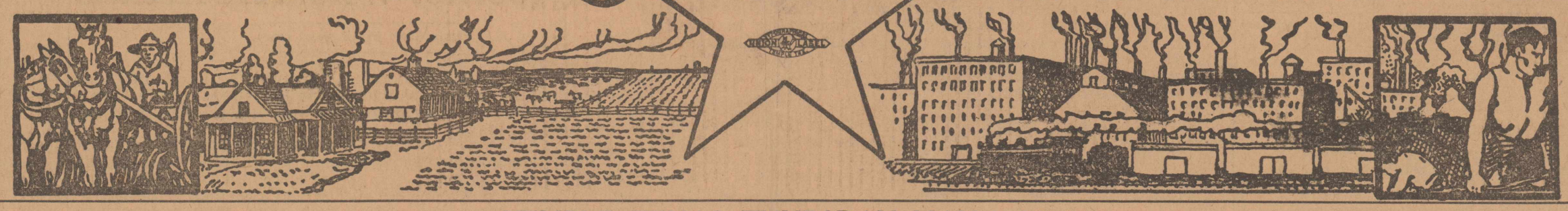


The Ferguson Forum

WE ARE
AGIN HIGH
INTEREST



WE ARE
AGIN HIGH
TAXES

1-21-27
CIVIL BOOK STORE
AUSTIN, TEX.

Unofficial Sessions Held by Solons Can Accomplish Nothing, Says Roy Hardin

State Senator J. Roy Hardin, of Terrell, who attended the senatorial conference held by a number of state senators at Waco for the discussion of the road bond tangle and the calling of a special session, in a communication to the Dallas Morning News corrects that paper's statement that all the senators present favored a call for a special session. Senator Hardin tells the News he opposed such a call and then proceeds to explain why "unofficial sessions" of legislators are of no force but are merely gatherings of private citizens. His communication to the News is as follows:

To The News:
The senators who met at Waco last week voted for a special session to validate road bonds. The News said that all senators present favored the proposed session. I was present and opposed it, and for reasons which might be of interest to some of the many readers of your great paper.

In the first place, these privately assembled sessions of legislators should be dispensed with. They have no place in our politics and no good can come of them. The "unofficial session" of the legislature in Austin a few months ago was a fiasco and the meeting of senators in Waco will eventuate into the same thing.

The prerogative of calling a special session belongs exclusively to the governor. It is no part of the official duty of legislators to recommend or attempt to call such a session. When they do so they are acting simply as private citizens and are entitled to no more consideration than other private citizens. The legislature is jealous of its own prerogatives; it resents, and properly so, any effort of the chief executive to override its privileges, and in return it should respect the constitutional privilege of the governor.

A special session of the legislature is at best a necessary evil and should never be called or demanded unless the necessity for such session is clearly established. The taxpayers of Texas always breathe a sigh of relief when the legislature adjourns. Of course, some members of the legislature can always be found who favor a special session any time and for any purpose, and if the governor acceded to such demands the legislature would be in session perpetually.

If the legislature can validate the road bonds the session should not be called. If they cannot be validated the session should not be called. That is the viewpoint of the people of Texas and that is the viewpoint of the governor of Texas. The governor has already agreed to call the session if a bill is prepared and presented, which competent legal authorities will recommend as being effective. It is purely a constitutional question and the people of Texas do not expect and do not wish a special session unless there is some assurance that it can accomplish the work it is called to do.

The attorney general has acted very wisely in demanding that assurance, but as yet it has not been presented. The attorney general has given an opinion favoring validation, but his opinion does not carry much weight in this particular matter because he has been approving these worthless bonds, and if he was wrong then he may be wrong now. His opinions about road bonds have been rejected by the supreme court of the United States, and that is the court we must satisfy.

The attorney who carried the Archer county case to the supreme court says the bonds cannot be validated. He won the case, and he ought to know. The highest judicial tribunal in all the world listened to him and said he was right, and his opinion is worthy of our earnest consideration. I don't know him but I think the people of Texas should name him by acclamation as their next attorney general. He has proved that he knows what due process of law is and what it takes to make a valid road bond. Had he been attorney general these worthless bonds would not have been issued. His services would have been worth millions to our state in the past and might be worth millions to our state in the future in working out this very problem, to say nothing of other problems requiring a knowledge of constitutional law.

J. ROY HARDIN, State Senator,

Terrell, Texas.

Chatting With Girl Clerks of Highway Board Is Forbidden

Austin, Tex., May 5.—No more talking with pretty girl employees of the highway department for the man who comes to the department on business, is the new ruling.

"Contractors and material men not allowed to talk to lady employees." This is the legend placed on signs tacked on the railings leading into the commission's and engineers' offices. It is related that once the railing broke down as a result of so many men leaning on it talking to the girls.

Worshippers Trapped in Church by Flood Taken Out on Rafts

New Orleans, La., May 3.—Marooned yesterday afternoon and last night, more than a score of worshippers remained in the Napoleon Baptist church here for 16 hours, leaving the church on rafts this morning.

At the conclusion of a 3 o'clock service water was waist high about the church. At daybreak today the water had not receded and breakfast was sent by firemen from a nearby station. Neighbors later constructed rafts on which members of the congregation floated to higher ground.

Five Power Dams on Colorado River Are Approved at Austin

Austin, Texas, May 1.—Permit to construct five hydro-electric power dams on the Colorado river, two in Travis and three in Burnett county, today was granted the Syndicate Power company of Dallas by the state board of water engineers.

Hatcher Refuses to Pay Road Check to Sherman-Youmans

Austin, Texas, May 1.—State Treasurer Hatcher announced today he would not pay warrants totaling \$21,686 to the Sherman-Youmans company of Houston unless ordered to do so by a court or so advised by the attorney general. Dan Moody Thursday advised Hatcher to withhold payment of at least \$21,000 to satisfy the claim of the state should it recover damages in a suit now pending against Sherman-Youmans. In reply, Hatcher requested that injunction proceedings be brought against him to enjoin his paying the warrants.

"I had been advised that mandamus proceedings would be instituted if I refused to pay the warrants, and knowing that evidence could be introduced in an injunction proceeding favoring the state that likely would not get to the court in a mandamus proceeding, I suggested the injunction," Mr. Hatcher explained.

"Law makes the attorney general my legal adviser and he will be called upon to represent me in any legal proceedings."

Creager Faction in Texas G. O. P. Backs Fight on Wurzbach

San Antonio, May 1.—An opponent for Congressman Harry Wurzbach announced himself here late today on the heels of a two day caucus of state republican leaders who recently accused Wurzbach of abuse of patronage and stirred up a row reaching to Washington.

Fred Knetsch, Guadalupe county attorney since 1924, and resident of Seguin, Wurzbach's home town, is the new candidate, entering the race with the support of the Creager-Notte faction of the Texas republican organization.

Deserves Re-Election on Her Record

Editor Forum: As my paper runs out pretty soon and I don't want to miss a copy you will find check enclosed for which please set my subscription up another notch. I think it is the best paper I ever read. We get the facts just as they are. I think every voter in Texas ought to take it, for the fight has just begun and we voters ought to read and learn so we may know just how to vote in July.

Now I don't mean to just take the Forum alone, but by all means take the Forum and other papers too. Read them all. Weigh them all up and then you can see and know for yourself just who is who and where to get.

Of course Ma will be the next governor. She is the only governor we have had I think since Jim went out. Her good record shows that plainly. Now the state farms are out of debt, something no other governor has ever done except Ma and Jim. More money on hand. More roads and better roads. All teachers can get their money without discount and many other things—too many to mention and some people say well, Jim is the governor and I say not. But that's all right if he was, as he is the best poor man's governor Texas ever had, except Ma. That is just what we want—a real governor. Two heads are always better than one any way. I have always voted for Jim and if I can't vote for Jim I sure can vote for Ma and that is just as good. Ma is just as good a governor as Jim and Jim just as good as Ma. I have known them both all my life. I was born in Bell county. My father worked some of Joe Wallace's land, Miriam A. Ferguson's father, for several years. I don't think ever a better man lived than Mrs. Ferguson's father. Nearly all the poor people there borrowed money from him every year and when they got broke they always went to him and got what they needed.

Come on voters, let's give Ma the biggest vote of any governor yet. This being her second term she ought to have it by all means. You know that the second term is democratic where they have made such a good record as she has made and I believe she and Jim will do even better next term than this. I know they will, if people will stop their talking and howling about what Jim has done, Jim is the best friend the farmer has and we all know it and it don't do them any good to howl for we don't believe them. You know if Jim had done what some say he has people wouldn't have staid with him like they have. We know he hasn't done anything only for our good and we know he and Ma are going to do still more for us and we are going to stay with them.

Now Dan may be a good man—I don't know, but he couldn't be satisfied with his job by just asking for it again but seems to me like he is getting a little too pert all at once. Can't tend to one job for hunting another. I wouldn't have thought you could pulled him in against Ma as good a governor as she has made us, and on her second term at that, but I don't think he will get very far any way. It seems to me that it would be a wise idea for Dan to quit before he goes any farther and go back and try to locate his same position. I think he would have better luck.

And Lynch Davidson; I don't know much about him either, only I don't think he can get very far because there are too many of us voters that are going to vote for Ma. I don't believe we will have any run-off this time unless three or four more get in the race for I honestly believe that Ma will get more votes than all the rest.

Come on voters, let's show them where we stand. Pour it on them, Jim, I know you can for I have heard you. Some people howl about pardoning so many. I don't think she has pardoned enough yet. I think when the jury and judge recommend a pardon for some one they ought to know whether they need out or not and if they think so I believe they ought to be free. Seems that way to me. Of course Ma has to have a lawful reason for pardoning any one and I think she has every time. We know she is doing the best she can. I know she is doing what she thinks is best and I think God will reward her for her good deeds. I think everything will come out all O. K. All we got to do is to vote and see that our wives vote. The old saying is everything will come out in the washing, all we got to do is to put a little powder in the water and be ready for the election in July.

I may be taking up too much space. I beg your pardon, Mr. Editor, but if you think this is all O. K. and worth while to print let it come, but whatever you do don't forget to set my paper up another notch.

J. A. THOMPSON,

Ira, Scurry County, Texas.

REAL FRIEND OF THE FARMER

Editor Forum: If there ever was a time in the history of this world when the farmers of this country should have a word in their own defense and in the interest of their own affairs it is none other than the present good hour, and I am sending this letter to the Ferguson Forum for the simple reason that the old reliable Jim Ferguson is the farmers' friend and for the further reason that many of our great dailies are simply filling their columns with all sorts of advice, admonition, remonstrance and I might say uncalled for dictation to the farmers of this country and seemingly to the exclusion

(Continued On Page Three)

Moody's Appeal for Votes Draws Highest Praise for Governor Whom He Assails

The Forum is permitted by Dr. Eugene O. Boggs, of Spring, Texas, to publish the following copy of a letter addressed by him to Dan Moody in reply to an appeal by Moody for the vote and support of Dr. Boggs in his candidacy for governor against Mrs. Ferguson. The reply of Dr. Boggs is brief but pointed and makes clear to the young attorney general just how the doctor stands. The letter is as follows:

(Copy)
Spring, Texas, April 24, 1926.

Hon. Dan Moody,
Austin, Texas.
Dear Sir: Acknowledging yours of the 16th inst. My vote and influence, if any, was yours when a candidate for attorney general in the last campaign, but I cannot follow your political fortunes further. The very perilous situation in state affairs mentioned by you in your letter exists principally in your imagination.

In my very humble opinion the affairs of state are in the most satisfactory condition of any time since James E. Ferguson was so unjustly impeached and deprived of the office of governor, and to the aid and advice given by him to his good wife, is due in great measure the present happy state of affairs. I am proud of the fact that I am one of the 200,000 voters (classed as ignoramuses) that will stick to the Fergusons through thick and thin. I not only cannot support you, but will use all honorable means to put my good friend, Mrs. Ferguson, back in office for another term.

Truly yours,
E. O. BOGGS.

Here is another letter in reply to Dan's plea for votes:
Corsicana, Texas, April 30, 1926.

Mr. Dan Moody,
Austin, Texas.

Dear Sir: Your letter of yesterday soliciting my vote received. I will say in reply that I voted for you two years ago and I think I made a mistake. Think I voted for a little man for a big place.

As to the present administration I beg to differ with you. I think she has made the best governor we have had in twenty years, even better than James E. Ferguson made, and I think you have more nerve than any man in Texas going in office on Mrs. Ferguson's apron strings and then, as soon as you get in, start out with the advice of Tom Love and Earle Mayfield and a few other K. K. Ks. around Dallas and Fort Worth to try and discredit the Ferguson administration and ask Ferguson people to support you. Not me. But I think you will find out after the 24th of July you had poor luck.

I was one of the bunch to help get the crowd at Worthington's tank to hear you talk, but, Old Boy, if you should come here during your campaign to speak when you look out in the crowd you will see but one face that you saw out there before, and that poor fellow has a man running against him that will make him look like all the rest of the K. K. Ks. when the election is over.

As to the names that you want on your mailing list, I would suggest that you write the clerk of the K. K. K. of Corsicana. He will furnish you the names of the ones that are supporting you here. At least I hear the ones that supported Dr. Butte talking about what a great man you are, but I do not think much of that, for I heard the same man say the same thing about Felix Robertson.

Now, I think you had better take my name off of your mailing list. We have 12,000 votes in this county and 1,200 K. K. Ks. I think you can safely count on 1,200 votes.

Yours truly,
W. A. BABB.

P. S.: I am mailing copy of this letter to the Ferguson Forum.

And here is still another:
Floresville, Texas, May 4, 1926.

Dan Moody,
Austin, Texas.

Dear Sir: Your recent letter thanking me for supporting you for attorney general two years ago and asking that I support you for governor this year, also asking that I send you a list of known Moody supporters in this county, is before me.

Yes, I supported you two years ago, but did not know at the time what you would do after being elected. I felt sure I had made a mistake, as soon as I saw the ku klux had voted for you against an avowed klucker. You then had us American voters believing you were helping fight the invisible empire. Of course WE had to guess at you, but I knew the ku kluxers were not guessing when they voted as they did; and my heart went sick.

Take your list of ku klux voters in this county, and count them; that will be just about your vote from here. I have heard two other men say they would support you; but I believe one of them will open his eyes in a few days, if he has not done so ere now.

Why do you want to be only governor, anyway? For the last past year you have been attorney general, governor, the highway commission, text book commission—well, I have not the space to go further with the list you are. Could you still be all those things simply as governor?

I remember that about two months ago you were telling the world and the supreme court of the United States that near \$100,000,000.00 worth of road bonds in Texas were illegally issued, and at the same time you told us poor county attorneys throughout the state that not one bond was affected or involved in that controversy, and your newspaper organ in San Antonio put your two statements side by side, in parallel columns the same day. They can't both be true. One statement or the other is incorrect—and there is near \$100,000,000.00 of the people's money involved. Your bunch are now demanding a special session of the legislature to validate the very bonds you ruled to be unaffected; notwithstanding this same legislature passed a validating act of those very bonds during its regular session.

If you had been satisfied with the office you were elected to, and tried to confine your field of official activities to the attorney general's department; letting those the people selected to all other offices have the same liberty and freedom of official action his or her office requires, this state would now be over a million dollars to the good, and your madness is on the increase, it seems.

Time has proven that every time you attacked the state administration, you were wrong and the other officials were right; but I can't believe you are entirely to blame for your utter failure as attorney general. I think your youthful am-

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MOTHER'S DAY PROCLAMATION

Observation of Mother's Day is a national custom and Governor Ferguson has issued her proclamation calling attention to the annual celebration of the second Sunday in May as a day given over to tributes and memories of mothers. Her proclamation is framed in words deeply expressive of the sentiments inspired by thoughts of mother. It reads as follows: Mothers' Day was first celebrated in the United States in 1910. Both houses of congress passed a resolution commending the observance of Mothers' Day in 1913 and in 1914 congress authorized the president to designate by proclamation the second Sunday in May as Mother's Day. The first national proclamation was issued by President Wilson on May 9, 1914.

There is a Jewish saying that "God could not be everywhere, so he made mothers." Mother love, since the beginning of time, has been the most glorious theme on the lips and pens of men, typifying the highest and purest form of earthly affection. From the creation of earth to the present day mother love has sacrificed, suffered and given all for others. She has crooned us lullabies in our cradles and guided our footsteps through the difficult paths of youth. She rejoices in our pleasures and triumphs and soothes our pains and disappointments from childish sorrows to the heartaches of maturity.

Those who are blessed with mothers at your sides this Mothers' Day, thank God for the greatest happiness he can bestow. Those whose mothers have passed on, think of her this Mothers' Day. Remember her hopes and aspirations for you. Honor her memory and her affection.

In accordance with the custom established in 1914, I consider it one of the greatest privileges of my official life to pay by proclamation, my tribute to the sacred name of mother.

Therefore, I, Miriam A. Ferguson, Governor of Texas, do hereby designate and set aside Sunday, May 9, as Mother's Day, and call upon the people of this state to observe it fittingly. I urge that the day be used to brighten the lives of the mothers who remain, to remember with reverence the mothers who are gone and to encourage the youth of the land to honor their homes and parents.

A FORGIVING SPIRIT

Jeff: M'LeMore, editor and publisher of the Hebbronville News, congratulates Editor Tanner of the Alice News, who boasts his klan affiliation and sympathies, upon his forgiving spirit in espousing the cause of Dan Moody, who consigned five kluckers to state prison, one of them a preacher convicted of perjury. This is the way the Hebbronville editor commends the forgiving spirit of the Alice editor:

"Editor Tanner of the Alice News certainly has the forgiving spirit of a true Christian. He tells us in his paper that he is a K. K. of the K. K.'s; he once said in his paper that when he died he asked for nothing better than a Ku Klux funeral, and now he tells us again in his paper that as between Mrs. Ferguson, Lynch Davidson and Dan Moody he will vote for Dan. As prosecuting attorney, Dan sent some kluckers to the penitentiary for their misdeeds, among them a preacher who perjured himself and got two years; and yet in the face of all this Mr. Tanner is willing to give his vote to Dan, as the situation now stands. Who was it said that straws show which way the wind blows?"

FAIR PLAY IS A HABIT WITH TEXANS

(From The Baird Star)

We want to call attention to some of the Moody boosters who seem to think Dan has a walk over, and it is this: From the year 1847 when the democrats nominated H. R. Runnels for governor, the first nomination for governor of Texas, to this good day not one of the democratic governors was ever defeated for renomination, though beginning with Gov. Hogg in 1892 many of the governors had opposition in the party for the nomination for a second term, but not one of them was defeated, though Campbell, Colquitt, J. E. Ferguson and W. P. Hobby had very determined opposition.

If any one believes that Mrs. Ferguson will be easily defeated, they will have another think coming before the campaign is over. Mrs. Ferguson in Sunday's daily papers had a formal review of her official acts, which taken as a whole has been good; even Mrs. Ferguson's enemies who are not so prejudiced as to warp their judgment must admit some good in the Ferguson. The state finances are in good condition. The penitentiary, the bug-bear of every state administration for forty years is in better condition than at any time since J. E. Ferguson was governor, who made it pay expenses. Mrs. Ferguson seems to have done equally as well. Oh, Jim Ferguson is responsible you hear it said, well why not give Jim credit for giving his wife, the governor, good advice? It is unfortunate for the tax payers of Texas that both Governor Hobby and Governor Neff did not employ some one like Jim Ferguson who had sense enough to make the penitentiary system pay expenses in place of piling up a huge debt as it did do for the very time Gov. Jas. E. Ferguson was removed from office, to the beginning of Mrs. Ferguson's term.

Mrs. Ferguson, also mentions the public schools, road building and suits, her pardon record, two last will be issues in the campaign. Laws have been enforced, not a lynching reported in Texas, in 1925. When did this occur before in Texas, no lynching for a whole year? Mrs. Ferguson is proud of her record and she has a right to be, despite unfair criticism, of political enemies of Jim Ferguson.

Mrs. Ferguson has made a remarkable record. No governor in the past thirty years has made a better record and several of them not near so good, yet everyone of them was nominated by the democratic party and elected to a second term.

Why should Mrs. Ferguson be defeated to gratify the ambition of a young man unknown outside of his own county three years ago? Personally we have no more interest in this election than any other tax payer; but we do believe in fair play and also believe in giving the only woman governor of Texas an equal showing with the men who hold the same office before her, and a number of them did not do near as well as she has done in the finances of the state, that caused many gray hairs on the heads of every governor of Texas in the past 30 or 40 years.

May I saw little disturbances in any part of the world.

Sunday is Mother's Day. Remember it and remember your mother, living or dead.

By simple rules of arithmetic the taxpayers can tell what Moody's highway litigation and compromise has cost them.

Funny isn't it? Dan trying to deny a democratic governor a second term and Marris, training in Dan's camp, trying to get a third term for himself.

Campaign news is becoming more and more interesting. Now is the time to subscribe to the Forum and assure yourself of getting the truth about what the politicians are doing.

"The cattlemen who have no Ku Klux affiliations," says the Hebbronville News, "seem to be pretty solid for Mrs. Ferguson for re-election on the ground she has done more for the cattlemen than any of her predecessors."

DENTON MAN'S QUESTION ANSWERED

A. C. Tisdale, of Detroit, Texas, has volunteered an answer to a question put by B. S. Davidson, of Denton, a few days ago through a communication published in the Dallas News. The answer is brief but plain and leaves nothing in doubt. The Denton questioner wanted to know what is a democrat and Mr. Tisdale's answer tells him with a completeness that he cannot challenge. Here is the way the Detroit citizen answers the Denton citizen:

To The News. With your kind permission I will give to B. S. Davidson, Denton, my idea of what a democrat is and what one "ain't." I do this because I am of the opinion that the mind of James E. Ferguson is so occupied with things so much weightier that he will not take the time to give the wanted information.

A democrat is one who makes a contract or agreement with another or others, and knowing what may happen, will abide thereby—one "who sweareth to his own hurt and changeth not."

What "ain't" a democrat is one who voluntarily enters into a contract or agreement with another or others and who changes and swears to the hurt of the other fellow.

A. C. TISDALE, Detroit, Texas.

MOODY GOING INTO ECLIPSE

(By Carey Smith, Editor Bay City Daily Tribune)

This paper is taking no stock in politics, but the amusing attitude of the papers engaged in battling the Fergusons can not escape our notice or the attention of anyone else intelligent enough to read. Their "talking points" have dwindled down to the "highway muddle" and the "wholesale pardoning of criminals." The way they bear down on these two unforgivable and unpardonable sins would discredit the intellect of a ten-year-old school boy and it's going to be fun to see Jim Ferguson unlimber his heavy artillery and make monkeys of the uplift papers when the time comes. In so far as the "highway muddle" is concerned what has gone before is going to boomerang Dan Moody worse than anything that has ever happened to him. The papers who are prating these "failures" of the Fergusons will soon put their feet on the soft pedal on this silly charge. The "highway muddle" was Moody's chief bulwark until time came for the contracts for resurfacing the roads left to the meries of the weather by Moody's compromise with the American Road Co., and by which he claimed to have saved the state \$600,000. Of the more than a dozen bids made by reputable road builders there was not one which did not more than justify the American Road Co.'s original contract. It then dawned upon the thinking people of the state that instead of saving the state \$600,000 Moody actually cost the state by and through his compromise, \$300,000 in cold cash. Moody papers give evidence of a knowledge of this and rarely refer to it any more in their stereotyped chatter about the Fergusons.

So much for that—the campaign will do all that is necessary with the subject. Now the "wholesale pardoning" by Mrs. Ferguson. All of this pardoning, if it be a mistake, is charged to her. Of course the papers that criticize her for it do not know that there is a pardoning board that passes on everyone of them. Nor do they look back to the petitions submitted to the board and Mrs. Ferguson. These petitions, almost invariably, are signed by numerous citizens as good as the editors who assail them. Frequently the trial judge and the district attorney and more often than not the entire jury who tried the case sign this and that petition. If such petitions were systematically or regularly ignored by the governor and board of pardons the self same newspapers would assail the governor for her lack of courtesy to reputable citizens. So far what arguments have been produced against the Fergusons are weak and downright silly and, of course, will be shot full of holes, as soon as Jim levels his guns at them. The whole thing is a case of grouch and prejudice. They started in to give Mrs. Ferguson an unfair, unmanly deal and that they are determined to do regardless of the methods resorted to.

Now, a word about Dan Moody, and we haven't a thing on earth against Dan. He has, at the present writing, the same chance to be the next governor of Texas that we have, and, fortunately, of course, for all three of the candidates, we are not running. Unless a miracle happens, Dan will go back to Taylor or Georgetown to his law practice. The people of Texas know that Dan would not now be attorney general, but for the Fergusons. People who know him say that beyond his ability as a prosecutor he is neither brilliant, a genius or a Moses. He is clean and popular, but not practical. Every act of his touching dollars and cents shows that to be the case. His star is descending rapidly in the minds of the people, and his friendly papers are having the time of their lives frantically trying to keep alive a public interest in him. Votes are falling away from him by the thousands, for most people know that his race against Mrs. Ferguson this time is actuated by spite either against her or her husband, and for no real or imaginary reason.

There's not much noise going on in Ferguson camps. There has never been much noise there, but the newspaper, or politician, or voter, who makes light of the Ferguson strength is a fool pure and simple, and anyone who thinks Jim Ferguson can not explain all things to the satisfaction of a majority of the voters in this state is drawing an erroneous conclusion. As things stand now, Mrs. Ferguson will serve her second term as governor of Texas.

HOME FOLKS BACK HUMPHRIES FOR STATE SCHOOL SUPERINTENDENT

J. A. Humphries, of Hockley county, has announced as a candidate for state superintendent of public instruction, and the Sunday newspapers published his statement of his candidacy in which he said he will later make a detailed statement of his views as to the handling of the state educational department. The Forum presents Mr. Humphries' statement in this issue.

News of the announcement of Mr. Humphries brought pleasure to his hosts of friends and admirers in Bell county where 42 of the 49 years of his life have been spent. He held high educational positions while a resident of Bell county and for several terms served as justice of peace in the Temple precinct, and also as county commissioner from the same precinct. He made a record for efficiency, service and courtesy that won him the confidence and respect of his fellow citizens and they are pleased to learn of his success in Hockley county, to which he moved from Bell county, and where he also has served in high official positions with honor and ability.

Emminently qualified by educational training and practical experience to fill the position of state superintendent of public instruction he submits his candidacy squarely upon his record and merits and lets it be known without the slightest evasion that he is a democrat who believes in and practices party loyalty. His Bell county friends are rallying to his support with enthusiasm and his former neighbors and loyal friends in Bell county will roll up a heavy vote for him in the July primaries.

It looks now as if Texas will produce a record breaking small grain crop.

Juggling figures will fool nobody. The taxpayers know what the conditions are in Texas and will not be misled by twisted figures.

The Fayette County Record predicts an overwhelming vote for Governor Ferguson in Fayette county and is so confident in its prediction that it ventures this assertion: "If we were a betting man we would wager a good hat that Mrs. Ferguson will get more votes in Fayette county than Lynch and Dan both together, with the votes polled by Mrs. Wilman, Mrs. Johnson and Rev. Zimmermann thrown in for good measure." There will be many other counties in which the vote for governor will be like that of Fayette.

Moody's Appeal for Votes Draws Highest Praise for Governor Whom He Assails

(Continued From Page One)

itions and inexperience betrayed you into the hands of those wily politicians at the head of Texas ku kluxism who throw their followers into your political camp last election and for this on-coming one.

Are you and your ku klux followers—or pushers—against Mrs. Ferguson simply because she is a woman? Is that the reason you do not want her to have the accustomed second term? All Texas knows hers is one of the best administrations we have ever had; what real, true, manly American would wish to have her condemned without just cause? You now have a wife. Would you wish the people of Texas to thus condemn your wife or mother?

Unless you can show that Mrs. Ferguson's administration is unworthy of respect and confidence, you should do your own wife the honor and your own mother the credit, to withdraw from this race and ask the people of Texas not to place the first stain of condemnation from the second term, upon a good, true, noble TEXAS WOMAN AND MOTHER.

Do that, boy, and let those ku klux tricksters bay along the trail of someone else. You are young and newly married; cut loose from that blighting combination and live it down. C. L. PATTERSON.

Moody also wrote to Judge W. A. Wigley of Roganville, asking his vote and support and attacking the Ferguson administration in unmeasured terms and charging dissipation of public funds, etc.

Judge Wigley is of the same mind as Dr. Boggs, whose letter is quoted above, and in sending the original letter of Moody to the Forum he wrote upon it these words:

"I shall defer answering Mr. Moody until July 24, at which time, if the good Lord spares me, I shall vote for Ma Ferguson with all the vim that's in me.

"W. A. WIGLEY."

These letters indicate that Mr. Moody is mistaken as to the sentiments of the voters.

Grapevine Delegates Have Kind Words for State Highway Board

(From the Grapevine Sun.) B. R. Wall, E. E. Lowe, D. E. Box, W. K. Stewart, T. P. Vorderkunz, D. D. Wall, J. A. Spinks, and J. E. M. Yates went to Austin last week in the interest of the Dallas county designation of the Dallas and Northwestern Highway. We are glad that their efforts were a complete success. But in thanking these gentlemen for their work, we must not forget the splendid work done by Mr. J. W. Stichter of Dallas county. To him, more than any one else, is due the success of this project.

It is hard to estimate the good that will come to Dallas and to Grapevine and other neighborhoods passed through by this highway. It will give Dallas an outlet to the northwest, and will open up a splendid country all the way from Dallas to Rome. Up till now, Grapevine and most of the country covered by this highway have had only local roads. But from now on we will feel like we have moved up into the age in which we are living. Hereafter, in a way, we have been living out of the way, a sort of back number. But our people are already lifting up their heads. They are realizing that this is the greatest thing that ever happened to Grapevine.

When built, this will be one of the finest highways in the state. Just think of a highway through a broken country like this, almost straight and on a one per cent grade. This means a road, almost level, and with no sharp curves.

B. R. Wall deserves the thanks of all our people for the splendid work done at Austin in securing this road. We were shown every courtesy at Austin, by Governor Ferguson, Jim Ferguson and the Highway Commissioners. The state of Texas has a splendid Highway Commission. We are not saying this because they gave us what we wanted, but because they went into the investigation of this proposition in a business like and common sense way. They are three practical, common-sense, business men. They do business in a straightforward way and they demand the same thing of you.

Solution for Bond Trouble Suggested by Temple Engineer

Houston, Tex., May 5.—The following communication from S. B. Moore, civil engineer, is printed in the Houston Chronicle: I have noticed considerable publicity regarding a special session of the legislature for the purpose of validating the Texas bonds recently declared unconstitutional by the United States Supreme Court.

This decision, if I understand it, nullifies the bonds in value must be voted by a majority of the qualified voters of a political subdivision.

The reason for this decision is quite clear to those willing to understand. Road districts have been carved out, not with the purpose of serving territories, but with the idea of getting votes. As a consequence, those individuals or corporations with large holdings unfortunately located in a gerrymandered road district have faced the confiscation of their property.

The proper method to validate the illegal road district bonds is for legal political subdivisions to call bond elections and substitute legal bonds for the defective road district bonds. For the state legislature to attempt to pass legislation or submit an amendment to the state constitution which would assist in the guarantee of the constitution of the United States, would not only be futile but iniquitous.

The advocates of this course are those who desire the continuance of the present epidemic of mortgaging the past, present and future of this country for improvements of doubtful value and for the enrichment of certain interests. Yours very truly, S. B. MOORE, Temple, Texas.

Killed by Lightning. Fort Stockton, Tex., May 4.—Kenneth Healy, 24, was killed by lightning Monday night while at Saint Imperial, 35 miles north of here.

W. F. Blum Jr. Seeks Commissioner's Job In Temple Precinct

The announcement of W. F. Blum Jr., is published in the Forum as a candidate for commissioner of the Temple precinct, No. 3, of Bell county. Mr. Blum has lived many years in Temple and Bell county having been engaged in farming and commercial pursuits during his residence in the county. He owns a splendid farm near Oenaville and is an active and progressive advocate of good roads, good bridges and proper maintenance of roads and public works.

His candidacy is subject to the action of the democratic primaries July 24 and he expects to see every voter in the precinct during his canvass and make known his views as to road work and other public improvements which come within the jurisdiction of the county commissioners' court.

For a number of years Mr. Blum and his family occupied a home on South First street in Temple but later moved to the farm near Oenaville. He is experienced in road work and recently has been directing a force of men on the highway between Temple and Belton and east of Temple.

ANNOUNCEMENTS

The Ferguson Forum is authorized to announce the following candidates for the office of commissioner of their names, subject to the action of the democratic primaries to be held Saturday, July 24, 1926:

- For State Treasurer: J. R. BALL, of Travis County.
- BELL COUNTY
- For County Assessor: W. T. HARRIS, H. H. RAY, E. B. BRIDGES
- For County Judge: OWEN P. CARPENTER
- For County Clerk: JOE ALSUP, A. L. (ROY) MONTEITH
- For Commissioner, Precinct No. 3: W. M. McDONALD, S. E. WHITE, W. F. BLUM JR.
- For Constable, Precinct No. 5: G. E. HAMBICK

K. K. K. EXPOSED SENSATIONAL DISCLOSURES OF THE HOODED TERROR.

Everything about the K. K. K. told in a clear, fearless manner. Book tells all—how it started and was suppressed in 1871—The new Ku Klux Klan, how organized, how members are enrolled, Oath of the Klan, questions for candidates, Creed, Objects of the order, Obedience, fidelity, pledge of loyalty, K. K. K. and Missions. The Jews, The Catholics, The negro, Real K. of C. oath, The Negro Klan, etc. Latest and most complete book on the Klan published. Price \$1.00 prepaid. Mailed in plain wrapper. Order now as this offer may be withdrawn at any time. Address: P. O. Box 51, Medicine Mound, Texas.

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Rates: \$1.50 to \$5.00 per day
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AUSTIN
The Driskill
EUROPEAN PLAN
Is the Hotel
AT AUSTIN

Woman 108 Years Old Has Never Ridden on Train or Heard Radio

Eastford, Conn., April 30.—Never having ridden on a railroad train or trolley car so far as known, and never having listened to a radio, although she is 108, is the unique record of Mrs. Sarah Bosworth Bradford, probably the oldest person in Connecticut, who is celebrating her birthday anniversary today. Her father was a revolutionary soldier.

Deserves Re-Election on Her Record

(Continued from Page One)

of everything the farmer himself might have to say, and to every idea that he in his own behalf might set forth.

The truth of the whole matter is that it has come down to the point where the self respecting farmer can hardly stay on the job for the simple reason that he is held up to ridicule, criticism and as a kind of worthless mutt whose trials, difficulties and financial troubles are all due to his own mistakes and inefficiency in the management of his business, when the whole bloomin' world knows or ought to know that the farmer's greatest trouble and hindrance to a prosperous condition lies in the tremendous difference in prices put on all the farmer has to sell and that demanded for all he has to buy.

But as I started out to tell you, the farmer is deluged with all sorts of advice and coming as it does from Tom, Dick and Harry we have before us just two things to be considered. What of this advice and what of those who give it? In the first place I am firmly of the opinion that it would take seventeen lawyers at least twenty years to figure out just what these gentlemen want or expect the farmer to do. As an example I might tell you that on the one hand they tell us that our troubles and financial losses are due to overproduction and that by all means we must at least reduce the cotton acreage and devote more time to the raising of feed stuff and to chickens, milch cows, hogs and things in that line. Concerning the first proposition we will just say that the farmer starts out to follow this advice and thereby decrease production, but having reduced his acreage they tell us in the next breath to terrace the land, conserve the moisture, plant better seed and thereby grow more cotton on fewer acres. In other words it would appear after all that these genial friends of the farmer want enough cotton to guarantee cheap prices and at the same time give the dear old farmer more time to raise all and more of the other stuff as above mentioned.

As for the chickens, hogs, milch cows, etc., that is all mighty nice to have around the premises and especially for home consumption, but in the light of past experience the farmer will hardly increase his holdings along this line. In other words if the farmer is to take any action at all in the matter and is expected to look out for his own interest he might as well add to the above aggregation a few good round dogs, a bunch of thoroughbred Rhode Island house cats and a coterie of long haired wild eyed Billy goats with a special disliking for those that butt into the farmers' business.

But what of those who give all this free and unsolicited advice to the farmers and who are they? I'll tell you who they are and there is little if any mistake about it. For the greater part they are those who regardless of all that is just and right, get all they can and can all the get. They are those who farm the farmer and pocket the proceeds of his toil. They are those who prate long and loud about law enforcement and then do as they please themselves. They are those who howl about the failure of the Ferguson administration but never cite us to the facts and figures. They are those who on the street corners praise the Lord long and loud for his unbounded mercy and forgiveness, but condemn the great hearted woman governor for pardoning some poor benighted mortal whose wife and babies are starving at home. They are those who if we are to believe their loud prating and voluminous contributions to the papers have already elected their candidate for governor by a tremendous majority.

Yea, I am telling the world that they are those who are today handicapping the agricultural interest of this country through their unsolicited and determined dictation to the farmer, and who seem to think that the farmer is such a colossal fool as to believe that he can better his condition by reducing his cotton acreage and then growing more cotton on fewer acres. Great scheme it is, but after all is said and all is heard the outstanding fact remains that the farmers of this country will have to work out their own salvation and to that end we cordially insist that some of these "Helpful Henrys" reduce their own crop of high prices for the farmers' necessities and help us secure a more profitable market for the chickens, the eggs, the butter, the pigs and other things we now raise before condemning and dooming the farmer to more cotton on fewer acres and more of everything else for lower prices.

In the meantime if they are at all interested in the welfare of the farmer they should stop their blatant tomfoolery and vote for Ma Ferguson for governor. But whether they do so or not she will be re-elected by a tremendous majority and there will still be great rejoicing in the land of the free and the home of the brave.

Tye, Texas.

W. H. CLARK,

J. A. Humphries, of Hockley County, Offers for State Education Superintendent

To the People of Texas:

"I hereby announce myself a candidate for the office of State Superintendent of Public Instruction.

"In my judgment the greatest service that can be rendered the state is to properly and efficiently administer its school affairs. When Lamar proclaimed 'a cultivated mind is the guardian genius of a democracy' he spoke wisely and well, and his admonitions have moved the interested teachers of Texas to press forward the cause; not at all times without interruption, but with substantial gains in the general program. In the near future I shall give to the people of Texas a more detailed program through the press and will support it from the platform. Suffice it to say in this preliminary announcement I am a Georgian by birth, a Texan by adoption. I have taught in the public schools twenty years, sixteen years in four of the six places taught. While teaching has been my chief profession, yet in the margin of my profession, I have served in both appointive and elective places for eight years.

"Of the 49 years of my life, I have lived 42 of them in Bell county; five in Hockley county where I now live, and where I am serving the school district as superintendent for the

fourth year. I refer with pride to my old home and village in east Bell county—Qonaville, where the struggles of my early years were fought, and where in after years, in the conflict of political ambitions my home people never failed me. I am glad also to mention that I am a graduate of the 'Thomas Arnold,' the successor to the old Salado college, at which place I was also a teacher in after years for three terms, and at which place I was also superintendent of the public schools.

"I have been inspector of schools, and a member of the county board of examiners of Bell county and of Hockley county where I now live. For four years I was Justice of the Peace in Temple, and served the same city and its precinct as county commissioner.

"In this campaign for the high and important office of State Superintendent of Schools, I unreservedly refer to the people of every town and precinct in which I have ever lived. My hope of success is based upon the loyalty of old friends, and the unshaken confidence of the several thousand students whom I have taught, and the men and women who in the years gone by were classmates and schoolmates in the high schools, colleges and university of our state. "Politically, I am a democrat; reli-

giously, a Methodist; and socially, a teacher by example, rather than precept. I trust in this announcement no one will question my democratic faith, for I have observed the rule of procedure in allowing the present incumbent the customary two terms, while he is lacking in the same democratic faith for the reason he is outwardly opposing a high official for a second term while seeking for himself a third term.

"Again, if I am elected state superintendent, I shall use all the resources at my command in a free-handed discussion of the merits of books to be selected by the Text Book Commission, but when outvoted by its members, I shall, in the true democratic way, bow to the time-honored adage that 'everybody is smarter than anybody'—and thereby relieve the state of unwarranted litigation and the expense of useless delays.

"I shall, if elected, accept one decision of the courts as final on matters of construction of the law should I be at variance with the members of the text book commission. I desire in fact, to be influenced by the patriotic side of education rather than the material.

"In conclusion, this year promises some interesting campaign policies, but none of more importance than those that involve the management of the program for the school children of Texas. I shall at the proper time, as before mentioned, issue a public statement at length, and will, aided by my wife, also a teacher of seven years service, and supported by a daughter now in high school, get out platform and policies before the interested school folk of the state. "J. A. HUMPHRIES."

Archer County Road Bonds Case Further Discussed by Lawyer, From Cameron

By W. A. Morrison, Cameron, Texas

In an issue of the Dallas News of January 15, 1926, I volunteered to offer some observations upon the decision of the United States Supreme Court in the case mentioned, and volunteered the hazardous position of prophet to the effect that that opinion would be permitted to stand; and as that prediction has been verified, and as the question is still being discussed in the public press, I am inclined to the notion that it should be publicly discussed, but that in the discussion, both sides of the question should be presented, and my return to the discussion of the question is actuated in some extent by the recollection of a declaration found in the call for the convention at San Felipe de Austin in October, 1832, in which it was said:

"A devotion to written constitutions and a strict adherence to their literal interpretation has been one of the most distinguishing political characteristics of all Anglo-Americans."

Indubitably that declaration at that time was pertinent and appropriate. Whether or not it could be so truthfully said at the present moment is quite another question. The high-born, elegant, accomplished and philosophic young Frenchman, De Tocqueville, in his visit to the United States in 1832, while General Jackson was president, prepared the material and gave to the world, by his studies and observation of constitutional government on this continent, the most profound, incisive and clearcut analysis of the theory and fundamental principles of the Constitution of the United States that, in my humble judgment, has ever yet been offered by the students of philosophy and otherwise, of that most stupendous charter of human liberty. He said that in his wide travels over the United States, he found the people, the common, as well as educated ones well versed in the theory of constitutional government, that the commonest man with whom he conversed could tell him instantly whether a certain political question involved a question of national legislation or of state legislation.

I am very much afraid that the public intelligence upon such questions at this day is inferior to that of nearly one hundred years ago. It would be useless to undertake to give all of the reasons of the existing condition. One broad one might suffice. They are not discussed, talked about and made the live issues now as they were then, and this is but another way of finding an excuse for saying that eternal vigilance is the price of liberty.

There are so many questions under the complex civilization of the hour and so many such questions, that the public intelligence at this day is inferior to that of nearly one hundred years ago. It would be useless to undertake to give all of the reasons of the existing condition. One broad one might suffice. They are not discussed, talked about and made the live issues now as they were then, and this is but another way of finding an excuse for saying that eternal vigilance is the price of liberty.

In the first Constitution of the Republic of Texas, adopted at the old town of Washington on the 17th of March, 1836, in Section 7 thereof, it was provided:

"No citizen shall be deprived of privileges, outlawed, exiled, or in any manner disfranchised, except by due course of the law of the land."

It will be said that this declaration was but a crystallization of the great principle wrung by the Barons from King John after the battle of Runnymede. But it suffices to show that on this far away rim of civilization the Anglo-Saxon had not forgotten his ancient notions of liberty and the just powers of governments, as well as their duties. The principle there announced was kept in mind, cultivated and cherished by the citizens of the Republic of Texas, as is evidenced by Section 16 of the Constitution adopted at Austin on the 27th day of August, 1845, wherein it was provided:

"No citizen of this state shall be deprived of life, liberty, property or privileges, outlawed, exiled, or in any manner disfranchised, except by due course of the law of the land."

It will be seen that this last constitution extended the rights of the individual, and for the first time the subject of property was brought forward as well as life and liberty. These three subjects being then an extension of the guarantees in the Constitution of 1836, therefore, it will be seen that the principle had been advocated and had been discouraged and the public conscience awakened; otherwise there would have been no enlargement of the guarantees provided.

The next Constitution of 1875 as to that particular section was a literal re-adoption of the provisions of 1845, and no progress was made from 1845 to 1875 as far as the subjects of constitutional immunities were concerned, and there does not seem to have been any enlargement of the subjects, because I believe no amendment of that section of the constitution has been offered, and at least none adopted since that time.

The vast and complex interests of these times have found encouragement, support and existence in Texas under the benign influence of these salutary principles; but many assaults have been made upon them, and in none adopted since that time. The vast and complex interests of these times have found encouragement, support and existence in Texas under the benign influence of these salutary principles; but many assaults have been made upon them, and in none adopted since that time. The vast and complex interests of these times have found encouragement, support and existence in Texas under the benign influence of these salutary principles; but many assaults have been made upon them, and in none adopted since that time.

human governments, and it should be done because, as we have recently seen, our courts have misconstrued, misconceived, denied and ignored these special guardians, and it should also be done because "a devotion to written constitutions and a strict adherence to their literal interpretation has been one of the most distinguishing political characteristics of all Anglo-Americans."

Whenever an assault has been made upon any of these principles and has succeeded for a time, finally the day of reckoning comes and then we have loud complaints and cries of repudiation; this but reminds me of Dr. Johnson's celebrated and caustic quip when he said: "No roguer ever felt the halter draw with good opinion of the law."

As said before, the 14th amendment was but a reiteration of the principles of government long cherished by Anglo-Saxon peoples before the time of the American Revolution. That amendment only accorded to the federal government the right to enforce those principles when and if they should be ignored by any of the several states. Instead of diminishing the rights by giving him another and an additional method and means of enforcing them, the federal government for the first time stretched out its strong arm and said to the several states: "Even though you desire to deny, or shall attempt to deny to your citizens any of these great individual guarantees, yet, because your citizens are the majority which governs this republic, you shall not do so."

It seems to be contended by some who have expressed their opinion upon the Archer county case, that since they were unable to convince the Supreme court of the United States that we had made a mistake in making what we had contended at the first was a correct decision of the question at hand, that yet the effects of such opinion may be escaped, destroyed or evaded because of some technical objections that may be urged against it, and that the federal government is affected by such decision. This is a strange doctrine. It is a peculiar way to express adherence to constitutional government. It is likely to produce the suggestion that it is more in the way of an evasion than an argument.

The philosophy of Montesquieu had a controlling influence upon the formation, recognition and establishment of the correct principles of our national constitution, and the same influence paved the way for the French revolution, and brought the proud neck of Louis XVI and the lovely Marie Antoinette under the descending blade of the guillotine, and destroyed absolutism in France. Another great Frenchman, as before suggested, gave to the French people a philosophy particularly intended for the American people, and that was the exposition and analysis of the principles of our own constitution than any other person.

The constitution of the United States was the work of young men. The average age of the members of that convention was less than 40 years. General Washington was 55 years of age, and Benjamin Franklin 81, and they were the only two persons in that convention who were older than 43 years. That instrument was not a great instrument simply because we call it great, but which was great because it was founded upon the soundest philosophy and the new doctrine of the rights of the individual as against the masses. The old Romans had a notion that the voice of the people was the voice of God, but that falls far short of the natural rights of the individual to life, liberty and the pursuit of happiness, and that principle was the main difference between our form of government and all other forms of government that had flourished and fallen in the vast ages of time that had preceded. Our forefathers established a form of government as philosophically correct, and almost incapable of being disproved as the truths of Euclid's geometry. No wiser man appeared in the Confederate government than Alexander Stephens, and he said: "Times change and men change with them, but principles never."

The principles of government embodied in the second sentence of Section One of the 14th Amendment to the Constitution of the United States, and recognized as well, if not better, in our own constitutions long prior to the adoption of the 14th Amendment, are as lasting as human reason, but unless these principles are discussed and made known so that they may be recognized by all the people, and they are enabled to comprehend them as in the age when De Tocqueville visited among us, then they are likely to be forgotten, ignored and lost, because everybody is entrusted with the principles to somebody else.

I have the greatest confidence in both the wisdom and integrity of our courts, but we have seen right here in Texas that our courts have overlooked, ignored or disregarded one of the fundamental principles embodied in both the state and national constitutions, that is, the rights of the individual. If those principles are not kept in view and cherished by the multitude, even the special guardians will overlook or forget them.

Let us see, then, what principle it is involved in this Archer county road bond case. Our own constitution as well as the federal constitution had specifically provided that no man should be deprived of life, liberty or property except by due process of law. The constitution of our

state as well as the road bond legislation in reference to it, had provided for what was termed a "defined district," and by that provision it was meant a certain number of individuals could lay off and designate a certain district which by their votes would be created into a corporation which would have authority to issue bonds and levy a tax in payment therefor. Plainly and palpably this was not a legislative designation of a taxing district, and, therefore, was not due process of law, because the legislative power to constitute due process of law must be exercised in the creation of these districts. This being a representative form of government, the individual would be bound by the act of the legislature, because he would be represented therein by a person for whom he had the opportunity to vote, and this constituted the representative character as contemplated by the Constitution of the United States and our own. In contradiction to a pure democracy as represented in the Roman philosophy where the rights of the individual must always yield to the majority.

Our government was formed upon the theory of a government of laws and not of men, and that the fundamental rights of the individual could not be denied him, even by a majority of all but one. Any other theory of government is not a representative democracy, and in the nature of things cannot be. There is no moral sanction to the doctrine that one hundred of my neighbors have a right to deprive me of my life, my liberty or my property, except by due process of the law of the land. To think otherwise is to leave out of view the fundamental principle of all morality and all representative democracy. To create a "defined district" by the votes of interested persons by which you tax someone's property over his objection, is as immoral as it is unlawful, simply because you have the majority which governs the district, and you deny him the right of ball, the right of a speedy public trial or the right to enjoy the fruits of his industry, or any other inherent and fundamental right as you have without due process of law laid upon him upon him, even though it be only a pecuniary burden and to the advantage of everyone in the district except him. "His rights are supreme, fundamental and as eternal as the laws of nature. They ought not and they cannot be ignored or destroyed without destroying the fundamental notion of all morality and our own government. To hold otherwise is to confess a lack of constitutional morality.

Constitutional morality is a term borrowed from Mr. Beck's treatise on the American Constitution and signifies a lack of interest in the comprehension of and utter disregard of the fundamental concepts of the constitution itself. In that sense it is as immoral to ignore the constitution as it is to ignore the Ten Commandments.

Not long since I heard a distinguished divine say from the pulpit, in speaking of the Ten Commandments, that if there should be called a congress of the intelligentsia of the world and that congress given unlimited time, it would find it impossible to promulgate a new moral code. So likewise, in my humble judgment, if you were to call a congress of the intelligentsia of Texas, they could not form or promulgate a new law that would make an act constitutional when it is clearly not so, and having been clearly unconstitutional by the highest authority that can pass on the subject, the mere statement of the proposition itself is conclusive, even when it is disassociated with any concept of authority. So likewise, it would be just as impossible for the people of the state to vote to make an act constitutional which is obviously unconstitutional, as it would be for the legislature to set aside the entire constitution, and adopt a new one.

It is now proposed to make that lawful which was unlawful in its inception; to say to this individual, or any number of individuals, at least to those who voted against the measure, that we will devise some plan by which we can defeat your constitutional right and make that now lawful which was unlawful when it was done. We levied a tax upon your property in violation of the constitution. We now say even though it was unlawful then, yet after the commission of this act, we will now make it lawful, and thus do to you indirectly that which the Supreme Court of the United States has done directly. To suggest the question is the vilest constitutional immorality. Every citizen should be as zealous to preserve the constitutional rights of himself and of every other citizen as he is to preserve his own life or his own property. In the eyes of the constitution, one is as sacred as the other.

But it will be said this is repudiation and that the very idea of repudiation is detested by honorable men. That is true. But you must either repudiate the constitution or repudiate the debt. Upon that theory a constitutional government, instead of being an instrument to preserve the rights of the individual, becomes one for his undoing, and thereby the constitution becomes but sounding brass and tinkling cymbal. The first wrong that was done to the individual or his protest can be no justification for doing him another wrong in attempting to ratify the wrong first committed. To evade the constitution, to ignore it, or to defeat its purpose, is a greater crime than the repudiation of all the unlawful debts in the world.

The purchasers of these bonds were warned in advance and the doctrine of caveat emptor applies. The fact that these bonds were being unlawfully issued was obvious to any man who would do any kind of thing to the constitution. To now say that this individual, who objected, who protested, and who voted against that proposition and did all in his power to prevent the infliction of the injury upon himself can be held up and punished for something that he neither encouraged nor profited by, but protested against, is as unjust, as it is immoral.

You may talk about repudiation, as odious as that charge may be, yet it cannot be as odious to repudiate a bad debt as it is to repudiate a good constitution. But be that as it may, repudiation has no application to an unlawful debt. If the debt has been created or contracted in violation of constitutional law, there can be no moral obligation to discharge the

debt except on the part of those who aided and encouraged the creation of it, and if their moral integrity is as lofty as their constitutional morality should be, then they may voluntarily do so by the sacrifice of their constitutional morality.

In the formation of our national constitution, we inherited much of our inspiration from a European philosopher, and from the proceed- ing Italian dictator, and we are under the double duty to preserve our constitution for our own salvation and also that we may repay to Europe by our example the debt of gratitude we owe her in the 20th Century for what we obtained from her in the 18th.

The foregoing remarks have been directed to the point as to whether or not the bonds that have been issued unlawfully in the light of the opinion of the Supreme Court of the United States, and whether or not there is any power of our inspiration from a European philosopher, and from the proceeding Italian dictator, and we are under the double duty to preserve our constitution for our own salvation and also that we may repay to Europe by our example the debt of gratitude we owe her in the 20th Century for what we obtained from her in the 18th.

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A great deal has been said about the number of bonds that are outstanding and that they are all made questionable by the decision of the Supreme Court of the United States, and, therefore, the people of Texas ought to take some steps to validate these bonds and avoid the condition of doubtful validity which is now claimed is invalidating or depreciating the value of all of such bonds. This fallacy is done more for the purpose of argument to create the impression that all these bonds ought to be validated, whereas, in truth and in fact, the validity of only a small portion of the bonds has been affected by the decision in the Archer county case.

Indubitably, those bonds which were issued by a district lawfully created by the legislature are in no wise affected, and only those bonds which have been issued by what is known as a "defined district" are in question. This is the only kind of district that was involved in the Archer county case, and this was the only kind of district held unlawful by the Supreme Court, but by its decision the condition holds valid the bonds issued by all other districts, that is, by districts created directly by the legislature, or under its specific authority, such as justices' districts, commissioners' districts and entire counties. No question has been raised by the Supreme Court as to the validity of any of these districts, and there is no question about their validity, because in creating such districts by the legislature, due process of law was observed, and the only question affecting any of such bonds is the one affecting the validity of the contract, which is "defined district," and the validity of that kind of district was denied for the simple reason that it was not a legislative district and was not created by due process of law. Because of the special character of the district, no legislative authority at that time affording an opportunity for a person who objected, to being heard in the creation of such district, and it was not due process of law for that reason.

So none of the bonds issued by such character of district are now valid, nor can they, in any manner, possibly be made valid, and that arises by other constitutional provisions which it might be well to consider in reference to that question.

Section 53 or Article 3 of the Texas Constitution reads as follows:

"The legislature shall have no power to grant, or to authorize any county or municipal authority to grant, any extra compensation, fee or allowance to a public official, agent, servant or contractor after the contract has been rendered or a contract has been entered into, and performed in whole or in part; nor pay nor authorize the payment of, any claim created against any county or municipality of the state, under any agreement or contract, made without authority of law."

These bonds issued by the "defined district" were made without authority of law because of the constitutional provisions heretofore referred to and because the Supreme Court of the United States has construed the 14th Amendment as prohibiting the issuance of such. There can be no question, then, that the bonds of these "defined districts" were made and issued without authority of law. So then the legislature cannot possibly have the authority to validate a contract when the power has been expressly denied by express terms of the constitution.

Not only is the authority expressly denied by Section 53 of Article 3 above quoted, but also by Section 3 or Article 1 of the Constitution which reads as follows:

"No bill of attainder, ex post facto law, retroactive law, or any law impairing the obligation of contracts shall be made."

If the legislature is denied the power to pass an ex post facto law, it seems that it would be a difficult matter to pass a law that would make valid the issuance of these bonds by these "defined districts" long after the creation of the obligation. If the law under which the proposed obligations were issued was invalid at the time of the making of the obligation, it is a little difficult to see by what process of sound reasoning the contrary question that it would become afterwards be made valid by an act of the legislature, when our own constitution has specifically denied such power. The only thing that could be hoped for the legislature would be that it would so obscure and entangle the question that it would become necessary to make another trip to the Supreme Court of the United States, and that in the meantime a few more years of interest might be collected on unlawful and void obligations.

Miners Burned in Blast
Paris, Arkansas, May 4.—An explosion which wrecked the Jewel coal mine, one mile north of here, about 10 o'clock this morning, seriously burned four miners, among them the superintendent of the mine George Cobille of Paris.

