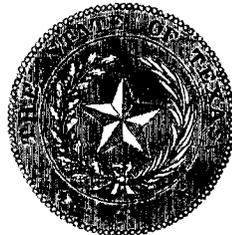


JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
SECOND CALLED SESSION
OF THE
THIRTY-FIRST LEGISLATURE OF TEXAS

CONVENED IN OBEDIENCE TO THE PROCLAMATION OF THE
GOVERNOR APRIL 12, 1909, AND ADJOURNED
WITHOUT DAY MAY 11, 1909



AUSTIN, TEXAS:
VON BOECKMANN-JONES CO., PRINTERS.
1909.

	Absent.
Crawford.	Trenckmann.
Flournoy.	
	Absent—Excused.
Adams.	Hill.
Bierschwale.	Johnson.
Bostic.	Keeble.
Boswell.	Lively.
Brookreson.	Meeks.
Brookshire.	Munson.
Byrne.	O'Bryan.
Cable.	Odom.
Canales.	Pierce.
Chaney.	Roach.
Cureton.	Robertson of Travis.
Fitzhugh.	Stratton.
German.	Turney.
Graham.	Von Rosenberg.
Haxthausen.	Wahrmund.
Highsmith.	

A quorum was announced present.
Prayer by Rev. W. J. Joyce, Chaplain.

GRANTED LEAVE OF ABSENCE.

On account of important business:
Mr. Lively for today and balance of week, on motion of Mr. Cox.
Mr. Fitzhugh for today, on motion of Mr. Buchanan.
Mr. Meeks indefinitely, on motion of Mr. Buchanan.
On account of sickness:
Charles Burkes, Assistant Sergeant-at-Arms, indefinitely, on motion of Mr. McLain.

MESSAGE FROM THE GOVERNOR.

Mr. A. M. Barton, private secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House:

Executive Office,
State of Texas.

Austin, Texas, April 15, 1909.

To the Senate and House of Representatives:

By virtue of authority vested in me by Section 40, Article 3 of the Constitution of the State of Texas, I hereby designate and present to you for your consideration and for legislation the following subjects:

1. Effective legislation for the reimbursement of the permanent county school fund of counties in which the

same has been impaired or wasted, and for the complete rehabilitation, protection and preservation of such county permanent school fund.

2. Legislation creating the Irving Independent School District in Dallas county; the Stamford Independent School District in Jones county; the Myra Independent School District in Cooke county; amendments of the law creating the Amarillo Independent School District in Potter county; amendments of the act creating the Quanah Independent School District in Hardeman county; legislation creating an independent school district to be known as the Corpus Christi Independent School District in Nueces county. The laws effecting independent school districts here suggested to define the boundaries, and to provide for the election of boards of trustees to manage and control the public free schools in said districts; investing the said districts and the trustees with appropriate and necessary rights, powers, privileges and duties.

3. Appropriate legislation incorporating or permitting the city of Amarillo to incorporate under a special charter.

4. Legislation transferring the balances now to the credit of the pure food fund, quarantine fee fund, and the Tyler city subsidy bond act, into the general revenues of the State.

5. Legislation amending Subdivision 6, Section 8, Article 2, Chapter 71 of the local and special laws of Texas, enacted by the Regular Session of the Thirtieth Legislature, entitled an act to grant a new charter to the city of Dallas, Dallas county, Texas, so as to provide that in the event any street railway in said city of Dallas, Dallas county, Texas, shall hereafter build new lines or street railways or extend its lines or railways therein, said subdivision shall not be construed to require the payment of the gross receipt tax upon receipts arising from the operation of that part of its mileage which was constructed and in operation before the passage of said act of the Thirtieth Legislature of the State of Texas.

6. Legislation amending Section 61 of an act passed by the Twenty-ninth Legislature of the State of Texas, entitled an act to incorporate the city of Cleburne, in Johnson county, Texas, and to fix the boundaries thereof, and to provide for its government and the management of its affairs, the same being Chapter 47 of the Special Laws of Texas of 1905; said amendment to relate to

the powers and duties of the city council of said city with respect to streets and alleys.

7. An appropriate law creating a commission, to be known as the Tuberculosis Commission for the purpose of investigating the facts and conditions pertaining to the origin, introduction, spread, treatment, prevention, extent and control of pulmonary tuberculosis in the State of Texas; prescribing the powers and duties of said commission; providing for their compensation, all with a view of gathering information and the formulation of an effective and practicable plan for dealing with this important subject by the next or succeeding Legislatures.

8. To enact laws upon the subject of constructing, maintaining and operating of electric interurban and urban railways; giving such railways the power of eminent domain, and providing for the regulation thereof.

9. Legislation requiring railroad companies to provide appropriate and suitable passenger and freight depot buildings at their several stations and requiring them to keep passenger depots lighted and warmed for the comfort and accommodation of the traveling public, and giving the Railroad Commission power to require compliance with such laws as may be enacted.

10. Legislation amending Sections 122, 123 and 124 of Chapter 124 of the Acts of the Regular Session of the Twenty-ninth Legislature, relating to teachers' certificates.

11. Legislation providing for the completion and extension by the Board of Penitentiary Commissioners of the railroad now owned by the State of Texas extending from the Rusk penitentiary; for its maintenance, equipment and operation; providing for condemnation of right of way or material therefor, and for condemnation proceedings; providing for the issuance of bonds by the Board of Penitentiary Commissioners, and for the use of a portion of said bonds necessary to redeem bonds issued under and by virtue of Chapter 74 of the Acts of the Thirtieth Legislature; and to provide a lien upon said State railroad and its extensions and equipment, and for the method of redemption of said bonds; and to provide for authority of said board to accept gifts or donations to aid in the construction and extension of said railroad; providing for the purchase of said bonds by the Board of Education out of the per-

manent school fund; and providing for the extension of said railroad to a connection with other lines and for the issuance of bonds upon such road and all extensions that may be made from any point on said road.

12. Amending the city charter of the city of Texarkana.

13. Legislation that may be needed changing and readjusting the terms of the district courts of the State to facilitate the trial of cases and a more expeditious enforcement of the law.

14. Legislation for the enforcement of the game laws of the State for the protection of game, and providing licenses and suitable fees therefor. A law upon this subject was enacted at the Regular Session, which was vetoed on account of errors, defects and inaccuracies vitiating the same.

T. M. CAMPBELL,
Governor of Texas.

HOUSE BILLS ON FIRST READING.

By Mr. Gilmore:

House bill No. 9, A bill to be entitled "An Act to provide that all banking corporations hereafter incorporated under and by virtue of the provisions of Chapter 10 of the Acts of the First Called Session of the Twenty-ninth Legislature of the State of Texas, shall be mutually liable pro rata, within certain limitations, for the payment of the liabilities of each such corporations to its guaranteed depositors, and defining the guaranteed depositors and the guaranteed deposits of such institution; providing that banking corporations heretofore incorporated under and by virtue of said act, may avail their depositors of the benefits of this act, and prescribing the manner and method of so doing, and providing that such corporations so availing their depositors of the benefits of this act shall be bound by its provisions; providing that certain corporations created by virtue of special acts of the Legislature of this State, may, under certain conditions, take advantage of and become bound by the provisions of this act; providing for the creation of a State bank guaranty fund, and for its maintenance and use in the payment of the guaranteed depositors of such institution; and for the methods of payment of the guaranteed depositors of such banking corporation when closed, out of the State bank guaranty fund; providing that National banking associations may avail themselves of certain provisions of this act; prescribing

Executive Office,
State of Texas.

Austin, Texas, April 15, 1909.

To the Senate and House of Representatives:

By virtue of authority vested in me by Section 40, Article 3 of the Constitution of the State of Texas, I hereby designate and present to you for your consideration and for legislation the following subjects:

1. Legislation providing the necessary funds by appropriation from the general revenues of the State to be used in the operation of the iron industry at the State penitentiary at Rusk, Texas; and providing for the return of such funds to the general revenues of the State from the net revenues of the penitentiary system.

2. Such legislation as may be deemed necessary or proper for the examination, regulation, control and supervision of guaranty and surety companies doing business in this State, as will afford full protection for the State of Texas, the counties and citizens of this State accepting their contracts of suretyship.

3. Legislation creating the Lubbock Independent School District in Lubbock county; the Robert Lee Independent School District in Coke county, Texas; the Bronte Independent School District in Coke county, Texas; and legislation amending the act creating the Garland Independent School District in Dallas county, Texas.

4. Legislation amending the laws respecting appeals of defendants under conviction for felonies and the condition of such appeal bonds; and amending the procedure in civil cases in reference to the pleadings, instructions to the juries and appeals; and amending the Penal Code and Code of Criminal Procedure in reference to trials, motion for new trials and appeals.

5. Legislation to regulate the granting by the State of charters to corporations and permits to corporations to do business in this State.

6. Legislation pertaining to the election, qualification, bond and duties of the State Treasurer, Comptroller of Public Accounts, Commissioner of the General Land Office, and the employes of said departments and providing an adequate system of accounting, bookkeeping and auditing of the accounts of the respective departments, and for such general revision of the laws relating to said departments of the State Govern-

ment as the Legislature may deem necessary; and legislation amending the laws relating to the duties of the county tax assessors and collectors and the county clerks, Comptroller of Public Accounts and State Treasurer, with respect to the revenue laws and providing for a complete system of accounting, bookkeeping and auditing of such accounts; and providing for a system of apportioning, distributing and accounting of the available school funds of the State, county and city school districts; providing procedure and prescribing the duties of the Superintendent of Public Instruction, Comptroller of Public Accounts and treasurers of school funds; and to enact such laws or repeal such existing laws as may be necessary to put into effect a complete system of accounting, auditing and bookkeeping of the departments of the Comptroller, General Land Office, State Treasurer and tax collectors as contemplated and authorized under and by virtue of the laws relating to such subjects passed by the First Called Session of the Thirtieth Legislature.

7. Legislation amending Subdivision 61 of Article 642 of the Revised Civil Statutes, authorizing the formation of corporations for the construction and operation of interurban electric, gas and gasoline, denatured alcohol and naphtha motor railways; giving such railways the power of eminent domain and providing for regulation thereof.

8. Legislation providing for refunding a portion of the public debt, and the retirement of certain bonds of the State of Texas, maturing on the first day of July, 1909, and those maturing on September 1, 1910; and providing for the execution of new bonds in lieu thereof, and such further legislation with respect to this subject may be appropriate and necessary.

T. M. CAMPBELL,
Governor of Texas.

APPOINTMENTS OF EMPLOYES ANNOUNCED.

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

W. H. Marsh, private secretary.

Lelia Craig, private stenographer.

General clerks and stenographers at \$100 per month: Mary Johnson, Anna Hoffman, Nellie Lowdy, Rikka Peterson, Josephine McGuire, Mable Hillyer, Elizabeth Williamson, Ray Perenot, Mitie Vick, Susie Cater, Clare Coley, W. L. Ward, Frances Rose, Lena Geisler,

to redeem bonds issued under and by virtue of Chapter 74 of the Acts of the Thirtieth Legislature; providing a lien upon said State railroad, its extensions and equipment; providing a method of redemption of said bonds; providing for authority to said board to accept gifts and donations to aid in the construction of said railroad; providing for the purchase of said bonds by the Board of Education out of the permanent school fund; providing for the extension of said railroad from any point on said road to a connection with other lines, not exceeding one hundred miles; providing the issuance of bonds in the sum of fifty thousand dollars for each five miles of said road when completed; providing liens; providing that this act shall be cumulative of all other laws in force in this State, and declaring an emergency."

The bill having been read second time on Saturday, April 17,

Question—Shall the bill be passed to engrossment?

Mr. Vaughan offered the following amendment to the bill:

Amend House bill No. 5, page 3, Section 4, by adding after the word "extended," in line 23, the following: "Provided the citizens residing and owning property along the route of the proposed extension of said railroad shall donate and contribute not less than one thousand dollars in cash for each mile of railroad constructed, to be used by said commissioners in constructing and equipping said railroad."

Mr. Cox offered the following substitute for the amendment:

Amend by striking out all of Sections 4, 5, 6, 7 and 8.

Question—Shall the substitute be adopted?

(During the discussion Mr. Lively and Mr. Pharr occupied the chair temporarily.)

(Speaker in the chair.)

MESSAGE FROM THE GOVERNOR.

Mr. A. M. Barton, private secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House:

Executive Office,
State of Texas.

Austin, April 20, 1909.

To the Legislature:

By virtue of authority vested in me by Section 40, Article 3, of the Con-

stitution of the State of Texas, I hereby designate and present to you for your consideration and for legislation the following subjects and suggest legislation thereon:

First—Legislation amending the city charter of the city of Greenville, Texas, and the acts amendatory of the said city charter.

Second—Legislation prohibiting officers and directors of life insurance companies transacting business in this State from receiving or contracting to receive any commission or other compensation contingent upon the writing of business or the assumption of risks by such companies, and authorizing life insurance companies incorporated under the laws of this State, at their option, to deposit security equal in value to the legal reserves on the outstanding policies and annuity bonds for the benefit of the holders thereof, and providing for the regulation and maintenance of such deposit, and the terms and purposes for which it shall be held, and legislation amending the existing laws relating to fraternal insurance.

T. M. CAMPBELL,
Governor of Texas.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 20, 1909.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate concurs in House amendments to Senate bill No. 6, by two-thirds vote: Yeas, 24; nays, 0.

Respectfully,
CLYDE D. SMITH,
Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 20, 1909.

Hon. John Marshall, Speaker of the House of Representatives.

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

Senate bill No. 13, A bill to be entitled "An Act requiring railroad companies to provide adequate and suitable passenger and freight depot buildings at their several stations and requiring them to keep all their passenger depots well lighted and warmed for the comfort and accommodation of the traveling public and giving the Railroad Com-

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 27, 1909.

Hon. John Marshall, Speaker of the
House of Representatives.

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

House bill No. 17, A bill to be entitled
"An Act to amend Sections 122, 123 and
124 of Chapter 124 of the Acts of the
Regular Session of the Twenty-ninth
Legislature, relating to teachers' certifi-
cates, and declaring an emergency,"
with amendments.

Senate bill No. 37, A bill to be entitled
"An Act to amend Section 7, Chapter
55, page 509, Special Laws of the Regu-
lar Session of the Thirtieth Legislature
of the State of Texas, approved April
4, 1906, entitled 'An Act creating and
incorporating the Lubbock Independent
School District, in Lubbock County,
Texas; defining its boundaries and pro-
viding for a board of trustees thereof,
and defining their powers and authority;
authorizing said board of trustees to
levy, assess and collect a tax, not ex-
ceeding one-half of one per cent on a
hundred dollar valuation of all property
in said district, and providing for an
emergency.'"

Senate bill No. 34, A bill to be entitled
"An Act to amend Sections 3 and 6 of
an act passed by the Twenty-eighth
Legislature, entitled 'An Act to reor-
ganize the Fifteenth and Fortieth Judi-
cial Districts of Texas, and to create
the Fifty-ninth Judicial District of
Texas; to name the counties composing
each of said districts; to prescribe the
time of holding the terms of the dis-
trict court in each of said districts; to
provide for the extension and return of
process issued out of said court; em-
powering the judge of the Fifteenth
Judicial District to empanel the grand
jury of Grayson county, and giving au-
thority to the judges of either the Fif-
teenth or Fifty-ninth Judicial Districts
in Grayson county to transfer cases
from their respective courts to the other
of said courts and to validate all writs,
process and bonds, civil and criminal,
issued or executed up to the time this
act takes effect, by or from the district
courts of the several counties named in
this act; and to provide for the ap-
pointment of a district judge for the
Fifty-ninth Judicial District of Texas,
and declaring an emergency,' changing
the time of holding court in the Fifty-
ninth Judicial District to empanel a

grand jury for Grayson county, and
providing that the judge of the Fif-
teenth Judicial District may empanel
a grand jury for Grayson county in his
discretion, adding Section 8a, validating
process, etc., issued in the Fifteenth and
Fifty-ninth Districts, and declaring an
emergency."

Respectfully,
CLYDE D. SMITH,
Secretary of the Senate.

SENATE BILLS ON FIRST READING.

Senate bill No. 37, received from the
Senate today, was laid before the House,
read first time, and referred to Com-
mittee on Education.

Senate bill No. 34, received from the
Senate today, was laid before the House,
read first time, and referred to the Com-
mittee on Judicial Districts.

RECESS.

On motion of Mr. Crockett of
Mitchell, the House, at 12 m., took re-
cess to 2 o'clock p. m. today.

AFTERNOON SESSION.

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

MESSAGE FROM THE GOVERNOR.

The Speaker submitted the following
message from the Governor, which was
read to the House:

Executive Office,
State of Texas.

Austin, Texas, April 27, 1909.

To the Legislature:

By virtue of authority vested in me
by Section 40, Article 3 of the Consti-
tution of the State of Texas, I hereby
designate and present to you for your
consideration and for legislation thereon
the following subjects:

1. Legislation creating the independ-
ent school district of Alexander, in
Erath county, Texas; defining its boun-
daries; providing for the election of a
board of trustees to manage and control
the public free schools within said dis-
trict; and such legislation with respect
thereto as the Legislature may deem nec-
essary.

2. Legislation amending the law re-
lating to the establishment of a criminal
district court for the criminal district
composed of Galveston and Harris coun-
ties; providing for the election and

qualification of a district attorney for said criminal district, and prescribing the duties, powers and compensation of said district attorney; and providing for the appointment, duties, qualifications and compensation of assistant district attorneys for said criminal district; and providing for fees and compensation for the said assistant district attorneys.

3. Legislation creating a more efficient road system for Wood county; and such legislation with respect thereto as the Legislature may deem necessary.

T. M. CAMPBELL,
Governor of Texas.

HOUSE BILLS ON FIRST READING.

By Mr. Fuller and Mr. Schluter:

House bill No. 64, A bill to be entitled "An Act to regulate the manner and form of making payment to the State for public lands and the disbursement of the available school fund; to define the duties of the Commissioner of the General Land Office, the State Treasurer and the Comptroller of Public Accounts in respect thereto; also to require all accounts with purchasers of such lands to be transferred to and kept in the General Land Office, to adopt a filing system for the General Land Office, and to make an appropriation for equipping said office for the purpose of putting into effect the provisions of this act, and to repeal Article 4046 of the Revised Civil Statutes of 1895 and all other laws in conflict with this act, and declaring an emergency."

Read first time, and referred to Committee on Public Lands and Land Office.

By Mr. Baker of Hood and Mr. Rober-son of Erath:

House bill No. 65, A bill to be entitled "An Act creating the Alexander Independent School District in Erath county, Texas; defining its boundaries; providing for the election of a board of trustees to manage and control the public free schools within said district; investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the general laws; abolishing district heretofore created, and declaring an emergency."

Read first time, and referred to Committee on Education.

MOTION TO TAKE UP HOUSE BILL NO. 12.

Mr. Ralston asked unanimous consent of the House that House bill No. 12, creating a Tuberculosis Commission, be

taken up for the purpose of setting the bill as a special order for Friday, April 30, at 2 o'clock p. m.

Mr. Turney objected, insisting on the regular order of business.

HOUSE BILL NO. 18 ON ENGROSSMENT.

The House resumed consideration of pending business, the same being House bill No. 18, the general appropriation bill, on passage to engrossment, the House considering the bill department by department, and the Department of the Adjutant General being under consideration, with amendment by Mr. Strickland, and substitute by Mr. Reedy for the amendment, pending.

Question—Shall the substitute for the amendment be adopted?

VOTE RECONSIDERED.

Mr. Kennedy moved to reconsider the vote by which the Department of the State Tax Board was adopted.

The motion to reconsider prevailed.

Mr. Kennedy then withdrew the amendment offered by him this morning to this department.

The section relating to the Department of the State Tax Board was adopted.

The House resumed consideration of the Adjutant General's Department, the question being shall the substitute by Mr. Reedy for the amendment by Mr. Strickland to this department of the bill be adopted?

(Mr. Mobley in the chair.)

Mr. Smith moved the previous question on the amendment and the substitute therefor, and the main question was ordered.

Question first recurred on the substitute.

Mr. Westbrook asked for a division of the question.

Question then recurred—Shall division No. 1 of the substitute be adopted?

Yeas and nays were demanded and division No. 1 of the substitute was lost by the following vote:

Yeas—43.

Aston.	Dalby.
Bowles.	Elliott.
Cable.	Fant.
Cathey.	German.
Craven.	Graham.
Crockett of	Mitchell.
Currey.	Hamilton of
	Childress.

Present—Not Voting.

Dotson.

Absent.

Bartlett.	Jenkins.
Branch.	Luce.
Cathey.	McCallum.
Elliott.	Meeks.
Highsmith.	Robertson of Travis.
Jackson.	Schofield.

Absent—Excused.

Adams.	Odom.
Buchanan.	Pierce.
Crisp.	Ridgway.
Giesen.	Wortham.

Question recurring on the amendment, it was lost.

Mr. Gaines offered the following amendment to this department of the bill:

Amend by striking out all from lines 36, on page 35, to line 23, on page 36, both inclusive.

GAINES,
STEPHENSON.

On motion of Mr. Mobley, the amendment was tabled.

Mr. Crockett of Washington offered the following amendment to this department of the bill:

Amend House bill No. 18, by striking out lines 39 and 40, page 35, and lines 3 and 4, page 36, and insert the following: "For maintenance and support, \$8750, \$8750." "Scholarships, one student to be appointed by each Senator and Representative, \$8750, \$8750."

The amendment was adopted.

Mr. Hill moved the previous question on the section relating to the Department of the Prairie View Normal School, and the main question was ordered.

The section relating to the Prairie View Normal School was adopted.

The section relating to the Girls' Industrial College was read.

Question—Shall this section of the bill be adopted?

Mr. Reedy offered the following amendment to this department of the bill:

Amend House bill No. 18, by inserting "\$30,000" in place of "\$23,000" in each place where "\$23,000" appears in line 40 on page 36 of the bill; and by correcting totals of appropriation for each year, 1910 and 1911, for this institution, to conform with this amendment.

Question—Shall the amendment be adopted?

MESSAGE FROM THE GOVERNOR.

A messenger from the Executive Office appearing at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House:

Executive Office,
State of Texas.

Austin, Texas, April 29, 1909.

To the Legislature:

By virtue of authority vested in me by Section 40, Article 3 of the Constitution of the State of Texas, I hereby designate and present to you for your consideration and for legislation thereon the following subjects:

1. Legislation establishing additional county courts for civil and criminal business, or with criminal jurisdiction alone; and to prescribe the jurisdiction; and organization, and the practice in such courts; and to provide for appeals thereto and therefrom and for the transfer of causes from county courts to such new courts as may be created; and to fix the terms thereof; and to prescribe the qualifications and powers of the judges of such courts; and to provide for their appointment; and to fix the compensation of such courts and of the judges of the county courts.

2. Legislation amending Section 2 of House bill No. 68, passed at the Regular Session of the Thirty-first Legislature, relating to occupation tax on all retail dealers in non-intoxicating malt liquors, etc.; to provide for the issuance of licenses; and fixing penalties so as to prevent persons taking out such licenses from carrying on business under said licenses in more than one place under such licenses at the same time.

T. M. CAMPBELL,
Governor of Texas.

HOUSE BILLS ON FIRST READING.

By Mr. Ballengee:

House bill No. 68, A bill to be entitled "An Act to render void any warrant drawn for the per diem pay of members of the Legislature, and the elective and appointive officers of the same for non-attendance, making certain exemption, and declaring an emergency."

Read first time, and referred to Committee on State Affairs.

By Mr. Fant and Mr. Fuller:

House bill No. 69, A bill to be entitled "An Act to provide for the compensa-

RECESS.

On motion of Mr. Stephenson, the House, at 12:05 p. m., took recess to 3 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 3 o'clock p. m. and was called to order by the Speaker.

MESSAGE FROM THE GOVERNOR.

A messenger from the Executive Office appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House:

Executive Office,
State of Texas.

Austin, April 30, 1909.

To the Legislature:

By virtue of authority vested in me by Section 40, Article 3 of the Constitution of the State of Texas, I hereby designate and present to you for your consideration and for legislation thereon the following subjects:

1. Legislation creating the North Zulch Independent School District in Madison county, Texas, and such legislation with respect thereto as may be deemed necessary.

2. Legislation authorizing incorporated towns, cities and villages in the State of Texas to construct permanent street improvements; and to provide by adequate laws for the collection of funds with which to make such street improvements, and such further legislation on this subject as the Legislature may deem appropriate and necessary.

3. Legislation extending the time for the redemption of land sold for taxes.

T. M. CAMPBELL,
Governor of Texas.

TENDERING A METAL GATE TO
SAN JACINTO PARK COM-
MISSION.

Mr. Standifer submitted the following communication, which was read to the House:

Fort Worth, Texas, April 27, 1909.

Mr. W. L. Sanford, Sherman, Texas;
Mr. F. A. Heitmann, Houston, Texas;
Mr. James Moroney, Dallas, Texas.

Gentlemen: I enclose you herewith copy of a resolution passed at the an-

nual meeting. You were appointed a committee to have this matter in charge.

Yours truly,
R. F. BELL,
Secretary-Treasurer.

Resolved by the Texas Hardware Jobbers' Association in annual convention assembled, That as business men and taxpayers of Texas we respectfully but earnestly urge the Legislature of Texas to increase the appropriation for beautifying the San Jacinto Battlefield Park to the extent of at least \$50,000 for each of the next two fiscal years to the end that that historic spot may be made a place of such artistic beauty and charm as will befit a field whereon was fought by sons of Texas, one of the most decisive battles of modern times, and where they bequeathed to us and our posterity, the richest heritage ever won by human valor, and we express the earnest hope that Governor Campbell, a native Texan, will lend his influence and approval to such action as we hereby invoke.

As evidence of our sincerity and interest, we hereby tender to the Park Commission and the State, a gate of metal, of design and proportion as will be worthy to mark the entrance to that field, which is hallowed by the devotion and consecrated by the blood of heroes.

Mr. Standifer moved that the gift be accepted, that the thanks of the House be tendered to the Hardware Jobbers' Association, and that the communication be printed in the Journal.

The motion prevailed.

HOUSE BILL NO. 14, WITH SENATE
AMENDMENTS.

Mr. Bowman called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

House bill No. 14, A bill to be entitled "An Act to grant a charter to the city of Amarillo, Potter county, Texas, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read as follows:

(1)

Amend the bill by adding after the last word of Section 18 of the line on page 17 thereof the following: "And

MESSAGE FROM THE GOVERNOR.

A messenger from the Executive Office appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House:

Executive Office,
State of Texas.

Austin, May 6, 1909.

To the Legislature:

By virtue of authority vested in me by Section 40, Article 3, of the Constitution of the State of Texas, I hereby designate and present to you for your consideration and for legislation thereon, the following subject:

1. Legislation creating an independent school district for free school purposes only in the county of Tarrant, to be known as the Mansfield Independent School District, with all the necessary rights, powers and duties of independent school districts created by law.

T. M. CAMPBELL,
Governor of Texas.

BILLS SIGNED BY THE SPEAKER.

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

Senate bill No. 17, "An Act to amend Article 642 of the Revised Civil Statutes of Texas of 1895, as amended by Chapter 130, Acts of the Twenty-fifth Legislature; Chapter 43, Acts of the Twenty-sixth Legislature; Chapter 43, Acts of the Twenty-seventh Legislature, and Chapter 129 of the Twenty-eighth Legislature; Chapter 62, Acts of the Twenty-ninth Legislature; Chapter 15, Acts of the Thirtieth Legislature, by amending Subdivision 61 thereof, and authorizing the formation of corporations for the construction and operation of interurban, electric, gas or gasoline, denatured alcohol or naphtha motor railways, and declaring an emergency."

House bill No. 14, "An Act to grant a charter to the city of Amarillo, Potter county, Texas, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

House bill No. 75, "An Act creating the North Zuleh Independent School District in Madison county, Texas, defining its metes and bounds, providing for a board of trustees therefor, vesting it with the rights and duties of districts incorporated for school purposes only under the general laws, and declaring an emergency."

RECESS.

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

AFTERNOON SESSION.

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

MESSAGE FROM THE GOVERNOR.

A messenger from the Executive Department appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House:

Executive Office,
State of Texas.

Austin, May 6, 1909.

To the Legislature:

By virtue of authority vested in me as Governor by Section 40, Article 3 of the Constitution of the State of Texas, I hereby designate and present to you for your consideration and for legislation thereon, the following subject:

1. Legislation amending Section 114 and Section 120, of Chapter 11 of the Acts of the First Called Session of the Twenty-ninth Legislature as amended by Chapter 177 of the Acts of the Thirtieth Legislature, relating to the manner of holding elections; and legislation amending Section 126 of Chapter 11 of the General Laws of Texas of the First Called Session of the Twenty-ninth Legislature, and also amending Section 141 of said Chapter 11, as passed by the First Called Session of the Twenty-ninth Legislature, and as amended by Chapter 177 of the Acts of the Thirtieth Legislature; all relating to elections and to contests in primary elections.

A bill covering the subjects here submitted was passed at the Regular Session of the Legislature, but was vetoed on account of errors, both in the caption and the bill.

T. M. CAMPBELL,
Governor of Texas.

SENATE BILL NO. 39 ON FINAL PASSAGE.

The Speaker laid before the House, on final passage, as a special order for this hour,

Senate bill No. 39, A bill to be entitled "An Act to authorize incorporated towns, cities and villages in the State of Texas to construct permanent street