the Regular Session thereof and as amended by Chapter 72 under Senate bill No. 92, at the Second Called Session of the Thirty-sixth Legislature as amended by Chapter 7 of the Acts of the Fourth Called Session of the Thirty-sixth Legislature, being 'An Act to preserve, propagate, distribute, and protect the wild game, wild birds, and wild fowl of the State and, etc.'; changing the open season on quail and the open season and bag limit on plover and yellow legs; providing for one-half of fines to inure to benefit of complainant; requiring a license for the purpose of hunting; and repealing all laws in con-

MESSAGE FROM THE GOVERNOR.

Mr. R. B. Walthall, 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, August 2, 1921.

To the Senate and House of Representatives.

Gentlemen: I submit to you for your consideration and legislative action the following subjects dealing with local matters:

First. The creation of the Sacul Independent School District in Nacogdoches county, Texas; defining its boundaries; vesting plenary control, duties and authority in said district and board of trustees, as now conferred by the general laws, and extending the boundaries.

Second. The creation of the Jacksonville Independent School District, in Cherokee county, Texas; defining its boundaries, including the present Jacksonville Independent School District; providing for a board of trustees; conferring upon said district and trustees duties and authority imposed by the general laws; validating a \$45,000 bond issue heretofore voted, and repealing conflicting laws.

Third. The amending of Section 1, Chapter 2, General and Special Laws, First Called Session, Thirty-fifth Legislature; defining boundaries; and validating the present maintenance school tax in said territory, and redefining boundaries of the Columbus Independent School District.

Fourth. The amendment of Chapter 32, General Laws, Regular Session, Thirty-seventh Legislature, so as to include Briscoe county in the list of counties that may adopt the law to prevent cattle and other stock from running at large.

Fifth. The repeal of Chapter 26, Special and Local Laws, Regular Session, Thirty-seventh Legislature, creating the Palestine Independent School District in Anderson county; defining its boundaries; providing for board of trustees; vesting title to school property to said trustees and their successors within said district; for exercising duties and au-

thority conferred by law upon independent school districts; validating and continuing in force maintenance tax in said district until changed by law, and repealing conflicting laws.

Sixth. The amendment of Chapter 57, Local and Special Laws, Third Called Session, Thirty-sixth Legislature, and amendment of Chapter 3, Local and Special Laws, Regular Session, Thirty-seventh Legislature, creating and incorporating the Blythe County Line Independent School District out of territory in Gaines, Terry and Yoakum counties; defining its boundaries; providing for a board of trustees; defining their duties and authority; and authorizing them to levy, assess and collect taxes; providing for a board of equalization; assumption of outstanding indebtedness of Common School District No. 10; for title to vest in said Blythe district; and issuance and sale of bonds, and taxes levied, assessed and collected therefor.

Seventh. The addition to and making a part of the Premont Independent School District, in Jim Wells county, Texas, certain defined territory; exempting added territory from bonded indebtedness of said Premont district; giving board of trustees of said Premont district jurisdiction over lands and property of the said added territory; validating incorporation proceedings and bonded indebtedness of said Premont district, and providing for the assessment and collection of taxes.

Eighth. The creation of the El Carro Independent School District, in Jim Wells county, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; for assessment and collection of taxes, issuance of bonds, and providing for a sinking fund; and empowering said trustees to purchase school sites, erect, equip and maintain school buildings in said district.

Ninth. The creation of the Petronila Common School District No. 7, Nueces county, Texas; defining its boundaries; prorating indebtedness against Robstown Independent School District and a portion of Petronila Common School District; providing for assumption by said Petronila district of indebtedness prorated against portion of said district formerly belonging to the said Robstown district; for issuance of bond

and levy of tax, and providing for levy of maintenance tax.

Tenth. The amendment of Section No. 1, Chapter 62, Local and Special Laws, Regular Session, Thirty-seventh Legislature, being House bill No. 575, redefining the boundaries of O'Donnell Independent School District in Lynn and Dawson counties in the State of Texas.

Eleventh. The amendment of Section No. 1, Chapter 33, Local and Special Laws of Texas, known as Senate bill No. 44, enacted by the Thirty-sixth Legislature, Third Called Session, and approved June 15, 1920, increasing the limits of Bertram Independent School District; amendment revising, diminishing and re-establishing boundaries; and repealing conflicting laws.

Twelfth. The amendment of Section No. 1, Chapter 65, Local and Special Laws, Third Called Session, Thirty-sixth Legislature, being an act creating the Eden Independent School District in Concho county, Texas.

Thirteenth. The repeal of Chapter 102, Local and Special Laws, Third Called Session, Thirty-sixth Legislature, being an act creating the Concho Independent School District in Concho county, Texas.

Fourteenth. The creation of Common School Districts Nos. 8 and 15, in Dickens county, Texas; redefining its boundaries; providing for maintaining in force taxes on any of the lands of Common School District No. 1 incorporated in said Districts 8 and 15; providing for a board of trustees; and for exercise of duties and authority imposed by law.

Fifteenth. The amendment of Chapter 15, pages 30 and 31, Regular Session, Thirty-seventh Legislature, by correcting time and terms of holding court in the Sixty-third Judicial District.

Sixteenth. The amendment of Chapter 9, General Laws, Fourth Called Session, Thirty-fifth Legislature, fixing time of holding court in the Seventy-second Judicial District so as to make provision for Hockley county.

Seventeenth. The repeal of Section 2, Chapter 48, Laws of the Thirty-fourth Legislature, relating to the time of holding court in counties in the Seventy-ninth Judicial District; and prescribing

the time and fixing the terms of holding court in said district.

Eighteenth. To diminish the civil and criminal jurisdiction of the county court of Reagan county, Texas; to conform the jurisdiction of the district court thereto, and repeal conflicting laws.

Nineteenth. The creation of a more efficient road system for Tyler county, Texas; providing for commissioners, inspection of roads, culverts and bridges; for bonds, compensation and duties; for the work of delinquent taxpayers, and accepting certain compensation in lieu of work; conferring upon commissioners court certain duties and authority; providing penalty for violation of the act; for the act to be cumulative of all general laws not in conflict; and repealing Chapter 82, Special Laws, Thirty-second Legislature.

Twentieth. The creation of the Ben Bolt Independent School District in Jim Wells and Kleberg counties, Texas; defining its boundaries; vesting it with the duties and authority of districts incorporated for school purposes only, under the general laws; and providing for a board of trustees.

Twenty-first. Defining the boundaries of the Alice Independent School District in Jim Wells county, Texas, as heretofore created and as amended and confirmed by Senate bill No. 77, Chapter 44, Local and Special Laws, Third Called Session, Thirty-sixth Legislature, page 142; giving board of trustees of said district jurisdiction over lands and property of the inhabitants thereof; providing for assessing and collecting taxes.

Twenty-second. The creation of the Wilson Independent School District in Cameron county, Texas; defining its boundaries; providing for a board of trustees; for the selection of officers and committees; for said district to exercise the duties and authority imposed by law upon independent school districts, for free school purposes only; for validating the present tax so as to apply legally to the new district as it now applies to the Common School District No. 4.

Twenty-third. The creation of the Detroit Independent School District in Red River county, Texas; defining its boundaries; providing for a board of trustees; conferring upon said district

and trustees all the duties and authority imposed by law upon independent school districts; and providing for present trustees to continue in office till expiration of their respective terms.

Twenty-fourth. The creation of the Marfa Independent School District in Presidio county, Texas; defining its boundaries; providing for a board of trustees; conferring on them all duties and authority imposed by law upon independent school districts and boards of trustees; providing for the levying, assessing and collecting of taxes; for the issuance and sale of bonds and for taxes thereon; and repealing conflicting laws.

Twenty-fifth. The amendment of Sections 1 and 8, Chapter 39, Special Laws, Regular Session, Thirty-seventh Legislature, creating the Hale Center Independent School District of Hale county, Texas, correcting boundaries, and providing for transportation for certain children within said district.

Twenty-sixth. The creation of the Nocona Independent School District of Montague county, Texas; defining its boundaries; providing for a board of trustees, and conferring on them all the duties and authority by law imposed on independent school districts and boards of trustees; for retention of present trustees till expiration of their respective terms of office; providing for levying, assessing and collecting of taxes; for issuance and sale of bonds, and for taxes thereon; validating and continuing in force taxes heretofore voted; and for the repeal of conflicting laws.

Twenty-seventh. The amendment of the law creating the Sodville Independent School District in San Patricio county, Texas, so as to recover certain land formerly belonging to said Sodville district, from the Odem Independent School District, defining its boundaries; providing for a board of trustees and conferring upon them all the duties and authority imposed by law; for the retention of the present trustees till expiration of terms of office; and repealing conflicting laws.

Respectfully submitted,
PAT M. NEFF,
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. Jones:

H. B. No. 81, A bill to be entitled "An Act to amend Chapter 15, pages 30 and 31, of the laws passed at the Regular Session of the Thirty-seventh Legislature, by correcting the time and terms of holding court in the Sixty-third Judicial District, so that Section 1 of said act, as it relates to said Sixty-third Judicial District shall hereafter read as follows, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Baldwin:

H. B. No. 82, A bill to be entitled "An Act amending Chapter 9 of the General Laws of the Thirty-fifth Legislature of the State of Texas, passed at the Fourth Called Session so as to change the time of holding district court in the various counties of the Seventy-second Judicial District of Texas; declaring what counties shall compose the said district; attaching the unorganized county of Cochran to Hockley county for judicial and all other purposes; making process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of court as herein fixed, and conform all grand and petit juries drawn to be returnable to the corresponding weeks of the terms as herein defined, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Faubion:

H. B. No. 83, A bill to be entitled "An Act to amend Section 1 of Chapter 33, Local and Special Laws of the State of Texas, being an act known as Senate bill No. 44, enacted by the Thirty-sixth Legislature, at its Third Called Session, approved June 15, 1920, increasing the limits of Bertram Independent School District; this amendment revising, diminishing and re-establishing the limits and metes and bounds of said district as established by said act, and continuing all parts of said act which are not hereby amended in full force and effect; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Lindsey:

H. B. No. 84, A bill to be entitled "An Act creating a more efficient road system for Tyler county, Texas; providing that each commissioner of the same"

S. B. No. 36, A bill to be entitled "An Act authorizing commissioners courts of any county having a population in excess of two hundred thousand persons containing a city of one hundred and sixty thousand persons as ascertained by the United States census last preceding such official action, to establish, maintain and operate a law library for such county, to provide funds therefor, to receive gifts or bequests therefor, to employ custodian or custodians for such library, to require a bond or bonds of such custodian or custodians, to make all orders, rules and regulations thought proper for the establishment, maintenance and operation of such library; providing for the deposition of such funds with its county treasurer or other official, discharging such duty, and the separation of such funds, as a special fund, providing for the establishment and payment of plans on account of such library, and repealing Chapter 61, Acts of the Thirty-seventh Legislature, Regular Session, and all other laws and parts of laws in conflict therewith."

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

MESSAGES FROM THE GOVERNOR.

Mr. R. B. Walthall, 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, August 3, 1921.

Members of the Senate and House of Representatives.

Gentlemen: I hereby submit to you for whatever legislative action, if any, you may deem wise, the following subjects. In submitting these matters to you I am not attempting to pass on the merits or demerits of any of them. I have had no time to study them, and therefore am not in position to recommend any legislation concerning them. Some members of the Legislature, together with other citizens and organizations of the State, have earnestly solicited the submission of these matters to you for your legislative consideration. I submit these subjects for your consideration should you find time to consider them without in any way interfering with the needed legislation that made it necessary to reconvene you in special session. The subjects hereby submitted are as follows:

First. An amendment to Article 606, Revised Civil Statutes of Texas, 1911, providing how bond issues shall be submitted to an election; and validating certain bond elections.

Second. The establishment of official cotton standards for the State of Texas.

Third. An amendment to Sections 5, 7, 8, 30, 31, 31a, 34, 42, and 43 of Chapter 157, General Laws, Regular Session, Thirty-sixth Legislature, and amended by Chapter 72, Senate bill No. 92, Second Called Session Thirty-sixth Legislature, as amended by Chapter 7, Fourth Called Session, Thirty-sixth Legislature, being an act to preserve, propagate, distribute, and protect the wild game, wild birds, and wild fowl of the State.

Fourth. An amendment to Chapter 124, General Laws, Regular Session, Thirty-seventh Legislature, looking to the conservation of the natural resources of the State provided for by Section 59, Article 10, of the Constitution, having been adopted in 1917, and amending Sections 1, 2, and 3, of Chapter 88, General Laws, Thirty-fifth Legislature, so as to more specifically define public waters.

Fifth. An amendment of Section 1, Chapter 155, Laws Regular Session, Thirty-sixth Legislature, known as the Oil and Gas Conservation Act of 1919.

Sixth. The validation of the attempted incorporation of all cities, towns or villages operating under the provisions of Title 22, Revised Statutes, 1911, and amendments thereto, and validating the attempted acceptance by incorporated towns or villages of the provisions of the law with respect to cities and towns under said title.

Seventh. An amendment to Chapter 76, General Laws, Regular Session, Thirty-sixth Legislature, providing for public weighers.

Eighth. A provision for the appointment or selection of a special judge of corporation courts of the various cities in the State, of over 5000 inhabitants, where no provision is made for the appointment or selection of a special judge in case of disqualification or inability to act from any cause.

Ninth. An amendment to Article 1585 of Chapter 2, Title 32, Revised Civil Statutes, 1911, fixing the term of Courts of Civil Appeals.

Tenth. An amendment to Sections 5 and 6, Chapter 131, Regular Session, Thirty-sixth Legislature, so that correct weights of certain commodities not therein given may be standardized when

sold by bushel or barrel or other quantity or unit.

Eleventh. An amendment to House bill No. 102, Special Session Thirty-sixth Legislature.

Twelfth. An amendment to Article 1852, Chapter 6, Title 37, Revised Civil Statutes of Texas, relating to citations.

Thirteenth. The librarian of the library of the University of Texas to be custodian of the printed reports of the decisions of the Courts of Civil Appeals, the Court of Criminal Appeals, and the Supreme Court of this State, and authorizing a transfer of those now on hand in the office of the Secretary of State to the University library; authorizing said reports to be used while in said library; also authorizing Secretary of State to turn over 25 volumes each of the Revised Civil and Criminal Statutes, 1911.

Fourteenth. An amendment to Section 1, Chapter 58, Regular Session, Thirty-seventh Legislature, being to provide for the extension of time in which to develop oil and gas under permits heretofore issued under the Mineral Acts of 1917, upon islands, salt water lakes, bays, inlets, marshes, and reefs owned by the State of Texas, within tidewater limits and that portion of the Gulf of Mexico within the jurisdiction of Texas.

Fifteenth. An amendment to Section 1, Chapter 45, General Laws, Regular Session, Thirty-seventh Legislature, relating to uniform date on which county and precinct officers shall qualify and take over the duties of the respective offices, following their election.

Sixteenth. The protection of furbearing animals.

Seventeenth. An amendment to Articles 7, 27, 28, 50, 60, 64, and 65, Chapter 73, General Laws, Regular Session, Thirty-sixth Legislature, also Section 16, Chapter 73, as amended by Chapter 44, General Laws, Third Called Session, Thirty-sixth Legislature, relating to the protection of fish and other aquatic animal life in the waterways of Texas.

Eighteenth. An amendment of Article 7349, Revised Civil Statutes, 1911, providing for apportionment of ad valorem taxes collected for State and public free school purposes.

Nineteenth. An amendment of Article 6772, Chapter 1, Title 117, Revised Statutes of Texas, 1911, fixing time within which commissioners courts shall order records or instruments relating to lands

and real property embraced in the territory so acquired.

Twentieth. An amendment of Article 1121, Revised Civil Statutes, 1911, by the addition of subdivision 82, providing for incorporation of establishments for the manufacture of ice and non-intoxicating beverages, and in connection therewith operate a general storage business.

Twenty-first. Amending in all respects Chapter 41, Acts of First Called Session, Thirty-fifth Legislature, providing a system of State bonded warehouses.

Twenty-second. Enactment of laws pertaining to execution of bonds required of tax collectors.

Twenty-third. The supervision, regulation and control of public indoor places of recreation.

Twenty-fourth. The permission of the Henderson-Ames Company of Kalamazoo, Mich., to bring suit against the State of Texas for an alleged damage growing out of an alleged breach of contract entered into by and between the said Henderson-Ames Company and Grubbs Vocational College of Arlington, Texas, dated September 11, 1920.

Twenty-fifth. The leasing of certain islands, reefs, flats, and waters in Laguna Madre to the National Association of Audubon Societies for the propagation, protection and conservation of birds and bird life on said areas.

Twenty-sixth. The subject of the licensing, regulating, and control of optometrists in this State.

Twenty-seventh. The regulation of the sale of bonds by any county, incorporated city or town, or any subdivision or district within the State.

Twenty-eighth. The authorizing of the navigation districts created for the development of deep water navigation.

Twenty-ninth. To authorize cities operating under special charters, or under charters adopted or amended under the provisions of Chapter 147 of the General Laws of the Thirty-third Legislature, or amendments thereto.

Thirtieth. Amending Article 2643 of Chapter 2, Title 48, Revised Civil Statutes of Texas, 1911, in regard to expending the interest of the permanent University fund by specific legislation.

Thirty-first. Amending the laws authorizing the commissioners courts of the several counties to create levee improvement districts, as authorized by

Chapter 146, General Laws of 1915, and Chapter 44, General Laws of 1916.

Thirty-second. Permitting life insurance companies organized under the laws of the State of Texas to act as administrators and executors of decedents.

Thirty-third. Granting John D. Rogers, trustee of the estate of John D. Rogers, deceased, and his successors in said trust, permission to sue the State of Texas for a sum not to exceed thirty-eight thousand two hundred and thirty-seven dollars and thirty cents (\$38,237.30), for the alleged breach of a contract alleged to have been made and entered into by and between the said John D. Rogers, trustee as aforesaid, as lessor, and the Prison Commission of the State of Texas as lessee, said contract alleged to have been made on or about or prior to January 1, 1917, reduced to writing, executed, and delivered on or about the second day of July, 1917, approved by the Governor of the State of Texas, on or about October 4, 1917.

Thirty-fourth. Giving the commissioners court of Ochiltree county authority to close certain streets in the town of Perryton, Ochiltree county, Texas.

Yours most sincerely,
PAT M. NEFF,
Governor.

Governor's Office,
Austin, Texas, August 3, 1921.

To the Members of the House and Senate, First Called Session, Thirty-seventh Legislature.

Gentlemen: There are eight public free school text-books, the contracts for which will expire at the end of the school year 1921-1922. The State has already invested in these books approximately \$1,185,000. The manufacturing costs of today indicate that new bids for books would be considerably in excess of the old contract prices.

At the expiration of the above mentioned contract these books will have been used three years. The average life-time of a free text-book is five years; therefore, these books now owned by the State should be good for at least two years longer. For the Text-book Commission to junk these books and replace them with new books, even at the prices for which the old ones were purchased, would require an expenditure of approximately another \$1,185,000.

Should the Text-book Commission be empowered to extend these contracts for two years, the number of new books necessary to be purchased to supplement those now owned by the State would not be more than one-tenth the number necessary if new books were adopted, and would, therefore, result in a saving of approximately a million dollars to the State.

I therefore recommend that the Text-book Law, First Called Session, 1917, Chapter 44, Section 5, be amended in such a way as to make it possible for the State Text-book Commission to renew contracts wherever advantageous to the interests of the State, and to grant to the said Commission the power to take such action in the adoption of text-books for the public schools as may be necessary in the interests of economy and of an efficient school system; and providing further, that in case of new adoptions, no book shall be adopted for a period of less than five years.

Respectfully yours,
PAT M. NEFF,
Governor.

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 resolutions:

S. C. R. No. 2, Relating to sale of State's Iron Industry.

S. C. R. No. 4, Relating to investigating killing of George W. Ludwig and Jack Baldwin, convicts on Eastham Farm, on Friday, July 22, 1921.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Thomason, the following bills were ordered not printed: House bills Nos. 49, 92, 87, 104, 88, 89, 105, 97, 99, 91.

SENATE BILLS ON FIRST READING.

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

Senate bill No. 44, to Committee on Private and Municipal Corporations.

Senate bill No. 8, to Committee on Judicial Districts.

Senate bill No. 36, to Committee on State Affairs.

same bear interest from date or from maturity on less sum than the face value thereof, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

MESSAGE FROM THE GOVERNOR.

Mr. R. B. Walthall, 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, August 6, 1921.

To the Members of the Senate and House of Representatives:

It is with reluctance that I submit to you additional subjects for legislation.

The following matters are submitted to you at the urgent request of various members of the Legislature, and are presented to you for whatever legislative consideration you may deem wise. I make no recommendations whatever concerning these matters. In this connection, I desire to say that it is not my intention to submit any other legislative matter to you during this session, either local or general.

I trust that none of the matters herein or heretofore submitted will interfere in any way with the consideration of any of the appropriation bills. The subject matters herein presented are as follows:

First. Amending the present poll tax law, providing for what the poll tax receipt and exemption certificate shall contain, and the form of said poll tax receipt and exemption certificate, and prescribing the data to be obtained and recorded on poll tax receipt.

Second. Amending Article 6772, Chapter 1, Title 117, of the Revised Civil Statutes of the State, providing for the transcribing of official county records.

Third. Amending Article 540, Chapter 6, Title 14, Revised Civil Statutes of the State, providing for companies and corporations making deposits in the State Treasury, defining what moneys and deposits and securities are to be placed in the State Treasury, and defining the duties of the Commissioner of Banking and Insurance in regard to same.

Fourth. Amending Chapter 37, Acts of the First Called Session of the Thirty-fifth Legislature, concerning loan and investment companies, defining same and

providing for their incorporation powers and supervision.

Fifth. A law conferring upon corporations chartered under subdivision 37, Article 1121, Revised Civil Statutes of Texas, the authority to purchase notes, bills, and other evidence of debt.

Sixth. The enactment of legislation increasing the Depositors' Guaranty Fund, and making the necessary amendments to the existing guaranty fund law as seems wise.

Seventh. Legislation looking to the appointment of a specified number of Texas rangers, which number shall constitute a reserve ranger force, said ranger force to serve without pay unless called into active service.

Eighth. The creation of the Sheffield Independent School District in Pecos county, Texas; defining its boundaries; providing for a board of trustees; conferring upon said trustees and district all duties and authority imposed by law covering independent school districts and trustees.

Ninth. The creation of the Smithville Independent School District in Bastrop county, Texas; defining its boundaries; providing for a board of trustees, and providing for the present trustees to complete their respective terms of office; conferring upon said trustees and district all duties and authority imposed by law upon independent school districts; providing for the assumption of bonded indebtedness, and repealing conflicting laws.

Tenth. The creation of the Mineola Independent School District in Wood county; defining its boundaries; providing for a board of trustees, and conferring upon said trustees and district all duties and authority imposed by law upon independent school districts; and providing for the present trustees to fill out their respective terms of office; providing for the assumption of bonded indebtedness, and providing for extension of boundaries.

Eleventh. The creation of the Poolville Independent School District in Parker county, Texas; defining its boundaries; providing for a board of trustees, for the retention in office till expiration of terms of office of present trustees; and conferring upon said trustees and district all duties and authority imposed by law upon independent school districts.

Twelfth. An amendment to Chapter 67, Special Laws, Regular Session, Thirty-seventh Legislature; more clear-

ly defining the boundaries of the Winnboro Independent School District in Wood and Franklin counties; providing date of the beginning and ending of the fiscal year; date on which unpaid taxes shall become delinquent; and providing for changing the boundaries according to law.

Thirteenth. An amendment to Section 8, Senate bill No. 312, Chapter 16, Local and Special Acts, Regular Session, Thirty-fourth Legislature, creating the La Porte Independent School District as amended by House bill No. 67, Chapter 26, Local and Special Acts, Second Called Session, Thirty-sixth Legislature, providing for levying, assessing and collecting the taxes therein, and legalizing levies, assessments and equalizations heretofore made.

Fourteenth. The repeal of the Laketon Independent School District law as passed by the Regular Session, Thirty-seventh Legislature.

Fifteenth. The repeal of Chapter 78, Special and Local Laws, Regular Session, Thirty-seventh Legislature, which chapter amended the special road law of Red River county, Texas; and reviving any and all laws repealed by said Chapter 78.

Sixteenth. A diminishing of the jurisdiction of the county court of Kerr county, Texas, so that such court will have only the jurisdiction of a probate court, and conferring the civil and criminal jurisdiction of said county court upon the district court of Kerr county.

Seventeenth. The prevention of the catching of fish for sale out of the Pecos river or any of its tributaries in the counties of Reeves, Loving, Ward, Crane and Pecos.

Respectfully submitted,
PAT M. NEFF,
Governor.

ADJOURNMENT.

Mr. Carpenter moved that the House adjourn until 10 o'clock a. m. next Monday.

Mr. Stewart of Edwards moved that the House adjourn until 9:30 o'clock a. m. next Monday.

The motion of Mr. Carpenter prevailed, and the House accordingly, at 5:45 o'clock p. m., adjourned until 10 o'clock a. m. next Monday.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following bills were reported favorably today by the appropriate committees, as follows:

Claims and Accounts: House bills No. 128, 137.

State Eleemosynary Institutions: House bill No. 110.

Game, Fish and Oysters: Senate bill No. 13, House bill No. 131.

Revenue and Taxation: House bill No. 115.

Penitentiaries: House bill No. 142.

TWELFTH DAY.

(Monday, August 8, 1921.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Adams.	Estes.
Aiken.	Faubion.
Baker.	Fly.
Baldwin.	Fugler.
Barker.	Greer.
Barrett of Bell.	Grierson.
Barrett of Fannin.	Hall.
Beasley	Hanna.
of Hopkins.	Hardin.
Beasley	Harrington.
of McCulloch.	Henderson
Beavens.	of McLennan.
Binkley.	Henderson
Black.	of Marion.
Bonham.	Hendricks.
Branch.	Hill.
Brown.	Horton.
Bryant.	Johnson
Burmeister.	of Gillespie.
Burns.	Johnson of Ellis.
Carpenter.	Johnson
Childers.	of Wichita.
Chitwood.	Jones.
Coffee.	Kacir.
Cox.	Kellis.
Crawford.	King.
Crumpton.	Lackey.
Cummins.	Laird.
Curtis.	Lauderdale.
Darroch.	Lawrence.
Davis, John E.,	Le Sturgeon.
of Dallas.	Lindsey.
Dinkle.	Looney.
Duffey.	Low.
Edwards.	McCord.