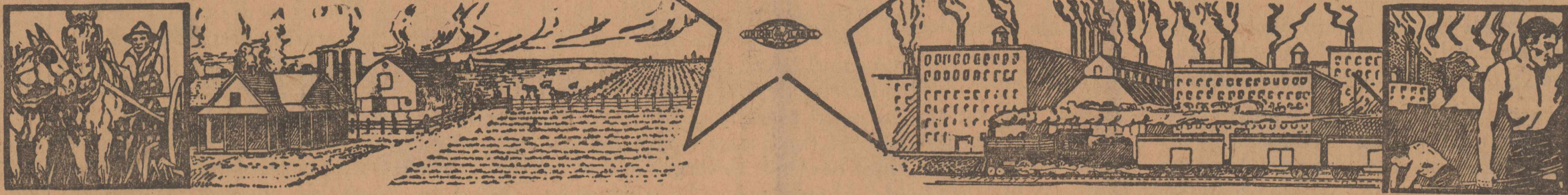


The Ferguson Forum

WE ARE
AGAIN HIGH
INTERESTWE ARE
AGAIN HIGH
TAXES

VOL. IX

TEMPLE, TEXAS, THURSDAY, DECEMBER 3, 1925

NO. 5

Chairman Amon G. Carter of West Texas Technological College Is Asked by Gov. Ferguson to Resign

The following letter addressed by Governor Miriam A. Ferguson to Amon G. Carter, owner and publisher of the Fort Worth Star-Telegram and recent purchaser of the Fort Worth Record, also chairman of the board of directors of the new West Texas Technological college at Lubbock, which opened early in September with more than 1,000 students enrolled, was given out at the executive office in Austin Monday:

"The Hon. Amon G. Carter, President Star-Telegram, Fort Worth, Texas:

"Dear Sir: I feel it my duty as Governor to request your resignation as a member of the board of directors of the West Texas Technological college. I assure you this is an unpleasant task, which I have carefully considered, and only a strict conception of duty impels my action.

"I am informed that last year, in or about December, when the meeting of the Oil Men's association met in your home city, Fort Worth, that you fitted up a building, owned or controlled by you (perhaps it was a garage building), in the old-fashioned barroom way, providing a bar with the foot rail and the sawdust on the floor, and behind the bar you had a man dressed in the old-fashioned bartender white apron style. To this place I am informed that you invited some 200 or 300 guests and to those who came you dispensed drinks that were, to say the least, stimulating, and that you caused to be given away souvenir canes in which there is a hidden vial, some thirty inches in length, that contained approximately one pint of beverage. I have one of the canes in my possession which, I am reliably informed, came from your place. I am also informed that at said reception given by you many became stimulated and others were under the influence of an invigorating decoction, and that you, in company with your guests, participated in the consumption of the beverage.

"You, of course, remember your being in College Station on Thanksgiving Day of last week upon the occasion of the annual football contest between the A. & M. and the University. If you do not remember I can inform you that it was an imposing meeting of some 25,000 people from all parts of the State and there were thousands of young boys and girls, students and friends of both of these two great institutions, the pride of our state.

"I see from the papers that you admit that many times you cheered for Hon. Dan Moody and the A. & M. team. I can verify that you are correct in this statement, as you were right behind the box that I was occupying, and on two occasions when you gave vent to your vociferous exclamation you were only a few feet from me. I believe your statement when you say in the papers that you were not aware of my presence and that you meant no personal discourtesy to me. Your friends who know you best assure me (and I believe them) that when you are in a normal condition that you are a courteous gentleman to the manner born, and I attribute your seeming affront to your unusual condition and the influence under which you were laboring at the time. In your state it was but natural for you to have been unable to distinguish between a Colonel on my staff, dressed in khaki, yellow, and a town policeman, dressed in blue, who under orders from the local authorities ejected you from the grounds in the interest of the public peace. No member of my staff laid hands on you as suggested by you in the public press. Personally I gladly forget any apparent discourtesy to me, as from my own observation I know you were not responsible at the time. But your actions involve a great principle and a matter of sound public policy which I can not overlook.

"We have on the statute books a law against the unlawful sale, transportation or possession of intoxicating liquors. Also there is a law against intoxication in public places.

"It will not be denied that the foundation of our civilization is our educational institutions. In and around these temples of knowledge from the country school to the college and the university we seek to teach the rising generation the virtue of morality, sobriety and correct living. It is here that the proper precept and example is set, or should be set, before the young boys and girls that will aid them to become good and intelligent citizens. These simple truths are so self-evident that to state them is to prove them.

"If those in charge of the management and direction of our educational institutions shall by their personal department display those vices that are repugnant to the idea of strict morality and sobriety, then such result in the students of these institutions can not be expected. If, as head of the board of the West Texas Technological college you reserve to yourself the right to appear in a public place in the condition you were in at College Station on Thanksgiving Day, then every student who saw you could justify him or herself for doing the same thing. If a student at Tech college should appear on the Lubbock campus as you appeared in College Station the faculty would promptly expel such student from the college. And yet in such case the student could plead your case and the example and the precedent set by you in justification. If the heads of our institutions cannot practice and preach sobriety then our hopes for educated citizenship are vain and useless.

"It is with deep regret that I protest against your further occupying a place on the West Texas Technological board. I plead for a better example for our boys and girls. You have set a standard that can not be tolerated. For the good of the public service I emphatically affirm that you should send me your resignation.

"MIRIAM A. FERGUSON,
Governor of Texas."

"Austin, Texas, Nov. 30, 1925."

Austin, Texas, Nov. 29.—Denial that any member of the governor's staff had anything to do with the alleged ejection of Amon G. Carter, Fort Worth publisher, from the playing field at A. & M. college Thanksgiving day when the Aggies and the Texas Longhorns battled, was made in a letter signed by George S. Nalle of Austin, member of the governor's staff and son-in-law of the Fergusons.

Mr. Nalle addressed a letter to Mr. Carter in which he wrote:

"I noticed your statement in the morning papers to the effect that you believed that you were ejected from the A. & M. football field by a member of the governor's staff. Colonel Kayton and I were the only members of the governor's staff to attend the A. & M.-Texas game, and neither of us had anything to do with your ejection."

THE HIGHWAY CASE AT AUSTIN

By JAS. E. FERGUSON

For the past few weeks the opposition to the Ferguson administration have been crowing in high glee over alleged frauds upon the state by the action of the Highway commission in letting contracts to the American Road company. Attorney General Moody is being proclaimed as the man of the hour because it is claimed for him that he has detected great fraud and corruption and that he has saved the state hundreds of thousands of dollars which was about to be taken from the state by contracts which as stated by him were made in fraud and executed in fraud. In aid of this propaganda and campaign the daily papers of the state, largely unfriendly and hating the present administration, have sought by misleading and deceptive head lines and distortion of the facts, sought to further fix in the minds of the people that an awful and lasting crime had been committed and a blot had been placed upon the fair name of the state.

While all this storm has been raging around the Ferguson administration the wicked liar has been working overtime to see just how many he could tell, and if people would listen to them they would get the idea that the most corrupt official regime that was ever intrusted with power had been in control of the Highway department at Austin. Through it all I have thought it best to remain silent in order that Mr. Moody might have his full sway and make out his case as strong as he could and make his record as big as he could, and as the case of the American Road company was pending in the courts and the grand jury investigating the same was in session, I have refrained from making any statement that would interfere with Mr. Moody's program or the deliberations of the court and the grand jury. The grand jury has now adjourned after five weeks deliberation and the judgment against the American Road company has been rendered in the courts and Mr. Moody's friends are now claiming that he is well on the road to the governorship.

I now desire in justice to our friends throughout the state and in answer to the Moody crowd to present the Ferguson side of this controversy and let the people decide where the blame lies and what injury the state has suffered.

In the first place let me call attention to the fact that after five weeks of deliberation the grand jury of Travis county has adjourned and has found no bill against any employe or official connected with the Highway or any other department of the government. Mr. Moody has had his way and the grand jury subpoenaed and secured the attendance of nearly every witness that was requested by him. He can not say and his friends can not claim that the grand jury was unfriendly to him. It was a grand jury of his own home county where he had achieved his great record as district attorney and where he had said a jury of twelve people could not get together that did not have ten of his friends on it. Mr. Moody was allowed daily access to the deliberations of the grand jury and he and his assistants consumed four-fifths of the time of the grand jury in their wild mad desire to bring an indictment against somebody connected with this administration. Mr. Moody in his activities before the grand jury cannot deny that he has not had the full and complete co-operation of the judge and the district and county attorneys, as well as the grand jury itself, in searching every action of the Highway department.

All over this state most of the daily newspapers have either intentionally distorted the facts or they have been too grossly ignorant to appreciate the facts about the contract with the American Road company. All I ask our friends to do is to quit reading the headlines and call for the facts and I have no fears that the fair minded people of this state will begin to learn that the persecution of the Highway department by Attorney General Moody has put upon this state the greatest financial loss that any one man has put upon this state in this day and generation. I realize when I make this statement that it is at this time a bold statement and I must produce the facts to substantiate my position or be justly accused of intentional deception.

Now what are the facts? On April 28, 1925, the Highway commission by resolution duly entered in writing on its minutes accepted the proposition made in writing by the American Road company, the proposal for the work of resurfacing with asphalt treatment certain designated state highways approximating several hundred miles. This contract provided that "the work to be performed shall consist of an asphaltic application to be done in the following manner: The road way shall be broomed until it is free from dust and loose particles and there shall then be applied to the surface of the road way by means of an approved pressure distributor not less than 5-10 of a gallon of asphalt nor more than one gallon of asphalt to each square yard as the State Maintenance Engineer shall direct."

The contract further contained this language: "Where the application is to be greater than 6-10 of a gallon to each square yard the same shall be made in two applications as the needs of the road way in the opinion of the State Maintenance Engineer shall require." The contract further contained this language: "Whenever so ordered by the State Maintenance

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GOVERNOR'S OFFER WHICH THE BIG DAILIES WOULD NOT PRINT

A PROCLAMATION

I, Miriam A. Ferguson, Governor of this State, charged with enforcement of the law of the State, do hereby offer a reward of Five Hundred Dollars for the arrest and conviction of any citizen of this State for violating the liquor laws who is worth, in property or money, as much as \$5,000.00. The funds at my command are limited, but I will use every cent available to continue this reward.

The enforcement of the liquor laws in Texas has become "the enforcement of the law against the poor and for the rich." If a big newspaper publisher, in a North Texas city, can dispense pints of liquor by the dozen, and under the influence of liquor display himself in a public place, just because he claims he has a million dollars, and goes scot free, while the poor and unfortunate in the same city are daily sent to the penitentiary for having in their possession only a thin pint; if a prominent ex-official and another millionaire, in a big South Texas city, can buy all the liquor he wants and transport it to his residence in violation of the law just because he has a big newspaper and never be inquired into by any officer, much less indicted in the courts of our State, while scores of poor people are being sent to the penitentiary from the same city for making a little home brew; if a prominent District Judge, in a central Texas city, can try bootleggers and send them to the penitentiary and at the same time drink bootleg liquor; if wealthy business men can fill their lockers full of liquor and boast in company about how much they have, and the brand they have, and not be molested, while the penitentiary is being filled with poor devils, who have neither friends nor money, who have been found guilty of having a pint on their hip or making a little liquor for home consumption, then indeed, when all these things happen, justice becomes a mockery, and the law becomes a stench in the nostrils of all law abiding people.

I am not undertaking to justify the poor in the violation of the law, but I here now call upon all the officers in this State, from the bench down, to put the same law in force against the rich that is now being put in force against the poor. Let our Methodist friends, who seem to be so much exercised about the pardon power, get busy and help us detect and convict a few of the big highbrows, and we will have then done a great thing for law enforcement and we will have then shown to the world, that in this land of Democracy, all men, regardless of their wealth or station, are equal before the law.

If the rich of this country were not patronizing so many bootleggers and aiding and abetting them to violate the law, the bootleggers would have to go out of business for the want of business. If those who are so prone to criticize my administration for lack of enforcement of the liquor laws are sincere in their charge, I now tender them an opportunity to join me in the arrest and detection of those who are to be most blamed for violating the liquor laws.

Done at Austin in the Executive Office this 28th day of November, 1925.

MIRIAM A. FERGUSON,
Governor of Texas

By the Governor (SEAL)
D. A. Gregg, Acting Secretary of State.

Notwithstanding that this was the official proclamation of the Governor upon one of the burning issues of the day the big daily newspapers of this state suppressed the reference made by the Governor to the big newspaper publisher in North Texas, the big ex-official and newspaper and millionaire publisher in South Texas and the Judge in central Texas. The question arises that if the Governor was not telling the truth then why did the papers close up and suppress what she said about big newspaper publishers? The conclusion is that she was telling the truth and that was what the big newspaper magnates were afraid of. Right here we want to appeal to our friends to read The Forum and to pass it on to your neighbors as that is now the only weapon left to this administration to get the facts to the people.

THE HIGHWAY CASE AT AUSTIN

(Continued from Page One)

Engineer the asphalt shall be applied in two courses, and in such event the first course shall be thoroughly broomed and cleaned before the application of the second course."

Under this contract the Road company started its work. It will be remembered that for four or five months, beginning on the first of May, the weather was dry and the most advantageous time to complete road construction was had. During this time the American Road company put down the one course treatment on about 465 miles of road. Beginning as far back as August the road company in pursuance of the orders of the Highway commission had begun to put down the second course treatment on different stretches of road, and by the first of October they had completed some 25 or 35 miles of second course treatment. On October 23 the Highway commission notified the American Road company to begin the resurfacing work at its own expense on approximately 111 miles of road and the American Road company was beginning to perform its contract by putting down the second course treatment when Mr. Moody filed the suit and had the company enjoined from receiving further payments and asked the court to cancel the contract. Notwithstanding the express provision of the contract above mentioned calling for the second course treatment Mr. Moody alleged in his petition that the road company had completed its contract and that it could not be further required to do any additional work under the contract. He alleged that the price paid for the one course treatment enabled the American Road company to make grossly and unconscionable profits. Let me say right here that if the road company had completed its contract and the state was not entitled to receive the second course treatment Mr. Moody would have been entirely correct in contending that excessive and unconscionable profits had been made. But if the English language means anything, then the American Road company was bound and was ordered by the state engineer to put down a second course treatment. Go back and read the contract and see if the language is not so plain that even a farmer, though not a lawyer, can see that the state was entitled to a two course treatment on these roads.

As soon as Mr. Moody filed his suit to cancel the contract and set up that the American Road company had performed its contract the governor then asked the Highway commission for a statement of the facts pertaining to the contract with the American Road company. The Highway commission in answer to this request of the governor transmitted its reply in due course setting forth the contract as above stated and advised that, among other things, in order to secure the second course treatment work and to fully answer and set at rest the contention of Mr. Moody that the road company had performed its contract and was to be relieved from any further work under the contract, enclosed the following correspondence between the Highway commission and the American Road company, to-wit:

"American Road Company,
Kirby Building, Dallas, Texas.

Nov. 7, 1925.

Gentlemen:—Supplementing and in addition to our letter of Oct. 23, 1925 (as well as our former letters on the same subject) in the matter of the application of the second course surfacing of the highways therein mentioned, we beg to advise that it now appears, after an average of three months test, that the one course treatment will not be sufficient to properly obtain a satisfactory "surface or wearing course of asphalt and mineral aggregate" as provided for in your contract and proposal of April 28, 1925.

Therefore, acting under the rights and privileges reserved to the Highway commission in the contract with you, you are advised to begin at your own cost and expense at an early date, not later than Dec. 1, 1925, to apply the second course of asphalt in the manner stipulated in the contract, upon the mileage to which you have only applied the one course surfacing. At least four-tenths of a gallon of asphalt should be used to each square yard, to be applied in the manner described in the specifications.

Please advise when it will suit your convenience to begin the work.

Very truly,

R. J. HANK,
State Highway Engineer,
By
Maintenance Engineer."

"Hon. Frank V. Lanham,
Chairman State Highway Commission,
Austin, Texas.

Dear Sir:—The American Road Company acknowledges the official notice from your Maintenance Engineer, Mr. Cox, of the date of Nov. 7, 1925, in reference to the application of a second course surface treatment of asphalt in accordance with the contract between the American Road company and the State Highway commission. In reply thereto, we beg to advise that in acknowledgement of your authority to so order, the American Road Company, in keeping with the contract, stands ready, able and willing to begin the work ordered done by your Maintenance Engineer not later than Dec. 1, 1925.

However, you are, of course, aware of the suit instituted by the attorney general to cancel the contract between our company and the Highway Commission and to stop all payments under the same to us. As long as we are thus interfered with, we are sure the Highway Commission ought not to expect us to proceed with the work as ordered on approximately four hundred miles of road.

We, however, wish to emphasize that we are ready, willing and able to begin work when the suit is abated.

Yours very truly,

THE AMERICAN ROAD COMPANY,
By W. K. M'ILYAR, President."

When the governor received this communication and acting upon the information and especially the admission of the American Road Company that it was ready, able and willing to lay the second course of asphalt, the governor directed the Highway Commission to appear in the court where Mr. Moody had brought his suit and plead that the state had a right to have the second course treatment and to have a decree of the court requiring the American Road Company to lay the second course treatment on all mileage upon which only one course had been applied. It is true that the governor instructed the commission to deny Mr. Moody's right to bring this suit and to interfere with the solemn contract made by the Highway Commission because it appeared then and it is now proven that a great financial loss would be inflicted upon the state if through the pleadings of Mr. Moody the American Road Company was to be relieved of its obligation to lay a second course treatment. As Mr. Moody appeared to be unfriendly to the Highway Commission and had made charges of fraud against it and its members and was setting up that the American Road Company had performed its contract, thereby relieving the road company of further liability, the gov-

ernor employed private counsel to present the pleadings of the Highway Commission in the court for the protection of the best interests of the state.

Notwithstanding all the hue and cry of crookedness and corruption against the Highway Commission and its members that had been made by Mr. Moody in his court pleadings, and notwithstanding all the great scary tales that the newspapers had set forth in flaming headlines in backing up Mr. Moody's suit, when the Highway Commission appeared in court by its attorneys and asked the right for a day in court and sought the God given right to defend the charges made against them, Mr. Moody very promptly asked the court to deny the Highway Commission the right to answer his suit and contest the issues which he had raised by his allegations. I want our friends right here not to forget in future discussions of this controversy that when Mr. Moody was met in court and asked to prove his charges against the Highway Commission he immediately got behind a technical defense and refused to meet the issue. No sooner had he obtained the decree of the court denying the Highway Commission the right to defend itself in court, in less than forty-eight hours Mr. Moody and the American Road Company got together in a private conference to which neither the lawyers employed by the governor nor any member of the Highway Commission was invited and they agreed on a judgment to be rendered in court. Now let's see what that judgment is and what became of the rights of the state. As shown by the records of the Highway department the total work done by the American Road Company was in round numbers \$2,100,000.00. Upon this amount there had been paid \$1,789,000.00, leaving unpaid in round numbers \$314,000.00. Now Mr. Moody's judgment does provide that he shall recover for the state \$600,000.00, but it is not \$600,000.00 in cash by a long shot. It is only \$286,000.00 in cash and the balance of \$314,000.00 represents the amount unpaid. Now Mr. Moody in his suit claims that the American Road Company only paid out in cash for the work performed by them in round numbers \$600,000.00. I feel sure that when the final audit is made it will be shown that the company paid out at least \$700,000.00 on the first course treatment, but to satisfy Mr. Moody's friends we will just agree that they only paid out \$600,000.00 for their work on the first course treatment. If then you add to this amount his judgment of \$600,000.00 it follows that the road company's work has cost them a total of \$1,200,000.00. Subtracting this amount from the total of \$2,100,000.00 it leaves a net profit to the American Road Company of \$900,000.00, and by the terms of Mr. Moody's judgment they henceforth go scot free discharged from all further liability to the state. If the Highway Commission did make an unconscionable contract then Mr. Moody and the court have approved the whole transaction. From this on they must bear that part of the blame, if any there be, but the facts are that they must bear it all for the reason that the state now at its own expense must perform the work left unfinished by the American Road Company and relieve them from all further liability by the decree of the court upon the plea of Mr. Moody. The question of what it will cost the state to lay the second course treatment is of course uncertain, but as the work has to be done at once the cost in the winter time will far exceed what it cost under the ideal weather conditions during the past summer. This is self evident and if the road company only spent as Mr. Moody alleges \$600,000.00 in the summer time to lay a one course treatment, it will cost at least fifty per cent more to do it in the winter time. It will cost in all probability \$900,000.00 to put the asphalt topping on the four hundred miles of road left only half done by the American Road Company. Adding this \$900,000.00 profit which the American Road Company made by being relieved of their obligation by Moody and the court, then the state has sustained a loss of \$1,800,000.00 as a result of the great legal gymnastics of the youthful attorney general. In any event he has cost the state the profit made by the road company of \$900,000.00 plus whatever it cost to lay the second course to complete the unfinished job of the American Road Company. On the other hand if the American Road Company had been permitted to lay the second course treatment as it offered to do and was bound to do under the terms of its contract, then the cost of laying the second course treatment would have come out of the profits made and in all probability would have absorbed most, if not all, of the \$900,000.00 which Mr. Moody permitted them to make. The profits in such an event would have been then the amount of Mr. Moody's judgment, only \$600,000.00, and from this amount should have been deducted the profits of the company on the unpaid balance of \$314,000.00, which would be at least \$100,000.00, leaving the net profit of the American Road Company to have been only approximately \$500,000.00, or twenty-five per cent on the \$2,100,000.00 of work. In other words if the Highway Commission had been let alone the profits of the American Road Company would not have exceeded twenty-five per cent. But by the private agreement between Moody and the road company, with the approval of the court, they made \$900,000.00 on \$2,100,000.00 of contract, or forty-five per cent, and in addition to this the state lost by having to finish the work \$900,000.00 more, or forty-five per cent more.

Let these enthusiasts of the youthful attorney general analyze these figures to their hearts' content and they can not deny or escape the fact that the state got the hot end of the poker as a result of Moody's big suit against the Highway Commission.

All I want any fair minded man to do is to read the facts and draw his own conclusion.

Tampico Soon to Be Connected by Rail to the City of Mexico

Tampico, Mex., Nov. 25.—Actual construction work has been started on the short line railroad which is to connect this port with Mexico City.

From now until the completion of the line and the operation of trains between Mexico's port of entry and the national capital, two or three years hence, the work will be pushed with all possible speed, the builders declare.

More than 300 men are at work, only a preliminary force to the thousands who will be employed by the National Lines of Mexico after the wharf at Tamos is built and the bridge over the Panuco river is completed.

The railroad from Tamos to Comales, 20 kilometers long, is to be rebuilt. A part of it is to cross the

Hurt As Gas Main Bursts

Cisco, Tex., Dec. 1.—Hurled fifty yards by gas pressure in a main on which he and others were working

near here, C. L. Walker sustained severe lacerations. Other workmen escaped with only minor bruises. The men were thrown like rocks for great distances.

New York—Jock O'Brien still has a very effective right hook. It ended the flight of a robber fleeing a store.

Texas Heiress Dies After Long Illness in New York City

New York, Nov. 26.—Mrs. Electra Waggoner Wharton of Fort Worth, Texas, whose illness caused her brother, Guy Waggoner, to make a trip by special train, died today in a hospital from a complication of diseases.

Mr. Waggoner, a wealthy oil man of Fort Worth, had been constantly at the bedside since his arrival here on November 16. Missing connections at St. Louis he hired a special train for New York for \$5,500 and it broke records.

Mrs. Wharton was 45 years old and had been married three times. Her first husband was Thomas Wharton, her second Weldon Bailey and her third James A. Gilmore.

Call for Texas Birth Certificates Sent in By Ex-Texas Parents

Austin, Texas, Dec. 2.—With the beginning of school terms throughout the country, repeated requests reach the state board of health from former Texas citizens who are now living in other states, for birth certificates of their children born in Texas. "Since moving to California," one mother writes, "I find that my children cannot enter the public schools until they comply with a state law requiring on entrance to school, a certified copy of each child's birth certificate."

The same plaint comes from New York, Massachusetts, Illinois, New Jersey and many other states, and even as far away as the Island of Guam. Upon investigation, it is found that the births of many of these children for whom certified copies of birth certificates are requested, have never been registered with the state board of health. In such instances, blank certificates are sent the parents, who fill them out properly and return to the board, whereupon a certified copy is then issued and sent to the parents that their children may not be barred from school.

Such procedure necessarily requires some time, and often delays by several weeks the child's entrance to school. As the foregoing is only one of the minor reasons why your child's birth should be registered, do not neglect this important duty. If you do not know whether your child is registered, you can ascertain this fact by writing your state board of health at Austin. If not registered, it is not too late to have this done, as any child can still be registered upon application of its parents.

Girl Captured With Chicago Bomb Gang by Ambushed Police

Chicago, Ill., Nov. 26.—Two men and a girl were captured and another man was believed to have been killed today when scores of policemen ambushed a gang just as a bomb exploded and wrecked a hardware store.

Miss Lee McClellan, Columbus, Ohio, Fred Walmquist and Joseph Avengi were arrested. The men were shot about the head in the chase that followed the explosion. The supposed dead man was believed to have been thrown from the bombers' automobile before it was overtaken by pursuing detective squads.

Tipped that the store was to be bombed because its owner refused to close on Sunday, the trap was laid. A man and a woman, later found to be Miss McClellan and Walmquist, alighted from an automobile and laid a package on the threshold. Two men remained in the car.

The waiting detectives swooped down on them. Walmquist and the girl were captured after he had been shot. Avengi drove off in the car which was riddled by bullets. His companion slumped in his seat. But only Avengi remained in the car after it had been halted.

The girl said she had been invited for a ride and was ignorant of the planes of her companions. Walmquist said he had asked her to go along "to see the fun."

Italian Educator Dies.
Naples, Italy, Nov. 25.—Senator Francesco D'Ovidio, 76, for forty years professor of literature in the University of Naples, is dead.

Coming to Waco, Cameron, Temple

Dr. Mellenthin

SPECIALIST in Internal Medicine for the past twelve years

DOES NOT OPERATE

Will be in Waco on Monday and Tuesday, Dec. 7 and 8, at the Metropole Hotel, Cameron on Wednesday, Dec. 9, at the Auditorium Hotel and in Temple on Thursday, Dec. 10, at the Martin Hotel.

OFFICE HOURS 9 TO 2

Two days in Waco and one day only in Cameron and Temple.

No Charge for Consultation

Dr. Mellenthin is a regular graduate in medicine and surgery and is licensed by the state of Texas. He does not operate for chronic appendicitis, gall stones, ulcers of the stomach, tonsils or adenoids.

Below are the names of a few of his many satisfied patients in Texas.

Mrs. A. E. Roper, Frankston, gall stones.

T. H. Walston, Rosebud, varicose ulcers.

Mrs. C. T. Wolf, Wichita Falls, dyspepsia.

Walter Rannafeld, Roscoe, acid stomach.

Mrs. B. A. Purser, Big Springs, high blood pressure.

Henry Jokol, Vernon, appendicitis.

Mrs. H. Turner, Henrietta, gall bladder and liver trouble.

Mrs. Louis Boenig, Converse, rheumatism and obesity.

Remember above date, that consultation on this trip will be free and that his treatment is different.

Married women must be accompanied by their husbands.

Address: 211 Broadway Bldg., Los Angeles, California.

Ferguson Forum Good Roads Campaign

The Part Taken by the Commercial Car in Development of the Highway System!

There are many tourists who rail at the heavy trucks that fill the highways. They condemn them as "cluttering up the roads; drivers have little time and patience for passenger traffic; ought not to be allowed to use regular highways; cut up the roads and tear them down; etc. etc."

Some of these accusations bear the mark of truth.

Trucks do fill up a highway. Some of the truck drivers don't have as much courtesy as tourists demand of other people. Heavy traffic does wear down a highway more quickly than passenger traffic does.

But—

Passenger automobiles have played a big part in the building up of better and faster communications between cities, but the commercial car is at the bottom of things responsible for the developments of our highway systems.

The passenger car quickens interest in new roads and better roads, but the truck provides the prosperity that makes it possible to pay for those improved roads.

The railways, which are our main lines of transportation, have come to require secondary lines with fast and efficient service to feed the railways; to feed them with the products of the soil and of organized industry. The truck fits into this important link.

The tourist doesn't enjoy crowded thoroughfares. There are times when his horn, no matter how rancous, cannot stir a truck driver to yield half the road. There are times when that same horn wakens men out of that sound sleep that comes just before dawn.

Yet the freight that truck carries is producing the very capital which assures a continuous road building program—which assures an extension of the pleasure range of the tourist.

The efficiency of the truck has caused the regularity of many of the conveniences of this complicated civilization of ours.

Think what the milk truck has done for the people who live in the city—to say nothing of what it has meant for the dairyman

who lives in the country or on the edge of the city!

Without it, how slow would be the delivery of milk to city people! How reduced would be the sales of the dairyman! How many children are able to have fresh milk—how many dollars can roll into the pockets of the men who own cows.

Think what the truck has meant in developing the truck farm industry; think what it has meant to the brick layer, the mason, the carpenter, the road builder in hauling his materials, the cotton farmer—the thousand and one industries that use the truck!

Think of these things and forget your grudge against the heavy load that sometimes cuts your dirt roads and "clutters up" your paved roads.

There are drawbacks to a lot of our blessings—but we would be loath to give up a single one of those blessings at the cost of the drawbacks, if we realized what part they really have in the blessings.

HIGHWAYS PASSABLE AT ALL TIMES!

There is no closed season on highways in Texas. State highways are usually passable at all times, in all seasons, the exception being only in the instance of continued and heavy rains, which rarely ever occurs to the extent that traffic is stopped anywhere.

Maintenance of State highways provides passable detours where construction is underway, road maintaining machinery and road

crews are kept on the job wherever whether conditions affect highways.

A trip across Texas can be made at any time of the year, and usually with very pleasant traveling conditions existing. A trip made recently by a Texas motorist and party, covered twenty-eight hundred miles without a blowout or other inconvenience, according to the information sent to State Highway Department, Austin.

GOOD ROADS WEEK!

Builders of Roads and Road Engineers Will Gather at Chicago!

At the American Road Builders' Road Show, which will be held at Chicago during Good Roads Week, January 11, 1926, there will be one day set aside in honor of the visiting delegates from foreign countries. Last year over 20 foreign countries sent delegates, and it is expected with the increased road activities in the South and Central American countries that large delegations will attend the road show. Appropriate recognition will be made of all visiting delegates from foreign countries.

A meeting of the directors of the association was held in New York on October 19.

Final plans were arranged for the coming convention which will be held in Chicago on January 11 to 15. President Connell has arranged the program for the convention to be held in two divisions and has announced that there will be a division devoted entirely to subjects of interest to road constructors, and technical division for the benefit of engineers and commissioners.

Final arrangements were made for the road builders' banquet, to be attended by the noted road builders of the nation and men nationally known in the highway industry will officiate.

The directors indorsed the Good Roads week movement and drafted resolutions to the effect that inasmuch as the highway industry had reached such great proportions and that the progress of the nation was largely dependent upon the co-ordination of transportation of which the highways played an important part, and inasmuch as this program was dependent upon the co-operation of all those interested in highway affairs that a week of each year should be set aside and designated as Good Roads Week, and that the week of January 11 should be designated as Good Roads Week for 1926.

This Page Is Part of a Series to Promote the Building of MORE GOOD ROADS in Texas, and Is Contributed by the Undersigned Public Spirited Citizens Who Have at Heart the Best Interests of This Great State.

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 Brammer & Wilder, Houston
 Colglazier & Hoff, San Antonio
 Adam Cone, Palestine
 Julian C. Feilds, Denison
 Franklin Construction Co., Giddings

Freeport Asphalt Co., Houston
 Fuller Construction Co., Dallas
 Chas. K. Horton, Houston
 Houston Construction Co., Houston
 C. M. Kelley, San Antonio
 F. P. McElrath, Corsicana

Old River Construction Co., College Station
 Holland Page, Lockhart
 W. L. Pierson, Houston
 D. H. Purvis & Son, Fort Worth
 Sherman & Youmans' Houston
 South Texas Construction Co., Houston

Texas Willite Road Construction, Houston
 Thurber Brick Co., Fort Worth
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 Uvalde Rock Asphalt Co., San Antonio
 Washington Construction Co., Somerville

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BILL AIMED AT COTTON CROP ESTIMATES

Growers of cotton and small holders of the staple will be protected from the staggering losses caused by wild guesses given out periodically during the cotton season by the United States Census Bureau, if congress which meets next week should act favorably upon a bill which will be proposed by Congressman James B. Aswell, of Louisiana. Representative Aswell, who is ranking democrat on the House committee on agriculture, has prepared a bill to prohibit the making of semi-monthly estimates on the size of the cotton crop. His measure, he said, would make it impossible for speculators and gamblers to depress the price of cotton on publication of Government reports.

It is estimated that the farmers lost approximately \$300,000,000 on their cotton this year because of optimistic estimates made by the Department of Agriculture. Now, when the facts are coming in, the price of cotton is going up by jumps.

Representative Aswell would cut out the semi-monthly reports and require one report on Dec. 10 on actual returns. He does not blame the department for the fluctuations caused by its estimates last summer and fall, but Members of Congress who enacted the law. His plan is to eliminate all the guesses on cotton, and hold reports until final figures on the number of bales are available.

This, with the ban on the reporting of the farmers' "intention to plant," said Mr. Aswell, will help to curb the speculator and secure to the planter a fair and just price for his cotton. Census estimates on cotton made recently caused a price drop of \$25 a bale.

A new feature of the Aswell bill will be the requiring of reports on the demands for cotton. Present laws, Aswell said, are favorable to the manufacturer. If Congress will provide for the publishing of estimates on the demands at home and abroad the speculator cannot boost or depress the price so easily.

Under the law, approved May 3, 1924, semi-monthly reports are issued between July 1 and Dec. 1 on "the condition, progress and probable production of cotton." The reports are prepared under the direction of a crop reporting board, at least three members of which must be supervisory field statisticians of the Department of Agriculture, located in different sections of the cotton growing states. These estimates are released simultaneously with the cotton ginning report of the Bureau of the Census.

MONEY MAY BE SCARCE BUT YOUR POLL TAX IS WORTH THE PRICE. PAY IT!

HEARS NO DEMAND FOR SPECIAL SESSION

In a communication to the Dallas Morning News, Homer M. Price, of Marshall, editor of the Marshall News writes that the sentiment of Harrison county is not represented by its legislative representative who signed a call for a special session. Mr. Prices writes as follows:
To The News:

I have talked with more than one hundred citizens of my town about the proposed extra session of the legislature. In not one instance did I find one who thought the extra session desirable. Both of our representatives in the legislature have requested the Governor to call such session. If the other representatives throughout the state are as far from representing the sentiment of their constituents as are those from this county then there should be no extra session. The people—I believe 99 per cent of them—are perfectly willing to trust the entire matter of the highway muddle to Attorney General Moody. Nothing is to be gained by a legislative investigation. The two highway commissioners who apparently are responsible for the situation have resigned. Many think Commissioner Bickett should also resign because of failure to stop or protest the letting of the improper contracts. The people want a new deal. But there is no demand for an extra session of the legislature.

Marshall, Texas. HOMER M. PRICE.

MONEY MAY BE SCARCE BUT YOUR POLL TAX IS WORTH THE PRICE. PAY IT!

THE PAY IS MEAGRE; THE BURDEN HEAVY

There is little of financial attraction in the salaries attached to public offices of this state and this is true of the highway commission as it is true of other positions in the state service. Commenting upon the filling of two places on the highway commission by the governor Meo in his column in the Houston Chronicle says:

"The pity is that the salary is not one to attract, and that whoever accepts the work must do so mainly from the standpoint of patriotism—a desire to serve the state in the present emergency. The position should command a salary of \$15,000 to \$20,000 yearly, and the man chosen should be one who is thoroughly familiar with road building, the proper letting of contracts and the handling of large sums of money. He should be a man of courage—one who will not be swayed by friends or intimidated by enemies."

Pinchot tried to settle the coal strike and failed.

Several legislators have been apprised that they have mistaken the sentiments of their constituents.

Elections have been called to fill five vacancies in the membership of the Thirty-ninth legislature.

Forum readers get the news that gives them complete information about state affairs. Why not subscribe and get the truth at first hand?

All the way to Washington little Earle journeyed with a bag of highway cats only to be told by the federal department of justice that the federal authorities had no power to butt into the controversy he and his fellow kluckers are kicking up.

Jim Ferguson expressed pleasure while at College Station where he accompanied the governor for the annual football clash between the Aggies and the Texas Longhorns, that he could find a real farmer now at the head of that institution and did not have to call somebody "Doctor."

Dr. Bizzell, former president of Texas A. & M. college, now president of the University of Oklahoma at Norman, is having trouble with maskers among his students and the president of the student council recently was captured by two farmers upon whose land he with three others, masked, had taken a kidnaped student for some sort of mistreatment. The appearance of the farmers stopped the maskers after they had stripped their victim to the waist and three of them jumped into a waiting auto and dashed off leaving their president to his fate.

A QUESTIONABLE ARRANGEMENT.

(From Dallas News, Dec. 2, 1925)

Some of those members of the House who petitioned Speaker Satterwhite to call a special session of that body to investigate the affairs of the Highway Department have expressed a dislike of the arrangement he has made to defray the cost of that proceeding. As to that arrangement, no more is known than that private individuals, whom Mr. Satterwhite has not so far, named have pledged themselves to supply \$100,000 with which to pay the mileage and per diem of members attending the session and other expenses that will be incurred. They of course expect to be reimbursed by an appropriation of State funds to be made either by this Legislature, if the projected session of the House should result in the assembly of the Senate, or by the next or some succeeding Legislature. It is perhaps unnecessary to say that the obligation which would be thus incurred is not one which could legally be imposed upon the State. Of course if the gentlemen are ready to assume the risk of not getting paid, that is their privilege, and their readiness to assume it is no argument against the arrangement.

But there is another consideration of the matter which reveals an objectionable aspect. It is that pretty certainly they would not be reimbursed if the House should disclose nothing which would move it to impeach, and hence those gentlemen would be urged by a very sharp motive of self-interest to bring about impeachment, and the members of the House, or some of them at least, might feel that they owed those gentlemen the opportunity which impeachment would supply to get their money back. It is hardly necessary to say that an investigation conducted under a temptation to give it an issue which would thus promise a reimbursement of those gentlemen would not command the degree of public confidence that is desirable. This implies no imputation on the motives of those gentlemen nor on the sense of fairness of the members of the House. It only suggests the rather obvious fact that an investigation made in those circumstances would be under a popular suspicion which would discredit its outcome, if its outcome should be impeachment. It would be the suspicion that that outcome had been made almost inevitably by the obligation which had been incurred. Such a suspicion might be unjust, and doubtless would be; but it would be altogether too natural to give the victims of it reason to complain. A special session of the House held in circumstances that make it appear to be the political enterprise of a few private individuals might prove to be a boomerang.

Aside from that objection to the arrangement Mr. Satterwhite has made, the idea of having a public function financed by private individuals must be repugnant to men who profess sensibilities of no more than ordinary refinement. Certainly it puts the State of Texas in an undignified posture, not to say a humiliating one, to have it appear that it must rely on the generosity of a few unnamed individuals to finance a public function, and particularly one of the solemnity and gravity that this would be. The feeling will not easily be repressed that those who think that the occasion calls for this extraordinary procedure are under an obligation of patriotism to incur whatever may be the financial risk of the project. There may be a few members of the Legislature who are not able to defray the expense they would be put to by attending, but the great majority of them, there can be no doubt, are able, if, being able, they are unwilling to do so and stand the risk of losing what they advance, they would give some reason to doubt that they are genuinely convinced there is a public need of the proposed extra session of the House. As an evidence of good faith, they should be ready to make whatever sacrifice the special session might require of them.

HEROES OF THE FARM

(From Houston Chronicle)

No nineteen boys ever left Texas on any kind of mission who were more worthy of respect and honor than are the nineteen boys who are to be guests of the Santa Fe Railway System on a trip to Chicago.

They won that which is to be given them by their intelligence and industry applied not in any kind of sport, or in any white collar job, nor in any sphere of study of books, but by honest, well directed, sweat-drawing labor at the end of the handle of a hoe and between the handles of a plow.

They endured winter's cold, they felt the exhausting heat of summer, and they bent their backs to the torrid rays of the sun in harvest time, spurred by honorable and admirable ambition to win a prize in a sphere of action in which success is impossible without intelligent toil.

Every one of them reflected credit on his family, his state, his country and himself. He demonstrated that he was not afraid to do the kind of labor at which the city loafer and pool hall habitué would contemptuously sneer.

The Chronicle is glad that a Harris county boy is among the number of the honorees. The good people of Crosby should feel proud of him.

The land around that progressive village is highly fertile, but Roy Clark applied to it that further stimulant which never fails, combined brains and sweat, and The Chronicle has no doubt that the same is true of all the rest of the nineteen.

The Chronicle wonders how many of those who have read of what Roy Clark did took time to calculate the full measure of his achievement, by which they would have learned that a 16-year-old boy, a hero in overalls and jumper, earned net the equivalent of 8 per cent interest on \$15,000 for a year.

The Santa Fe railroad deserves credit for its action, which is as wise as it is generous.

A LOSS TO ALL TEXAS

One of the builders of communities, cities and states passed from active scenes on earth when on November 16 last, at San Antonio, David J. Woodward died. Dave Woodward was 61 years old and had lived in Texas since he was three years old and had been a real constructive citizen and took an active and deeply personal interest in all things that made for the building up of his city and the development of Texas resources.

Dave Woodward, whose smile was perennial and whose good nature permeated all of his big body was known familiarly to thousands of persons all over Texas. He founded and directed the operations of a great manufacturing plant; he built a railroad and was interested in ranching and cattle. He owned a magnificent ranch in Mexico which he was planning to put on the market in farm tracts when he was stricken with the malady that quickly caused his death.

His friends feel his loss keenly and the city in which he was so large a factor for progress has suffered a distinct blow. A splendid citizen has passed; a loyal friend and faithful worker in the cause of Texas.

The home of the "Parker House Roll" is to be wrecked to make room for a modern skyscraper. The roll, however, never will be replaced by any kind of bread more popular.

Read the Forum and you will know exactly what is going on among the politicians of Texas. The Forum is \$1.00 for the period from now until September 1, 1926. Send in your subscription now and get every issue.

The Coleman Democrat-Voice holds that "developments at Austin have not created a demand for a special session of the Legislature. Attorney General Dan Moody and the Travis county grand jury can accomplish more unhampered by legislative advice, suggestions and interference. A special session would be expensive, incubate a few candidates and cause us all to have to read all night to keep properly posted."

There is a new Cotton King of Texas. His name is Phil Taylor. He is a Marshall banker and his elevation to royalty has been brought about by the industry and intelligent application of good farming methods of a negro tenant, Willie Wilder, by name. Wilder produced eleven bales and 242 pounds of cotton without irrigation from five acres on Taylor's land in Harrison county. What this negro farmer has done all farmers regardless of color can do with like effort.

Ma Ferguson Says:

About the Right To Think For Yourself.

(Copyright Capitol Syndicate)

History tells us that the people, individually, have not had always the right to do their own thinking.

And there are a lot of orators and editors and authors of this and that who try to do most of the public's thinking now.

But the right—the inherent right—to sit down and think things out is something that no court can take away from any American man or woman. We can retain that right in poverty and riches, in sickness and health.

I'll grant that sometimes it is best to keep our thoughts within our own heads. There may be circumstances that will change them, and we may wish to acknowledge the fact. But I'd much rather trust the man who does his thinking for himself, who reaches his own independent conclusions and who is willing to keep his mind open for further conclusions than the one who thinks with the mob, who lets somebody else reach all his conclusions and then runs along with the pack.

The independence of this country was arrived at by men who thought independently. They did not allow the customs of other men to deter them when they reached the conclusion that liberty was an inherent right.

Suppose those forefathers of ours had let the orators of King George of England stop them? Where would our country be today? Along with Canada and Australia and the other provinces of the British Empire, doubtless.

Just so today in our personal lives. If we let paid thinkers do our thinking, the first thing we know we will be underlings. The conclusions may sound very fine, but they won't do for the independent man.

I regard the right to think for myself as one of my dearest possessions. I know very well that I make mistakes; I would be less—or more—than human if I did not make mistakes. But I cherish the right to make my own thinking mistakes.

This is not a condemnation of the man who is paid to think for the public. That's his job and some of the public thinkers do a much better job of it than the public, individually, does. I only blame the sheep who cannot take the canned conclusions and go on ahead of them into individual conclusions.

When you think a thing out for yourself, at least you know what you are thinking—and you won't throw your conclusion aside for one that sounds a little better because its been polished up by somebody else.

Behind the Bars at Huntsville

A. R. WATSON, Chaplain, Huntsville Penitentiary

Control and Discipline of Prisoners.

Much has been written and said about the control and discipline of the inmates of the Texas Penitentiary. Without any intention of trying to prove or disprove anything that anyone else has said with reference to this very important matter, I shall undertake to state things as I find them. I have been connected with the Huntsville prison, as chaplain, since April 29, 1925, and during this time I have carefully observed the management and discipline of the inmates of this institution.

Grade of Prisoners.

All prisoners upon entering the Huntsville prison are placed in Grade No. 2, which is known as the "neutral grade." Having been placed in this grade, the prisoner may work up or down—just as he chooses. That is, he may by good conduct, within three months, be put in Grade No. 1, or he may by bad conduct be put in Grade No. 3. It is only when a prisoner has been reduced to the third grade that he is clothed in stripes. The clothes of first and second grade prisoners are of the same grade, color and make.

Commutations and Forfeitures.

When no charge of misconduct has been sustained against a prisoner, the following reductions are allowed from his term of service:

- First year, two days per month;
- Second year, three days per month;
- Third year, four days per month;
- Fourth year, five days per month;
- Fifth year, six days per month;
- Sixth year, seven days per month;
- Seventh year, eight days per month;
- Eighth year, nine days per month;
- Ninth year, ten days per month.
- Tenth year, and all succeeding years, fifteen days per month.

Commutation for both "good time" and "overtime" may be forfeited by bad conduct, the forfeiture corresponding with the bad conduct of the prisoner.

Punishment of Prisoners.

The punishment of prisoners is of seven different kind, viz:
1. Solitary confinement.
2. Deprivation of privileges, in whole or in part.
3. Forfeiture of commutation, in whole or in part.
4. Reduction in grade.
5. Clothing in stripes.
6. Bread and water diet.
7. Whipping.

The whipping is done only upon the written order of the Board of Prison Commissioners. The strap used is 2 1/4 inches wide, 24 inches long, attached to a wooden handle. This punishment shall not exceed twenty lashes, and in no case shall the skin be broken. During the six months I have been connected with the Huntsville prison I do not recall more than three or four instances in which this method of punishment has been resorted to, and neither have I heard any complaint of excessive punishment. No prisoner is allowed to be kept on a bread and water diet for more than thirty-six hours. The privileges of which a prisoner may be deprived are the following: Permission to have light in cell; to write letters; to see friends; to go from cell on Sunday, except in meal and chapel lines; to retain library books in cell; to receive newspaper during week; and perhaps some other minor privileges not here mentioned.

From the foregoing it seems quite manifest that life in the Huntsville prison is pretty much what the prisoner makes it. By conformity to the rules, and regulations of the institution, a man may enjoy many privileges and have the good will and confidence of the Warden and other officials. Or, he may, by bad conduct and a spirit of insubordination deprive himself of the above mentioned privileges and subject himself to punishment in either, and all of the proscribed, methods of punishment. From time immemorial there has been an element of punishment in reformatory discipline. When God gave the Sinaitic Code for the formative discipline of His chosen people, He proscribed punishment for disobedience to His law. It avails nothing to say that we are not under administrations may change; but principle never. If it was morally right for God to enact and have executed laws against that which was wrong in the days of Moses, it is morally right to inflict punishment for crime now. And the fact that God assessed the death penalty for a number of offenses, seems conclusive that capital punishment is not necessarily and inherently wrong. To so contend is to impeach both the wisdom and goodness of God.

Wife and Daughter of Disabled Veteran Rob Bank of \$390

Sioux Falls, S. D., Nov. 28.—Jail cells tonight housed South Dakota's first woman bank robbers, a mother of 40 years, and her 19 year old daughter. Mrs. Catherine Rogers and her daughter, Zora, confessed that need of money prompted them to rob the Renner State bank yesterday and take \$390. Officers took them into custody today at their home just east of town where they live with their husband and father, a disabled World War veteran.

"You'll do anything for love and when your loved ones are in trouble," Mrs. Rogers told officers. Their case was continued until next Tuesday.

Renner, S. D., Nov. 27.—With the daring and calm seasoned bandits, two women held up the First State bank here today, seized \$560 in silver and fled in a battered touring car.

The women drove into the town, calmly entered the bank, and while one held a pistol under the nose of H. S. Wilkinson, cashier, the other scooped up all the silver in sight.

"Don't stir," the older woman ordered as she pointed the pistol at the cashier. "I hate to take a life, but I mean business and I'll do it if I have to."

Wilkinson offered no resistance and kept his hands up while the younger woman looted the till and took some money from the safe, missing a package containing \$300 in currency.

Then, backing out as they kept Wilkinson covered the women leaped into their car and drove rapidly away. Immediately Wilkinson with three other men started after the car, but soon lost the trail.

One of the women was about twenty-five years old and the other between thirty-five and forty. The older woman wore corduroy breeches and had shoes. Both had men's dark cloth coats.

Student Paying Way Through University With His Airplane

Austin, Tex., Nov. 30.—Through the University of Texas by airplane is the novel method adopted by Jerry Marshall to pay his university expenses. Marshall knows the idea works for he had, all his expenses in this way while attending school in New Mexico and Purdue university. Ida Sewell, Longhorn football star from Willis Point, serves as manager for Marshall and arranges all the flights. Marshall, who is from Indiana, plans to enroll in the university after Christmas.

In his new machine, Marshall flew from Austin to College Station and watched the Longhorn-Aggie game from the air. He took a number of pictures of the game, he said. He made the return trip in 45 minutes. Not a single accident in five years of actual flying experience. Fred At Brooks and Kelly fields, and a summer engaged in aerial advertising and night work is Marshall's record. Since he arrived in Austin, Marshall has already taken several hundred students up for their first airplane ride, he said.

Ancient Love Affair of German King Told in 160-Year Old Suit

Berlin, Germany, Dec. 2.—A hundred and sixty year old legal battle revealing an alleged clandestine love affair of King Frederick the Great and involving an estate valued at \$37,500,000, is approaching final decision in Germany's highest courts.

The claimant is Arno von Fredersdorff, while the defendants are descendants of a historical character, Marie Elizabeth Daum, beautiful daughter of a Potsdam merchant, who lived in the eighteenth century. For many years the Fredersdorff family lost suit after suit for the estate, but several years ago a document, claimed to be a confession of Mlle. Daum in which she reveals that she came into possession of the property through intrigue, murder and falsification, was found. Then Fredersdorff won a series of victories in the lower courts and the defendants appealed.

Fredersdorff claims the fortune dates back to his great great uncle, Michael Gabriel von Fredersdorff, secret chamberlain of Frederick the Great. Many favors and much property were heaped upon the chamberlain by the king.

Mlle. Daum, with two children, moved into the palace, where she was known as Mrs. Fredersdorff, widow of the chamberlain's brother, and was the subject of much attention by the king, the Fredersdorff petition alleges. The real Mrs. Fredersdorff, it is contended, died under mysterious circumstances in 1757. The chamberlain died a year later.

The alleged confession reveals that Mlle. Daum met Frederick while he was crown prince and when the latter became king and heaped favors upon his chamberlain, she became jealous. As a result, the document continues, she poisoned both the Fredersdorffs, altered the chamberlain's will so as to gain his property and fled a fake marriage certificate showing she was the chamberlain's first wife, whom he had not legally divorced before marrying a second time.

Fredersdorff's petition contends the king was shocked to learn the chamberlain had ignored his son in his will, but could not order an investigation for fear of exposing the illicit love affair with Mlle. Daum not only to the queen but to the public.

PAY YOUR POLL TAX.

Negro Killed by Train.
Dallas, Tex., Dec. 1.—Struck by a locomotive at a crossing here today, John Beal, 85, negro, was almost instantly killed. His skull was fractured.

Paris—Men must wear full evening dress and silk hats to be admitted to the Opera Comique hereafter.

That Cold May be Influenza and State Health Officer Urges All So Effectuated Not to Neglect Colds

Austin, Texas, Dec. 2.—That the prevalence of influenza throughout the entire country was somewhat higher for the first nine months of 1925 than for the corresponding period of 1924, is shown by statistics compiled by the Metropolitan Life Insurance Co., and printed in the October issue of their statistical bulletin.

That the prevalence of influenza in Texas for the same period of time was considerably higher in 1925 than in 1924 is shown by statistics compiled by the state board of health, there being only 824 cases reported for the first nine months of 1924, and 24,391 cases reported the first nine months of 1925. However, the larger number of cases in 1925, is probably due, in some degree to the increased reporting of communicable diseases by physicians of the state.

Only 89 cases of influenza were reported to the state board of health for the three week period ending Nov. 21st, but owing to the highly communicable character of this disease, Dr. H. O. Sappington, state health officer, warns the people of the state to use every precaution to prevent the spread of this disease, and by all means to regard a "cold" seriously, as often what is thought to be a simple cold terminates in an attack of influenza.

"However," Dr. Sappington stated, "this disease may begin without any indications of cold. The symptoms of influenza are pains in the head, eyes and limbs, sometimes but not always a watery discharge from the nose, chilly sensations, cough and marked muscular prostration, and sometimes abdominal disturbances, such as nausea, diarrhea and cramps."

"The mode of transmission of influenza is probably mainly, if not altogether, by human contact in the early stages of the malady."

Is Destruction, Not Construction, Result of Some of the Taxation Imposed Upon American People?

By Marion Bruce Clark in Dearborn Independent.

Since that parent of all taxation, the tax called "the twentieth," was levied during the reign of Julius Caesar, ships of state have been wont to steer clear of the pitfalls of multiple jurisdiction. Today, as in the past, the cry is "taxation for revenue only" and no political manipulation for the sake of expediency should be permitted to shift the bulk of responsibility for that revenue to any particular class of the population.

When Adam Smith said, "All taxes upon the maintenance of property of every kind, so far as they diminish the capital of that property tend to diminish the funds destined for the maintenance of labor," he spoke, not for a day nor for a generation, but for all time.

Since all taxes are returnable in cash, the estate tax, as at present administered, operates today to "diminish the funds destined for labor." The law says that the tax shall be returnable one year from the death of the decedent and that it shall be payable in cash. In the settlement of the simplest estate of minimum value the time required for its administration is approximately one year; how then, in an estate involving millions of dollars in assets and obligations, as well as responsibility for the welfare of thousands of employees, can the bulk of its holdings be converted into cash without immense sacrifice and loss of values, destruction of output, unemployment and shrinkage through forced liquidation? The answer is, it cannot be done. In such industrial curtailment and direct hardships falls not upon the legatee but upon the laborer.

From three to four months' time is frequently devoted by an expert auditor in the Treasury Department to the auditing of one large estate, and this after the orderly arrangement of the return compiled by the accountants for the estate. Whereas the original accounting involved the primary arrangement of stock-takings, the government examination is in reality only a re-audit. Therefore, it must be apparent that the physical conversion into cash of the bulk of a large estate cannot be accomplished without excessive loss and disturbance of business, when limited to a stated period of time. Industrial operations under normal conditions require huge cash assets, payment of estate taxes causes this cash to be withdrawn from its normal use and paid into the government where a large proportion of it immediately becomes inoperative, since the government "seldom maintains any but unproductive laborers."

Taxes may not be paid through the medium of those notes or other negotiable securities, Liberty bonds excepted, by means of which normal business is so largely conducted. Accounts receivable or other forms of long-term credits are not acceptable to Uncle Sam. The Treasury is the original "cash and carry" organization, so that while the revenues of an inherited business are found to be carried on upon a credit basis, the payment of the estate tax must be altogether on a cash basis, nor is the time extension granted by the law of any material benefit. The additional cost of administration involved, the uncertainty of sustained values, the "substantial first payment" and the interest bearing residue altogether counterbalance any apparent advantage. In fact, out of an average of some 1,000 estates annually audited by the Treasury less than ten per cent have availed themselves of the time extension provision, obviously for the reasons just stated.

It has been shown that the nation is under the condition of unregulated and, in the opinion of many, unconstitutional taxation resulting in demoralization of business, destruction of initiative, forced liquidation and an unhealthy money market; oftentimes destroying at one blow what has taken a generation to build up. The social, economic and industrial welfare of a nation are inseparably interlocked with its business interests; one cannot be impaired without affecting the other.

Inconsistency is rampant. So-called "exempt securities" are not exempt when they are inherited. Securities under the estate tax are not securities, they are "privileges" and as such are taxed at a much higher rate than as straight income. While the estate tax was obviously devised for the purpose of breaking up concentrated wealth, the gift tax operates to keep that wealth intact.

As of December 31, 1923, the outstanding valuation of tax-exempt securities was \$14,900,000,000; on December 31, 1924, the value has increased to \$16,000,000,000; while on August 31, 1925, the amount was \$17,000,000,000, of which only \$2,700,000,000 was held by the government. From these figures two deductions may be made; first, the amount of money being withdrawn from productive channels for investment in exempt securities is increasing at an alarming rate, and secondly, the revenue of the government resulting from this deflection is rapidly increasing on a five per cent basis would amount to \$850,000,000 per annum, just eight and one-half times the revenue received from the estate tax, the repeal of which is no longer debatable.

The United States Government has used the estate tax as a special war revenue producer after each of the great war periods—1797-1802; 1862-1870; 1896-1902 and 1917-1925, but in no instance has it been continued except as an emergency measure. In the exact words of the Secretary of

the Treasury appearing before the Congressional Committee:

"It is the opinion of the Treasury that the estate tax should be repealed. The reasons for this position have been frequently stated but I can summarize them as follows: There is no logical basis for the Federal Government collecting this tax. The right of inheritance is controlled by the States and the Federal estate tax is based only upon the theory that to transmit property by death is the exercise of a privilege which can be made subject to taxation, just as we might levy a tax on the privilege of selling property. The present law, with its 40 per cent maximum, has not been before the Supreme Court, and the question has never been determined as to whether or not you can confiscate a large part of the property through a tax on the exercise of the privilege of transferring it."

"Estate taxes have always been a source of emergency revenue. It is only in war periods that the Federal Government has made use of them, and except in the present case they have always been repealed when the emergency ended. They should be saved for this purpose. We ought not to use our reserve in time of peace. We may need it badly when the next emergency arises. There is no emergency now."

"The present muddle of death taxes in this country could in some cases take more than 100 per cent of what a man leaves. Excessive federal taxes contribute largely to this muddle. The result must be that ultimately values are destroyed and with them the source from which the states must take revenue. . . . The supreme danger to democracy," says Lecky, "lies in creating a state of things in which one class imposes upon another burdens which it is not asked to share, and impels the state into vast schemes of extravagance under the belief that the whole cost will be thrown upon others."

In New York State, we are told in the treatise by Gleason and Otis on Inheritance Taxation "From one-third to one-half of all inheritance taxes are collected, and one-half of all litigation arising from the imposition of these taxes have been decided in her courts. In the last forty years the New York statutes have been codified or reenacted nine times since the first statute of June 30, 1885, and have been altered or amended no less than ninety-one times. She has taxed all personal property of collateralists and strangers, exempting only direct heirs." Moreover, in the fourth edition of this remarkable digest, just going to press, the operation of the gift tax will be thus described: "The gift tax is a new departure in Federal taxation, in truth there is little or no precedent for such a tax in any jurisdiction."

"It marks a further outreaching by the legislature to grasp at large fortunes and compel those who have acquired them to give large sums to organized charity or else let them go to the government. This is the undoubted trend of recent inheritance taxation. Such policy, if continued, must ultimately result in the ownership of a large share of the country's great industrial corporations by charitable and educational institutions. It will probably be changed, however, before any such calamity is permitted to accrue.

"The Federal theory is to assess the tax and leave the taxpayer to sue for a refund. This tends to oust the courts of their proper jurisdiction and place the burden of a contest upon the estate. It is vicious in principle, is an outgrowth of war conditions, but it makes matters so easy for the taxing officials and tends so effectively to increase revenue that the tendency to follow the Federal example is marked in the recent amendments to the state statutes."

Inventor of Paint Sprayer Wins Suit That Means Riches

San Francisco, Nov. 26.—After waiting eleven years, Blake F. Hopkins, San Francisco house painter and inventor of a paint spraying machine, was made potentially wealthy in a decision handed down by Judge Frank R. Kerrigan in the United States district court.

Eleven years ago, Hopkins invented a paint spraying machine and soon after without permission, it is alleged, several manufacturing companies throughout the United States converted it to their own use. It is alleged that they made and sold thousands of the machines at huge profits, and Hopkins, despite his patent, was unable to collect a cent.

Judge Kerrigan's decision yesterday not only validated the patent and ordered an injunction against the companies named, but ordered that "matters be referred to United States Commissioner Krull for ascertainment of damages."

The decision will enable Hopkins to collect damages from every manufacturer who has infringed on his patent.

Klan Women Are Sued. Dallas, Nov. 28.—Sued for \$4,463, alleged balance owed by the women of the Ku Klux Klan, Inc., on a purchase of 6,000 robes aggregating a cost of \$15,000, has been filed in district court here by J. F. Pruitt. He claims he sold the robes during the past two years at a price of \$2.50 each.

\$101,924 Profits From Fair. Dallas, Nov. 25.—A profit of \$101,924.42 accrued to the state fair of Texas as the result of its 35th annual exposition held here October 10-25, according to the annual report of Secretary W. H. Stratton, submitted to the board of directors today.

Hotel Made Famous as Home of Parker House Roll Passes

Boston, Dec. 2.—The historic Parker House, birthplace of the famous "Parker House roll" and since 1854 one of Boston's most celebrated hostesses, November 23. When the last guest had departed preliminary steps were taken for demolition of the building to make way for a modern structure of 700 rooms.

Many celebrated persons at one time or another made the Parker House their home. Charles Dickens spent a winter there, and recently the Dickens fellowship in Boston paid farewell to the rooms he occupied, kept since as a literary shrine.

A dinner to President Grant and several of his Cabinet in 1875 was another entry in the hotel's history. Among famous guests during the years were Patti, Bernhardt, Ada Rehan, Sir Henry Irving, Edwin Booth, Richard Mansfield and Clara Louis Kellough.

For years the hotel was headquarters of the Ancient and Honorable Artillery of historic origin and social glory, to which nearly all eminent Massachusetts men belong.

Little is known of Harvey D. Parker, who founded the hotel, but that his grandfather, Hannaford Parker, fought at Concord and Lexington in the Revolution. Once there was much talk because the Parker House paid its chef, Sanzani, \$5,000 a year. But he was worth it and his fabulous (in the day) income was continued.

A lesser known artist named Ward originated the Parker House roll in the early years of the hotel. The rolls were shipped to many cities daily.

Much of the furniture used in the old hotel will be stored until the new building is ready, when, because of its historical associations, it will again come into use.

Travis County Solon Sees "Joker" in Call and Takes Name Off

Austin, Texas, Dec. 2.—John T. Smith of Travis county Saturday requested Gov. Miriam A. Ferguson to strike his name from the list of 40 legislators who asked her to call a special session.

Reasons which he assigns for this action, were contained in a statement in which he disagreed with others over the inheritance tax matters.

He criticized the efforts of Speaker Lee Satterwhite which he said were "to exempt present tax-exempt bonds from the inheritance tax."

"I doubt whether the sole purpose of the attempted extra session is for investigation and impeachment," he said. "Strong evidence is showing up that the work done by Attorney General Moody is to be taken advantage of in arousing the people to such a pitch that when their thoughts and minds are riveted on highways and other matters, tax exempt securities will quietly slide from under all taxation."

Spring of Civil War Fame in Georgia Has Survived Bad Drouth

Atlanta, Ga., Nov. 28.—Georgia and the Southland are recovering from a drouth of unprecedented severity during which many streams and water sources dried up and all records for drouth were broken, but through it all, a cold stream of pure water continued to flow from the side of a beautifully foliaged hill on which, some sixty years ago, was located the Andersonville military prison, of the Southern Confederate army.

This is "Providence Spring," in Sumter county. Local history has it that in the closing days of the war between the states, that section suffered from the effects of a drouth which dried up all small streams and wells, leaving no water supply for the many thousands of federal prisoners of war confined within the overcrowded and fever-stricken camp.

Quinine had been made contraband of war and none was available to relieve the burning fevers which created an insatiable thirst for water. These conditions existed for days while the men, in their delirium, madly scratched holes in the ground with their bare hands in their attempt to strike water. Finally, after having reached the end of their resources and too weary and exhausted to put forth more physical effort, they dropped to their knees and prayed to God to send them relief.

While they were still praying, a bolt of lightning struck the hillside, just outside the "dead line," and a fountain of sparkling, cold water gushed forth to cool the parched tongues whose prayers had been heard.

Today one may visit the prison camp and find the holes marked off and enclosed within iron fences, and the staked off "dead line" which was extended to bring the spring within his confines, hearing evidence to the miracle that was performed there in the sixties. The fountain has been housed in an ornate work of masonry, in which is inserted a bronze tablet identifying it as "Providence Spring," and relating the above story.

Adjoining the camp is Andersonville National cemetery, covering an area of 120 acres and where rests in eternal peace, nearly 14,000 of the boys in blue who succumbed to the ravishes of the fever and other diseases. Virtually all of the names on the plain stone slabs are preceded by the word "Private," with here and there one marked "unknown."

Tick-Free Texas in a Short While Is Forecast of Federal Officer Who Is Supervising the Big Task

Fort Worth, Tex., Dec. 2.—Satisfaction is expressed by Dr. H. L. Darby, chief inspector for Texas of the United States Bureau of Animal Industry, with the progress made in this state in tick eradication. Although parts of three Texas counties, comprising a comparatively small area, recently were quarantined because of an interruption in eradication activities, the move was comparatively unimportant, and will be more than offset by the expected release from quarantine in July of a number of entire Texas counties, he said.

Parts of Brooks, Duval, Kenedy and Jim Wells counties, comprising a single ranch and a few small adjoining pastures, are to go back under Federal tick quarantine under the order of the Department of Agriculture, to take effect December 10, Dr. Darby says. The quarantining was made necessary by an interruption in tick eradication work during the summer because of extremely dry weather. Since this time heavy and continued rains have fallen in the affected sections, and work can be continued and probably the area again will be removed from quarantine by the next promulgation of the department, it was said.

A critical situation faced Texas cattlemen due to the very limited appropriation for tick eradication by the last Legislature. The appropriation provided for emergency work only, and the Live Stock Sanitary Commission, of which Leo Callan is chairman, was faced with the problem of raising further funds to carry on the work. There was talk of calling a special session of the Legislature for the purpose of asking an adequate appropriation.

The funds were made to go further than otherwise would have been possible by co-operation from the individual counties. Under a fifty-fifty plan suggested by Mr. Callan the State and county each bear half of the expense, and tick eradication goes forward.

Recently Governor Ferguson provided further funds with which to continue the work by deficiency warrants. Greater interest is being shown at present by the counties than ever before, Mr. Callan says. Several counties that did not enter the list of active eradication counties last spring recently have asked to be included in the program, but have not been allowed admittance because of a lack of State funds for the work.

Had the means of continuing the

eradication work not developed serious consequences would have resulted, live stock sanitary officers declare. State zones quarantined because of the fever tick would have been gradually expanded and the areas from which the pest had been eradicated would have been reinfested, at an incalculable loss to both the State and the cattlemen. The Department of Agriculture intimated that in such case it would be necessary to put the entire State under quarantine.

Fortunately the State and the cattlemen were saved this embarrassment, and now both Mr. Callan and Dr. Darby are well pleased with the progress being made. Equally encouraging progress is being made in other parts of the fever tick territory, Dr. Darby said. Of the 934 counties in fifteen of the Southwestern States originally infested with the cattle tick, 724 will be practically free of quarantine restrictions by December 10, when a new order of the Department of Agriculture goes into effect. The effort to eradicate this insect-borne disease of cattle was begun in 1906, and has been carried on persistently and often under great difficulty since.

Of the 724 counties, 601 are now absolutely tick-free. In the remaining 123 released counties there are here and there herds still held under local quarantine.

North Carolina will be entirely free from quarantine restrictions when seven counties are released December 10, Dr. Darby says. California, Georgia, Missouri, Kentucky and Tennessee already have been cleaned of ticks. In Florida work has been carried on under the provisions of a

recently-enacted law providing that tick eradication be conducted in zones or sections bounded by rivers or other natural barriers to live stock movement. The release of December 10 will mark the successful completion of work in one of these zones. In Arkansas a new order removes the tick embargo from all territory north of the Arkansas river.

Littlefield's Shares in American National Bank at Austin Sold

Austin, Texas, Dec. 2.—Sale of a majority of stock of the American National Bank, owned by the estate of the late Major George W. Littlefield, to a syndicate of Austin business men has been announced by H. A. Wroe, chairman of the board of directors of the bank, and trustee of the estate.

This stock representing 1579 shares out of 3000, was transferred for approximately \$500,000.

Mr. Wroe retains his one-seventh interest in the bank in addition to other stock which he owns. There will be no change in the management, it was announced.

The personnel of the purchasing syndicate includes J. T. Bowman, A. J. Zilker, W. S. Drake, D. B. Gracy, Theo. Low, W. E. Armstrong, Charles Rosner, Edgar Smith and Houghton Brownlee. The American National Bank was established in 1890 by Major Littlefield.

Golden Opportunity Invites Real Dirt Farmers —



GEORGE W. WEST

George W. West, the grand old trail breaker, was the Texas cowpuncher who had the nerve and grit to contract and deliver 14,000 head of Texas cattle to the Rosbud Indian Reservation 100 miles south of the Canadian line in 1867.

He was then but a mere boy. The cattle were gathered in Lavaca County, Texas, and driven north through the Indian Territory, "No Man's Land" and still North.

Other drivers had reached Abilene with their herds, but it was for this intrepid youngster to point across the Platte River the first herd that ever made a track north of that stream. The cattle were now treading grounds that had never since creation been broken by hoofs of their kind. On to the North among swarms of wild buffalo and wilder Indians he pressed through suffering and hardships unknown to our times, till the end of six long months found the end of this, the longest cattle trail on the continent.

Now listen, this drive was made and the boys came back to good old Lavaca County before Christmas without the loss of a single man, or without taking the life of a single Indian.

How was this done? Here is the answer. This beardless young Texan of sturdy old Tennessee stock, had the courage of a COMANCHE CHIEF and the BRAINS OF A UNITED STATES SENATOR. He was just as a Roman tribune. He did not fear a trail merely because he had not traveled it. He did not shrink from an untrodden position. He bought the land on which the town of Shiner in Lavaca County now stands, for forty cents an acre, when no one, else wanted it.

He afterwards sold it and went over into Live Oak County, another new country, and bought the now famous George W. West ranch almost fifty years ago. He acquired these holdings worth millions because he dared to press out and make a chance by opening up new country.

He has now dismounted from his old cow pony, he has hung up his old scarred leggings and taken off his spurs; his saddle with his quilt hanging to the horn he has dumped into the bunk house along with his grub sack, coffee pot and frying pan. He has left the corral and gone to the house.

J. H. Kohut Land Company

MAIN OFFICE, GEORGE WEST, TEXAS

Branch Office 408 Gunter Building

San Antonio, Texas

The opening of the historic George W. West ranch in Live Oak county with its thousands of fertile acres to actual settlers and home seekers has been one of the outstanding features of land deals. This ranch long has been acknowledged to be one of the most inviting spots in all Texas for home building and the decision of its owner, noted as one of the pioneer trail drivers of Texas cattle trail days, to subdivide it and offer it for sale has been a welcome announcement to farmers eager to obtain for themselves, or their children or other relatives and friends, good lands at reasonable prices.

After a hazardous life of untiring labor he has retired from the cattle business.

NOW! We are cutting up this old ranch, which we consider the best big strip of farming land in Texas into eighty-acre blocks and selling to actual settlers at from \$15.00 to \$30.00 per acre, according to "lay" and location. One-fourth cash, balance 10 years, on or before notes at 6 per cent. Here is virgin soil, rich as ever laid out or doctored, a rainfall ample, but not excessive. Ten months between frosts to make and mature crops, and a climate as healthful as exists between the poles.

Fine wells of inexhaustible soft water can be had on every acre at from 40 to 150 feet.

No hard pan hills or flats, no swamps, swales or lakes, all drains but is not steep or washy.

The town of George West, county seat of Live Oak county stands almost in the center of his ranch, on the San Antonio, Uvalde & Gulf railroad. Sixty-four miles north of Corpus Christi, a deep water port that opens to the commerce of the world.

George West has a new \$150,000 court house, \$75,000 being donated for its erection by the old chief of cow punchers, also a magnificent school building donated by him. A great part of our land now ready for sale lies around this town.

We also have surveyed and on the market fine lands ranging from heavy loam to black hoggwallows around Kittle, another growing town on the ranch. If we can't suit you, you just don't want to buy.

Move out to a new country; even if you have to camp out a year, it won't hurt you, there is little or no winter down here. Leave your children a home by coming to an undeveloped country.

Follow the example of our old chief and be healthy and prosper.

Our man is always at George West ready with a car to show you around or if you prefer to ride horse back, he will saddle up "Old Puss and Fan and strike out through the mesquites with you.

For further information, address,

Election for House Members Ordered by Governor Ferguson

Austin, Texas, Nov. 30.—Five proclamations calling for elections within 20 days were issued today by Gov. Miriam A. Ferguson to fill vacancies in the House of Representatives.

Much Health Work Is Done in Public Schools of State

Austin, Texas, Dec. 2.—Much health work has been done the last month in public schools of counties maintaining a public health nursing service, according to the report made to the state board of health by the state public health nursing service.

PILES:—

I treat piles without the knife or operation from work. Fistula, Fishar and Ulcer treated by the most modern method.

DR. W. M. THOMAS Rectal Specialist 4006 Burkhardt Bldg. FORT WORTH, TEXAS

Lawyer's Directory

DALLAS Telephone X6258 MILLER & GODFREY GENERAL CIVIL PRACTICE Sutes 901-2-3-4 Mercantile Bank Building DALLAS, TEXAS

W. L. WARD LAWYER 1010 Western Indemnity Building

LEE P. PIERSON ATTORNEY-AT-LAW Has moved his office to Dallas where he is associated with PIERSON & PIERSON 508 Santa Fe Building DALLAS, TEXAS

Hotel Directory DALLAS

Jefferson Hotel Cafe Our Motto: QUALITY, CLEANLINESS, SERVICE Noon Day Lunch, 75c Dinner, \$1.25

HOUSTON "THE BENDER" Houston's Popular Hotel, Rates \$1.50 and up. Excellent Cafe, Noonday lunch 50c. Dinner, evenings, \$1.00. Diner Sunday evenings \$1.25 J. E. DALEY, Manager

SAN ANTONIO GUNTER HOTEL Internationally Known Rates \$1.50 to \$5.00 per day SAN ANTONIO, TEXAS

AUSTIN The Driskill European Plan Is the Hotel AT AUSTIN

Harris County Senator and Two House Members Commend Action To Get Rid of Rich Bootlegger

Houston, Texas, Dec. 2.—The Houston Chronicle quotes the senator and two of the members of the House from Harris county thus on the subject of rewards for rich patrons of bootleggers: "Senator Charles Murphy believes that Governor Miriam Ferguson's offer of a reward of \$500 for the conviction of liquor law violators who are worth more than \$5000 is a move in the right direction."

Senator Murphy could not say whether the governor's offer was connected in any way with agitation for a special session of the legislature. He rather thought it was the result of a predetermined policy which James Ferguson, husband of the governor, announced before a meeting of the State Bar Association at Austin last July.

Representative Wilson was not in favor of a special session because, he said, Attorney General Dan Moody's investigation into state highway contracts is producing more practical results than anything the legislature might do. A special session, he believed, would only have the effect of sharpening political issues between Ferguson followers and Ferguson enemies.

Judge Norman G. Kittrell, also representative from Harris county, preferred to believe that Governor Ferguson's offer was sincere.

"It is a good idea," he said, "and will prove helpful. If a few rich people could be punished for liquor law violations the effect would undoubtedly be far-reaching."

As for a special session, Representative Kittrell indicated that he did not at present intend to go to Austin on any call that Speaker Satterwhite might make in the absence of a call for a special session by Governor Ferguson.

"I know him well," he added, "and have entire confidence in him," but did not elaborate on the statement.

(From Dallas Morning News.) "Whoever may be persuaded to accept appointment as Highway Commissioner in Texas will find 'Jordan a hard road to travel,'" Judge T. B. Riggall of the Eleventh Court of Civil Appeals at Eastland, said Monday while in Dallas on route home from Austin, after a conference with Gov. Ferguson.

Another phase of the liquor situation is this, if these Methodists fail to bring the law violators to justice, they will stand convicted before the bar of public opinion. If all the Methodists and other church people would practice what they preach, for want of business, many bootleggers would be forced to go out of business for want of customers. If a wealthy bootlegger is indicted it is no trick to engage the service of highly paid attorney to try to prove the offender is above the law.

It will be remembered that during the last political campaign Methodists held chain prayer meetings petitioning the Lord to defeat Mrs. Ferguson. The Lord evidently used His own judgment and permitted Ferguson to be elected; an evident rebuke to the Methodists, if the prayer test counts for anything.

Memorial Coin Sale Is Put in Hands of Forty-five Persons Louisville—One of the "cleanest" jobs ever pulled was reported to the police here last night by John Vogel who said that a robber had stolen his bath tub.

Washington, Dec. 1.—The Rumanian debt commission has accepted the American offer for funding their government's debt to the United States and the terms have been submitted to President Coolidge for his approval.

Travis Grand Jury Fails to Find Bills and Passes On to Successors Testimony in State Highway Cases Austin, Tex., Nov. 28.—Voluminous testimony gathered from witnesses from many sections of the state is being prepared to be turned over to the next Travis county grand jury which convenes here Dec. 7. Part of this testimony has been turned over to Attorney General Dan Moody. The testimony was gathered by the Travis county grand jury whose term expired today.

"We, your grand jury, impaneled October 5, 1925, beg leave to report that we have investigated all matters which have been brought to our attention."

"In obedience to the direction of the court all jail cases were given first attention and have been disposed of. We have visited the county jail and found same in apparently satisfactory, sanitary condition."

"Such matters as have appeared impractical of final disposition at this time have been passed for the consideration of the next grand jury."

Further investigation by the grand jury was indicated by District Attorney Moore, who is custodian of the county records.

Officials at the capitol expressed surprise that the report made no reference to highway matters as many contractors, county officials and two former highway commissioners have appeared before the jury. The report was brief and referred principally to local matters.

Childless Wife to Get No Alimony in This Chicago Court

Chicago, Nov. 28.—No longer will the plaintiff and pretty petitioner who fell of a short and unhappy married life in which no children figured be given alimony by Superior Court Judge Harry Lewis.

He has no aid for what he calls is no reason for alimony diggers. There is no reason for alimony in such cases in this bag of equal rights, he thinks.

Judge Lewis hears about all the divorce petitions filed in Cook county (City) and he is free to remarry when she wishes.

The alimony automatically stops then, but if she so desires she may remain single and force her former husband to support her until old age.

The idea of the marriage institution is that man and wife shall live together and propagate the race. When they part they cease to be of any benefit to the race.

More Than Billion Barrels of Oil Are Produced in Mexico Laredo, Tex., Nov. 28.—Since the oil industry opened in the Republic of Mexico to June 30, 1925, petroleum production amounted to 1,260,342,108 barrels, according to an official government report made to Mexican Consul Y. M. Vasquez of this city.

Exports in 1924 numbered 129,699,788 barrels of petroleum, the report shows, with Tampico handling 120,288,218 barrels, Puerto Lobos and Tuxmapa 8,360,224 barrels and other ports 1,151,347 barrels.

To the exports, which represent a value of 293,349,024 Mexican pesos, half the value of the United States dollar, the United States took \$211,690,109; Great Britain, \$28,936,657; Cuba \$15,232,323; Argentina \$7,507,739, and the remainder was exported to other countries in smaller quantities.

The bulk of the production is from oil camps in the Ozuluma and Tuxmapa districts in the State of Vera Cruz; the Valles district in the State of San Luis Potosi, and a portion of southern Tamaulipas.

In 1924 Mexico has been the world's second greatest producer of petroleum. During 1924 the United States produced 714,000,000 barrels; Mexico, 139,678,294; Russia, 45,162,000; Persia, 31,845,000; Dutch East Indies, 21,000,000; Roumania, 13,296,000; Peru, 7,812,000; Poland 5,710,000 and smaller producing countries produced from 4,000 to 4,500,000 barrels.

Petroleum production in Mexico during 1924 consisted of 100,574,037 barrels of heavy crude and 39,104,257 barrels of light crude, of which 67,459,363 barrels were handled by the refineries, obtaining 43,415,286 barrels of fuel oil; 9,339,669 barrels of crude gasoline; 9,037,755 barrels of refined gasoline, and substantial quantities of crude and refined kerosene, gas oil, lubricants, crude and refined paraffine, asphalt and minor products.

Exactly 296 producing wells were brought in during 1924, with a combined output of 1,001,431 barrels. Of these, 191, 1924, there were 1,069 productive wells in operation with a daily production of 1,725,400 barrels.

Cologne—Eight hundred German girls are leaving the Fatherland with British troops. Each is a Mrs. Tommy Atkins now.

Phil Taylor, Banker of Marshall, Whose Negro Tenant Made Over 11 Bales on 5 Acres Crowned King

Marshall, Texas, Nov. 30.—Before approximately 8,000 persons from all parts of the county, Phil P. Taylor, vice president of the State National Bank of Marshall and winner in the Harrison county contest conducted by the better times committee of the Chamber of Commerce with a yield of eleven 500-pound bales and 242 pounds over, on five acres, was crowned "Cotton King of Harrison County" Monday.

Victor H. Schoffemayer, agricultural editor of the Dallas News and manager of the state cotton contest, placed a crown of cotton taken from the winning bales upon Mr. Taylor's head, following an address in which he complimented Harrison county for its remarkable achievement in breaking last year's record of two bales an acre made by John W. McFarlane.

The high yield was produced by Willie Wilder, negro tenant of Mr. Taylor, who followed the instructions of his landlord and co-operated with County Agent Martin. In fact, Wilder has made so much of his farm this year, due to cotton contest methods of farming, that he has bought the 130 acres from Mr. Taylor.

He produced a total of forty-three bales on forty-seven acres, of which, under the agreement, he received three-fourths of the bales. Besides the forty-three bales of cotton, he grew all his feed, chiefly corn, to last him till next year, thus putting into effect a balanced system of farming which the News advocates.

The program was opened with an address by County Judge John W. Scott, chairman of the agricultural board of Harrison County, who paid a glowing tribute to the Dallas News campaign for better farming and said that it had done more to arouse interest in better farming than had ever been done before and that Harrison County's prosperity this year can be attributed in part to the work of this paper.

Before placing the crown on the head of Mr. Taylor, Mr. Schoffemayer complimented Harrison County for its achievement and appealed to the business men and citizens of Marshall to continue their splendid co-operation with the farmers and do even greater things next year.

Mr. Taylor who with the other speakers occupied the topmost bales of cotton from his farm piled high on a truck, said he highly appreciated the high honors conferred upon him, but that he owed his inspiration to the Dallas News' cotton contest for getting him interested in better farming.

It is largely the influence of the News which prompted me at the beginning of this year to see how much cotton could be produced on five acres," said Mr. Taylor, "and right here I want to state that in my opinion the Dallas News and Mr. Schoffemayer have done more to build up the agricultural interests of this great State of ours than any other medium that I know. The News has built the city of Dallas and if it keeps up its interest in the farmers in the future as it has done in the past in advocating diversified farming and more production on fewer acres, my prediction is that Texas will be the foremost agricultural State on a basis of acre production in the Union."

Phil Taylor, Banker of Marshall, Whose Negro Tenant Made Over 11 Bales on 5 Acres Crowned King

Chamber of Commerce, with a short address of appreciation. Mr. Taylor promptly handed the check to Willie Wilder, who was called from the crowd to mount the pile of bales and let himself be seen amidst applause. Much credit for the success of the day belongs to Bryan Blalock, secretary of the Marshall Chamber of Commerce, who had a record crowd out, and to County Agent M. R. Martin, who, with the co-operation of the Chamber of Commerce and the county board, has perfected a four-year program of crop rotation and soil building from which great things are expected.

Harrison county enjoys unusual prosperity this year, with a cotton crop of almost 40,000 bales as against 19,000 bales last season. More feed was grown in this county also than in many previous years and the outlook for 1926 is bright. Mr. Schoffemayer explained the 1926 cotton contest and was assured that Harrison county will be largely represented next year.

Tyler, Texas, Dec. 2.—Cal Foster, prominent farmer of Edom, twenty miles west of Tyler, has gathered twenty-five bales of cotton this year from eighteen acres. This particular cotton patch was not treated with fertilizer, and but little of it was bottom land, but merely the sandy soil typical of East Texas. This constitutes a remarkable yield for ordinary land, without the use of anything to increase its productivity, and Foster states that it was due to intense and frequent cultivation.

Alice, Texas, Dec. 2.—Prizes have just been awarded in the Alice Lions club five-acre cotton contest for Jim Wells county, prizes of from \$100 to \$10, based on the amount of lint cotton produced, being given.

Being the first winner of its kind ever attempted in the county, the number of entries was not large, and due to the extremely unseasonable year several who entered withdrew.

The following winners are announced:

First—Ben Beltz 1,658 100 Second—R. G. Adams 1,626 50 Third—H. L. Hull 1,491 45 Fourth—F. E. Dowlid 1,451 40 Fifth—N. M. Hayes 1,387 35 Sixth—R. Ramirez 1,348 30 Seventh—Stacy & Escobar 1,292 25 Eighth—R. Huebner 1,172 20 Ninth—F. Boenner 1,153 15 Tenth—Otto Goldapp 857 10

Considering the fact that the above yields were without fertilization or irrigation and produced in a year of unprecedented drought, the results are considered gratifying.

Says Clamor for Special Session Is Premature When Facts Should Be Known Before Making Charges Editor Forum: If the Grand Jury finds that the Governor or ex-Governor, or any member of the Highway Commission, has conspired with road contractors or engineers to advance their financial interest at the expense of the State and humiliation of her citizens, they should be indicted and prosecuted.

And if it is a fact, as charged by Legislators that irregularities existed in several State Departments, the Grand Jury should at once call the Legislators before them, and require them to tell where they got their information. They passed a resolution saying that it had been proven to their satisfaction that irregularities existed in several State Departments. That is a broad statement, and places a cloud of suspicion over every State Department—a fine statement to the world—and the gentleman who subscribed to that resolution and offer for office, and all others on the democratic ticket, will be reminded of it by the opposition next summer and fall.

As for myself, I feel justified in calling attention to that resolution for my work and vote was for the head of each State Department. There was a Ku-Klux and Anti-Klux ticket in the primary. I voted the Anti-Klux ticket, in the general election, my vote was cast against the Klux-Republican ticket. Therefore if any fraud or irregularities exist I am partly to blame, and it is my earnest desire that guilty parties be prosecuted. But let us withhold our decision until the facts are established beyond a doubt by a grand jury or a competent court. Remember, it is better to let ninety-nine guilty men go unpunished than to punish one innocent man. Remember, every man is presumed to be innocent until proven guilty by a competent court beyond a reasonable doubt. Don't ignore the Golden Rule.

Just a few months ago a party in California was charged with libel. He had published a false statement against a citizen—the word used for libel. In court he admitted that he had conspired with others to ruin the man and his business, and that his newspaper statement was a lie, and he agreed to pay a fine of five hundred dollars and retract what he had published as a lie and make that statement to the public. Remember, by propaganda and a conspiracy any man or his business can be ruined.

Therefore, let us not condemn any one on hearsay evidence, suspicion or circumstantial evidence, but withhold our decision until the facts are made public.

If the Governor has good reasons for calling a special session of the legislature it is to be hoped that she will. But I would not call it just because a lot of Legislators demanded it, and to satisfy my enemies.

Yours for honest government, LEA SHART, Lockhart, Texas, Nov. 27, 1925.

Padlocks for Hotels Where Booze is Sold Threatened by Judge

Wichita Falls, Texas, Dec. 2.—A Federal padlock, to be in effect for one year, was placed Saturday morning on the premises formerly occupied by the Acme Tailor Shop and the Santa Fe Shine Parlor on Commerce street, Dallas, by Judge William H. Atwell of the United States District Court, in session here. The permanent injunction granted Saturday upon application of the Government, represented by Mrs. S. C. Meneses of the District Attorney's Department, applies to the defendants Isaac Miller, Frank Whitehead and R. C. Honeycutt, and enjoins them from selling or possessing whiskey anywhere within the Northern District of Texas for a period of twelve months.

The order as it applies to the owners of the premises, will also be in effect for a year, but the court in his decree set forth that the storerooms could be opened and leased in the event a bond of \$500 was executed in each instance, as a guarantee that the premises would not be

rented to anyone who would engage in the illegal traffic of whiskey. Judge Atwell stated further that this would not be the only place which would be closed in Dallas, provided the District Attorney's department presented the case to the court. "There are lots of clubs there and lots of hotels, which will probably be closed," the Judge said in answer to argument of Judge George T. Burgess, who appeared for the owner of the premises, when he asked that the court not require the posting of a bond.

Mrs. Meneses, the Assistant United States District Attorney, took the stand and testified that the premises in question were generally known as places where whiskey was being sold and that recently a raid on the two places of business resulted in the seizure of a large amount of liquor. She also related in detail systems of trap doors which had been installed in the two places at a great expense, and which she said made it nearly impossible for Federal agents to conduct a successful raid.

It was shown that the Stewart Title and Guarantee company, present owners of the building, had assumed control on Sept. 15 and as intervenors pleaded that they were unaware that the premises were being used for illegal purposes.

Counsel for the owners of the building exhibited the cancellation of the leases, which he stated had been effected since Nov. 19.

CLASSIFIED ADS RATE—2c per word each insertion. Minimum charge 50c. Initials and each group of figures count as one word. Short lines seven words—Capitals double.

PLANT NOW—Leading varieties Cabbage and Crystal Wax Onion plants, by express, 6,000, \$7.50; postpaid, 1,000, \$2.00; 500, \$1.25. Bermuda Onions, express, 6,000, \$6.00. Postpaid, 1,000, \$1.50; 500, 90c. Dealers get quantity prices. The Sewell Company Inc., Station A., San Antonio. 12-3-4.

BABY CHICKS—I am hatching every week in the year. I have for sale pullets and hens. Pedigreed and utility cockerels, produced from eggs laid by my own hens. This new blood will build up your strain. Write for catalogue and prices. The Original, the Oldest, Johnson Poultry Ranch, in Texas, Wolfe City, Texas. tr.

WANTED—A German or Bohemian girl to do housework and cook in my home. A good place for a good girl. T. H. McGrover, Austin, Texas. Phone 3731.

RED INDIAN—Large, sweet, juicy, clingstone peach we knew when we were boys. Four-foot tree \$1. R. G. Martin, Stephenville, Texas. 11-12-1.

FOR SALE AT A BARGAIN—One six-col. quarto Campbell newspaper press, one 10x15 O. S. Gordon job press with power attachments, one 6-cylinder Hoover vacuum cleaner, one 3 h. p. Westinghouse motor, two imposing stoves, one Wing Horton mallet. All in good condition. J. J. Stephens, Glimmer, Texas. 12-4-1.

HALF AND HALF COTTON—The Georgia, stock direct, I am offering planting seed from cotton picked before the rainy weather set in, state tested and free from damage of any kind. Prices \$1.75 per bushel, \$5.00 per 100 pounds. This means freight paid, to your station. I will allow 10 per cent discount from farmers who live in the drought stricken area of Texas. ED TAYLOR, Queen City, Texas. 3-6

BERMUDA Onion Plants—100 85c, 500 \$1, 1,000 \$1.75, 5,000 \$7.50, postpaid; prompt shipment and satisfaction guaranteed. TEXAS PLANT FARM, Mart, Texas. 3-2

ALL KINDS high grade Fruit Trees and Nursery Stock. Low prices. Free Catalogue. Southland Nursery Company, Box 591-G, Tyler, Texas. 11-12-10.

"MA" IN MUSIC—Have you a copy of the latest musical hit? "Ma We Are Satisfied With You." Words and music by Mr. and Mrs. Scarborough, Jr., dedicated to Mrs. Miriam A. Ferguson, Governor of Texas. If your local music dealer does not have any on hand, have him order a few copies, or send fifty cents and a copy will be mailed you by return mail. The cover is attractive and is alone worth the price. You quartette boys need this. You will find plenty of harmony. Send in order to JIM S. SCARBOROUGH, JR., P. O. Box 797, Kingsville, Texas. 11-12-10.

CERTIFIED PLANTING SEED—Place your order now for Allen-farm Acala cotton seed. Quickest to mature a heavy yield. Straps 1-18 to 1-3-16 inches always brings splendid premium. Buy your seed from a reliable Registered cotton breeder and be sure of getting pure, high-grade seed of highest vitality. All my seed grown out of drought area from cotton making three-quarters bale per acre, and staple bringing three cents premium and better. Supply half sold now. Write quick for prices, stating amount of seed wanted. Special prices on car lots. Jno. D. Rogers, Registered Cotton Breeder, Navasota, Texas. 10-15-1

PLAINS LAND—The best grade in this section at \$10.00 to \$15.00. M. F. Beaumont, County Surveyor, Hartley, Texas. 10-15-8

100 ENVELOPES and 200 5-1-2 by 8-1-2 Note or Lettersheets, printed with your name and address and postpaid to you, \$1.00. Send \$1.00 for one year subscription to our farm and home journal and 25 cents extra to pay postage and get a trial box of stationery free. Send cash with order to Fletcher's Farming, Hondo, Texas. If you prefer, send two dollars and get both Farming and the Forum for a whole year without the stationery.

Ferguson Forum "Builders of Texas" Campaign

RICE GROWING IN TEXAS

Rice is one of the staple crops of Texas. It is in a measure independent of many of the evils which beset other agricultural products in Texas, since a certain amount of water must be provided that is obtained through irrigation. It is suited to the soil and climate of the lower coast region, and for more than twenty years has been a source of profit to the people of that section who are engaged in its production. Most of the water used in the cultivation of rice comes from the lower Colorado, Trinity, San Jacinto and Neches Rivers and from the bayous in that vicinity. Some experiments have been made to try to determine how much salt water may be used without injuring the plant itself, but so far not a great deal of it has been utilized for that purpose. That may be a means of increasing the area which may be profitably put to the cultivation of rice, although as yet, the entire amount of land suitable for rice growing has not been tested as to its value and profit. In fact, the number of acres yearly placed in rice has almost consistently decreased since 1910, the one exception being 1920, but the value of the crop has increased to an amount which has made a greater return in money in spite of the decrease in acres and bushels. There are two varieties of rice produced, Honduras and Japan, both of which are of a uniformly excellent quality, and the average production is about 30 bushels per acre.

Texas usually takes rank as second, third, or fourth among the States of the United States in the production of rice. This shows us another possibility for development. Why not be First? We have the suitable land, we have the interest, we have the labor, we could use the increased income very happily. Is there any reason why we should not work ourselves into the very best position which we are capable of filling? Louisiana, Arkansas, and California are our close rivals, and we have as much elemental opportunity as either of them, and more of the natural advantages.

In the United States in 1924, there were 899,000 acres upon which were grown 33,256,000 bushels of rice, Texas produced 5,566,000 bushels on 158,000 acres, or one-sixth of the crop on about one-sixth of the number of acres. That is not a bad showing for one of the forty-eight states, but it might be improved. At least it shows us that our land and methods do not fall below the general average of those of the rest of the states, and in some cases they are sure to be better. The value of this crop to Texas was more than \$7,000,000, as contrasted with the 8,738,000 bushels raised on 264,000 acres and worth \$5,942,000 in 1910. If we can make more money on fewer acres by increasing the quality as well as the quantity produced, then we have really learned the most invaluable lesson which the farm-

er can master. Time was, however, in 1920 when we produced 9,554,000 bushels on 281,000 acres and realized a return of nearly \$12,000,000, and the year before that our rice brought into the coffers of the State nineteen and a half millions. We do indeed have a valuable product in this semi-tropical article which was at first thought to be entirely unsuited to our state.

The production of rice has its companion industry of polishing and hulling the rice in order to make it suitable for either the wholesale or retail market, and the mills in Texas have a capacity for more than 30,000 bags per day. These are then shipped out to different parts of the United States, and also to foreign markets, the most important being Porto Rico. Practically three-fourths of it is thus sent out, and in its place we may get something for our own use which is not suited to our industries and activities, or we may use the returns as capital to develop our resources and thus further increase our earning capacity. It is a happy day for any country which shows a surplus over and above its own needs which may be used for future development instead of pressing temporary needs.

Texas has reached that point in the Rice industry. It is up to us to see that we continue on the road to future happiness and prosperity.

The article here published is part of a series to advertise the Resources and Industries of Texas; and are contributed by "Builders of Texas," who made possible the Growth and Development of Texas. Other articles in this campaign will deal with the varied industrial, agricultural and mineral interests and their progress and development in Texas. Read each article of this series. It will be worth your while.

Governor Ferguson Goes to Home In Temple to Set Out Roses, to Pay Her Poll Tax and Visit Sister in Belton

(From Temple Telegram) Governor Miriam A. Ferguson came to Temple yesterday afternoon to plant some roses, pay her poll tax, see her friends, do a little Christmas shopping and spend the night in Belton with her sister, Mrs. M. P. McElhannon. She was accompanied by her daughter, Miss Dorrace Ferguson. She will return to Austin this afternoon. Governor Ferguson left Austin unceremoniously just before noon yesterday without going to her office and reports were soon current in the capital that she had slipped away for a rest and to escape reporters and the strain of her office. Three long distance telephone calls came to the Telegram office to ascertain the state of her health, and when the governor was informed of these reports she invited a Telegram reporter to come to see her and tell her the truth if she looked sick. The reporter found the governor in the Ferguson Forum office, her face beaming with the joy of seeing the faces of scores of friends who had called to greet her. She was advised that she looked to be in the pink of health, and very happy. "Thank you," she said. "I never felt better in my life, and I am happy. The reception I am getting here reminds me of campaign days and I am always glad to come to Temple. "If the people of Texas are really interested in my little trips, as you reporters say they are, just put in the paper that I came home to plant some rosebushes, pay my poll tax, do a little Christmas shopping, see my old friends and spend the night in Belton with my sister. I shall return to Austin Wednesday on the

900 of excess profits (aside from the resurfacing, and if there have in fact such excess) is taken as conclusive of such gross incompetency as to amount to constructive fraud. Is this a fair appraisal of the facts as the newspapers have thus far told them? In a contract of \$1,700,000, there might be a shift of \$500,000, dependent upon weather, and the rise and fall of labor and material. Contractors must take into account these uncertain conditions or often be ruined. We know that the weather was almost marvellously perfect while this highway work was being done, and Chairman Lanham says that labor and material were cheaper than contemplated. The Galveston causeway illustrates this situation. There, the contract, made after our entry into the world war, which the contractor was held to construct, cost about that amount, owing to increase in the cost of labor and material and difficulty of transportation, was \$652,625.45, which was the loss to the contractor. If the conditions here had been changed, and bad weather, retarding the work and making transportation difficult, with increase in the cost of labor and material, had consumed the \$500,000 or \$600,000, and put the contractor to a loss, what would then be said? We may pause for a reply. 6. Finally, it is said that the governor, on disclosure of the so-called excess profits, should have sided at once against the highway commissioners. But is that true? Would it have been just to the men of high repute she had pronounced and ousted from office, so long as she believed they had done no wrong, and the state would suffer no loss by confirming the contract, in view of the probable need for resurfacing, unless public clamor, though unreasonable, should unmistakably demand the resignation, as it finally did? The government is of the people, and its voice, when pronounced and enough, should always be heeded. The governor has heeded it. Let me add that I could not, upon the facts thus far presented, or unless the proofs were clear and beyond all doubt, bring myself to impute conscious wrong to the distinguished gentlemen of the highway commission, nor to our worthy governor or her husband, whose administration, with the aid of a thoughtful legislature, simply sparkles with brilliancy of achievement accomplished in the interest of the people. I trust that you will kindly give the above such prominence in your paper as the importance of the subject seems to suggest. PRESLEY K. EWING, Houston, Texas, Nov. 24.

Consider Facts Before Passing Final Judgment on Highway Cases Is Advice of Judge Presley Ewing

The following communication from Judge Presley K. Ewing, of Houston, was published in the Houston Chronicle and is submitted here for Forum readers: To the Editor of The Chronicle: Your fairness and usual good discrimination in dealing with public questions prompt me to submit for your columns considerations which it seems to me the people should have clearly before them in order to pass a just judgment on the highway controversy; and, in doing so, I am no champion of either side, and have had no communication with the governor or any member of the highway commission, having gotten my facts solely from the press, chiefly from your esteemed paper. 1. The appointment of Frank Lanham, son of one of our most illustrious governors, and of his associates, also prominent men, met with no criticism at the time, not even from the contingent of the press hostile to the governor. It would have required prophetic ken to foresee either lack of integrity or competency from these appointees, and we understand that the attorney general has not claimed any want of the former. 2. Stress has been laid on the absence of a bond from the contractor. The state has not lost one cent on account of the absence of a bond, which was not so material as might at first blush appear. The work is understood to have been paid for only on approved estimates and after the work was performed and accepted. If there had been a bond, it would have gone merely to the faithful performance of the contract; it would not have covered excess profits based on the invalidity of the contract. Persons often construct costly buildings without bond, protecting themselves by seeing that their payments do not exceed the work done. 3. Consent to the judgment for \$600,000 is said to be a confession of wrong. Is that necessarily true? If it be, as Chairman Lanham asserts, that the probable need in the future of resurfacing the roads will likely cost as much or more than the \$500,000 or \$600,000 recovered for excess profits, who can say it was not good business for the contractor to yield the amount of the judgment in exchange for a cancellation of its admitted obligation to resurface if needed? Who can now say on that basis that the state will be benefited a dollar by the swapping of the obligation for the money gotten back? 4. Some say that the resignation of the highway commissioners thereby admitted wrong. But is that so? There have been well-known instances in which innocent men in high official positions have resigned to avoid embarrassment to the administration or to the party, where a storm of opposition had been aroused against them, whether just or unjust. In

George Butcher Sues Ku Klux and He Asks Service on Dr. Evans

Dallas, Texas, Dec. 2.—George K. Butcher, former Kleagle of Dallas Klan No. 66, has filed suit in Judge Kenneth Poree's Fourteenth District Court to recover a total of \$9,030, which he alleges is due him for services rendered while employed by the Knights of the Ku Klux Klan. The suit is styled George K. Butcher vs. Knights of the Ku Klux Klan et al, and orders service on Hiram W. Evans, imperial wizard of the national organization; Clarence Parker, cyclops of Dallas Klan, and others. Butcher, in his original petition, alleges that he was employed November 1, 1924, to serve for one year as field and service man for the national organization of the Klan at a salary of \$200 per week, \$10,400 per year. He further alleges that he was discharged from this position on August 23, 1925, and that unpaid balance of his salary is \$4,530. Plaintiff alleges further that he was employed by the national organization to perform certain specific duties for Dallas Klan No. 66, among which was the obtaining of witnesses for the trial of Philip Fox in Atlanta in December, 1922. For this service Butcher claims he was to receive \$6,450, but only received \$1,950. He is suing for the remaining \$4,500, together with the \$4,530 he alleges is due him for services rendered as field and service man in 1924. The suit was filed by Butcher through his attorneys, Burgess, Burgess, Sadler, Crestman & Brundidge.

\$30,000,000 in Fines and 12,000 Years in Prison Is Dry Record

Washington, Dec. 2.—During five and one-half years of prohibition, fines totaling nearly \$30,000,000, and jail sentences aggregating nearly 12,000 years have been imposed on violators of the Volstead act, according to a report to Attorney General Sargent by the division of prohibition litigation. A summary of the trend of prohibition enforcement since the Federal dry law was passed has disclosed, the report said, that: 1. The Government is prosecuting larger and more important cases. 2. The number of arrests each of the last two years in the number of cases pending, indicating more prompt trials. 3. The penalties for violation, especially in the matter of jail and prison sentences, are steadily increasing. 4. There has been a substantial increase in the number of injunctions reported. Up to June 30, 1925, the Government convicted 154,772 persons for violation of the Volstead law, acquitted 7,451, dismissed 30,123 cases and there were at that time 24,634 cases pending. Fines imposed during the same period amounted to \$29,035,659.32. Jail and prison sentences totaled 11,621 years, seven months and six days. That the Federal courts are becoming more and more strenuous in their dealings with dry law violators is indicated by the fact that the average jail sentence has increased 25 per cent in the last year. In 1923, the average jail sentence was only twenty-one days. In 1924 was thirty-four days and in 1925 it jumped to more than forty-three days. The average fine for 1925 was nearly \$200. As further indication that Federal prosecution will be granted except in cases of absence, sickness or inability to secure data to make a correct return. When the time is extended for the filing of an income tax return, interest will be charged on the first installment or deficiency thereof if a tentative return is required to be filed. The interest will run to the expiration of the extension of time even if payment is made prior to the time such extension expires. Collector Bass further states that a tentative return may be required of taxpayers requesting extensions of time. Tentative returns will not be required in the case of partnerships, fiduciary returns on Form 1041, or any of the various information returns.

Notice is Given By Revenue Collector As to Income Taxes

Austin, Tex., Dec. 1.—Collector of Internal Revenue James W. Bass with offices at Austin, Texas, made a statement today that under instructions recently received from the bureau at Washington he will now be permitted to grant extensions of time for the filing of income tax returns. Collector Bass states that no extension will be granted except in cases of absence, sickness or inability to secure data to make a correct return. When the time is extended for the filing of an income tax return, interest will be charged on the first installment or deficiency thereof if a tentative return is required to be filed. The interest will run to the expiration of the extension of time even if payment is made prior to the time such extension expires. Collector Bass further states that a tentative return may be required of taxpayers requesting extensions of time. Tentative returns will not be required in the case of partnerships, fiduciary returns on Form 1041, or any of the various information returns.

Co-operation in Farm Affairs Now Pledged By Secretary Jardine

Philadelphia, Pa., Dec. 2.—The interest taken by the United States department of agriculture in the agricultural co-operative movement and the aims and intentions of that department to further increase its usefulness to the farming element of the nation were outlined here by William M. Jardine, secretary of agriculture, in an address before the ninth annual meeting of the National Co-operative Milk Producers' Federation. "The co-operative associations in the United States are engaged in a far reaching undertaking which we believe to be vital to the welfare of agriculture," he said. "From this point of view there should be no question of the attitude of the federal government toward co-operation. The movement deserves encouragement and support and this encouragement and support must be dynamic and positive. "The policy of the department of agriculture has been and will continue to be one of direction but of service in the lines in which farmers themselves have become convinced that service is needed. The department was established for promotion of American agriculture and it seeks to give farmers constantly the service which they themselves have found essential to progress." The department of agriculture, he said, has evolved a plan which it is believed will be of assistance to co-operative associations. The plan contemplates ascertaining facts useful to co-operative organizations supplying facts and when necessary interpretation of them to the organizations and affording a means whereby representatives of co-operations can come together efficiently for conference with each other and with specialists in the department and in other institutions. Direct financial aid to co-operative associations by the government is not contemplated, he said. Such aid, he added, would "tend to divide into an efficient part capable of standing on its own feet, and an inefficient part nursed by subsidies and inconstant danger of collapse."

Sees More Personal Politics In Dan Moody's Highway Suit Than Real Profit to Texas Taxpayers

Editor Ferguson Forum: I have read with interest the press reports on the Highway Commission and Dan Moody controversy with the American Road company, and it appears to me that, neither Frank V. Lanham nor Joe Burkett should be condemned as criminals, as some seem to want to do, without a hearing, or that Dan Moody should be made the hero, upon his own statements and press reports, which were either put out by him or his political friends, for during the second primary and even the first of last year, Dan Moody was more than willing to reap the benefits in the form of votes, that he received by being considered along with Jim Ferguson, as one of the outstanding figures that opposed the Ku Klux Klan in Texas, but now that he was elected, and there is no question that he was made attorney general by klan opposition, and by the votes that also elected Governor Ferguson, he wants to turn on those who helped him, and injure those around him, so that he may reap more political life. It was poor politics though when his friends at Georgetown immediately came out with the statement that he was bound to be the next governor, for this statement came on the heels of an announcement of an agreed judgment in the controversy with the American Road Company. After several years of close observation of courts and court proceedings, it appears very clearly to me that Mr. Moody does not merit such high praise for the recovery, for any lawyer, whether able or otherwise, can obtain a judgment, either if the opposing party allows it to go by default, or if the other party agrees to the judgment, as the American Road company did in this case. It appears to me that the American Road company was a willing witness for the attorney general, and the STATE may not prove to have profited by his RECOVERY in the final analysis. It is not evident to me that either member of the highway commission was guilty of fraud, and at most if an error was made they are entitled to the benefit of the doubt, until it has been satisfactorily proven by legal and competent evidence beyond a reasonable doubt, and we all know that is not press reports. I supported Jim Ferguson, at Tyler, Texas, against Tom Ball, and have ever since, and I voted for Mrs. Ferguson for governor, and hope to have the privilege of helping to reelect her, even if she be opposed by the Honorable Dan Moody, now attorney general. I supported Jim Ferguson against Earle B. Mayfield, when he was defeated, and Earle B. Mayfield was elected by the klan influence, and I hope to have the privilege of helping Jim Ferguson defeat Earle B. Mayfield for United States senator at the 1928 election. This can be done by opposition to the klan influence, for the klan has lost its grip in Texas, and Jim Ferguson has been the one man in Texas who has at all times stood head and shoulders above the others in his opposition to the Ku Klux Klan, and he is and has always proved himself above such politics as Dan Moody is trying to pull at this time. The voters know and will demonstrate. B. G. PUNTNEY, P. O. Box 198, Amarillo, Texas, Nov. 28, 1925.

Texas Public Health Association Reports Many Cases Assisted

Austin, Texas, Dec. 2.—J. W. Butler, Galveston, president of the Texas Public Health association, in a statement today said that this organization had reached over 170,000 people personally with a health message. This is exclusive of the large centers of population. A large amount of work was done among the school children. Nearly 8,000 were given a complete physical examination and 45,000 children were taught health habits through the Modern Health Crusade. This is a system that teaches health by having the children do the things that will help improve their health. Nearly a quarter million pieces of health literature was distributed. A

Dry Chief Gives Out Orders to Trace All Permits for Alcohol

Washington, Dec. 2.—Striking from all legal angles at the sources of bootleg liquor supply, General Lincoln C. Andrews, assistant secretary of the treasury, in charge of prohibition enforcement, tonight had virtually completed his lines of battle for the government's attempt to uphold the liquor laws. Within a week the dry czar has moved swiftly with the following results: 1. New regulation will be issued to curb drugists' traffic in prescription liquor. 2. The ways and means committee of the house has recommended a near beer tax to allow inspections of all breweries. 3. Permits for home manufacture of 200 gallons of wine, tax free, of which many thousands existed in California and other states were ordered cancelled. 4. Andrews ordered cancelled all industrial alcohol permits at the end of this year, but after a storm of protest, modified the order so that permits will expire at the end of 1926. 5. Orders were issued to inspectors to find out where alcohol issued on permits was being used with instructions to stop all leaks into the illicit liquor trade. 6. Regulations for the permits for sacramental wine to be issued to eliminate the middle man.

Wife of Methodist Preacher Killed in Automobile Crash

Fort Worth, Nov. 26.—Mrs. Alonzo Monk, Jr., wife of the general evangelist of the Methodist church, Central Texas conference, was killed at 10:30 this morning in an automobile accident between here and Cleburne. Her daughter, Mary, was injured so seriously that she is expected to die. The body of Mrs. Monk was taken to Cleburne and the child is in a Cleburne hospital. James Monk, 14, driver of the car, was only slightly injured. He declared the car suddenly left the road and was overturned. He was unable to account for the accident, though he said the car was going at a fairly rapid rate. They were en route to Gatesville to spend Thanksgiving with Mrs. Monk's mother. Miss Monk sustained probable internal injuries, a broken leg and an injury to her back, the extent of which is yet undetermined. The accident happened two and one half miles north of Cleburne.

Sahara Desert Gives Up Long Buried Tomb Filled With Treasure

Chicago, Nov. 28.—Discovery of a great Sahara desert tomb treasure by the Count De Perrock-Beloit college expedition now near Mount Tamarrast of the Hoggar mountains, was announced today in a cablegram from the Countess Perrock, to Dr. George L. Collie, curator of the Logan Museum of Beloit college, Beloit, Wis. Beaumont Realtor Dies. Beaumont, Tex., Dec. 1.—Benjamin Irby, 63, Beaumont real estate dealer since 1901, died at his home here last night after a brief illness.

The Houston Chronicle's Christmas Offer Is— By Mail Only in Texas and Louisiana \$5.00 Daily and Sunday Regular Rate, \$9 Rate in Other States: Daily and Sunday, \$12.00; Daily Only, \$9.00 \$3.50 Daily Only Regular Rate, \$6 GOOD ONLY UNTIL DECEMBER 26th, 1925 THE DAILY CHRONICLE! Complete market and financial reports; nine leased news gathering wires, numerous features, timely photographs and a page of the best comics. THE SUNDAY CHRONICLE Seventy to ninety pages of up-to-the-minute news, special features, including eight pages of the most popular comics and an eight-page art gravure section—the only one that is published in Texas. SUBSCRIBE TODAY Through your Local Chronicle Agent, Postmaster, this Newspaper or Mail Direct to Circulation Dept., Houston Chronicle, Houston, Texas. And Please Mention This Newspaper.

Texas House Clerk Named for Cameron County's Vacancy

Brownsville, Texas, Dec. 2.—Polk Hornaday, until recently a reading clerk of the house of representatives, was nominated by the democratic executive committee of this county as representative from this district to replace Harry L. Faulk, resigned. J. L. Crawford of San Benito, was elected chairman of the democratic executive committee to take the place of Judge W. R. Jones, deceased.

Bell County Shows Only One-sixth of Last Year's Crop

(From Temple Telegram.) There were 11,220 bales of cotton ginned in Bell county up to Nov. 14, counting round bales as half bales, it was reported yesterday by George Wöhleb, representative of the census bureau. This was compared with 68,474 bales ginned at the same time last year. Last year about 4,000 or 5,000 bales were ginned after Nov. 14 and there remains a good possibility for this year's ginnings to reach 15,000 bales if cotton in the fields is saved, it was said here yesterday. Boy Falls From Trestle. Dallas, Tex., Nov. 26.—A fall of twenty feet from a railroad trestle while riding a bicycle over it resulted in serious injury today to John Winn, 15, a painter's helper. He sustained severe injury to his spine and head.

666 is a prescription for Colds, Grippe, Flu, Dengue, Bilious Fever and Malaria. It kills the germs.

To Our Friends:--- I appeal to my friends every where to help me spread the FORUM. In order that everybody may know the real facts down at Austin and the political campaign soon to be waged the price of the Forum from now until September 1, 1926, has been reduced to \$1.00. Just pin a \$1.00 bill to a piece of paper containing your address and mail it in. I appeal to our friends everywhere to help us. Get our friends to subscribe. If you do not know who to send the paper to, send us \$1.00, \$5.00 or \$10.00 and we will send the paper where it will do good. Don't wait, act today. The war is on. Arm yourself with the Forum and get the facts. Jim Ferguson, Editor Temple, Texas