JOURNAL

THE STATE LIBRARY
AUSTIN, TEXAS

OF THE

House of Representatives

OF THE

FIRST CALLED SESSION

Library and Historical Commission
Austin, Texas

OF THE

THIRTY-FOURTH LEGISLATURE

Convened April 29, 1915, and Adjourned May 28, 1915

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p. m. and was called to order by the Speaker.

The Speaker announced that there was a quorum present, the following additional members having come in and answered present:

Messrs. Beard of Milam, Biggers, Bland, Russell, Savage of Shelby, Strayhorn, and Weber.

Prayer was offered by Rev. H. M. Whaling, Chaplain.

PROCLAMATION BY THE GOVERNOR.

The Speaker handed to the Clerk, and had read, the following proclamation by the Governor:

Governor's Office,
Austin, Texas, April 26, 1915.

Whereas, the Thirty-fourth Legislature of the State of Texas, in pursuance of a concurrent resolution theretofore adopted, adjourned the Regular Session of said Thirty-fourth Legislature at noon on March 20, 1915, without making appropriations for the support of the State government, as provided by the Constitution shall be done.

Now, therefore, the failure of the Legislature to pass such appropriation bill creates an extraordinary occasion, justifying the Governor to convene the Legislature in extra session, and in pursuance of the powers vested in me under the Constitution of the State of Texas, I do hereby call the said Thirty-fourth Legislature to convene in extra session in the State Capitol in the city of Austin, beginning at 10 o'clock a. m. Thursday, on the 29th day of April, 1915, for the following purposes, towit:

1. To make appropriations for the support of the State government and its institutions, and the repair, restoration and erection of necessary public buildings for the fiscal years beginning September 1, 1915, and ending August 31, 1917.

2. The special consideration of the question of change and modification of our insurance laws with respect to the investment of their reserve and the assessment, levy and collection of a tax on the premium receipts from policyholders; same being Articles 4775 to 4786, inclusive, Revised Statutes; the law to be so modified and changed being generally known as "The Robertson Insurance Law."

After careful consideration, I have decided to recommend that the present insurance law, with reference to foreign insurance companies, be so changed and modified as to conform to and be in accordance with the bill introduced by Senator Gibson at the last session of your body, and generally known as the "Gibson Bill"; with the exception that the question of taxes, lawfully due and owing to the State by any company now or heretofore doing business in this State, be left to the decision of the courts without prejudice of the rights of the State or such companies.

If our people want to buy insurance, they ought to have the privilege to buy the best. If they want to borrow money, they ought to have the privilege to get the cheapest. I am exceedingly anxious that every member give this legislation his careful consideration, and I trust such legislation upon this question will be passed as will invite, promote and protect the investment of foreign capital in Texas.

3. To consider and act upon such other matters as may be presented by the Governor, pursuant to Section 40 of Article 3 of the Constitution of Texas.

In testimony whereof, I hereunto sign my name and affix the seal of State at Austin, Texas, this the 26th day of April, A. D. 1915.

JAS. E. FERGUSON,
(Seal) Governor of Texas.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Furrh, indefinitely, on motion of Mr. Blalock.

Mr. Rowell, indefinitely, on motion of Mr. Tiller.

Mr. Baker of Hood and Mr. Lane, for today and tomorrow, on motion of Mr. Dayton.

Mr. Greenwood, indefinitely, on motion of Mr. Burges.

Mr. Campbell, indefinitely, on motion of Mr. Beason.

Mr. Byrne, until next Monday, on motion of Mr. Eylar.

Mr. Burton of Tarrant, indefinitely, on motion of Mr. Valentine.

Mr. Sullivan, indefinitely, on motion of Mr. McKnight.

Mr. Williams of McLennan and Mr. Witt, indefinitely, on motion of Mr. Jordan.

Mr. Griggs, for today, on motion of Mr. Grindstaff.

Mr. Thompson, indefinitely, on motion of Mr. Fuller.

Mr. Lewelling, for today, on motion of Speaker Woods.

The following members were granted leaves of absence on account of sickness:

Yeas—49.

Beard of Harris.	Mendell.
Beard of Milam.	Metcalfe.
Biggers.	Middleton.
Bland.	Miller.
Bolin.	Murray.
Bryan.	Nichols.
Burges.	Nordhaus.
Butler.	Powell.
Caldwell.	Sackett.
Carter.	Scholl.
Cates.	Schwegman.
Dayton.	Smith.
Ellis.	Stanford.
Eylar.	Strayhorn.
Florer.	Taylor.
Fly.	Templeton.
Gates.	Tharp.
Harris.	Tillotson.
Hartman.	Tinner.
Jordan.	Weber.
Low.	Williams of Hopkins.
McDowell.	Williams of Victoria.
McFarland.	Woods.
McKnight.	
McMillin.	
Meador.	

Nays—43.

Baker of Scurry.	Lanier.
Beason.	Loudermilk.
Bell.	Maddox.
Blackmon.	McAskill.
Blalock.	Payne.
Boner.	Pearson.
Clark.	Reeves.
Cope.	Roach.
Cowan.	Rogers.
Crudgington.	Russell.
Cunningham.	Savage of Bell.
Davis.	Savage of Shelby.
Decherd.	Spencer.
Dickson of Lamar.	Spradley.
Dove.	Stewart.
Fuller.	Tiller.
Grindstaff.	Upchurch.
Haney.	Valentine.
Hopkins.	Veatch.
Jones.	Watson.
Laas.	Wynn.
Laney.	

Present—Not Voting.

Mr. Speaker.	Wagstaff.

Absent.

Bagby.	Flournoy.
Bates.	Gainer.
Bierschwale.	Haxthausen.
Blackburn.	Hill.
Bruce.	Holland.
Bryant.	Keith.
Bu meister.	Le Gory.
Burton of Rusk.	McCrory.
Dixon of Harris.	Magee.
Dunn.	Nabours.
Neeley.	Thompson.
Parker.	Tilson.
Parks.	Vannoy.
Rector.	Walters.
Rich.	Williford.
Stephens.	Witt.
Sullivan.	Wortham.

Absent—Excused.

Baker of Hood.	Lane.
Burton of Tarrant.	Lewelling.
Byrne.	Rowell.
Campbell.	Wahrmund.
Furrh.	Williams of McLennan.
Greenwood.	
Griggs.	

Reason for Vote.

I vote against this resolution because I believe it is unpatriotic, and compromises the principles for which the Confederacy fought.

BEARD of Milam.

GOVERNOR AND SENATE NOTIFIED.

The committees to notify the Governor and Senate that the House is organized and ready for the transaction of business, appeared at the bar of the House, and, being duly announced, stated that they had performed the duties assigned them.

MESSAGE FROM THE GOVERNOR.

Mr. John Lester Wroe, Private Secretary to the Governor, appeared at the bar of the House and, being duly announced, presented a message from the Governor, which was read to the House, as follows:

Governor's Office.
Austin, Texas, April 29, 1915.

To the Called Session of the Thirty-fourth Legislature:

For reasons set forth in an official proclamation, you have been respectfully reconvened in special session, and I trust that your rest from the arduous labor of the regular session has been such as to bring you back with renewed hopes and ambitions to continue your deliberations.

I again invite your earnest co-operation, and indulge the hope that harmony and good will will, as usual, pervade your councils, thereby enabling us all to think right and do right. I tender you my best wishes, and I shall as usual endeavor to assist you in the great work before you.

You have been especially reconvened to consider the question of appropria-

tion of the public money for the support of the government. I am sure you will practice and be guided by that wise principle of economy that will receive the approval of the people. However, wise economy does not in any sense mean niggardly economy. While the total of the appropriation bill should be kept within reasonable bounds, yet the great question should be: not how much we have spent, but in reality we should concern ourselves as to how the money was spent. We need not fear criticism, should the total amount be large, if we are able to look the world in the face and defend every dollar that we have spent.

The proclamation for the special session submits for your consideration the question of change and modification of our insurance laws in respect to the investment of the reserve, as well as the assessment, levy and collection of a tax on the premium receipts from the policyholders. Your knowledge of this question calls to your mind at once that this is a question largely of not whether the Robertson Law shall be abolished, but whether it should be modified along the lines proposed in what is known as the Gibson bill. In my opinion recent developments have shown conclusively that we must cultivate every connection and source which might bring more capital into the State. It will be urged that the insurance companies will take out as much money as they will bring in. I do not think such will be the case, but, if it is, it will equalize the distribution of capital in a way that will make untold benefits to the great mass of the people. If the people in the cities and towns want to buy insurance, then let them do so, but let the money be loaned to the people in the country at a reasonable rate to pay for homes and develop the uncultivated area of the State.

You have heard much about the collection of the back taxes, which the retiring companies owe the State of Texas. The companies claim they do not owe the taxes, and have signified their willingness, if the other provisions of the Gibson bill are enacted, to come back and have that question determined by the Texas courts. For seven long years the State has made no effort to collect these taxes, if they are due. No criticism is to be indulged for failure to attempt to collect the taxes. The case would probably have had to have been brought in the Federal courts. It now develops that the State for the first time has an opportunity to have determined by its own judiciary whether they have a claim for taxes or not. And let it now be remembered that the man who now stands in the way of the passage of this law is now the man who wants to remit these taxes, if they are due, and he should stand ready and willing to take his medicine, which thirty days ago he was wanting to ram down somebody else.

I hope you will make such progress that I will be able to submit some other important questions for your deliberation.

Each and every member of your body is again cordially and respectfully and earnestly invited to feel free to come to the Governor's office for any purpose—legal, political and personal.

Respectfully submitted,
JAMES E. FERGUSON,
Governor of Texas.

HOUSE NOTIFIED.

A committee from the Senate appeared at the bar of the House, and, being duly announced, notified the House that the Senate is organized and ready for business.

HOUSE BILLS ON FIRST READING.

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

By Mr. Wagstaff:

H. B. No. 1, A bill to be entitled "An Act making appropriations to pay the per diem and mileage of members and per diem of officers and employes of the First Called Session of the Thirty-fourth Legislature of the State of Texas, convened on the 29th day of April, 1915, by proclamation of the Governor, providing how accounts may be approved, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Wagstaff:

H. B. No. 2, A bill to be entitled "An Act making appropriations of the sum of sixteen thousand dollars, or so much thereof as may be necessary, to pay the contingent expenses of the First Called Session of the Thirty-fourth Legislature, convened April 29, 1915, by the proclamation of the Governor, providing how accounts may be approved, and declaring an emergency."

Referred to Committee on Appropriations.