ized under said Chapter 24, and declaring an emergency."
And find the same correctly engrossed.
TAYLOR, Vice-Chairman.

MISCELLANEOUS COMMITTEE REPORTS.

The following bills were today reported favorably by committees as follows:
Constitutional Amendments: House Joint Resolutions Nos. 9, 4, 11, 6 and 7.
Public Health: House bill No. 1.

EIGHTH DAY.
(Thursday, January 23, 1910.)

The House met at 9:30 o'clock a.m. pursuant to adjournment and was called to order by Speaker Thomason.
The roll was called and the following members were present:

Alexander. Ford.
Alee. Gaddy.
Barker. Hall.
Barnes. Hill of Wheeler.
Barrett of Bell. Hornby.
Barrett of Jones. Horton.
Beard. Johnson of Ellis.
Beasley. Johnson of Travis.
Beason. Kellis.
Bedell. King of Erath.
Bertram. King of Throckmorton.
Biggs. Kittrell.
Black. Lacey.
Blackburn. Lange.
Bledsoe. Lawrence.
Bolin. Lee.
Bonham. Loggins.
Brady. McCard.
Brown of Liberty. McDonald.
Brown of Tarrant. Mc Dowra.
Bryant. Mc Farlane.
Burns. McLeod.
Canales. Mc Millin.
Childers. Malone.
Curtis. Miller of Austin.
Darroch. Miller of Dallas.
Davidson. Moon.
Davis, John, of Dallas. Morris of Bosque.
Davis, John E., of Dallas. Morris of Montague.
Davis of VanZandt. Murrell.
Dickson. Newton.
Dwiggins. Nordhaus.
Estes. O'Banion.
Fairchild. Osborne.
Faubion. Owen.
Fly. Parnell.
Parsley. Stout.
Pedigo. Teer.
Peevy. Terrell.
Peyton. Tharp.
Poage. Thomas.
Pool. Thomason.
Quicksall. Tidewell.
Raiden. Tilson.
Reeves. Vaughan.
Roemer. Veatch.
Rogers. Walker of Newton.
Rosser. Walker of Wise.
Sackett. Weber.
Satterwhite. Williams.
Schlosshan. of McLennan.
Scott. Williams.
Seagler. oj Montgomery.
Smith of Bastrop. Winfree.
Sneed. Wright.
Stephens. Yantis.
Stewart. Absent.

Bagby. Smith of Hopkins.
Jones. Absent—Excused.
Burton. Murphy.
Crumpton. Neill.
Culp. Pope.
Dodd. Richards.
Hamilton. Taylor.
Heideke. Tillotson.
Hill of Hidalgo. Wiginton.
Laney. Absent.

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

LEAVES OF ABSENCE GRANTED.
The following members were granted leaves of absence on account of important business:
Mr. Laney indefinitely, on motion of Mr. Horton.
Mr. Heideke for balance of this week, on motion of Mr. Wright.
Mr. Wiginton for today, on motion of Mr. Burns.
Mr. Taylor for balance of this week, on motion of Mr. Brown of Tarrant.
Mr. Bledsoe for balance of this week, on motion of Mr. Miller of Dallas.
The following members were excused indefinitely on account of sickness:
Mr. Richards, on motion of Mr. Raiden.
Mr. Murphy, on motion of Mr. Kittrell.
HOUSE BILL ON FIRST READING.

The following House bill, introduced today, was laid before the House, read first time and referred to the appropriate committee as follows:

By Mr. Thomas et al.:  
H. B. No. 199, A bill to be entitled "An Act making appropriations to cover authorized deficiencies for the fiscal years ending August 31, 1918, and August 31, 1919, and for outstanding deficiencies prior to September 1, 1917, and declaring an emergency."

Referred to Committee on Appropriations.

HOUSE JOINT RESOLUTION ON FIRST READING.

The following House joint resolution, introduced today, was laid before the House, read first time and referred to the appropriate committee as follows:

By Mr. John Davis of Dallas and Mr. Black:  
H. J. R. No. 15, To amend Article 8, of the Constitution of the State of Texas, in reference to taxation and revenue and providing that the Governor shall submit the same to the qualified voters of Texas at the general election to be held on the first Tuesday after the first Monday in November, 1920, and appropriating $5000, or so much thereof as may be necessary, to pay the expenses of carrying out the provisions of the resolution.

Referred to Committee on Constitutional Amendments.

REQUESTING RETURN OF HOUSE JOINT RESOLUTION NO. 1.

Mr. Bledsoe moved that the House request the return of House joint resolution No. 1 for correction.

The motion prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, January 22, 1919.  
Hon. R. E. Thomason, Speaker of the House of Representatives.

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

S. J. R. No. 2, Proposed amendment to the State Constitution, authorizing the levy of a special tax of not exceeding seventy-five cents on the one hundred dollars valuation for the improvement

and maintenance of public roads, a resolution to be entitled "A Joint Resolution proposing and submitting to a vote of the people of Texas an amendment to Section 9, Article VIII, of the Constitution of the State of Texas, authorizing the levy of a special tax of not exceeding seventy-five cents on the one hundred dollars valuation for the improvement and maintenance of public roads."

And returns herewith H. J. R. No. 1.

Respectfully,

J. B. BENNETT,
Assistant Secretary of the Senate.

MOTION TO RECOMMEN HOUSE BILL NO. 32.

Mr. John Davis of Dallas moved to recommit House bill No. 32 to the Committee on Roads, Bridges and Ferries for further consideration.

Yea's and nays were demanded, and the motion to recommit was lost by the following vote:

Yea's--49,  
Beason. Miller of Austin.  
Black. Miller of Dallas.  
Blackburn. Miller of Dallas.  
Bolin. Omega.  
Cox. Pool.  
Curtis. Roemer.  
Darroch. Rogers.  
Davidson. Ross.  
Davis, John, of Dallas.  
Dickson. Sackett.  
Dwiggins. Satterwhite.  
Estes. Seagler.  
Fly. Seward.  
Gaddy. Smith of Bastrop.  
Gaddy. Sneed.  
Hall. Stewart.  
Horton. Thomas.  
Johnson of Blanco. Thomas.  
King of Erath. Walker of Wise.  
Kittrell. Weber.  
Lange. Williams.  
Lawrence. of McLennan.  
McFarlane. Winfree.  
McLeod. Yantis.  
Malone.  

Nays--61,  
Atlee. Biggs.  
Barker. Brady.  
Barnes. Brown of Tarrant.  
Barrett of Bell. Bryant.  
Barrett of Jones. Burns.  
Bass. Childers.  
Beard. Davis, John E., of Dallas.  
Beasley. Davie.  
Bedell. Bertram.  
Dwiggins. Seagler.  
Estes. Satterwhite.  
Fly. Seward.  
Gaddy. Smith of Bastrop.  
Gaddy. Sneed.  
Hall. Stewart.  
Horton. Thomas.  
Johnson of Blanco. Thomas.  
King of Erath. Walker of Wise.  
Kittrell. Weber.  
Lange. Williams.  
Lawrence. of McLennan.  
McFarlane. Winfree.  
McLeod. Yantis.  
Malone.
On motion of Mr. Curtis, House bill No. 64 was withdrawn from the Committee on Private Corporations and referred to the Committee on Insurance.

INVITING HON. MARVIN P. MCCOY TO ADDRESS THE HOUSE.

Mr. Moon offered the following resolution:

Whereas, The Hon. Marvin P. McCoy, a former distinguished member of this body, is within the bar of the House; therefore, be it

Resolved. That he be invited to address the House.

Signed—Moon, McDowra, and others.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of Mr. John Davis of Dallas and Mr. Reeves to escort Mr. McCoy to the Speaker's stand.

The committee having performed their duty, Mr. McCoy being presented by the Speaker, addressed the House.

PROVIDING FOR INVESTIGATING COMMITTEE.

The Speaker laid before the House, as unfinished business, for consideration at this time, H. C. R. No. 2, Providing for the appointment of a joint committee of the Senate and House to investigate and report to the Legislature the feasibility and advisability of making certain State institutions self-supporting in whole or in part.

The resolution, having been read second time on Wednesday, January 15. Mr. Fairchild moved to refer the resolution to the Committee on State Affairs.

Mr. King of Erath moved to table the motion to refer, and the motion to table was lost.

On motion of Mr. Bertram, the resolution was tabled.

TO PAY TEMPORARY PORTERS.

Mr. Nordhaus offered the following resolution:

Whereas, The following porters did work in the House prior to the organization of this session, preparing the halls for same, each working the number of days set opposite his name; therefore, be it

Resolved, That the said porters shall
receive $2.00 per day each for such time so served.

Henry Moore .................................. 8 days
Frank Scroggins ................................ 8 days
Joe Johnson ................................... 7 days
John Merriwether ............................... 8 days
Jim Bedford .................................. 2 days
M. T. Piper ................................... 4 days
Will Petty .................................... 9 days
Charles Jackson ............................... 2 days
General Jackson .............................. 2 days

The resolution was read second time and was adopted.

RELATING TO FEDERAL MANAGEMENT OF RAILROADS.

Mr. Seagler offered the following resolution:

H. C. R. No. 16, Commending Federal management of railroads.

Whereas, The general offices and shops for the operation of the International & Great Northern Railroad were located at Palestine, in consideration of a county bond issue of $150,000 besides other valuable considerations, under a contract between the owners and citizens of Palestine, acting by Judge John H. Reagan; and

Whereas, The State of Texas has by general law forbidden any change from Palestine of said offices and shops, under penalties enuring to the public school fund of five thousand dollars per day; and

Whereas, The Supreme Court of Texas and the Supreme Court of the United States have, after careful investigation, determined that the laws of Texas requiring the operation of said general offices and shops from Palestine was valid and binding and have decreed and commanded obedience to said law as declaratory of the will and public policy of the State; and

Whereas, Said International & Great Northern Railroad is now being operated under Federal control; and

Whereas, The Hon. W. G. McAdoo, as Director General of Railroads, has directed the Hon. B. F. Bush, as Regional Director, to comply with said general law of Texas and the mandates of the Supreme Court of State and Nation; and

Whereas, Hon. B. F. Bush, as Regional Director, has manifested a sincere desire and purpose to fulfill said direction of the Director General as speedily as possible; and

Whereas, Hon. W. D. Hines has just been appointed to succeed Hon. W. G. McAdoo as Director General of Railroads; now, therefore, be it

Resolved by the House of Representatives of Texas, the Senate concurring, That the action of the Hon. W. G. McAdoo in ordering full compliance with the law of Texas, and the decrees of her courts, as well as with the decree of the highest court of the Nation, and the spirit of the Hon. B. F. Bush as manifested by his declared purpose to promptly and faithfully execute the order of the Director General, be and the same are hereby warmly commended, and that the Hon. W. D. Hines, as the successor of the Hon. W. G. McAdoo, and the Hon. B. F. Bush, as Regional Director, be and they are earnestly requested to proceed at once to comply fully and completely with our law and with said court decrees, to the end that the dignity of the State and of the Nation and the reign of law therein be speedily vindicated, and that a copy of these resolutions be transmitted by the Chief Clerk of the House and by the Secretary of the Senate to the Hon. W. D. Hines, Director General of Railroads, at Washington, and to the Hon. B. F. Bush, Regional Director, at St. Louis.

The resolution was read second time.

On motion of Mr. Seagler, the resolution was referred to the Committee on Federal Relations.

RELATING TO REPORTS OF INVESTIGATING COMMITTEE.

Mr. Sentell offered the following resolution:

Whereas, Pages 401 to 432, inclusive, of The Reports of Subcommittees of the Central Investigation Committee, have been omitted from some of the reports; be it

Resolved, That the Chief Clerk ascertain the number of such reports distributed to members, and that the printing company be asked to replace them with complete copies.

Signed—Sentell, Pool, Fly, McMillin.

The resolution was read second time and was adopted.

APPOINTMENT OF EMPLOYEE OF THE HOUSE.

The Speaker announced the following employee of the House:

Clerk: J. P. Padgett.

SENATE BILL NO. 59 ON SECOND READING.

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

S. B. No. 59, A bill to be entitled
"An Act to make certain emergency appropriations out of the general revenue for the several institutions and departments of the government for the fiscal year ending August 31, 1919, and declaring an emergency."

The bill was read second time and was passed to third reading.

HOUSE BILL NO. 41 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 41. A bill to be entitled "An Act to amend Article 3663 of Chapter 2 of Title 53 of the Revised Civil Statutes of the State of Texas, 1911, relating to taking depositions by oral examination and answer so as to permit the taking of depositions of witnesses and parties to suits by oral examination and answer in any civil case in certain courts of this State where depositions are now authorized by law to be taken."

The bill was read third time and was passed.

HOUSE BILL NO. 10 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment, H. B. No. 10. A bill to be entitled "An Act to provide for creating a Firemen, Policemen and Fire Alarm Operators' Pension Fund in all incorporated cities and towns in this State having a paid fire, police and fire alarm operators' department; creating a board of trustees for the same; defining the duties and powers of the trustees thereof; describing the persons entitled to receive pensions; providing for a deduction from the salaries of all firemen, policemen and fire alarm operators who desire to participate in said fund when entitled thereto under the terms of this act, for the purpose of creating said fund, and for other sources of revenue therefor; defining the duties of the treasurer of any such city or town in respect to said funds, and providing the methods of disbursement of said funds, and providing that such pension fund shall be exempt from judgment and garnishment."

The bill was read second time.

Mr. Curtis offered the following amendment to the bill:

Amend House bill No. 10 by adding the following:

"Section 16a. No funds shall be paid out of the public treasury of any such incorporated city or town, in carrying out the provisions of this act, except on a majority vote of the voters of such town or city."

The amendment was adopted. House bill No. 10 was then passed to engrossment.

RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House today, after giving due notice thereof, and its caption had been read, the following enrolled resolution:

S. C. R. No. 9, Inviting the Hon. Clarence Unley to address the Legislature.

RELATING TO SHIPMENTS OF WHEAT.

Mr. Tilson offered the following resolution:

H. C. R. No. 17, Relating to shipments of wheat.

Whereas, The Congress of the United States has fixed a minimum price of two dollars and twenty cents ($2.20) per bushel on the wheat crop of 1919, thereby stimulating the farmers to plant a large crop; and

Whereas, There has been planted the largest acreage of wheat in the history of our country; and

Whereas, Many farmers in the United States seem to be sceptical and doubtful as to whether the government will carry out and make good this pledge; therefore be it

Resolved by the House of Representatives, the Senate concurring, That we urge upon the United States Congress, at an early date, to provide such means as may be necessary to carry out and insure the provisions of this act, to the end that all doubts and scepticism may be entirely allayed and banished;

Resolved further, That in view of the possibility that the price of wheat on the general markets of the world may not reach this guaranteed minimum price; and in order that the government of the United States may be protected, we urge that all shipments of wheat from outside of the United States from foreign countries into the United States be prohibited until July 1, 1920.

The resolution was read second time. On motion of Mr. Bertram, the resolution was referred to the Committee on Federal Relations.

VOTE ON HOUSE BILL NO. 98.

Mr. Hornby moved to reconsider the vote by which the House on yesterday
The motion to reconsider prevailed. Question then recurring on the motion to postpone indefinitely, it was lost.

HOUSE BILL NO. 5 ON SECOND READING.

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

H. B. No. 5, A bill to be entitled "An Act reorganizing the State Ranger force, prescribing the pay, qualifications and duties of State Rangers, and declaring an emergency."

The bill was read second time.

Mr. Canales offered the following (committee) amendment to the bill:

Amend House bill No. 5 by striking Adjutant General's Department in the manner now provided by law, not to exceed the following: For a captain, one hundred and fifty dollars per month; for sergeant not to exceed one hundred dollars per month; for a private not to exceed the sum of seventy-five dollars per month. Each person shall furnish his own equipment to be prescribed by the Adjutant General's Department at his own expense; but in addition to the compensation above stated, the State shall furnish each man in the Ranger Force the sum of ten dollars per month for feed and fodder for his horse. Each man in the Ranger Force shall furnish his own board at his own expense.

Sec. 1. That the State Ranger force shall be composed of four companies, which companies, in time of peace, shall consist of one captain, one sergeant, and four privates, and in time of emergency shall consist of one captain, two sergeants, and seventeen privates, to be appointed by the Adjutant General of the State, by the order and direction of the Governor, and which force shall be under the direction and control of the Governor through the Adjutant General and shall serve during the pleasure of the Governor.

Sec. 2. No one shall be appointed a member of the State Rangers unless he shall be a citizen of the United States and of this State, and shall take the constitutional oath of office, shall be over twenty-five years of age, shall have at least two years’ experience as a peace officer in the State, and shall be a person of good moral character, and shall furnish to the Adjutant General, before his appointment, evidence from the county commissioners court of his county, that he is and has been a peaceable and law-abiding citizen of his county, and in addition thereto shall furnish a good bond signed by a surety company doing business in this State, or by two or more solvent sureties to be approved by the Governor to be filed by him with the Secretary of State, for the following amounts: If the application is for captain in the sum of fifteen thousand dollars; for sergeant, in the sum of twelve thousand dollars; and for a private in the sum of five thousand dollars each; payable to the Governor of this State and his successors in office or to any citizen of the State, or his heirs, that shall be aggrieved by the action of such officer, and shall be conditioned upon the faithful performance of all the duties prescribed for such office by law and the enforcement of all criminal laws of this State.

Sec. 3. The pay of the State Rangers shall be made out of the sum or sums of money appropriated by the Legislature from time to time for such purpose, to be paid through the Adjutant General's Department in the manner now provided by law, not to exceed the following: For a captain, one hundred and fifty dollars per month; for sergeant not to exceed one hundred dollars per month; for a private not to exceed the sum of seventy-five dollars per month. Each person shall furnish his own equipment to be prescribed by the Adjutant General's Department at his own expense; but in addition to the compensation above stated, the State shall furnish each man in the Ranger Force the sum of ten dollars per month for feed and fodder for his horse. Each man in the Ranger Force shall furnish his own board at his own expense.

Sec. 4. While the State Rangers shall be under the control and direction of the Governor of this State through the Adjutant General's Department, yet it shall be the duty of said State Rangers to co-operate with the local civil authorities in each county in this State wherever they are located, and shall be their duty in making arrests to observe all the requirements prescribed by law of peace officers in making arrests; they shall, immediately upon arresting a person, place said person in the county jail of the county where said arrest is made, and turn same over to the civil authorities of said county for prosecution; they shall permit all persons whom they arrest for any offense which is bailable under the laws of this State, to give bail, and shall not mistreat or intimidate any prisoner in their hands while under their custody, or use any violence towards his person unless said person resist an arrest. Any violation of the requirements provided in this act for the arrest of persons shall subject the Ranger to be forthwith discharged from the service on complaint made by the sheriff, county judge and county commissioners of the county where the violation has taken place, and in addition thereto, the person thus violating the provisions of this act shall be subject to civil damages which shall be collected by suit on his bond.

Sec. 5. Every State Ranger shall be a peace officer in the State, and shall
have the rights, duties and liabilities of peace officers of this State as prescribed by law.

Sec. 6. Whenever the sheriff, county judge and county commissioners of any county shall request in writing the Governor or Adjutant General of this State to remove from their county any State Rangers there located, it shall be the duty of the Governor and Adjutant General of this State to remove same within a reasonable time, and in the event said Ranger or Rangers are not removed within ten days, they shall cease to be peace officers in said county, and shall be liable to arrest for the violation of any law of this State.

Sec. 7. All suits upon the bond provided herein shall be brought by the injured party or parties or by his or their heirs, at law in any county in this State where such injury may have occurred, or in the county of the residence of the principal of such bond, or of his sureties or either of his sureties, at the election of the plaintiff.

Sec. 8. Within sixty days after this act takes effect all persons in the Ranger service shall conform to the requirements of this act and those who failed or refused to comply with the requirements of this act shall forthwith be discharged and their commissions as Rangers shall become null and void.

Sec. 9. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 10. The fact that there is now no law prescribing the duties, pay and qualification of State Rangers, creates an emergency and an imperative public necessity requiring that the constitutional rule requiring bills to be read on three several days to be suspended and that this act take effect and be in force from and after its passage, and it is so enacted.

Mr. McCord moved to postpone further consideration of the bill until 10 o'clock a.m. next Wednesday.

(Mr. Thomas in the chair.)

On motion of Mr. Canales, the motion to postpone was tabled.

On motion of Mr. McMillin, further consideration of the bill was postponed until 2:30 o'clock p.m. today.

MESSAGE FROM THE SENATE.

Senate Chamber.
Austin, Texas, January 23, 1919.
Hon. R. E. Thomason, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed S. B. No. 5, A bill to be entitled "An Act to amend Title 49, Chapter 9 of the Revised Civil Statutes of this State, and Articles 3082 and 3083 thereof, and by adding Article 3083a, prescribing the eligibility of State, county, precinct and municipal officers of this State, and prohibiting the issuance of certificates of election to anyone ineligible to hold office in this State, and prohibiting the issuance of certificates of party nominations of ineligible candidates, and prohibiting the placing of the name of any ineligible candidate upon the ballot for any general or special election; providing for writs of injunction and all other necessary process at the suit of any interested party to enforce the provisions of this act, and conferring jurisdiction upon all the district courts of the State in cases filed hereunder, and providing that such cases shall have first right of precedence upon trial and appeal, and declaring an emergency."

Respectfully,

J. B. BENNETT,
Assistant Secretary of the Senate.

HOUSE BILL NO. 27 ON SECOND READING.

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

H. B. No. 27, A bill to be entitled "An Act to provide for the sale and transfer to the United States of all property owned by the State of Texas situated on the Gulf Coast of Texas along the Río Grande River and used in the State Quarantine Service, providing for a commission to negotiate the sale of said property to the proper authorities of the United States, providing that the expenses of said commission shall be paid out of the expense funds of their respective departments, authorizing the Governor to execute the deeds and convey the property to the United States, providing that the positions and employment of officers and employees in charge of and using such property so conveyed shall terminate, providing for the payment into the State Treasury to the general revenue of all money realized from the sale of such properties and filing of statements in the office of the Comptroller of Public Accounts, and declaring an emergency."

The bill was read second time and was passed to engrossment.
HOUSE BILL NO. 29 ON SECOND READING.

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

H. B. No. 29, A bill to be entitled "An Act to repeal the item of ‘Salary for two nurses at $600 each,’ contained in the appropriation for the Confederate Woman’s Home for the years 1918 and 1919, making an appropriation for the salary of two nurses for said Home for the months of January, 1919, to August, 1919, both inclusive, and declaring an emergency."

The bill was read second time.

Mr. Johnson of Travis offered the following amendment to the bill:

Amend House bill No. 29, page 1, line 29, by adding after the word “services,” the following: “And provided further, that not exceeding one hundred dollars of said appropriation shall be expended during any one month.”

The amendment was adopted.

House bill No. 29 was then passed to engrossment.

HOUSE BILL NO. 30 ON SECOND READING.

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

H. B. No. 30, A bill to be entitled "An Act constituting Bexar county the Thirty-seventh, Forty-fifth, Fifty-seventh, Seventy-third and Eighty-seventh Judicial Districts, providing for the present judges of the Thirty-seventh, Forty-fifth, Fifty-seventh and Seventy-third Judicial Districts to continue to hold their offices for the respective terms for which they were elected; the appointment by the Governor of a suitable person as judge of the Eighty-seventh Judicial District, to hold such office until the next general election; prescribing the jurisdiction of said courts; providing for the election of judges thereof, and for the district attorney of the Thirty-seventh Judicial District and the other judicial districts of the District Court of Bexar county; providing for the making up of a docket for the Eighty-seventh Judicial District Court from the docket of the Thirty-seventh Court; fixing the terms of each of said courts; prescribing how causes transferred to the Eighty-seventh Court docket shall be numbered; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

The House refused to pass the bill to engrossment.

Mr. Smith of Hopkins moved to reconsider the vote by which the House refused to pass the bill to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

INVITING CAPTAIN FAUNTLEROY TO ADDRESS THE HOUSE.

Mr. Lange offered the following resolution:

Whereas, Captain J. D. Fauntleroy, United States District Road Engineer, who has in charge the construction of roads under the provisions of the Federal Aid Road Act in the States of Arkansas, Louisiana, Oklahoma and Texas, is now in the city; and

Whereas, Captain Fauntleroy is recognized as one of the best authorities in the United States on the subject of public highways; therefore, be it

Resolved, That he be invited to address the House tonight at 8 o'clock on this important subject of legislation.

Signed—Lange, Brown of Tarrant, Curtis, Malone, Dwiggins.

The resolution was read second time and was adopted.

(Speaker in the chair.)

HOUSE BILL NO. 32 ON SECOND READING.

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

H. B. No. 32, A bill to be entitled "An Act to abolish the State Highway Commission as created by Chapter 190, of the Acts of 1917, and the amendments thereto and as the same now exists under the law; to merge the State Highway Department with the Railroad Commission of Texas, and providing that the engineers appointed by the Railroad Commission shall perform the duties now devolving upon the State Highway Engineer, and providing that the Railroad Commission shall exercise, execute, perform and discharge and have all the duties, powers, rights and functions now possessed by the State Highway Commission under and by virtue of the terms of the law governing such Highway Commission, and shall carry out and perform all the conditions and duties of such law; and providing that upon the taking effect of this law the said State Highway Commission, the said State Highway Engineer and the
secretary of the said commission shall turn over and deliver to the Railroad Commission all property of every character and kind in the possession of said State Highway Commission, including all maps, records, data and everything pertaining to said State Highway Department to said Railroad Commission; providing that the duties of the Highway Department shall be performed as far as possible by employees of the Railroad Commission; providing for the bonding of certain employees, and declaring an emergency."

The bill was read second time.

Mr. Owen moved to postpone further consideration of the bill indefinitely.

On motion of Mr. O'Banion the motion to postpone was tabled.

Mr. Sentell offered the following amendment to the bill:

Amend the caption of House bill No. 32, page 2, line 7, by inserting after the word "employees," and before the word "and," the following: "providing for the deposit into the State Treasury of all funds; and providing for the preparation of a budget, and repealing all laws in conflict therewith."

The amendment was adopted.

RECESS.

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

AFTERNOON SESSION.

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

REPORT OF THE COMMITTEE ON PRIVILEGES, SUFFRAGE AND ELECTIONS.

Mr. Vaughan submitted the following report, which was read to the House:

Committee Room,
Austin, Texas, January 23, 1919.
Hon. R. E. Thomason, Speaker of the House of Representatives.
Sir: Having been appointed by the chairman of your Committee on Privileges, Suffrage and Elections to make full report on the action of the committee with reference to the contest filed by A. N. Benner of Gillespie county, Texas, against the Hon. S. E. Johnson for the office of representative from the Eighty-seventh Representative District, composed of the counties of Ken-

dall, Gillespie, Blanco and Llano, I beg leave to report as follows:

On January 17th your Committee on Privileges, Suffrage and Elections met at the call of the chairman for the purpose of taking action in this contest and the committee found that the contestant, A. N. Benner, in his contest fails to allege anywhere that he received the majority of the legal votes cast at said election. He bases his contest on two grounds.

First, that the county clerk of Kendall county failed to print his name on the official ballot as candidate for said office on the independent ticket. But there is no allegation in said petition that the Hon. S. E. Johnson was directly or indirectly responsible for said omission or had anything to do with it. Neither was there any allegation that, had his name been printed upon the official ballot, the voters would have voted for him in preference to said S. E. Johnson in sufficient numbers to have changed the result of the election.

The second ground of his allegation is that undue influence and intimidation was practiced in Blanco county to prevent voters from casting their votes for him, and did, as a result of such threats and intimidation, refrain from casting their votes for him, and as a further result of such intimidation some of the voters refrained from voting at all; and nowhere is there alleged the numbers of voters thus intimidated nor that a sufficient number were thus intimidated to change the result of election, the charge of intimidation being too general and uncertain.

The Hon. S. E. Johnson filed his answer raising his objections to the sufficiency of said contest for the grounds indicated, and the committee on January 17th sustained the exceptions and instructed the chairman to notify the contestant of this fact, sending him a copy of said exception and the action of the committee, and requesting him to appear on January 23 at 9 o'clock a. m., to which day the case was set for final hearing. Granting him leave to amend his contest in accordance with the views indicated by the committee. This communication was sent by registered mail by the chairman. On January 23 the committee met pursuant to adjournment to hear and determine this contest at the hour indicated, and waited until nearly 10 o'clock to enable the contestant to appear before said committee, but said contestant wholly failed to appear and wholly failed to amend his contest. Whereupon a motion was
made and carried by the committee as follows:

"Motion by Mr. Snead that the contest filed by A. N. Benner for the seat of Hon. S. E. Johnson be determined in favor of Mr. Johnson, for the reason that contestant Benner has failed to allege any facts that would entitle him to a seat in the House, or tending to show that he received a majority of the votes cast for Representative in the Eighty-seventh District, although given every opportunity to do so."

Wherefore, for the reasons indicated, your committee moves that the House adopt this report deciding the contest in favor of the Hon. S. E. Johnson.

Respectfully submitted,

VAUGHAN, Chairman.

On motion of Mr. Vaughan, the report was adopted.

HOUSE BILL NO. 32 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 32, relating to the State Highway Commission, on its passage to engrossment.

Question—Shall the bill be passed to engrossment?

Mr. John Davis of Dallas moved to postpone further consideration of the bill until 2 o'clock p. m. next Monday.

The motion to postpone prevailed.

HOUSE BILL NO. 5 ON ENGROSSMENT.

The Speaker laid before the House as postponed business, on its passage to engrossment,

H. B. No. 5, Relating to the State Ranger Force, with (committee) amendment offered by Mr. Canales pending.

Question—Shall the (committee) amendment be adopted?

Mr. Canales offered the following amendments to the (committee) amendments:

Amend (committee) amendment, Section 1, page 3, line 22, by adding after the word "shall" the word "each."

Amend (committee) amendment to the bill, page 5, Section 6, line 12, by adding at the end of said Section 6 the following:

"Provided, however, that if the officers of any county in this State fail or refuse to observe and enforce the election laws, gambling laws, or the prohibition laws of this State, the Governor is hereby authorized and empowered to keep and maintain in said county a sufficient number of rangers to enforce said laws, to remain there until said laws are observed and enforced by the proper officers of said county."

Amend (committee) amendment, page 4, line 19, by striking out the words "ten dollars" and inserting in lieu thereof the words "twenty dollars."

The amendments to the (committee) amendment were severally adopted.

Mr. Roemer offered the following substitute for the (committee) amendment:

Section 1. That the State Ranger Force shall be composed of six companies and one headquarters company, which companies in time of peace shall consist of one captain, one sergeant and twelve privates and in time of emergency consist of one captain, two sergeants and as many privates as the exigencies of the occasion may demand to be appointed by the Adjutant General of the State under the direction of the Governor and which force shall be under the control of the Governor through the Adjutant General, and shall serve during the pleasure of the Governor.

Sec. 2. No one shall be appointed a member of the State Ranger Force unless he shall be a citizen of the United States and of this State and shall take the constitutional oath of office and shall be over twenty-five years of age or shall have had at least one year's experience on the Ranger Force. He shall be able to read and write the English language and have a good knowledge and understanding of the rights and duties of peace officers and the constitutional rights of citizens and shall have made a study of the laws of the State in so far as they affect the rights and duties of peace officers in their relation to the rights and privileges of citizens. He shall be a person of good moral character and shall furnish to the Adjutant General before his appointment some evidence of his standing as a peaceful and law-abiding citizen from the sheriff, county judge and county commissioner from his county as to his qualifications, character and ability to perform the duties of a peace officer. It shall be the duty of the Adjutant General to examine into his qualifications before making his appointment final.

Sec. 3. The pay of State Rangers shall be made out of the sum or sums of money appropriated by the Legislature from time to time and for such purpose to be paid through the Adjutant General's Department in the manner now provided by law, for captain $150 per month, for sergeant $90 per month, and
privates $65 per month. In addition to the above salary each officer and man shall be allowed $1 per day for subsistence and $2 per day additional when traveling or away from their regular station. Each member of the Ranger Force shall furnish his own equipment to be prescribed by the Adjutant General's Department at the expense of the Ranger himself. The State shall furnish feed for the necessary number of horses and mules actually in use and actually being fed under orders prescribed by the Adjutant General from time to time.

Sec. 4. While the State Ranger Force shall be under the direction of the Governor of this State, through the Adjutant General's Department, it shall be the duty of said State Rangers to cooperate with the local civil authorities in this State wherever they are located and it shall be their duty in making arrests to provide all the requirements prescribed by law for peace officers. They shall immediately upon arresting a person bring said person before the officer in command of their company who shall interrogate him and shall forthwith take him before the magistrate or place him in the county jail and turn same over to the civil authority for prosecution unless the person so arrested shall have been guilty of a violation of the military laws of the United States or of the State of Texas, in which case he should forthwith take him before the nearest and highest ranking military officer within the district or territory in which the arrest is made and they shall in no case make any effort to prevent any person from getting bail when the offence is bailable under the laws of the State and shall not mistreat or intimidate any person in their possession or under their custody or use any violence toward his person unless said person resists arrest and then only such violence as is necessary to carry out their lawful authority. Any Ranger who shall in any way be guilty of violence or mistreatment of prisoner shall be forthwith discharged when brought to the attention of State authority.

Sec. 5. Every State Ranger shall be a peace officer in the State and shall have the rights, duties and liabilities of peace officers as prescribed by law.

Sec. 6. Within sixty days after this act takes effect all persons in the Ranger service shall conform to the requirements of this act.

Sec. 7. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 8. The fact that there is now no adequate law prescribing a proper Ranger Force and the qualifications of its members creates an emergency and an imperative public necessity requiring that the constitutional rule requiring bills to be read on three several days to be suspended and that this act take effect and be in force from and after its passage, and it is so enacted.

(Mr. O'Banion in the chair.)

On motion of Mr. Canales the substitute was tabled.

Mr. Stephens offered the following amendment to the (committee) amendment:

Amend (committee) amendment to House bill No. 5 by striking out the words "shall be composed of four companies," Section 1, line 21, page 3, and inserting in lieu thereof, "may be composed of not more than four companies."

The amendment was adopted.

(Speaker in the chair.)

Mr. Hornby offered the following amendment to the (committee) amendment:

Amend Section 4, page 4 (committee amendment) by adding after the word "cooperate," in line 25, the words "whenever practical."

The amendment was adopted.

Mr. Osborne offered the following amendment to the (committee) amendment:

Amend House bill No. 5 (committee amendment), by adding a new section, to be known as Section 4a, which shall read as follows:

"Section 4a. The provisions of Section 4 shall not apply as to turning over prisoners to local civil authorities in case of mob violence or threatened mob violence, and State Rangers may take their prisoners to jails of any other county for safekeeping in case of danger from mob violence."

The amendment was adopted.

Mr. Canales moved the previous question on the pending amendment and engrossment of the bill, and the motion was not seconded.

Mr. Fly offered the following amendment to the (committee) amendment:

Amend (committee) amendment to House bill No. 5 by striking out Section 6.

Mr. Canales moved to table the amendment, and the motion to table was lost.

The amendment was adopted.

Mr. Roemer offered the following amendment to the bill:

Amend House bill No. 5 by striking out the enacting clause.
Question—Shall the amendment be adopted?

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, January 23, 1919.

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

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

S. B. No. 11, A bill to be entitled "An Act to require the owner, agent or lessee of any land or any present interest therein, on which any stream is located, in whole or in part, which overflows its banks and floods the land of other persons under cultivation, to keep the timber, underbrush and drifts cleared out of the channels and off the shoals of such creek, making the failure to do so a misdemeanor, prescribing a penalty, and declaring an emergency."

S. B. No. 46, A bill to be entitled "An Act to authorize the Attorney General to prepare, have published and distributed 'A Peace Officers' Manual,' containing all laws of the State prescribing and pertaining to the duties, authority, activities and responsibility of peace officers, with comment and explanation, and making an appropriation therefor."

Respectfully,

J. B. BENNETT,
Assistant Secretary of the Senate.

ADJOURNMENT.

On motion of Mr. Satterwhite, the House at 5 o'clock p. m. adjourned until 9:30 o'clock a. m. tomorrow.

APPENDIX.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, January 23, 1919.

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

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. J. R. No. 1, Proposing to amend the Constitution of the State of Texas by amending Article 18, Section 20, thereof, by striking out and repealing said section and substituting in lieu thereof a new Section 20, prohibiting the manufacture, sale, barter or exchange in the State of Texas of spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, or any intoxicant whatever except for medicinal, mechanical, scientific or sacramental purposes; and providing that the Legislature shall enact laws to enforce this section; providing that until the Legislature shall prescribe other or different regulations on the subject, the sale of spirituous, vinous or male liquors or medicated bitters capable of producing intoxication, or any intoxicant whatever, for medicinal purposes shall be made only in cases of actual sickness and then only upon prescription of regular practicing physician, subject to certain regulations with reference to same; providing that this amendment shall be self-operative, and until the Legislature shall provide other or different penalties, the violation of any part of this constitutional provision shall be deemed a felony punishable by confinement in the penitentiary for a term of years specified, without the benefit of any law providing for suspended sentence; conferring authority upon the district courts and judges thereof, under their equity powers, to issue upon suit of the Attorney General injunctions against infractions or threatened infractions of any part of this constitutional provision; providing that, without affecting the provisions herein, intoxicating liquors are declared to be subject to the general police power of this State; declaring that the Legislature shall have power to pass any additional prohibitory laws in aid thereof which it may deem advisable; fixing the time for the election for the adoption or rejection of said proposed constitutional amendment, and prescribing certain rules and regulations with reference to the same; declaring that the provisions of the general election law shall govern in all respects as to qualification of electors and method of holding the election and in all other respects where applicable; directing proclamation for the election, and making certain provisions for this election and ballots thereof and method of voting; prescribing certain duties for the Governor of the State; and making an appropriation to carry out this resolution.

H. B. No. 61, A bill to be entitled "An Act to require county superintendents of public instruction to be holders of a Texas State teachers' permanent certificate; exempting until the expiration of their present terms county superintendents who are now in office;
An Act to amend Article 2174, Chapter 23, Title 37, of the Revised Civil Statutes of Texas, relating to pleadings in suits against non-residents, transients and persons whose place of residence is unknown, by providing that the pleadings in such cases shall contain the ordinary requisites of pleadings required by law in cases of personal service, and declaring an emergency.

An Act to repeal Article 7380 of the Revised Civil Statutes of the State of Texas of 1911.

An Act amending Section 7 of an act passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, entitled 'An Act to be known as the Interchangeable Jury Law, to regulate the selection, organization and custody of juries in all cases except capital and lunacy cases in counties where there are now three or more, or may hereafter be established three or more district courts, and to repeal all laws in conflict herewith,' and declaring an emergency.

An Act to amend Chapter 6, Title 37, of the Revised Civil Statutes of Texas, relating to process and returns, by adding thereto Article 1875a, providing that in citations by publication it shall not be necessary to state in the citation the details and particulars of the cause of action, and providing that in such suits against unknown heirs involving land it shall be sufficient in making the brief statement of the cause of action in such citation to state the kind of suit, the number of acres of land involved in the suit, the survey on which the land is situated and the county in which said land is situated, and declaring an emergency.

And find the same correctly engrossed.

Horton, Chairman.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, January 21, 1919.

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

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 88, A bill to be entitled "An Act to amend Article 2174, Chapter 23, Title 37, of the Revised Civil Statutes of Texas, relating to pleadings in suits against non-residents, transients and persons whose place of residence is unknown, by providing that the pleadings in such cases shall contain the ordinary requisites of pleadings required by law in cases of personal service, and declaring an emergency."

H. B. No. 62, A bill to be entitled "An Act to repeal Article 7380 of the Revised Civil Statutes of the State of Texas of 1911."

H. B. No. 83. A bill to be entitled "An Act amending Section 7 of an act passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, entitled 'An Act to be known as the Interchangeable Jury Law, to regulate the selection, organization and custody of juries in all cases except capital and lunacy cases in counties where there are now three or more, or may hereafter be established three or more district courts, and to repeal all laws in conflict herewith,' and declaring an emergency."

H. B. No. 87. A bill to be entitled "An Act to amend Chapter 6, Title 37, of the Revised Civil Statutes of Texas, relating to process and returns, by adding thereto Article 1875a, providing that in citations by publication it shall not be necessary to state in the citation the details and particulars of the cause of action, and providing that in such suits against unknown heirs involving land it shall be sufficient in making the brief statement of the cause of action in such citation to state the kind of suit, the number of acres of land involved in the suit, the survey on which the land is situated and the county in which said land is situated, and declaring an emergency."

And find the same correctly engrossed.

Horton, Chairman.

MISCELLANEOUS COMMITTEE REPORTS.

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

Appropriations: House bill No. 168.
Stock and Stock Raising: House bills Nos. 132 and 107.
Counties: House bill No. 72.
Labor: House bills Nos. 74 and 71.
Agriculture: House bill No. 174.
Constitutional Amendments: House joint resolution No. 13, and Senate joint resolution No. 1.

The following bills were reported adversely by committees, as follows:

Agriculture. House bill No. 142.
State Affairs: House bill No. 15 and House concurrent resolution No. 8.
Public Lands and Buildings: House bills Nos. 69, 190.

NINTH DAY.

(Friday, January 24, 1919)

The House met at 9:30 o'clock a.m. pursuant to adjournment and was called to order by Speaker Thomason.

The roll was called and the following members were present:

Alexander. Barrett of Jones.
Barrett. Beard.
Barnes. Beasley.
Barrett of Bell. Beason.