

Governor's Office,
Austin, Texas, Aug. 29, 1911.
To the Secretary of State:

As provided in Section 14 of Article IV of the Constitution of Texas, I transmit herewith for file in the office of the Secretary of State, Free Conference Committee Substitute for Senate bill No. 3, said bill being "An Act making appropriations for the support of the State government for two years beginning September 1, 1911, and ending August 31, 1913, and for other purposes, and prescribing certain regulations and instructions in respect thereto, to make additional appropriations for the support of the State government for the year ending August 31, 1911, and to pay various miscellaneous claims against the State, and declaring an emergency," said bill having passed the First Called Session of the Thirty-second Legislature of the State of Texas, and having been received in the Governor's office on August 26, 1911, at 6:30 p. m.

Said Free Conference Committee Substitute for Senate bill No. 3 has been signed by me on this date, and the items therein not objected to are approved. I append to the said bill at the time of signing the same this statement showing the items to which I object, and the reasons therefor. Where the items objected to have no special reason assigned for that action, they are vetoed on the ground that the appropriations are not essential to the efficient administration of the State government or of the particular department for which they may have been made. I have run a blue pencil through said items objected to, as well as the words describing them, as follows, except where the appropriation covers a period of two years and that for only one year is vetoed:

Executive Department.

(1) "Salary of stenographer and bookkeeper for Board of Pardon Advisers," \$1,100.00, for the fiscal years ending August 31, 1912 and 1913, is objected to on the ground that it is not necessary. An extra stenographer has been given the Governor's office, and he will have time to do the work of the Board of Pardons. (2) "Expenses of the Board of Pardon Advisors in visiting the penitenti-

ries, reformatory and camps," \$300.00 for each of the fiscal years ending August 31, 1912 and 1913, is objected to. With the Prison Commissioners and parol officers provided by the penitentiary act, it will not be necessary for the Board of Pardons to perform this service.

Department of State.

(1) On page 5, the item of "Salaries of two stenographers," \$2,400.00 for each of the fiscal years ending August 31, 1912 and 1913, is objected to on the ground that it was not necessary to increase the force in the office of the Secretary of State to this extent. (2) The item of "furniture, files and typewriters," \$400.00, for the fiscal year ending August 31, 1912, is objected to on the ground that it is not necessary. (3) The item of "file cases," \$500.00 for the fiscal year ending August 31, 1913, is objected to on the ground that it is not necessary.

Public Buildings and Grounds.

(1) On page 7, the item reading: "Chemicals for fire extinguishers," \$500.00, for the fiscal year ending August 31, 1912, is objected to as being unnecessary. On page 8, the item of \$10,000.00, for the fiscal year ending August 31, 1913, "for improvements, maintenance and care of San Jacinto battle grounds," is objected to. I think the \$10,000.00 which is provided for the fiscal year ending August 31, 1912, is sufficient.

Texas Library and Historical Commission.

(1) On page 12, the item reading: "Salary of stenographer and copyist," \$1,000.00 for each of the fiscal years ending August 31, 1912 and 1913, is objected to as not being necessary. (2) On page 13, the item of "Traveling expenses of the State Librarian in the service of the Commission," \$100.00 for each of the fiscal years ending August 31, 1912 and 1913, is objected to. (3) The item on page 13, for "Collecting and disseminating information about public libraries," \$200.00 for each of the fiscal years ending August 31, 1912 and 1913, is objected to as being unnecessary. (4) The item on page 13, for "Shelving for books,

newspapers and manuscripts, with the necessary stack floors, railings and stairs; tables and chairs for reading room; office furniture, filing cabinets for legislative reference section, card catalogue cases; gratings over windows in manuscript room, cases for Texas, Mexican and Confederate flags," \$2,000.00 for the fiscal year ending August 31, 1913, is objected to as unnecessary.

State Purchasing Agent.

The item of "Salary of bookkeeper and auditor," \$1,500.00 for each of the fiscal years ending August 31, 1912 and 1913, is objected to on the ground that it is not necessary.

Live Stock Sanitary Commission.

The item on page 26, for "Horse allowance, \$30.00 per month, twenty-three inspectors," \$8,280.00 for each of the fiscal years ending August 31, 1912 and 1913, is objected to.

State Mining Board.

On page 27, the item: "Traveling expenses for Board," \$600.00 for each of the fiscal years ending on August 31, 1912 and 1913, is objected to as not being required.

Attorney General's Department.

(1) On page 30, the item in words as follows: "the sum of Eighty-three Thousand and One Hundred and Sixty (\$83,160.00) Dollars" is objected to and disapproved—first, because it is an excessive appropriation of the public funds for the purposes appropriated at a time when the burden of taxation upon the people of this State must necessarily be increased to supply deficits and pay the necessary expenses of government; second, because the same is an invasion of the Constitution, in that it is an attempt to make an appropriation in gross and not for specific purposes, as directed by the Constitution.

(2) The item on page 30 of \$41,580.00 for the fiscal year ending August 31, 1913, is objected to and disapproved. The remaining item of \$41,580.00, as appropriated, is available for use until exhausted, and may

be applied during both the fiscal years ending August 31, 1912, and August 31, 1913. If said sum of \$41,580.00 is not sufficient for both of said years, any additional amount actually needed for the efficient administration of the Attorney General's Office can be provided by deficiency allowance when the same is ascertained to be necessary.

(3) The following language, beginning on page 30 and concluding on page 34, is objected to and disapproved, for the reason that it is not in harmony with the appropriation for the Attorney General's Department in consonance with the objection to the two items already eliminated as outlined above:

"For the guidance of the Attorney General in the expenditure of such sums out of the above item of appropriation of \$83,160.00 as may be necessary to properly conduct the business of his department, he is hereby empowered and authorized to employ such regular assistants as he may deem necessary, not to exceed seven in number at any one time, one of such assistants he shall designate as First Office Assistant Attorney General; and there may be expended out of the above item of appropriation a sum not exceeding \$20,000.00 per annum for the purpose of paying the salary of the Attorney General at \$2,000.00 per annum and such fees as are prescribed by law, not to exceed \$2,000.00 per annum, and for the purpose of paying the salaries of the assistants employed; provided, that no assistant shall receive more salary than \$2,500.00 per annum; and the Attorney General shall have the power and authority to employ such stenographic clerks as he may deem necessary to carry on the work of the Department, not to exceed four in number, one of whom shall be chief clerk and bookkeeper; and there may be expended out of the above item of appropriation a sum not to exceed \$4,900.00 per annum to pay the salaries of such stenographic clerks, provided that no stenographic clerk shall receive more than \$1,300.00 per annum; there may be employed one porter, who shall be paid out of the above item of appropriation a salary of \$480.00 per annum; there may be expended out of the above item of appropria-

of assistant corresponding clerk," \$1,200.00 for each of the fiscal years ending August 31, 1912, and August 31, 1913. (2) On page 42, the item of "Salary of one unorganized county tax clerk," \$1,100.00 for each fiscal year ending August 31, 1912 and 1913. (3) The item on page 42 of "Salary of mailing and file clerk," \$1,100.00 for each fiscal year ending August 31, 1912 and 1913, is objected to. (4) On page 43, the item of "Salary of assistant mailing and file clerk," \$1,100.00 for each of the fiscal years ending August 31, 1912 and 1913, is objected to. (5) On page 43, the item: "For enforcing the provisions of Sections 9a, 9b, 9c, 9d, 9e, 9f, 9g, 9h and 9i of Chapter 17 of the Acts of the First Called Session of the Thirty-first Legislature, to be expended in two years," \$7,500.00, is objected to on the ground that increased appropriation for the enforcement of the law to other departments of the State government makes this appropriation unnecessary. (6) On page 43, the item of "Salary of four assistant clerks at \$1,100.00 each," \$4,400.00 for each of the fiscal years ending August 31, 1912 and 1913, are objected to as not being needed. (7) The item on page 43 reading as follows: "For clearing up basement, indexing records, for filing same and purchase of shelving to be used in two years," \$3,000.00, is objected to as not being essential. (8) The item on page 43, "One electric adding machine," \$450.00, is objected to for the reason that I am informed the Department already has two adding machines.

General Land Office.

(1) On page 44, the following item: "Salary of Assistant Chief Clerk, \$1,400.00" for each fiscal year ending August 31, 1912 and 1913, is objected to on the ground that the service of such clerk is not necessary. (2) On page 45, the item: "Salary to employ extra help when necessary to handle accounts and payments," \$1,200.00 for each fiscal year ending August 31, 1912 and 1913, is objected to on the ground that it is not necessary. (3) The item on page 46, reading as follows: "Typewriting machines, materials and repairs, provided old machines may be exchanged in part payment for new

ones, to be expended in two years," \$1,000.00, is objected to on the ground that the appropriation is excessive. A deficiency for what is actually needed may be granted when necessary. (4) On page 46, the item reading as follows: "Surveying under Chapter 147, Acts of the Thirtieth Legislature, to be expended in two years," \$7,500.00, is objected to on the ground that necessary surveying can be done by county surveyors, and the law provides for their compensation. (5) The item on page 46 reading as follows: "Repairs to building to be expended in two years," \$5,000.00, is objected to.

University of Texas.

On page 51, the following item: "Additional salaries, equipment and supplies," \$131,545.00 for the fiscal year ending August 31, 1912, is objected to. I regret exceedingly the necessity that impels me to do this. The appropriation for the University and all other educational institutions in this bill is far in excess of appropriations ever before made for them by the Texas Legislature.

Agricultural and Mechanical College,

(1) On page 51, the item of \$15,000.00 for "Central heating system," for the fiscal year ending August 31, 1913, is objected to for the reason that the bill appropriates \$30,000.00 for the same purpose for the year ending August 31, 1912. (2) On page 52, the item of "Addition to steam, electric, water and power plant," \$20,000.00 for the fiscal year ending August 31, 1912, is objected to. (3) On page 53, the item reading: "Division of rural highway engineering," \$5,000.00 for each fiscal year ending August 31, 1912 and 1913, is objected to. I submitted to the Legislature the subject of creating the position of Highway Engineer for the purpose of affording assistance to the counties and precincts in the building of good roads. (4) On page 53 the item reading as follows: "Animal husbandry building and barn and judging pavilion complete and equipped, to be constructed of brick, stone or concrete, all properly drained," \$30,000.00 for the fiscal year ending August 31, 1912, is objected to on the ground that there

are other improvements of more imperative necessity, and that everything which might be desired can not be expected out of one or two years' appropriations. (5) The item on page 53 reading: "Plumbing and wiring to be expended in two years," \$10,000.00, is objected to.

Girls Industrial College.

The item on page 59 reading as follows: "For erecting dormitory," \$75,000.00 during the fiscal year ending August 31, 1913, is objected to. I am sorry that the financial condition of the State will not warrant me in allowing this appropriation to stand. The bill carries an item of \$75,000.00 to erect and equip an Industrial Arts building, which is in my opinion of more pressing need than the dormitory.

Sam Houston Normal Institute.

On page 60 the item which reads: "Central heating plant and equipment, complete," \$25,000.00 for the fiscal year ending August 31, 1912, is objected to.

North Texas State Normal.

The item on page 61 reading as follows: "For equipment of building for library, heating plant and gymnasium," \$7,500.00, to be expended during the fiscal year ending August 31, 1912, is objected to for the reason that another item in the appropriation for this institution will supply practically the same conveniences.

Southwest Texas Normal School.

The item on page 62 reading as follows: "For land for teaching agricultural and athletic field," \$3,500.00, to be expended during the fiscal year ending August 31, 1912, is objected to.

West Texas Normal.

(1) The item on page 63 reading as follows: "For biological and agricultural departments," \$6,125.00 for the fiscal year ending August 31, 1912, and \$1,000.00 for the fiscal year ending August 31, 1913, is objected to. (2) The item

on page 63 reading: "For model school department," \$1,000.00, to be expended during the fiscal year ending August 31, 1912, is objected to.

Supreme Court.

The item on page 64 reading as follows: "Salary of stenographer to assist court reporter," \$900.00 for the fiscal year ending August 31, 1912, and \$900.00 for the fiscal year ending August 31, 1913, is objected to.

Court of Civil Appeals, Third District.

The item on page 70 reading: "Books for library and consultation room," \$500.00 for the fiscal year ending August 31, 1912, and the same amount for the fiscal year ending August 31, 1913, is objected to on the assumption that the appropriation is for the purchase of law books. The Third Court of Civil Appeals, being situated in the Capitol, has access to the Supreme Court Library, and for that reason I am of the opinion that the appropriation is not necessary.

Confederate Home.

(1) The item on page 81 reading as follows: "Horse and surrey," \$400.00, is objected to. (2) The item on page 82 reading: "One steam cooker and range," \$2,500.00, is objected to.

Blind Asylum.

On page 89 the item reading: "For re-covering with metal the old building, or so much thereof as may be necessary," \$2,000.00 for the fiscal year ending August 31, 1913, is objected to on the ground that if \$2,000.00 is enough to re-cover the whole building for the year ending August 31, 1912, a duplication of the expense for the year ending August 31, 1913, is unnecessary.

Deaf and Dumb Asylum.

(1) The item on page 94 reading as follows: "To take out all boilers, purchase and install new boilers, rebuild smokestack, enlarge boiler house and add store room for coal,"

\$6,000.00 for the year ending August 31, 1912, is objected to. (2) The item on page 94 reading as follows: "For purchasing cylinder printing press," \$1,000.00 for the year ending August 31, 1912, is objected to.

Epileptic Colony.

The item on page 96 reading: "Transportation," \$300.00 for each of the fiscal years ending August 31, 1912 and 1913, is objected to because the item of transportation is included in another appropriation for that institution.

State Lunatic Asylum.

(1) The item on page 99 reading as follows: "For additional machinery for new laundry," \$1,500.00 for each fiscal year ending August 31, 1912 and 1913, is objected to. (2) On page 99 the item reading: "Enlarging and equipping boiler house," \$15,000.00 for the fiscal year ending August 31, 1912, is objected to.

Southwestern Insane Asylum.

(1) The following item on page 103: "Pipe coverings," \$1,000.00 for the fiscal year ending August 31, 1912, is objected to. (2) The following item on page 103: "Cottage for outside employes," \$1,000.00 for the fiscal year ending August 31, 1913, is objected to. (3) The following item on page 103: "Fuel and oil storage depot and appurtenances thereto," \$4,000.00 for the fiscal year ending August 31, 1912, is objected to.

North Texas Hospital for the Insane.

The item on page 106 reading as follows: "Overhauling steam plant," for the fiscal year ending August 31, 1913, \$5,000.00, is objected to on the ground that the bill carries an appropriation of \$5,000.00 for the fiscal year ending August 31, 1912, to be used for overhauling said plant.

Pension Department.

(1) The item on page 110 reading as follows: "Salary of one stenographer," \$900.00 for the year ending

August 31, 1912, and \$900.00 for the year ending August 31, 1913, is objected to on the ground that it is not needed. (2) On page 110 the following item: "Furniture and desk," \$200.00 for the year ending August 31, 1912, is objected to; and (3) on the same page, the item: "Type-writer," \$75.00 for the year ending August 31, 1912, is objected to on the ground that it is not needed.

State Penitentiaries.

The item on page 115 reading as follows: "For the purchase of one new engine, one new passenger coach for the State Railroad, and for the purchase of steel rails, cross ties and other material for repairing the road bed of the State Railroad," \$45,000.00 for the year ending August 31, 1912, is objected to. This item is vetoed because I do not believe the taxpayers should be expected to contribute their money for the maintenance of this "mistake."

Miscellaneous Items.

(1) The item on page 128 reading as follows:

"To refund Denison and Sherman R. R. Co. franchises erroneously paid under Chapter 19, Acts of the Twenty-ninth Legislature," \$358.34, is objected to.

(2) The item on page 129 reading as follows:

"To refund to railroad, wharf and terminal companies taxes paid under Chapter 141, Acts of the Twenty-ninth Legislature of the State of Texas for the years 1905 and 1906, for the reason said Chapter 141 was declared unconstitutional by the Supreme Court of the United States in Cause No. 207, G. H. & S. A. R. R. Co. vs. the State of Texas, opinion rendered May 18, 1908," \$35,755.37, is objected to.

(3) The item on page 131 reading as follows:

"To pay Higgins Oil and Fuel Co. for the following cars of oil furnished the State Lunatic Asylum as follows:
 Invoice dated April 20th,
 1907, Car No. 156. \$214.86
 Invoice dated June 4th,
 1907, Cars Nos. 165 and
 170 429.71
 Invoice dated June 24th,
 1907, Car No. 160. 214.86"

\$859.43, is objected to for the reason that officials of the State seem not to be certain as to whether it is due. The next Legislature should authorize this company to bring suit, that it may have an opportunity to legally establish its claim against the State.

(4) The item on page 131 reading as follows:

"To pay W. M. Atkinson, District Attorney, Twenty-fifth Judicial District, for six days' services in 1908 and six days services in 1909 at \$15.00 per day," \$180.00, is objected to on the ground that the Constitution provides an annual payment to district attorneys by the State of \$500.00; and no more.

(5) The item on page 131 reading as follows:

"To pay Waco Street Railway Co. for franchise tax erroneously paid June 16, 1911," \$431.00, is objected to on the ground that no evidence has been submitted to me to show that the tax was erroneously paid.

(6) The item on page 131 reading as follows:

"To refund the unearned portion of liquor dealers' licenses that expired on July 11, 1909, who voluntarily retired from business and did not take credit for the unearned portion of their licenses on renewals," \$1,000.00, is objected to. Investigation leads me to the conclusion that this appropriation is unnecessary.

(7) The item on page 134 reading as follows:

"To refund to R. A. J. Keel, Tax Collector of Johnson County, amount refunded to Hughes and Ewing, their unearned portion of liquor dealers' licenses," \$66.67, is objected to.

(8) The following item on page 135: "For the payment of W. J. Bailey for rent of farm for experiment station at Fort Worth for year ending December 1, 1911, in accordance with written contract made with W. J. Bailey by T. M. Campbell, Governor, A. B. Davidson, Lieutenant Governor, and E. R. Kone, Commissioner of Agriculture, the following sum, or so much thereof as may be necessary according to findings of the Board of Experimental Station," \$916.33, is objected to. If this contract was entered into, I presume that previous provision had been made to meet the obligation.

(9) The item on page 136 reading as follows:

"To purchase a small tract of ground near the Sam Houston Monument at Huntsville, Texas, to be described by the Mayor of Huntsville as the chairman of the Sam Houston Monument Citizens' Committee, owned by W. O. B. Gillespie of Huntsville, Texas, not to exceed the sum of \$400.00," is objected to.

O. B. COLQUITT,
Governor of Texas.