

DOROUGH, R. P. DISTRICT 1. TEXARKANA
FLOYD, CHAS. R. DISTRICT 2. ANNONA
GIBSON, F. M. DISTRICT 3. BONHAM
DAYTON, GEO. W. DISTRICT 4. VALLEY VIEW
WESTBROOK, ED. DISTRICT 5. WOLFE CITY
MCNEALUS, J. C. DISTRICT 6. DALLAS
SUITER, WILL D. DISTRICT 7. WINNSBORO
SMITH, LON A. DISTRICT 8. HENDERSON
WOODS, JAMES H. DISTRICT 9. CORSICANA
ALDERDICE, J. M. DISTRICT 10. WAXAHACHIE
WITT, EDGAR E. DISTRICT 11. WACO
WILLIFORD, R. L. DISTRICT 12. FAIRFIELD
STRICKLAND, J. J., DISTRICT 13. PALESTINE
COUSINS, W. R. DISTRICT 14. HEMPHILL
DEAN, W. L. DISTRICT 15. HUNTSVILLE
DAVIDSON LYNCH DISTRICT 16. HOUSTON



SENATE CHAMBER

THIRTY-SIXTH LEGISLATURE

THIRD CALLED SESSION

AUSTIN

W. A. JOHNSON, LIEUTENANT GOVERNOR

A. C. BUCHANAN, PRESIDENT PRO TEM

W. V. HOWERTON, SECRETARY

M. F. HORNBUCKLE, SERGEANT-AT-ARMS

J. A. KENNY, ASS'T SERGEANT-AT-ARMS

HALL, W. L. DISTRICT 17, WHARTON
CLARK, DR. I. E. DISTRICT 18, SCHULENBURG
PAGE, PAUL D. DISTRICT 19, BASTROP
CALDWELL, WALTER D. DISTRICT 20, AUSTIN
FAUST, MARTIN DISTRICT 21, NEW BRAUNFELS
BAILEY, JNO. H. DISTRICT 22, CUERO
PARR, ARCHER, DISTRICT 23, BENEVIDES
HERTZBERG, HARRY, DIST. 24. SAN ANTONIO
DUDLEY, R. M. DISTRICT 25, EL PASO
RECTOR, E. L. DISTRICT 26, SAN SABA
BUCHANAN, A. C. DISTRICT 27, TEMPLE
BUCHANAN, C. R. DISTRICT 28, SNYDER
BLEDSOE, W. H. DIST. 29, LUBBOCK
CARLOCK, R. L. DISTRICT 30, FORT WORTH
HOPKINS, GEO. M. DISTRICT 31, DENTON

Eastland, Texas,
June 22, 1920.

General Obregon,
Mexico City, Mexico.

My dear General:

I am a member of the Texas State Senate, and am enclosing you a resolution introduced by myself and Senator R. M. Dudley of El Paso, commending the Provisional Government of Mexico for the able manner in which they have handled affairs since coming into power.

Our purpose was to show our friendship for the new Government, and hoping further that it would have some influence with our Federal Government at Washington, to the end that they might speedily recognize you. Personally and officially, I wish you every success.

With kindest felicitations, I beg to remain,

Yours very truly,

JJS:K.

J. J. Slickland

P. 501

SENATE JOURNAL

Thirty-sixth Legislature—Third Called Session.

AUSTIN, TEXAS, THURSDAY, JUNE 17, 1920.

PROCEEDINGS

TWENTY-THIRD DAY.

Senate Chamber,
Austin, Texas,

Thursday, June 17, 1920.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hertzberg.
Ruchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Dayton.

Absent—Excused.

Bledsoe.

Hall.

Prayer by the Chaplain, Rev. S. H. Morgan.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Smith.

Committee Reports.

See Appendix.

Message from the House.

A messenger from the House appeared at the bar of the Senate with the following message:

Hall of the House of Representatives,
Austin, Texas, June 17, 1920.

Hon. W. A. Johnson, President of the Senate.

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

S. B. No. 97, A bill to be entitled "An Act to amend Articles 3881, 3882, 3883, 3889, and 3903, of the Revised Civil Statutes of the State of Texas of 1911, as amended by the Thirty-third Legislature at its Regular Session Chapters 121 and 142, and as amended by Chapter 58 of the Regular Session of the Thirty-fifth Legislature, and as amended by Chapter 158 of the Regular Session of the Thirty-sixth Legislature, relating to the maximum amount of fees to be retained by district and county officers; the manner of accounting for excess fees and the payment of deficit amounts; the appointment and pay of deputies and assistants to the various district and county officers, prescribing the maximum salaries to be paid such deputies and assistants; providing for the appointment of two additional assistants by the district or county attorney in counties of 100,000 inhabitants; prescribing the maximum amount of salaries to be paid such additional assistants and the manner of such payment; providing for seventy-five dollars (\$75.00) per month for necessary expense by such district and county attorney in counties of 100,000 inhabitants, and declaring an emergency," with amendment.

S. B. No. 92, A bill to be entitled "An Act to establish a system of public roads and bridges for Tarrant county and to empower the commissioners court thereof to provide rules and regulations therefor, and a system for the construction of such roads and bridges, the maintenance and repair thereof, and to condemn private property for such purposes, to constitute each county commissioner ex-officio

commissioner of the public roads and bridges of his precinct, and to prescribe the powers and duties of the county commissioners; to authorize and regulate the issuance and sale of bonds under this act, and to provide other forms of indebtedness, and for the levy of taxes for such purposes and to allow the issuance of bonds for the purpose of refunding any bonded or other outstanding indebtedness heretofore or hereafter incurred by said county; to regulate the expenditure of moneys arising from the sale of such bonds and from the levy of taxes for roads and bridge purposes, to designate and define certain cardinal roads in the county, to provide for the selection of a county engineer and for the employment of a consulting engineer; and to empower the commissioners court to make such contracts with respect to the construction, maintenance or repair of roads and bridges that may be necessary, and to employ the convicts on said roads, and to provide for the compensation of the commissioners for the performance of their duties under the terms of this act, and to prescribe penalties for the violation of this act, and repealing all laws in conflict with the provisions hereof, and declaring an emergency," with amendment.

The House has adopted the following resolutions:

S. C. R. No. 10, providing for reports relating to traveling expenses of employees of State departments.

H. C. R. No. 17, relating to grades of cotton established under United States Cotton Futures Act.

Respectfully submitted,

NOEL K. BRGWN,
Chief Clerk, House of Representatives.

Privileged Motion on Senate Bill No. 97.

Senator McNealus moved that the Senate concur in House amendment to Senate Bill No. 97.

Amendment No. 1.

Amend Senate Bill No. 97 by striking out all before the enacting clause and insert in lieu thereof the following:

"An Act to amend Article 3903 of the Revised Civil Statutes of the State of Texas of 1911, as amended by the Thirty-third Legislature at its Regular Session, Chapter 121 and Chapter 142 and as amended by Chapter 55 of Regular Session of the

Thirty-fifth Legislature, and as amended by Chapter 158 of the Regular Session of the Thirty-sixth Legislature; relating to the maximum amount of fees to be retained by district and county officers; the manner of accounting for excess fees, and for the payment of deficit amounts; the appointment and pay of deputies and assistants to the various district and county officers; prescribing the maximum salaries to be paid such deputies and assistants, and providing for the appointment of two additional assistants by the district or county attorney in counties having an excess of 100,000 inhabitants, which two assistants shall not be required to possess the same qualifications required by law for district and county attorneys; prescribing the maximum amount of salaries to be paid such additional assistants and the manner of such payment; providing for fifty (\$50) dollars per month for necessary expenses by such district or county attorneys in counties and providing that nothing in this act shall repeal the provision of House Bill No. 106, passed by the Regular Session of the Thirty-sixth Legislature, same being known as Chapter 47 of the Acts of the Regular Session of the Thirty-sixth Legislature, page 83, relating to salaries of district attorneys, and deputies, assistants and stenographers in counties having a population of more than one hundred thousand (100,000), and declaring an emergency."

Amendment No. 2.

Amend Senate Bill No. 97, by striking out all after the enacting clause and insert the following:

"Section 1. That Article 3903 of the Revised Civil Statutes of Texas be amended so the same shall hereafter read as follows:

"Article 3903. Whenever any officer named in Articles 3881 to 3886 shall require the services of deputies or assistants in the performance of his duties, he may apply to the county commissioners court of his county to appoint such deputies or assistants and said county commissioners court, whereupon said court shall make its order authorizing the appointment of such deputies and fix the salaries to be paid them and determine the number to be appointed, and thereupon the officers applying for such deputies shall be authorized to appoint them as now provided by law,

provided that said salary shall not exceed the maximum amount hereinafter set out. Provided that in counties having a population in excess of one hundred thousand (100,000) inhabitants the district attorney of the district or the county attorney of such county or counties where there is no district attorney is authorized, when empowered so to do by the commissioners court of said county by which the appointment is made, to appoint not to exceed two assistants in addition to his regular deputies or assistants, the number of said additional assistants not to exceed two for the entire district regardless of the number of counties it may contain, which two assistants shall not be required to possess the qualifications prescribed by law for district and county attorneys and who shall perform such duties as may be prescribed by such district or county attorney, and who shall receive as their compensation not to exceed one hundred and fifty dollars (\$150) per month to be paid in monthly installments out of the funds of the county for which such appointment is made by warrants drawn on such county funds; provided that nothing in this act shall repeal or modify any salary fixed for either regular or special assistant district or county attorneys by any special act which has been or which may be hereafter enacted; and provided further, that in counties having a population in excess of one hundred thousand (100,000) inhabitants the district attorney in the county of his residence or the county attorney, where there is not a district attorney, shall be allowed by order of the commissioners court of the county where such official resides such amount as said court may deem necessary to pay for the proper administration of the duties of such office, not to exceed seventy-five dollars (\$75) per month, such amount to be allowed upon affidavit of said district or county attorney showing a necessity for such expenses and for all the amounts so incurred, said commissioners court may also require any other evidence as it may deem necessary to show the necessity of such expenditure and its judgment in allowing same shall be final.

"The maximum amount, which may be allowed for deputies or assistants to the officers named in said

Articles 3881 to 3886 for their services shall be as follows, to-wit:

"First assistant or chief deputy not to exceed eighteen hundred dollars (\$1800) per annum; other assistants or deputies not to exceed fifteen hundred dollars (\$1500) per annum.

"Provided that in counties having a population of from thirty-seven thousand five hundred (37,500) to one hundred thousand (100,000) inhabitants, the maximum salary will be allowed such deputies or assistants for their services shall be as follows, to-wit:

"First assistant or chief deputy not to exceed twenty-one hundred dollars (\$2100) per annum; heads of each department not to exceed eighteen hundred dollars (\$1800) per annum; other deputies or assistants not to exceed fifteen hundred (\$1500) per annum.

"Provided that in counties having a population in excess on one hundred thousand (100,000) inhabitants the maximum salary that may be allowed such deputies or assistants for the services shall be as follows, to-wit:

"First assistant or chief deputy not to exceed twenty-four hundred dollars (\$2400) per annum; heads of each department not to exceed twenty-one hundred dollars (\$2100) per annum; other deputies or assistants not to exceed eighteen hundred dollars (\$1800) per annum.

"Provided further that in determining the number of inhabitants in each of the instances heretofore mentioned, the number of inhabitants as shown by the last United States census shall control.

"The county commissioners court in each order granting authority to appoint deputies or assistants shall state the number of deputies or assistants authorized and the amount of compensation to be allowed each deputy or assistant, which compensation shall be paid out of the fees of the office to which such deputies or assistants may be appointed and assigned and shall not be included in estimating the maximum salaries of the officers named in said Articles 3881 to 3886; such salaries are to be paid out of the fees of the office in the following manner:

"First, out of any current fees collected; and, second, if such fees are not sufficient, then out of any delinquent fees collected which are due the county after all legal deductions are

made, and if there be any balance remaining after payment of the maximum salaries due such officer or officers and the salaries due such deputy or deputies, such balance shall be paid to the county treasurer.

"Provided, however, that nothing in this act shall be construed to repeal House Bill No. 196 passed by the Regular Session of the Thirty-sixth Legislature, same being known as Chapter 47 of the Acts of the Regular Session of the Thirty-sixth Legislature, page 83, relating to fixing salaries of district attorneys, their deputies, assistants and stenographers in counties having a population of more than one hundred thousand.

"Sec. 2. The fact that under the present law the maximum salary allowed to the deputies in the office named in the said Articles 3881 to 3886 are inadequate creates an emergency and an imperative public necessity that the rule requiring bills to be read on three several days be suspended, and it is so suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

The amendments were read.

Simple Resolution No. 23.

Senator Page sent up the following resolution:

Be it resolved by the Senate of the State of Texas that the House of Representatives be requested to return to the Senate Senate Bill No. 101 for correction, revision and re-examination.

The resolution was read.

Senator Hopkins moved to table the resolution. The motion to table was lost by the following vote:

Yeas—10.

Alderdice.	Faust.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Strickland.
Cousins.	Williford.
Dorough.	Witt.

Nays—16.

Bailey.	Gibson.
Caldwell.	Hertzberg.
Carlock.	McNealus.
Clark.	Page.
Davidson.	Parr.
Dean.	Rector.
Dudley.	Westbrook.
Floyd.	Woods.

Absent.

Dayton.	Suiter.
Smith.	

Absent—Excused.

Bledsoe.	Hall.
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The resolution was adopted by the following vote:

Yeas—15.

Bailey.	Hertzberg.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Davidson.	Rector.
Dudley.	Westbrook.
Floyd.	Woods.
Gibson.	

Nays—12.

Alderdice.	Hopkins.
Buchanan of Bell.	Smith.
Buchanan of Scurry.	Strickland.
Cousins.	Suiter.
Dorough.	Williford.
Faust.	Witt.

Present—Not Voting.

Dean.

Absent.

Dayton.

Absent—Excused.

Bledsoe.	Hall.
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Message from the Governor.

Miss Houghton, a messenger from the Governor, presented herself at the bar of the Senate with the following executive message:

Governor's Office,
Austin, Texas, June 17, 1920.
To the Texas Senate:

Gentlemen: I ask the advice, consent and confirmation of the Senate to the appointment of the persons whose names appear on the list attached hereto to be Notaries Public in the Counties indicated.

Respectfully submitted,
W. P. HOBBY.

Governor.

See supplement to today's Journal.

Senate Bill No. 97.

Senator Dudley sent up the fol-

lowing substitute for the motion of Senator McNealus:

"I move that the Senate do not concur in House amendments to Senate Bill 97 and ask for free conference and the following be elected on the part of the Senate: McNealus, Witt, Hertzberg, Davidson, Caldwell, and that the House be requested to appoint similar committee.

The motion was read and adopted.

Privileged Motion.

Senator Alderdice sent up the following motion:

I move that the Senate grant the request for a free conference committee of House Bill No. 8, and that the following members be appointed on the part of the Senate: Westbrook, Hopkins, Williford, Caldwell, Dean.

The motion was read and adopted.

Simple Resolution No. 24.

Senator Strickland received unanimous consent to send up the following resolution:
Be it resolved by the Senate of the State of Texas:

That we commend the provisional government of the Republic of Mexico for its efforts to establish a stable government in that country and its manifested desire to protect the lives and property of foreigners within its borders.

We have further noted with much gratification the expressions of friendship for the United States by President De La Huerta, General Obregon and other prominent leaders of the new Mexican government, and we indulge in the hope that banditry along the border will be henceforth suppressed and that the lives and property of foreigners will be safe, and that the citizens of both countries along the border will feel toward each other as neighbors should.

STRICKLAND,
DUDLEY.

The resolution was read and adopted.

House Bill No. 114.

The Chair laid before the Senate on the calendar House Bill No. 114:

H. B. No. 114, A bill to be entitled "An Act amending Article 613 of the Revised Civil Statutes of the State of Texas of 1911, providing that the issuance of certain county bonds shall be based upon and limited by the taxable values of the county, and declaring an emergency."

The bill was read second time. The committee report that the bill be not printed was adopted. The bill was passed to third reading.

On the motion of Senator Hopkins the constitutional rule was suspended by the following vote:

Yeas—29.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent—Excused.

Bledsoe.	Hall.
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The bill was read third time and finally passed.

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Austin, Texas, June 17, 1920.

Hon W. A. Johnson, President of the Senate.

Sir: The House grants the request of the Senate for the return of Senate Bill No. 101, which bill is returned herewith.

Respectfully submitted,
NOEL K. BROWN,
Chief Clerk, House of Representatives.

House Bill No. 178.

The Chair laid before the Senate on the calendar House Bill No. 178.

H. B. No. 178, A bill to be entitled "An Act to amend Sections 2 and 14

of the Sepcial Road Law of Coleman County, Texas, approved April 15, 1905, being House Bill No. 542, as amended by an act, being House Bill No. 688 of the Special Laws of Texas, approved on the 17th day of April, 1907, and as amended by an act, being House Bill No. 52 of the Special Laws of Texas, approved June 4, 1915, which House Bill No. 542 is entitled 'An Act to create a more efficient road system for Coleman County, Texas; as amended by an act, being House Bill No. 16, approved October 2, 1917; and making the county commissioners of said county ex-officio road commissioners and prescribing their duties as such, and providing for the appointment of road overseers, and defining their duties; and for the working of county convicts upon the public roads of said county, and providing for the officers' fees and rewards for escaped convicts, and authorizing the working of county convicts partly upon county convict farms as well as upon the public roads and partly upon both, in the discretion of the commissioners court, and making provisions applicable as far as practicable to convicts when worked upon the county farms; and to provide for the summoning of teams for road work and for the allowance of time for road service for same, and fixing a penalty for violation of this act; also authority to employ men and teams to work on public roads and fixing their compensation therefor; and to repeal all laws in conflict with this act as to Coleman County; providing for the condemnation of land needed for widening, straightening, changing or draining roads; providing for the taking of timber, gravel, earth, stone or other necessary material for the improvement of roads; and giving persons summoned to work upon the roads the right to be relieved from the discharge of such duty on the payment of specific sums of money herein stipulated; providing for the collection of such sums of money by road overseers and prescribing penalties for failure to comply with the provisions of this act, and declaring an emergency.'

The bill was read second time.

The committee report that the bill be not printed was adopted.

The bill was passed to third reading.

The constitutional rule was suspended by the following vote:

Yeas—28.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Fudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Dayton.

Absent—Excused.

Bledsoe.

Hall.

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Fudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Dayton.

Absent—Excused.

Bledsoe.

Hall.

Simple Resolution No. 25.

Senator Witt sent up the following resolution:

Whereas, Hon. Tom Connally, now a member of Congress from the Eleventh District, and a former member of the Legislature of Texas is present; therefore be it

Resolved, That he be extended the privilege of the floor of the Senate and invited to address the Senate.

Witt, Hertzberg, Page, Westbrook
The resolution was read and adopted.

The Chair appointed the signers of the resolution to escort the gentleman to the platform.

Address of Hon. Tom Connally.

Hon Tom Connally, a member of Congress from the Eleventh District addressed the Senate.

Executive Session.

The time having arrived for the executive session, the Chair instructed the Sergeant at arms to clear the Senate and prepare the chamber for executive session.

The Senate went into executive session.

Executive Session.

The Secretary reported to the Journal Clerk that the following appointments by the Governor had been confirmed by the Senate in executive session, to-wit:

Hon. P. A. Martin as Judge of the Eighty-ninth Judicial District.

Hon. G. O. Bateman, of Brackenridge, as District Judge of the Ninetieth Judicial District.

The following persons were confirmed as notaries:

See supplement to today's Journal.

In the Senate.

House Bill No. 181.

The Chair laid before the Senate on the calendar House Bill No. 181:

H. B. No. 181, A bill to be entitled "An Act creating the Somerset Independent School District in Bexar County, etc and declaring an emergency."

The bill was read second time.

The committee report that the bill be not printed was adopted.

The bill was passed to third reading.

The constitutional rule was suspended by the following vote:

Yeas—28.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Fudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Dayton.

Absent—Excused.

Bledsoe.

Hall.

The bill was read third time and finally passed.

House Bill No. 186.

The Chair laid before the Senate on the calendar House Bill No. 186:

H. B. No. 186, A bill to be entitled "An Act amending the Act of the Regular Session of the Thirty-sixth Legislature creating the Ray Common School District No. 27, in Goliad County, Texas, changing the territory comprising the said district, defining the territory by metes and bounds, providing a board of trustees therefor, providing that said common school district and the board of trustees thereof shall have and enjoy all the rights, powers, privileges and duties imposed and conferred by the General Laws of this State, and declaring an emergency."

The bill was read second time.

The committee report that the bill be not printed was adopted.

The bill was passed to third reading.

The constitutional rule was suspended by the following vote:

Yeas—28.

Alderdice.	Davidson.
Bailey.	Dean.
Buchanan of Bell.	Dorough.
Buchanan of Scurry.	Fudley.
Caldwell.	Faust.
Carlock.	Floyd.
Clark.	Gibson.
Cousins.	Hertzberg.

Hopkins. Strickland.
McNealus. Suiter.
Page. Westbrook.
Parr. Willford.
Rector. Witt.
Smith. Woods.

Absent.

Dayton.

Absent—Excused.

Bledsoe. Hall.

The bill was read third time and finally passed

Yeas—28.

Alderdice. Gibson.
Bailey. Hertzberg.
Buchanan of Bell. Hopkins.
Buchanan of Scurry. McNealus.
Caldwell. Page.
Carlock. Parr.
Clark. Rector.
Cousins. Smith.
Davidson. Strickland.
Dean. Suiter.
Dorough. Westbrook.
Dudley. Willford.
Faust. Witt.
Floyd. Woods.

Absent.

Dayton.

Absent—Excused.

Bledsoe. Hall.

House Bill No. 179.

The Chair laid before the Senate on the calendar House Bill No. 179:

H. B. No. 179, A bill to be entitled "An Act to amend Chapter 66 of the Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature, approved March 20, 1913, entitled 'An Act incorporating and creating the Sonora Independent School District, enlarged, of Sutton County, Texas for free school purposes only; defining its boundaries, and providing for the election of a board of trustees, for the raising of revenues by taxation, for the issuance of bonds for building purposes, and for the maintenance of public free schools in such district, and vesting said district and the board of trustees thereof with all the rights, powers, privileges and duties conferred and

imposed by General Laws upon independent school districts, and the board of trustees thereof, formed by the incorporation of a town or village for free school purposes only under the General Law, and declaring an emergency"; providing for the extension of the limits of such district; determining the boundaries thereof; providing that all obligations heretofore incurred by the said district shall remain in full force, and declaring an emergency."

The bill was read second time. The committee report that the bill be not printed was adopted.

The bill was passed to third reading:

On the motion of Senator Dudley, the constitutional rule was suspended by the following vote:

Yeas—28.

Alderdice. Gibson.
Bailey. Hertzberg.
Buchanan of Bell. Hopkins.
Buchanan of Scurry. McNealus.
Caldwell. Page.
Carlock. Parr.
Clark. Rector.
Cousins. Smith.
Davidson. Strickland.
Dean. Suiter.
Dorough. Westbrook.
Dudley. Willford.
Faust. Witt.
Floyd. Woods.

Absent.

Dayton.

Absent—Excused.

Bledsoe. Hall.

The bill was read third time and finally passed.

Yeas—28.

Alderdice. Gibson.
Bailey. Hertzberg.
Buchanan of Bell. Hopkins.
Buchanan of Scurry. McNealus.
Caldwell. Page.
Carlock. Parr.
Clark. Rector.
Cousins. Smith.
Davidson. Strickland.
Dean. Suiter.
Dorough. Westbrook.
Dudley. Willford.
Faust. Witt.
Floyd. Woods.

Absent.

Dayton.

Absent—Excused.

Bledsoe. Hall.

House Bill No. 50.

The Chair laid before the Senate on the calendar House Bill No. 50.

H. B. No. 50, A bill to be entitled "An Act to amend Article 2758, Chapter 12, Title 48, of the Revised Civil Statutes of the States of Texas, 1911, as amended by Senate Bill No. 26, Chapter 41, of the General Laws of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, etc., and declaring an emergency."

The bill was read second time.

The committee report that the bill be not printed was adopted.

Bills Signed.

The Chair, after their captions had been read, signed in the presence of the Senate the following bills:

House Bill No. 124, House Bill No. 115, House Bill No. 132.

House Bill No. 50.

Senator Woods sent up the following amendment:

Amend Section 1 of House Bill No. 50 as follows:

1st. Strike out, where they occur, the following words and figures: "twenty-two hundred dollars (\$2200.00)" and insert in lieu thereof "twenty-one hundred dollars (\$2100.00)."

2nd. Strike out, where they occur, the following words: "twenty-four hundred dollars (\$2400.00)", and insert in lieu thereof "twenty-two hundred dollars (\$2200.00)."

3rd. Strike out words and figures: "twenty-five hundred dollars (\$2500.00)" and insert in lieu thereof "twenty-two hundred and fifty dollars (\$2250.00)."

4th. Strike out words and figures: "twenty-six hundred dollars (\$2600.00)" and insert in lieu thereof "twenty-three hundred and fifty dollars (\$2350.00)."

5th. Strike out words and figures: "twenty-eight hundred dollars (\$2800.00)", and insert in lieu thereof "twenty-five hundred dollars (\$2500.00)."

The amendment was read.

Message from the House.

A Messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives.

Austin, Texas, June 16, 1920.

Hon. W. A. Johnson, President of the Senate.

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

H. B. No. 68, A bill to be entitled "An Act to amend Chapter 207 of the Acts of the Regular Session of the Thirty-fifth Legislature, approved April 9, 1917, and commonly known as the acts regulating the operation of motor vehicles on public highways by amending Section 34 of said act so as to except from the provision thereof officers in the discharge of their official duties, and by adding Section 17a, creating a school zone on all streets or public highways in all incorporated cities of 25,000 inhabitants or more, on which public school buildings are located and have their main entrance, and limiting the rate of speed of all motor vehicles or motorcycles when entering or passing through such zones to not exceed ten miles per hour between the hours of 8 o'clock a. m. and 4 o'clock p. m. of any day on which said building is open for school purposes, making it the duty of the governing body of all such cities to cause to be erected or posted markers defining the boundaries of such zones."

H. B. No. 143, A bill to be entitled "An Act extending the time for the development of permits to prospect for oil and gas issued by the State of Texas, which said permits cover lands which are now or may hereafter be placed under the Federal Receiver appointed by the United States Supreme Court in the controversy now pending between the State of Oklahoma and the State of Texas, and declaring an emergency."

With engrossed rider.

H. B. No. 168, A bill to be entitled "An Act to amend Section 2, Chapter 66, page 171, of the Second Called Session of the Thirty-sixth Legislature of the State of Texas relating to providing aid to rural schools, the purposes of this amendment being to prohibit school districts in which the State of Texas owns real estate in value equal to 10 percent or more of the whole real estate value in such

district, and declaring an emergency."

H. B. No. 196, A bill to be entitled "An Act Creating the Devine Independent School District in Medina County, Texas, etc., and declaring an emergency."

With engrossed rider.

H. B. No. 197, A bill to be entitled "An Act creating the Oklaunion Independent School District in Wilbarger County, Texas, etc., and declaring an emergency."

H. B. No. 171, A bill to be entitled "An Act fixing the fees to be charged by the State Board of Water Engineers upon the filing of applications for permits for the storage, diversion and use of water, limiting the maximum fees in the sum of six thousand dollars, providing the time and terms of payment to be made in installments, and providing for the fixing of the time for the commencing of construction work when the use of water contemplates the construction of a storage reservoir and the manner of extending the limits thereon and the payment of fees therefor."

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

Respectfully submitted,

NOEL K. BROWN,

Chief Clerk House of Representatives.

Privileged Motion.

Senator Dean sent up the following motion:

I move that the Senate do not concur in the House amendments to Senate Bill No. 71, and that the Senate ask the House for a Free Conference Committee on said bill, and that the following be elected as conferees upon the part of the senate:

Buchanan of Bell, Dudley, Clark, Woods, Willifrod.

The motion was read and adopted.

House Bill No. 50.

Senator Dorough sent up the following substitute for the amendment of Senator Woods:

Amend House Bill No. 50, by striking out of Section 1. the following words and figures, and inserting in lieu thereof the amounts in words and figures as follows:

Paragraph three (3) \$1,600.00 and insert in lieu thereof \$1,400.00.

Paragraph four (4) \$1,800.00 and insert in lieu thereof \$1,600.00.

Paragraph five (5) \$1,900.00 and insert in lieu thereof \$1,800.00.

Paragraph six (6) \$2,000.00 and insert in lieu thereof \$1,900.00.

Paragraph seven (7) \$2,200.00 and insert in lieu thereof \$2,000.00.

Paragraph eight (8) \$2,400.00 and insert in lieu thereof \$2,200.00.

Paragraph nine (9) \$2,500.00 and insert in lieu thereof \$2,300.00.

Paragraph ten (10) \$2,600.00 and insert in lieu thereof \$2,400.00.

Paragraph Eleven (11) \$2,800.00 and insert in lieu thereof \$2,600.00.

The amendment was read.

The previous question was ordered on the substitute, the amendment, and the bill.

The substitute was lost.

The amendment was lost.

The bill was passed to third reading.

On the motion of Senator Gibson, the constitutional rule was suspended by the following vote:

Yeas—25.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Strickland.
Davidson.	Westbrook.
Dean.	Willifrod.
Dorough.	Witt.
Dudley.	Woods.
Faust.	

Absent.

Dayton.	Smith.
McNealus.	Suiter.

Absent—Excused.

Bladsoe.	Hall.
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The bill was read third time and finally passed.

Message from the House.

A messenger from the house presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives, Austin, Texas, June 17, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: The House refuses to concur in Senate amendments to H. B. No. 8 and asks for a free conference committee. The following committee has been appointed on the part of the House: Messrs. Thomas, Beasley, Bludworth, Teer, and Johnson of Travis.

The House grants the request of the Senate for a free conference on S. B. No. 97. The following conferees have been appointed on the part of the House: Messrs. Curtis, McFarlane, Owen, Lackey and Williams of McLennan.

The House grants the request of the Senate for a free conference on S. B. No. 21. The following committee has been appointed on the part of the House: Messrs. Hall, McMillin, O. B. Black, Tidwell and Bagby.

Respectfully submitted,
N. K. BROWN,

Chief Clerk, House of Representatives.

Bills Signed.

After their captions had been read, the Chair signed in the presence of the Senate the following bills:

H. B.'s 55, 91, 64, 141, 147, 90, 149, 101, 166, 165, 164, 163, 156, 150, 142, 139, 138, 137, 123, 122, 113, 112, 111, 109, 99, 95, 87, 86, 85, 84, 81, 80, 77, 76, 75, 70, 67, 62, 46, 31, 121, 120, 4.

House Bill No. 117.

The Chair laid before the Senate on the calendar House Bill No. 117.

H. B. No. 117, A bill to be entitled "An Act creating the Jean Independent School District, situated in Young County, etc., and declaring an emergency."

The bill was read second time.

The committee report that the bill be not printed was adopted.

Conference Report on Senate Bill No. 97.

Senator McNealus sent up the conference report on S. B. No. 97:

Austin, Texas, June 17, 1920.
Hon. W. A. Johnson, President of the Senate.

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

Sirs: We, your Free Conference Committee appointed on Senate Bill No. 97 beg leave to report that we have met and agreed and beg leave to report back that we recommend that the Senate accept the House amendments to Senate Bill 97, with the following additions to the House Amendments:

1.

Amend House amendment to Senate Bill 97 by adding to Section 1 thereof, and immediately after the words:

"Whereupon said court shall make its order authorizing the appointment of such deputies and fix the salaries to be paid them and determine the number to be appointed" the following:

"provided that in no case shall said commissioners court or any member thereof attempt to influence the appointment of any person as deputy or assistant in any office."

2.

Amend House amendment to Senate Bill 97 by adding to Section 1 thereof by adding immediately before the paragraph reading:

"Provided further that in determining the number of inhabitants in each of the instances heretofore mentioned, etc."

the following:

"Provided that in counties having a population of from thirty seven thousand five hundred to one hundred thousand, and containing a city of over twenty-five thousand, the maximum salary that may be allowed such deputies or assistants for their services shall be as follows, to-wit:

"First Assistant or Chief Deputy not to exceed twenty-four hundred dollars (\$2400.00) per annum; heads of each department not to exceed twenty-one hundred dollars (\$2100.00) per annum, other deputies or assistants not to exceed eighteen hundred dollars (\$1800.00) per annum."

Curtis, Owen, Lackey, McFarlane, Williams of McLennan, on the part of the House.

McNealus, Caldwell, Hertzberg, Witt, Davidson, on the part of the Senate.

The report was read and adopted by the following vote:

Yeas—26.

Alderdice.

Bailey.

Buchanan of Bell. Gibson.
 Buchanan of Scurry. Hertzberg.
 Caldwell. Hopkins.
 Carlock. McNealus.
 Clark. Page.
 Cousins. Parr.
 Davidson. Rector.
 Dean. Strickland.
 Dorough. Westbrook.
 Dudley. Williford.
 Faust. Witt.
 Floyd. Woods.

Absent.

Dayton. Suiter.
 Smith.

Absent—Excused.

Bledsoe. Hall.

Conference Report on House Bill No. 157.

Senator Gibson sent up the following conference report on the Pink Bollworm bills.

See Appendix.

The report was read and laid on the table subject to call.

Senate Bill No. 10.

Senator Caldwell moved that the Senate concur in House amendment to Senate Bill, No. 10.

House amendment to S. B. No. 10:

Amend Senate Bill No. 10 by striking out all before the enacting clause and inserting in lieu thereof the following:

"A bill to be entitled 'An Act to authorize any county for the purpose of constructing, maintaining and operating public roads, whether such roads are macadamized, graveled or paved, or built of other material, to use timber, earth, sand, stone gravel, or other necessary materials convenient therefor, and to provide for the condemnation of such road material, and prescribing condemnation proceedings and providing compensation for such material, and declaring an emergency.'

Amend Senate Bill No. 10 by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That Article 6985, Revised Civil Statutes of Texas of 1911, be in the same and hereby amended to read as follows:

"Article 6984. When to the com-

missioners court it may appear expedient to build, repair or maintain any public road in their county, the timber, earth, stone, gravel, or other necessary material most convenient therefor may be used whether such material is desired for the construction, repair or maintenance of the entire road system of the county or for any defined district or political subdivision of the county, and whether such road construction or road maintenance work is being provided for from the general road and bridge funds of the county, or from the proceeds of a county bond issue, or from the proceeds of any bonds issued, or from special taxes voted by any defined district or political subdivision of the county; but in such case the owner of any such material shall be paid a fair and just compensation for such material as may be agreed upon by the owner thereof or his agent and the commissioners court; and in the event such material is needed for the general system of county highways, then payment shall be made from the road and bridge fund of the county, or from the proceeds of any county issue of bonds, and if such material is to be used for the benefit of any defined district or political subdivision of the county, then the cost of such defined district or subdivision arising through sale of bonds or the collection of special taxes; provided, however, that should said owner or his agent, and the said commissioners court fail to agree upon the compensation to be paid therefor, then the county, upon the order of said court, shall proceed to condemn the same in the manner that a railroad company can condemn land for right of way, and the same proceedings shall be had as if the proceedings were by a railroad company.

"Sec. 2. That Article 6985, Revised Civil Statutes of Texas of 1911, be and the same are hereby amended to read as follows:

"Article 6985. The county shall not be required, in proceedings to determine the compensation to be paid for material to build, repair or maintain public roads, in any case to give bond for costs, and the commissioners appointed to condemn such property necessary as aforesaid shall receive for their services two dollars for each and every day that they may be necessarily engaged in the performance of their duties as such commissioners, to be paid out of the same fund from which payment is made for materials is paid,

on the order of the commissioners court and the compensation awarded by said commissioners for the necessary material shall be paid to the owner or depositor with the county treasurer to the credit of such owner, and when so paid or deposited the county shall have the right to enter upon and use said material. If the owner of such material, or said county, is not satisfied with the compensation awarded said owner, he or said county may appeal therefrom as in cases of appeal in proceedings by railroad companies to condemn right of way; provided the commissioners appointed to condemn such road material shall, after due hearing, fix a fair and reasonable value for such material; and if it has a market value, then such market value shall be determined and the market value fixed thereon as compensation to the owner, or if the material has no market value then its value shall be fixed at such sum as the evidence shows the material to be reasonably worth for the purposes for which it is to be used; and provided further that the value may be fixed either as a whole or in quantities, by the yard, for earth, for sand, or broken stone, or by the perch for stone used in building walls or abutments, and per tree or per post or per foot where trees are suitable for lumber, for bridge material for timber or in such quantities as may be needed upon estimates secured by or under the directions of the commissioners courts of the county.

"Sec. 3. The fact that there is not now any adequate law authorizing counties to use and condemn materials mentioned in this act for the purpose of constructing, maintaining and repairing public roads therein, and that there is at this time numerous counties, political subdivisions and defined road districts in Texas, constructing public highways, and greatly in need of material with which to construct same, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is hereby suspended, and that this act shall take effect and be in full force from and after its passage, and it is so enacted."

The amendments were read.

The amendments were concurred in.

House Bills Read and Referred.

The Chair had read and referred the following bills:

H. B. 159 to Committee on Insurance and Banking.

H. B. No. 187 to Committee on Civil Jurisprudence.

Recess.

On the motion of Senator Clark, the Senate stood recessed until 2:30 this afternoon.

Afternoon Session.

The Senate was called to order by Lieutenant Governor Johnson at 2:30 p. m. pursuant to recess.

House Bill No. 117.

The bill was pending on second reading.

The bill was passed to third reading.

The constitutional rule was suspended by the following vote:

Yeas—28.

Alderice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Dayton.

Absent—Excused.

Bledsoe. Hall.

The bill was read third time and finally passed.

Yeas—28.

Alderice.	Davidson.
Bailey.	Dean.
Buchanan of Bell.	Dorough.
Buchanan of Scurry.	Dudley.
Caldwell.	Faust.
Carlock.	Floyd.
Clark.	Gibson.
Cousins.	Hertzberg.

Hopkins.	Strickland.
McNealus.	Suiter.
Page.	Westbrook.
Parr.	Williford.
Rector.	Witt.
Smith.	Woods.

Absent.

Dayton.

Absent—Excused.

Bledsoe.

Hall.

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message: Hall of the House of Representatives, Austin, Texas, June 17, 1920.

Hon W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 64, A bill to be entitled "An Act authorizing the Board of Prison Commissioners of the State of Texas to use its funds not exceeding fifty thousand dollars (\$50,000.00) for the purpose of maintaining and operating the Texas State Railroad; providing for working a limited number of convicts thereon within a limited time; providing for the sale of said Railroad by the Board of Prison Commissioners of the State of Texas upon certain terms and conditions upon approval of the Governor; declaring this Act to be cumulative, repealing all laws or parts of laws in conflict herewith, and declaring an emergency, with amendment.

S. B. N. 58, A bill to be entitled "An Act to make an appropriation to pay debts of the Texas State Railroad accrued prior to June 1, 1920, providing manner and method of payment, and declaring an emergency."

The House has adopted the report of the conference committee on Senate Bill No. 97, and on House Bill No. 9.

The House has adopted House Concurrent Resolution No. 18, granting Hon. George E. Hosey, leave of absence from the Senate.

The House has also passed the following bills:

H. B. No. 119, A bill to be entitled "An Act directing the Governor,

Lieutenant Governor and Attorney General to deliver the property of the Northwest Texas Insane Asylum to the Board of Control, and conferring the authority conferred by Chapter 183, General Laws passed by the Regular Session of the Thirty-fifth Legislature, upon these officers, upon those applicable to the Board of Control; making the appropriation made for the Northwest Texas Insane Asylum by Chapter 168, General Laws passed by the Regular Session of the Thirty-sixth Legislature available for the Board of Control; making it the duty of the Board of Control to take charge of the said asylum and manage the same, to furnish the construction thereof, and equip and place the same in operation, also making an additional appropriation for the purpose of furnishing the construction of said asylum, and equipping and maintaining the same until August 31, 1921, and declaring an emergency."

S. B. No. 27, A bill to be entitled "An Act to amend Chapter 74 of pages 139 and 140 of the General Laws of the Regular Session of the Thirty-fifth Legislature of Texas, as amended by Chapter 154 on pages 284 and 285 of the General Laws of the Regular Session of the Thirty-sixth Legislature of Texas, so as to prohibit the sale or offering for sale of road vehicles of certain carrying capacity with tires of less than the herein prescribed width within the State of Texas, fixing penalties for the violation thereof, and declaring an emergency."

S. B. No. 46, A bill to be entitled "An Act to amend Articles 3 and 4 of the Revised Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature of 1911, providing for the adoption of a child where the parent or parents have voluntarily abandoned such child."

S. B. No. 12, A bill to be entitled "An Act to validate sales of public free school land sold on August 16, 1895, etc., and declaring an emergency."

S. B. No. 33, A bill to be entitled "An Act to amend Chapter 87, General Laws of the Thirty-sixth Legislature, Second Called Session, 1919, entitled 'An Act making appropriations for the State government for two years beginning September 1, 1919, and ending August 31, 1921, and for other purposes,

and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency,' in so far as said act relates to the salaries of assistants in the State Reclamation Department; readjusting the salaries of such assistants for the three months ending August 31, 1920; and for the year ending August 31, 1921, abolishing the position of one technical assistant in said department by repeal of the item appropriating the salary therefor, and declaring an emergency."

S. B. No. 13, A bill to be entitled "An Act to ratify and confirm a sale made by the University of Texas on July 17, 1919, of the property known as the Penn Field in Travis County, Texas, including four tracts of land containing in the aggregate 327.33 acres out of the Decker league, a lot in LaPrelle Place, a railroad right of way from the I. & G. N. to Penn Field, and the improvements situated thereon, and equipment belonging to and appurtenant to the same, authorizing the execution of a conveyance of title to said property, and declaring an emergency."

Respectfully submitted,
NOEL K. BROWN,
Chief Clerk, House of Representatives.

House Bill No. 188.

The Chair laid before the Senate on the calendar House Bill No. 188:

H. B. No. 188, A bill to be entitled "An Act creating and incorporating the New Lynn Independent School District in Lynn County, Texas, out of territory now comprising the new Lynn Common School District No. 1 in Lynn County; defining the boundaries thereof; providing for a board of trustees thereof, and defining their powers and authority; authorizing such board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for an assessor and collector of taxes, and a board of equalization for said district; providing for the validation of all outstanding obligations and indebtedness of New Lynn Common School District No. 1 and the assumption of all such obligations and indebtedness by New Lynn Common School District No. 1 and the assumption of all such obligations and indebtedness by New Lynn Independent

School District; validating and continuing in force all taxes heretofore voted and now in force in said district; providing that title to all property in said territory be divested out of New Lynn Common School District No. 1 and vested in New Lynn Independent School District as created by this Act; providing for the election and terms of trustees of said district and filling vacancies on said board; providing for a seal for said district; providing that said trustees shall be governed by the General Laws of Texas in all matters where this Act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any portion of this Act shall not invalidate any remaining portion, and declaring an emergency."

The bill was read second time. The committee report that the bill be not printed was adopted. The constitutional rule was suspended by the following vote:

Yeas—28.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Farr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Dayton.

Absent—Excused.

Bledsoe

Hall.

The bill was read third time and finally passed by the following vote:

Yeas—28.

Alderdice.	Dorough.
Bailey.	Dudley.
Buchanan of Bell.	Faust.
Buchanan of Scurry.	Floyd.
Caldwell.	Gibson.
Carlock.	Hertzberg.
Clark.	Hopkins.
Cousins.	McNealus.
Davidson.	Page.
Dean.	Parr.

Rector.	Westbrook.
Smith.	Williford.
Strickland.	Witt.
Suiter.	Woods.

Absent.

Dayton.

Absent—Excused.

Bledsoe. Hall.

House Bill No. 185.

The Chair laid before the Senate on the calendar House Bill No. 185:

H. B. No. 185, A bill to be entitled "An Act creating the Emory Independent School District in Rains County, Texas, etc., and declaring an emergency."

The bill was read second time.

The committee report that the bill be not printed was adopted.

The bill was passed to third reading.

The constitutional rule was suspended by the following vote:

Yeas—28.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Dayton.

Absent—Excused.

Bledsoe. Hall.

The bill was read third time and finally passed:

Yeas—28.

Alderdice.	Davidson.
Bailey.	Dean.
Buchanan of Bell.	Dorough.
Buchanan of Scurry.	Dudley.
Caldwell.	Faust.
Carlock.	Floyd.
Clark.	Gibson.
Cousins.	Hertzberg.

Hopkins.	Strickland.
McNealus.	Suiter.
Page.	Westbrook.
Parr.	Williford.
Rector.	Witt.
Smith.	Woods.

Absent.

Dayton.

Absent—Excused.

Bledsoe. Hall.

House Concurrent Resolution No. 8.

The Chair laid before the Senate on first reading House Concurrent Resolution No. 8:

H. C. R. No. 8, granting leave of absence to Judge Geo. Hosey.

The resolution was read and adopted.

House Bill Referred.

The Chair had read and referred House Bill No. 119, to the Committee on State Affairs.

House Bill No. 73.

The Chair laid before the Senate on the calendar House Bill No. 73:

H. B. No. 73, A bill to be entitled "An Act to amend Chapter 129, General Laws of the Regular Session of the Thirty-sixth Legislature, authorizing the State Board of Medical Examiners of this State, and making it their duty, under certain conditions, to cancel the license of any 'licensed practitioner of medicine' in this State, when the facts are made known to it, that such 'licensed practitioner of medicine' has been convicted in either a State or Federal court of a crime of the grade of felony, or one which involved moral turpitude, or aiding or abetting the procuring of a criminal abortion; authorizing said State Board of Medical Examiners to inquire into the facts of any particular case where a duly 'licensed practitioner of medicine' in this State has been convicted of a crime of the grade of felony in either a State or Federal court and his punishment assessed at either a fine or imprisonment, or by both fine and imprisonment, other than in the penitentiary,

S/

En México, D.F.,
Septbre. 21' 1920.

Sr. J. J. Strickland.
E a s t l a n d. Tex.

Muy estimado señor:-

A mi regreso de los Estados del Sureste de la República, tuve el gusto de enterarme de su atenta carta fecha 22 de junio último a la que acompaña copia de la resolución presentada por Ud. y el Senador R. M. Dudley, de El Paso, en pro del Gobierno Provisional de México.

Muy satisfactorio ha sido para mí, ver que hombres de la alta significación de ustedes se interesen de manera tan noble por el bienestar de mi país y por la consolidación de su Gobierno.

Desee hacer presentes a Ud. y a su colega, el Senador Dudley, mis más profundos agradecimientos por su simpatía y buena disposición hacia México, asegurándoles que la acción de hombres como ustedes aportarán un buen contingente para la armonía entre los dos países.

Espero cualquier oportunidad para corresponder a las finezas de ustedes y, con toda estimación, me suscribo atento amigo y afmo. S.S.

FTb

DOROUGH, R. P. DISTRICT 1, TEXARKANA
FLOYD, CHAS. R. DISTRICT 2, ANNONA
GIBSON, F. M. DISTRICT 3, BONHAM
DAYTON, GEO. W. DISTRICT 4, VALLEY VIEW
WESTBROOK ED. DISTRICT 5, WOLFE CITY
McNEALUS, J. C. DISTRICT 6, DALLAS
SUITER, WILL D. DISTRICT 7, WINNSBORO
SMITH, LON A. DISTRICT 8, HENDERSON
WOODS, JAMES H. DISTRICT 9, CORSICANA
ALDERDICE, J. M. DISTRICT 10, WAXAHACHIE
WITT, EDGAR E. DISTRICT 11, WACO
WILLIFORD, R. L. DISTRICT 12, FAIRFIELD
STRICKLAND, J. J., DISTRICT 13, PALESTINE
COUSINS, W. R. DISTRICT 14, HEMPHILL
DEAN, W. L. DISTRICT 15, HUNTSVILLE
DAVIDSON, LYNCH DISTRICT 16, HOUSTON



SENATE CHAMBER

THIRTY-SIXTH LEGISLATURE
FOURTH CALLED SESSION

AUSTIN

W. A. JOHNSON, LIEUTENANT GOVERNOR
WALTER D. CALDWELL, PRESIDENT PRO TEM
W. V. HOWERTON, SECRETARY
J. A. KENNY, SERGEANT-AT-ARMS
F. M. MIDKIFF, ASS'T SERGEANT-AT-ARMS

HALL, W. L. DISTRICT 17, WHARTON
CLARK, DR. I. E. DISTRICT 18, SCHULENBURG
PAGE, PAUL D. DISTRICT 19, BASTROP
CALDWELL, WALTER D. DISTRICT 20, AUSTIN
FAUST, MARTIN DISTRICT 21, NEW BRAUNFELS
BAILEY, JNO. H. DISTRICT 22, CUERO
PARR, ARCHER, DISTRICT 23, BENEVIDES
HERTZBERG, HARRY, DIST. 24, SAN ANTONIO
DUDLEY, R. M. DISTRICT 25, EL PASO
RECTOR, E. L. DISTRICT 26, SAN SABA
BUCHANAN, A. C. DISTRICT 27, TEMPLE
BUCHANAN, C. R. DISTRICT 28, SNYDER
BLEDSOE, W. H. DIST. 29, LUBBOCK
CARLOCK, R. L. DISTRICT 30, FORT WORTH
HOPKINS, GEO. M. DISTRICT 31, DENTON

Sept. 29th, 1920.

General Alvaro Obregon,
Mexico City, Mexico.

My dear General Obregon,

You will please find enclosed a newspaper clipping showing introduction by me of a resolution relative to Mexican affairs., also a copy of the resolution.

The people of my state are very friendly towards the de la Huerta Government and have much confidence in the men who are now guiding your affairs of state.

Yours very truly,

J. J. Strickland
State Senator Dist. 13
State of Texas.

JJS/H.

See Page 81
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SENATE JOURNAL

Thirty-sixth Legislature—Fourth Called Session.

AUSTIN, TEXAS, MONDAY, SEPTEMBER 27, 1920.

PROCEEDINGS

FIFTH DAY.

Senate Chamber,
Austin, Texas,
Monday, Sept. 27, 1920.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hall.
Bledsoe.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Carlock.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dayton.	Suiter.
Dean.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Dorough.

Absent—Excused.

Clark.	Westbrook.
McNealus.	

Prayer by Rev. A. J. Barton.
Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Smith.

Senators Excused.

Senator McNealus was excused for today on account of important business.

Senator Parr was excused for today on account of important business.

Senator Dorough was excused for today on account of important business.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Message from the Governor.

Miss Houghton, a messenger from the Governor, appeared at the bar of the Senate with the following executive message:

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

To the Thirty-sixth Legislature in Fourth Called Session.

Gentlemen: At the request of the various Representatives interested, I submit for your consideration the following subjects, to-wit:

"An Act to amend the road laws for Dallas and Tarrant counties, etc."

"An Act creating the Hogland Independent School District in Ochiltree County, Texas, etc."

"An Act relating to the protection of wild fowl of the counties of Dimmitt, Uvalde, Medina, Zavalla, Gillespie, Blanco, Llano, Kendall, Kimble, Kerr, Real, Mason, Edward, Menard, Sutton, Crockett and Bandera, and changing the time of open season on such wild birds and fowls; etc., and declaring an emergency."

An Act authorizing the owner or owners of an oil and gas permit heretofore issued by the State of Texas covering University land, who individually or in conjunction with holders of other University land, has or have performed certain development work thereunder to designate what is to be known as a University land oil and gas area to consist of one or more, not exceeding six, blocks of University land; providing for the extension of permits covering the

lands included in such area for five years from the date thereof or from the average date of the combination of such permits; providing that the commencement and completion of the development work now required thereon may be commenced and completed respectively at any time before the expiration of such permits or combination of permits as hereby extended; providing for the issuance of leases on the lands covered by such permits if oil or gas in commercial quantities is discovered thereon during the life of such permit; and declaring an emergency."

Respectfully submitted,
W. P. HOBBY,
Governor.

Bills and Resolutions.

By Senator Carlock.

S. B. No. 10, A Bill to be entitled, "An Act to amend S. B. No. 92, passed at the Third Called Session of the Thirty-sixth Legislature, entitled, 'An Act to establish a system of public roads and bridges for Tarrant County, and to empower the Commissioners' Court thereof to provide rules and regulations therefor and a system for the construction of such roads and bridges, the maintenance and repair thereof, and to condemn private property for such purposes; to constitute each commissioner ex-officio commissioner of the public roads and bridges of the precinct and to prescribe the powers and duties of the county commissioners; to authorize and regulate the issuance and sale of the bonds under this Act, and to provide the form of indebtedness and for the levy of taxes for such purposes; and to allow the issuance of bonds for the purpose of refunding any bonded or other indebtedness heretofore or hereafter incurred by said county; to regulate the expenditure of moneys arising from the sale of such bonds and from the levy of taxes for roads and bridge purposes; to designate and define certain cardinal roads in the county; to provide for the selection of a county engineer and for the employment of a consulting engineer and to empower the Commissioners Court to make such contracts with respect to the construction, maintenance or repair of roads and bridges that may be necessary and to employ the convicts on said roads and to provide for the

compensation of the commissioners for the performance of their duties under the terms of this Act and to prescribe penalties for the violation of this Act and repealing all laws in conflict with the provisions hereof, and declaring an emergency."

By adding Section 27-a thereto so as to enable the county to advance moneys, under proper safeguards and security on the purchase of materials for the construction of roads and the maintenance and repair thereof, and to enter into contracts for such purposes, and to lease, where necessary, railway cars for the delivery of such road building material to the place or places where same is to be used, and repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Roads and Bridges.

By Senator Dudley.

S. B. No. 11, A Bill to be entitled, "An Act authorizing the owner of an oil and gas permit heretofore issued by the State of Texas covering University land, who individually or in conjunction with holders of other University land has or have performed certain development work thereunder to designate what is to be known as a University land oil and gas area to consist of one or more not exceeding six blocks of University land; providing for the extension of permits covering the lands included in such area for five years from date thereof or from the average date of a combination of such permits; providing that the commencement and completion of the development work now required thereon may be commenced and completed respectively, at any time before the expiration of such permits or combination of permits as hereby extended; providing for the issuance of leases on the lands covered by such permits if oil or gas in commercial quantities is discovered thereon during the life of such permit; repealing all acts and parts of acts in conflict herewith, and declaring an emergency.

Read first time and referred to Committee on Mining and Irrigation.

Senate Concurrent Resolution No. 3.

Senator Dayton sent up Senate Concurrent Resolution No. 3, providing for sine die adjournment Saturday, September 2, 1920.

On the motion of Senator Dayton the resolution was laid on the table subject to call.

Simple Resolution No. 7.

Senator Dayton sent up the following resolution:

By Senators Dayton and Caldwell. Senate Resolution No. 7.

Whereas, on the 24th day of September A. D. 1920, the American Legion of Travis Post No. 76, Department of Texas, convened in meeting and by resolution passed the following:

"We do hereby go on record as being opposed to the following statement: 'There are hundreds of men in the ranks of organized labor who are willing to make the supreme sacrifice to protect the rights the proposed bill (meaning Governor Hobby's Port bill) attempts to invade.'"

And further by resolution resolved to reaffirm their loyalty to the Government and to answer the call with their services to enforce any and all laws of the State of Texas, and of the United States should the Chief Executive deem such call necessary.

Be it Resolved, by the Senate of Texas, That we very much appreciate the Americanism displayed by these resolutions. We heartily commend these Americans and point to their example of patriotism, justice, pride and loyalty as a guide to future generations of Texas; and we herewith tender our sincere thanks of appreciation to said Post.

The resolution was read and adopted.

Simple Resolution No. 8.

Senator Smith sent up the following resolution.

By Senators Smith and Cousins. Simple Resolution No. 8.

Whereas Judge C. L. Brachfield of Henderson, Texas, a former distinguished member of this body, is in the city,

Therefore be it Resolved, That Judge Brachfield be given the privileges of the floor while in the city and that he be invited to address this body.

The resolution was read and adopted.

Senators Smith, Hopkins, and Floyd were appointed as a committee to escort the gentleman to the platform.

Simple Resolution No. 6.

Unanimous consent was granted to take up the following simple resolution from the Committee on Federal Relations:

Simple Resolution No. 1, inviting the members of the Mexican government to visit the Dallas fair.

Senator Strickland sent up the following substitute for it:

Substitute for Simple Resolution No. 6.

Whereas, Conditions are now better in Mexico than at any time since the rule of President Diaz, and the lives and property rights of foreigners are being protected; and

Whereas, The business men of Mexico have accepted the invitation to place an exhibit at the State Fair at Dallas, and we are informed that no expense is being spared in order to show the great resources of our sister Republic; and

Whereas, The Dallas News of September 23rd reports that Mexico's two most distinguished citizens and statesmen, President De La Huerta and General Obregon, will visit the Dallas Fair, on or about October the 8th; therefore, be it

Resolved, That the Senate of Texas invite President De La Huerta and General Obregon, members of their Cabinet, and Chamber of Deputies, and the Governors of the various Mexican States to visit the Dallas Fair and Waco Cotton Palace so that we may get better acquainted in a personal and commercial way. Be it further

Resolved, That Mexican merchants, stockmen and planters be also invited to see our great display of merchandise, our most modern farm implements and motor vehicles and the finest bred sheep, goats, cattle and hogs in the world.

STRICKLAND.
DUDLEY.
WITT.

The substitute was read and adopted.

Simple Resolution No. 9.

Senator Caldwell sent up Simple Resolution No. 9:

Whereas, At the Third Called Session of the Thirty-sixth Legislature S. B. No. 61 was passed and approved by the Governor, becoming effective on September 16, 1920, directing the disposition of funds received from the lease of certain public lands for oil and gas, and

Whereas, Said bill transfers the revenue from certain public lands from the general revenues to the Game, Fish and Oyster fund; and

Whereas, It was not the intention of the authors of such bill to transfer such funds; and

Whereas, The transfer of such revenues to such fund precludes their use by the State for a year or more; therefore, be it

Resolved, That the Governor be requested to submit Section 17, of Chapter 83, of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature for amendment in order that such funds as are now credited to the Game, Fish and Oyster fund may be transferred to the general revenue or to the available school fund.

CALDWELL.
DEAN.
SUITER.

The resolution was read and adopted.

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives, Austin, Texas, Sept. 27, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 4, A bill to be entitled "An Act authorizing cities of one hundred thousand population, or more, situated along or upon navigable streams in the State of Texas and owning and operating municipal wharves, docks or warehouses, for the development of commerce, to appoint pilot boards for their respective cities, and granting such cities exclusive jurisdiction over the pilotage of boats between the Gulf of Mexico

and their respective ports; prescribing the qualifications for such pilot boards; granting such city councils or boards of commissioners the right, power and authority to retain in office, or remove any branch or deputy pilots in the office at the time this Act takes effect, and to appoint, suspend or remove from office any or all branch or deputy pilots, prohibiting any member of such pilot boards from being directly or indirectly interested in the towing business, or in any pilot boat, or in any other business directly or indirectly affected by or connected with his duties as such commissioner of pilots, granting such cities the right, power and authority to fix rates of pilotage and all needful regulations thereof compatible with Federal regulations within the limits of their respective ports; and declaring an emergency."

Respectfully submitted,
NOEL K. BROWN,
Chief Clerk, House of Representatives.

Bill Referred.

After its caption was read the Chair referred H. B. No. 4 to the Committee on Civil Jurisprudence.

Senate Bill No. 1.

The Chair laid before the Senate on the calendar,

S. B. No. 1, A bill to be entitled "An Act to amend Article 7354, Chapter 1, Title 126, Revised Civil Statutes of Texas, and Article 2942, Chapter 4, Title 29, Revised Civil Statutes of Texas, and Article 2943, Chapter 4, Title 49, Revised Civil Statutes of Texas, and Article 2939, Chapter 4, Title 49, Revised Civil Statutes of Texas. All of said Articles relating to the levy and collection of a poll tax and fixing the qualifications of voters be eliminated from the provisions of all of the said Articles the word "Male" so as to levy and collect from all persons, both male and female, poll taxes, and fixing the qualifications of voters so as to include all persons, both male and female; and providing for the issuance of exemption certificates to persons not subject to the payment of poll tax on January 1st, 1919, and who obtain such exemption certificates shall be eligible to vote in all elections, general and special, held

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives, Austin, Texas, September 27, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Concurrent Resolution:

H. C. R. No. 2, Relating to application of East Texas Railway Co. for authority to remove its tracks, etc.

Respectfully submitted,
NOEL K. BROWN,
Chief Clerk, House of Representatives.

House Concurrent Resolution No. 2.

The Chair laid before the Senate House Concurrent Resolution No. 2, relating to proposed abandonment and sale of the East Texas Railway.

The resolution was read and adopted.

Senate Bill No. 1.

On the motion of Senator Dayton, the amendment of Senator Rector was tabled.

Recess.

On the motion of Senator Gibson, the Senate at 12 o'clock a. m. recessed until 2:30 this afternoon.

Afternoon Session.

The Senate was called to order at 2:30 p. m., by Lieutenant Governor Johnson, pursuant recess.

Senate Bill No. 1.

Senator Williford sent up the following amendment to Section 2:

Amend Section 2 of the bill, page 2, line 16 by striking out the word "The" and substituting "A" therefor, and by striking out the words in said line "required by the Constitution and laws in force."

during the remainder of the year 1920; providing penalties for the violation of any of the provisions of this Act, etc.; fixing the venue of suits involving the validity of the provisions of this act, etc., and declaring an emergency."

The bill was read second time. The committee report carrying amendments was read.

Senator Caldwell sent up the following amendment to the committee amendment.

Amend committee amendment to Senate Bill No. 1, by inserting, p. 11, line 8, after the figures "1919" the following, "and who reside in a city of 10,000 inhabitants as shown by the U. S. Census of 1920."

On the motion of Senator Dean, the amendment was tabled by the following vote:

Yeas—20.

Alderdice.	Gibson.
Bledsoe.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Page.
Carlock.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dayton.	Williford.
Dean.	Witt.
Floyd.	Woods.

Nays—7.

Bailey.	Hall.
Caldwell.	Parr.
Dudley.	Suiter.
Faust.	

Absent—Excused.

Clark.	McNealus.
Dorough.	Westbrook.

The committee report was adopted. The bill was ordered read section by section.

Senator Caldwell sent up the following amendment to Section 1: Insert, line 5, before "There" the following: "Cert. 7354."

The amendment was read and adopted.

Senator Caldwell sent up the following amendment to Section 1:

Amend Senate Bill No. 1, Section 1, line 8, by striking out "and," insert "or."

The amendment was read and adopted.

Senator Rector sent up the following amendment to Section 1:

Amend the bill by striking out Section 1.

The amendment was read and adopted.

Senator Dean sent up the following amendment:

Amend the bill by inserting at the beginning of line 16, page 2, and as a part thereof, the following: "Art. 2942."

The amendment was read and adopted.

Senator Caldwell sent up the following amendment to Section 3:

Amend Senate Bill, Section 3, page 2, line 30. Strike out "and" where it first appears, insert "or."

The amendment was read and adopted.

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives, Austin, Texas, September 27, 1920. Hon. W. A. Johnson, President of the Senate.

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

H. C. R. No. 1, Providing for sine die adjournment of the Fourth Called Session of the Thirty-sixth Legislature at 12 o'clock Saturday, October 2, 1920.

Respectfully submitted,

NOEL K. BROWN,
Chief Clerk, House of Representatives.

Senate Bill No. 1.

Senator Caldwell sent up the following amendment to Section 3:

Amend S. B. No. 1, Section 3, Page 2, Line 29, by inserting before the words "Every person" the following, "Article 2943."

The amendment was read and adopted.

Senator Caldwell sent up the following amendment to Section 4:

Amend Senate Bill No. 1, Section 4, Page 3, Line 5, by inserting before "Every person" the following, "Article 2939."

The amendment was read and adopted.

Senator Caldwell sent up the following amendment to Section 4:

Amend Senate Bill No. 1, Section 4,

Page 3, by striking out line 32, the words mislaid or inadvertently left at home.

The amendment was read and on the motion of Senator Suiter was tabled. Senator Suiter sent up the following amendment to Section 5:

Amend Senate Bill No. 1, page 11, by changing period at end of Section 5 to a semi-colon and add the following: And provided further that if any such person shall have paid a poll tax between the dates of October 1, 1919, and February 1, 1920, said poll tax receipt shall take the place of and have the same effect as the exemption receipt provided for by this Act.

The amendment was read and adopted.

Senator Dean sent up the following amendment to Section 8:

Amend Senate Bill No. 1, Section 8, Page 4, Line 28, by striking out the word "receipt" and substituting the word "certificate."

The amendment was read and adopted.

Senator Witt sent up the following amendment to Section 9:

Amend Senate Bill No. 1, Section 9, Page 5, Line 13, by striking out the word "party" and inserting the word "person."

The amendment was read and adopted.

Senator Gibson sent up the following amendment to Section 10:

Amend Senate Bill No. 1 by inserting after the word "is" in line 28 the words "over 21 and under 60."

The amendment was read.

Senator Parr moved to table the amendment. The yeas and nays were demanded and the motion to table carried by the following vote:

Yeas—16.

Alderdice.	Faust.
Bailey.	Floyd.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Hertzberg.
Cousins.	Hopkins.
Davidson.	Parr.
Dayton.	Strickland.
Dean.	Suiter.

Nays—9.

Caldwell.	Rector.
Carlock.	Williford.
Dudley.	Witt.
Gibson.	Woods.
Page.	

Absent.

Bledsoe.

Absent—Excused.

Dorough. Westbrook.
McNealus.

Pair Recorded.

Senator Clark, (absent), who would vote "Yea;" Senator Smith (present), who would vote "Nay."

Senator Bailey sent up the following amendment to Section 11:

Amend Senate Bill No. 1, Section 11, by striking out all of Section 11 and inserting in lieu thereof the following:

Section 11. All persons applying for exemption certificate hereunder shall pay to the Tax Collector of their respective Counties One Dollar and Seventy Five Cents (\$1.75). One Dollar of which shall be for the benefit of the Public Free Schools, Fifty Cents for General State revenue, and Twenty Five Cents for general county purposes. The amendment was read.

Senator Gibson sent up the following substitute to the amendment:

Amend the Bill, Page 6, as follows: Strike out Section 11 and insert in lieu thereof the following:

All persons applying for exemption certificates hereunder shall pay to the tax collector of their respective counties fifteen cents for each certificate, which amount shall be retained by the tax collector as a fee for signing and making duplicates of the exemption certificates, and need not be accounted for as are other fees of office. Each applicant for exemption certificate hereunder, unless physically disabled, shall make out and sign said certificate in person.

The substitute was read and on the motion of Senator Dayton was tabled by the following vote:

Yeas—23.

Alderdice.	Floyd.
Bailey.	Hall.
Bledsoe.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Page.
Carlock.	Parr.
Cousins.	Rector.
Davidson.	Suiter.
Dayton.	Williford.
Dean.	Witt.
Dudley.	Woods.
Faust.	

Nays—2.

Caldwell. Gibson.

Absent.

Smith. Strickland.

Absent—Excused.

Clark. McNealus.
Dorough. Westbrook.

Message from the Governor.

Miss Houghton, a messenger from the Governor, appeared at the bar of the Senate with the following executive message:

Governor's Office.

Austin, Texas, September 26, 1920. To the Thirty-sixth Legislature in Fourth Called Session:

Gentlemen: At the request of the Senate as contained in a resolution adopted today, I submit for your consideration the following subject, to-wit:

"An Act to amend Section 17, of Chapter 83 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature, etc."

Respectfully submitted,

W. P. HOBBY,
Governor.

Senate Bill No. 1.

Senator Suiter sent up the following substitute to the amendment of Senator Bailey:

Amend Senate Bill No. 1, page 6, by striking out the words, "fifteen cents," line 12, and all thereafter to the end of Section 11, and insert in lieu thereof the following: "Twenty-five cents for each certificate, which sum shall be deposited by the tax collector in the county treasury to the credit of the general fund, and for his services in collecting said fee and issuing such certificate the tax collector shall be paid the sum of five cents for each such certificate issued, which amount shall be paid by order of the commissioners court in the same manner as tax collectors' fees for issuing poll tax receipts are now paid."

The substitute was read and on the motion of Senator Dayton was tabled.

Senator Dayton moved to table the amendment of Senator Bailey. The yeas and nays were demanded, and the amendment was tabled by the following vote:

Yeas—19.

Alderdice.	Buchanan of Bell.
Bledsoe.	Buchanan of Scurry.

Carlock.	Hopkins.
Davidson.	Page.
Dayton.	Rector.
Dean.	Suiter.
Dudley.	Williford.
Floyd.	Witt.
Gibson.	Woods.
Hertzberg.	

Nays—6.

Bailey.	Faust.
Caldwell.	Hall.
Cousins.	Parr.

Absent.

Smith. Strickland.

Absent—Excused.

Clark.	McNealus.
Dorough.	Westbrook.

Telegram from Galveston.

Senator Hall sent up a telegram from Galveston and asked that it be printed in the Journal.

Senator Dean objected.

Senator Hall moved to print the telegram in the Journal.

Senator Dean moved to table the motion. The yeas and nays were demanded, and the motion to table by the following vote.

Yeas—5.

Dayton.	Rector.
Dean.	Williford.
Hertzberg.	

Nays—17.

Alderdice.	Hall.
Bledsoe.	Hopkins.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Carlock.	Smith.
Cousins.	Suiter.
Davidson.	Witt.
Dudley.	Woods.
Floyd.	

Present—Not Voting.

Buchanan of Bell.

Absent.

Bailey.	Gibson.
Faust.	Strickland.

Absent—Excused.

Clark.	McNealus.
Dorough.	Westbrook.

The telegram, on the motion of Senator Hall, was ordered printed in the Journal.

See appendix.

Senator Rector sent up the following amendment to Section 11:

Amend Section 11 by substituting for this section, "No person applying for exemption certificate hereunder shall be required to pay anything for the procuring of exemption certificate, but same shall be issued to them without charge."

The amendment was read and failed to pass.

Senator Suiter sent up the following amendment to Section 13:

Amend Section 13 of Senate Bill No. 1, as follows:

Add to Section 13, between lines 29 and 30, page 6, the following:

"The tax collector shall, by public notice, designate certain convenient dates and public places in his county, at which times and places he or a deputy tax collector shall be present for the purpose of issuing exemption certificates to those entitled thereto, applying therefor.

The amendment was read and adopted.

Senator Woods sent up the following amendment to Section 14:

Amend Section 14 of Senate Bill No. 1 by striking out the word "certificate," line 7, page 7, and insert in lieu thereof the word "certified."

The amendment was read and adopted.

Senator Dayton sent up the following amendment to Section 19:

Amend Senate Bill No. 1, in line 6, page 9, printed bill, by striking out all after words and figures "1st, 1921."

The amendment was read and adopted.

Senator Dean sent up the following amendment to Section 19:

Amend the bill by changing the period to a semicolon at the end of Section 19, and by adding to said Section 19, as a part thereof, the following:

But all such persons holding poll tax receipts issued prior to February 1, 1920, for the poll tax owing for the year 1919, or holding exemption certificates, or who were not required

to obtain exemption certificates under the laws in force in this State on the 1st day of February, 1920, shall be permitted to vote in all elections, general and special, held in this State prior to February 1, 1921."

The amendment was read and adopted.

Senator Dean sent up the following amendment to Section 20:

Amend the bill by striking out Section 20 and substituting therefor the following:

"If any election officer within this State shall permit any person to vote, without the production of a poll tax receipt or exemption certificate, where such exemption certificate is required under the provisions of this act, or under any provision of the election laws of this State, he shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars and not more than five hundred dollars, or by confinement in the county jail for not less than twenty days or more than ninety days, or by both such fine and imprisonment.

The amendment was read and adopted.

Senator Bailey sent up the following amendment to Section 21:

Amend the bill by striking out all of Section 21, and numbering the following section so as to follow consecutively, and amend the caption by striking out in lines 27 and 28, page 1 of the bill, the words "fixing the venue of suits involving the validity of the provisions of this Act."

The amendment was read.

Senator Dean sent up the following substitute for Senator Bailey's amendment:

Amend the bill by striking out Section 21 thereof as written and substituting therefor the following.

"The several District Courts of Travis County are hereby invested with exclusive jurisdiction in all civil cases involving the validity or constitutionality of any of the provisions of this act, and the venue of all such suits is hereby laid and vested in the District Courts of Travis County alone."

The substitute was read and adopted.

The amendment as substituted was adopted.

Senator Caldwell sent up the following amendment:

Amend Senate Bill No. 1, by striking out sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22, and renumbering the remaining sections accordingly.

The amendment was read.

Senator Dayton moved to table the amendment. The yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—18.

Alderdice.	Floyd.
Bledsoe.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Page.
Cousins.	Suiter.
Davidson.	Williford.
Dayton.	Witt.
Dean.	Woods.

Nays—5.

Bailey.	Parr.
Caldwell.	Rector.
Dudley.	

Absent.

Faust.	Strickland.
Hall.	

Absent—Excused.

Dorough.	Westbrook.
McNealus.	

Pair Recorded.

Senator Smith (present), who would vote "Yea;" Senator Clark (absent), who would vote "Nay."

Senator Hopkins sent up the following amendment:

Amend Senate Bill No. 1 by adding after Section 4 a new section, as follows:

Section 5. That Articles 2949 and 2950 of the Revised Civil Statutes of the State of Texas of 1911 be amended so as hereafter to read as follows:

Article 2949. Each poll tax receipt and its duplicate shall show the name of the party for whom it was issued the payment of the tax, age, race, the length of time such person has resided in the State, the length of time such person has resided in the county, the voting precinct in which he or she lives, except when he or she lives

in an unorganized county, his or her occupation, his or her post office address, or if he or she lives in an incorporated city, the ward, street and number of his residence if numbered, and the length of time he or she has resided in such city or town; and in addition thereto it shall show the party affiliation, if any, of such person, and no person shall be permitted to vote or to participate in the primary election or convention of any party unless the poll tax receipt shall show such person to be affiliated with such party.

Article 2950. The poll tax receipt shall be in the following form, and numbered consecutively in each book provided for in this title:

Poll Tax Receipt.
No.
State of Texas, County of
Received of on the
... day of A. D. 19...
the sum of dollars, in payment of poll tax for the year A. D. 19...
The said taxpayer being duly sworn by me, says that . . . he is . . . years old, that h. . . or . . . he resides in voting precinct No. . . . in . . . county, that h. . . race is . . . that . . . he has resided in Texas. . . . years, and in . . . county . . . years, that . . . he is by occupation . . . that h. . . postoffice address is . . . ; that . . . he affiliates with . . . party.
(If in an incorporated city or town, a blank must be provided for the ward, street and number of residence, in lieu of post office address.)
All of which I certify.
(Signed)
Tax Collector. . . . County, Texas.

And by renumbering the other sections to correspond.

The amendment was read and on the motion of Senator Dayton was tabled by the following vote:

Yeas—14.

Alderdice.	Dean.
Bledsoe.	Dudley.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hertzberg.
Carlock.	Rector.
Davidson.	Suiter.
Dayton.	Woods.

Nays—9.

Bailey.	Floyd.
Caldwell.	Hopkins.
Cousins.	Page.

Parr.	Witt.
Williford.	

Absent.

Faust.	Smith.
Hall.	Strickland.

Absent—Excused.

Clark.	McNealus.
Dorough.	Westbrook.

Senator Dean sent up the following amendment:

Amend Senate Bill No. 1, Section 5, Page 11, Line 5, by inserting after the word "persons" the following, "who are citizens of this State and"

The amendment was read and adopted.

The bill was ordered engrossed by the following vote:

Yeas—20.

Alderdice.	Floyd.
Bledsoe.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Page.
Davidson.	Suiter.
Dayton.	Williford.
Dean.	Witt.
Dudley.	Woods.

Nays—4.

Bailey.	Parr.
Caldwell.	Rector.

Present—Not Voting.

Cousins.	Absent.
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Faust.	Strickland.
Hall.	

Absent—Excused.

Dorough.	Westbrook.
McNealus.	

Pair Recorded.

Senator Smith (present), who would vote "Yea;" Senator Clark (absent), who would vote "Nay."

House Concurrent Resolution No. 1.

After its caption was read the Chair referred H. C. R. No. 1 to the Committee on Rules.

Senate Bill No. 1.

Senator Caldwell moved to sus-

pend the constitutional rule requiring bills to be read on three several days. The motion failed by the following vote:

Yeas—6.

Alderdice.	Cousins.
Buchanan of Bell.	Dudley.
Caldwell.	Parr.

Nays—8.

Buchanan of Scurry.	Hopkins.
Davidson.	Suiter.
Dayton.	Witt.
Floyd.	Woods.

Present—Not Voting.

Bailey.	Hertzberg.
Bledsoe.	Page.
Dean.	Rector.
Gibson.	Williford.

Absent.

Carlock.	Smith.
Faust.	Strickland.
Hall.	

Absent—Excused.

Clark.	McNealus.
Dorough.	Westbrook.

Bill Introduced.

Unanimous consent was granted to send up Senate Bill No. 12.

By Buchanan of Scurry:

S. B. No. 12, A bill to be entitled "An Act to amend Chapter 58, of an Act of the Third Called Session of the Thirty-sixth Legislature, approved June 19, 1920, the same being An Act to amend Section 17 of Chapter 83 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature, so as to provide that all proceeds heretofore and hereafter paid and collected arising from activities under such Act affecting lands belonging to the University of Texas except the royalties as provided in said Act, shall be credited to the available fund of such institution, and shall be held by the Board of Regents of said institution in a special building fund, and shall be expended by them only for the erection of buildings or other permanent improvements; and to provide that

all royalties collected or paid under such Act arising from lands belonging to the University of Texas shall be credited to the permanent fund of such institution, and that payments on other areas be credited to the available school fund and repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

Read first time and referred to Committee on Mining and Irrigation.

Simple Resolution No. 10.

Unanimous consent was granted to send up Simple Resolution No. 10.

By Buchanan of Bell.
Whereas, the people of Texas and of the entire United States have benefited immeasurably through the administration of our country by a Democratic President; and

Whereas, the great Democratic party has outlined a platform of progressive measures for the benefit of our people during the ensuing four years; and

Whereas, it is necessary to secure these benefits that Cox and Roosevelt, the Democratic nominees, be elected; and

Whereas, to make their election possible an extensive campaign of education is necessary, entailing great expenses,

Therefore be it Resolved, That we call upon all loyal Democrats of Texas to assist in making this fight, and to contribute liberally to the Democratic National Campaign Fund.

Adjournment.

The Senate at 5:30 p. m., on the motion of Senator Dayton, adjourned until tomorrow morning at 10 o'clock.

APPENDIX.

Petitions.

Galveston Telegram.

Galveston, Texas, September 27, 1920.
Hon. W. L. Hall,
Senate, Austin, Texas.
• The Board of Commissioners of the City of Galveston earnestly request and invite an exhaustive and impar-

tial investigation by the Legislature into conditions at Galveston prior and subsequent to the declaration of martial law. The city and its citizenship have been grossly misrepresented by propaganda of special interests and people of the State ought to be informed of the facts.

Board of Commissioners.

Telegrams urging the defeat of the proposed Port Bill from local unions of the following cities: four from Temple; four from Marshall; Taylor; Somerville.

Committee Reports.

Committee Room,
Austin, Texas, Sept. 27, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Mining, Irrigation and Drainage, to whom was referred Senate Bill No. 11, beg leave to state that we have examined said bill, and report it back with the recommendation that it do pass.

DUDLEY, Chairman.

(Floor Report)

Senate Chamber,
Austin, Texas, Sept. 27, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 10, A bill to be entitled "An Act to amend Senate Bill No. 92, passed at the Third Called Session of the Thirty-sixth Legislature, etc.,"

Has had same under consideration and begs leave to report it back to the Senate with the recommendation that it do pass and that it be not printed.

Respectfully submitted,
WOODS.
CARLOCK.
CALDWELL.
WILLIFORD.
STRICKLAND.

(Floor Report)

Senate Chamber,
Austin, Texas, Sept. 27, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred House Bill No. 4, has had the same under consideration and I am directed by said committee to report the same back to the Senate with the recommendation that it do pass, and that it be not printed.

LEAN, Chairman.

TEXAS SENATE ASKS FOR RECOGNITION OF HUERTA REGIME

Mexican Officials Invited to Attend Dallas State Fair

Houston Post Special.

AUSTIN, Texas, Sept. 23.—In the senate late Thursday a resolution, offered by Senators Strickland, McNealus, Dudley and Hertzberg, was adopted suggesting to the federal government that the present government of Mexico be recognized and that trade relations between the two countries be fostered. President de la Huerta and General Obregon and other Mexican officials were also invited to attend the Dallas State fair and the Waco Cotton Palace.

The governor's open port bill was reported on favorably in the senate Thursday afternoon by the committee on civil jurisprudence after the measure had been amended so as to strike out the word "felony" and insert "offense" and reducing the punishment for the violation of the act from two to three years to one to three years, also providing a jail sentence of not less than 30 days nor more than one year.

Suffrage Bill Report.

This committee also reported favorably on the Dean suffrage election bill, which provides for the registration of all voters who have not paid their poll tax October 1 to 25, with the county tax collector, and payment of a registration fee of 15 cents, this sum to be used in defraying the expenses incidental to the registration.

The governor sent up a message recommending the enactment of legislation which will restore competition in the sale of cotton seed and divorce cotton gins from oil mills, and packers in Texas.

One inconsequential amendment to the governor's port bill was made by the house committee sitting on this matter and the hearing was continued until Friday morning.

Subcommittee Named.

The house committee on the election bill decided late Thursday to appoint a subcommittee to draft one bill from the mass of bills submitted for the adjustment of the suffrage situation. The subcommittee will report directly to the house not later than Monday.

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

WESTERN UNION



TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

RECEIVED AT MAIN OFFICE, W. U. TEL. CO., 305 N. OAK ST., SWEETWATER, TEXAS

587DA HN 17

MINGUS TEX 630P OCT 15 1920

GENERAL ALVARO OBREGON

III

ON BOARD TRAIN 26 SWEETWATER TEX

IS REPRESENTATIVE OF GOV HOBBY AND DALLAS I JOIN YOU

AT WEATHERFORD SIX OCLOCK IN THE MORNING

J J STRICKLAND

831P

[Handwritten signature]

En México, D. F.

Oct. 29
de 1920.

Señor J. J. Strickland.
Senate Chamber.
Austin, Tex.

Muy estimado señor y amigo:

Tuve mucho gusto en recibir su atenta carta fechada el 29 de Septiembre último, con la que me acompañó recorte de periódico - relativa a la resolución que presentó usted al Senado de esa República, en unión de sus colegas, los señores Senadores Dudley y Witt, así como copia íntegra de esta resolución.

Agradezco a ustedes muy sinceramente el interés que han tomado por el bienestar de mi País.

Con mi alta estimación, me repito de usted, su afectísimo amigo y atento seguro servidor.