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ELECTION OF SPEAKER.

The Honorable Secretary then stated that the roll call showed a quorum present and that the next business in order was the election of a Speaker.

The following were appointed to act as tellers:

To collect the ballots—Messrs. Callan, Mays, Bryan and Stewart.

To count the ballots—Messrs. Meacham, Marsh, Crawford of Young and Seabury.

Nominations being declared in order Hon. H. P. Brelstord of Eastland county, nominated Hon. I. S. Schluter, of Marion county, and in making the nomination said:

Mr. Secretary and Gentlemen of the House:

At the threshold of this legislative session the members of this House are confronted with a responsibility as grave as any that will devolve upon it before its close. The law imposes upon us today the duty of choosing a presiding officer of this body. Through the partiality of friends there has been allotted to me the pleasure and the honor of placing in nomination a gentleman in every way worthy and qualified for that high position. The exacting duties and weighty responsibilities incumbent upon a presiding officer of a legislative body are as well known to you as myself, but permit me to advert briefly to the essential qualifications of a Speaker, without which no man should be eligible to that high station. The importance of an official position is determined and defined by the scope of its influence and the character and personality of the one who fills it. The Speaker of the House should not only be thoroughly versed in parliamentary procedure with an instinctive appreciation of the spirit of parliamentary law with a theoretical knowledge supplemented by practical experience, but he also should be a man of quick mental grasp and vigorous mental action, to the end that there may be dispatch in the transaction of public business, and above all, let me repeat it, above all, he should be of unbiased judgment and wholly fair and absolutely impartial in his every ruling and decision, to the end that equal and exact justice may be done to every question and every measure that may be properly presented for the consideration of the House. The qualifications required exclusively for the duties of the Speakership, important as they are, do not as I conceive, cover all that is in this respect involved in the selection to be made by us today and I crave indulgence for a moment to call attention to other qualifications which the Speaker, as the chiefest member of this branch of the legislature should not fail to possess and which may justly be regarded as of highest consequence. The Speaker of the House is a duly elected member of the legislature, retaining his rights and powers as such, and by virtue thereof and of his additional prerogatives of office he necessarily exercises and properly should exercise, through the shaping of committees, through his general control and direction of the business and by virtue of his high position, a leading influence in the deliberations of this body, and upon him therefore, depends in a

large measure the value of what is to be here accomplished; as a lawmaker, he should be conversant not only with the general principles of law and with the statutory provisions already existing, but he should also be thoroughly familiar with the scope, purpose and effect of every limitation which the constitution of Texas in a larger measure than that of any other State, places upon the legislative department of the government to the end that what is here done when subjected to test in the judicial tribunals of last resort, may not be adjudged to have been done in vain. He should be not only a good parliamentarian, but also a statesman of broad and enlightened views, well acquainted with public affairs, with the needs of the people of Texas in the present hour and the demands of the future as well; he should be a patriot whose love for Texas, whose devotion to her truest interest and highest welfare, whose unswerving fidelity, to duty and to the trusts her people have confided to him, neither heights or depths, nor things past nor things to come, nor present blandishments, can for a moment change or could abate. The mission of a Texas Legislature is truly a high and great one, for upon its action and its wisdom depends in largest measure the welfare and the happiness of the four million people constituting the citizenship of the greatest State of the greatest nation of the world; it should not be forgotten that something more than half a century ago Texas was herself an independent sovereign nation, nor should we fail to bear in mind that she has today a wealth and population exceeding that of the united thirteen American colonies at the time they achieved their independence from Great Britain and established here the freest and best government known in all the annals of mankind, based upon the imperishable principal of equal rights and dedicated to the perpetuation of human liberty in the world as long as our anglo-saxon race shall continue to exist. To the accomplishment of her part in that great purpose and mission, Texas stands today specially pledged and irrevocably committed by virtue of all her best traditions and noblest history; has stood pledged since that day when the heroic tragedy of the Alamo made her an abiding place for liberty, more highly favored than any other realm; has stood pledged by the heroic lives and martyrdom of her hundred heroes; by that wondrous history bejeweled with the glories of San Jacinto, which the sombre shadows of Goliad could not be

cloud. While in and by annexation Texas conceded to the Federal Government so much of her powers as may be essential to the proper conduct of the national affairs, the yet greater share of civic power which she retained as a State to regulate her own domestic economy involves in largest measure the general welfare of her people, their property, their liberties, their lives, as also the ultimate fulfillment of her high destiny, as sovereign State of this great union. Within the spacious halls of the magnificent capitol, one of the greatest and most beautiful buildings in the world, we may reflect with just pride upon the splendid progress that has been made here during the three-quarters of a century past. As we look out upon a State crowned with vast and marvelous achievements, boundless in her resources, rapidly advancing in the onward march of human progress, in growth of population, wealth and trade, and her people becoming better educated, more prosperous and more happy with each revolving sun and every passing year. It behooves us, however, to bear well in mind, that these gratifying conditions surpassing any that ever before existed, carry with them an augmented duty and responsibility upon our part to preserve and to transmit the inestimable blessings of liberty and prosperity unimpaired to our children and to generations yet to come. If we believe for a moment that it will require less of patriotism and of effort on our part as lawmakers and as citizens to preserve and to perpetuate these beneficent conditions than was required on the part of our forefathers to attain them we deceive ourselves, only to be lulled into a fancied security that may prove fatal to our best interests, our highest expectations and our most fondly cherished hopes. In the primitive condition of social life, men needed very little law, but in proportion, as society and civilization became more complicated, law became the more essential to the regulation of the social system, the preservation of social order and the prevention of unjust irregularities resulting from a perversion through lust for wealth and greed for power of the mighty agencies of civilization. "New occasions teach new duties, time makes ancient good uncouth," and there has never been a period in the history of mankind when wise and just legislation was more essential to the public welfare, or when the State more urgently needed in her service strong, fearless sun crowned men, whom the lust of power and wealth cannot dwarf

or cannot destroy. We need them now because human progress is yet to make even greater advances than at any time in the past and because human weakness appeals today for the protection of law against wrong or oppression, against fraud and greed, and unscrupulous cunning, just as strongly as in barbaric ages, it cried for protection and redress against the physical violence and cruelty of half savage men.

A man meeting the high requirements of the present hour, a man possessing in full heaped and rounded measure the qualifications needed in the Speaker of this House, it is my sincere pleasure to present to you in the person of Hon. L. S. Schluter, of Marion county, from the historic old city of Jefferson, where from his earliest youth he has imbibed the principles of democracy's greatest sage and statesman after whom his natal place was named. He has the dignity and poise of his mature years, a statesman and a legislator of the highest type; by instinct, education, equipment and experience, he is a man of affairs, progressive, broad and versatile and alien to every demagogic thought; he is a modest and chivalric gentleman, kind and tender, loyal and true, with a nature as genial and as kind as the sun-kissed prairies of the west that billow away in flower-decked beauty to the Rio Grande, and a humanity as wide as the broad expanse of imperial Texas. I earnestly bespeak in support of his candidacy, the vote of every patriotic member who loves Texas and sets her welfare and her glory over everything besides feeling assured that with this man's election here today we shall have wisely begun the discharge of the duties the people of Texas have confided to our hands.

Hon. Tom Connally, of Falls county, nominated Hon. Pat M. Neff, of McLennan county, and in making the nomination said:

Mr. Secretary and Gentlemen of the House:

The world has two kinds of honor which she bestows upon her deserving sons. Above the dust of her sacred dead she rears a marble monument, to perpetuate his memory, and drops upon the tomb a tribute of flowers and of tears. The living she honors by permitting him to serve her. It is the latter kind of honor we have met to bestow. The duty of conferring it worthily is as binding in its obligations as any other that shall guide us in our future deliberations—a duty whose fulfillment is not accom-

plished by the satisfaction of personal choice, but one whose full measure is not met until within our own consciences, freed from prejudice and feeling we are convinced that he, whom we shall choose is best fitted of all those who aspire to the Speakership of the House.

The high and responsible duties of the Speaker are so interwoven with the course of legislation, with the personnel and policy of the committees, that his power over the action of this body is almost measureless. Impartiality is, then, the cardinal virtue of a good Speaker, and today, standing in this presence, in the shadow of a great personal sorrow, conscious of the sanctity of our obligation to the great State and people whom we represent, I present to this House a man who measures fully up to this high standard.

It is hardly necessary to speak of his service in this House. You know how he entered here at the age of twenty-six, and with what modesty and reserve he performed the duties of his first term; how during that time upon many occasions he occupied the Speaker's chair, with eminent satisfaction; how he was returned without opposition and at once assumed a place of prominence in the Twenty-seventh; how more often than any other man, save the Speaker, he presided over the House and with what grace he performed that duty; how he was elected Speaker Pro Tem. and with what dignity and ability he met and solved the problems incident to that trust.

Again he has been returned without opposition and his friends present to this House as a candidate for the highest office within its gift, Pat Neff, of McLennan county.

Born and reared in the heart of Texas, rising from the humble position of a farmer's boy to eminence, touching elbows with every class of citizenship, upon the farm, through the college and university, at the bar and within the legislative halls of this State, he has known and felt the heart beats of his people as have few other men. Yet young and not far removed from the struggles which the masses undergo he will not turn a deaf ear to those who need relief, nor will he be lulled to silence by the insidious blandishments of special interests. Under him the Speaker's chair will not be the bench of the harsh magistrate, but rather the wool-sack of the chancellor.

Educated within Texas, bound to her by every tradition that is dear to him, by the ties of family, property, and patriotism, from his youth taught to bow in homage before the memory of those

of our fathers who amid sacrifice and suffering carved from the wilderness this great domain and erected upon the camp ground of the savage this magnificent granite temple to which the people of Texas are looking with eyes brimming with love and hope, his affections are so intermingled with the interests of his native State that his hand could never know any act that would militate against the prosperity and well-being of his country.

Pure as a woman in thought and act, a public man without guilt, a citizen without a blemish, elect him and send a thrill of hope through the heart of every young man in this land, striving against adverse circumstances for a place in life. Elect him and make less arduous for the youth of our land the pathway from the cottage to the capitol.

A son, husband and father, with all the attributes that make those terms endearing, it may be said of him, whose name I present as a candidate for Speaker, as it was of "The noblest Roman of them all" when he fell upon the fateful field of Phillippi,

"The elements
Are so mixed in him that nature
May stand up and say to all the world
This is a man."

Hon. Geo. B. Griggs, of Harris county, seconded the nomination of Mr. Schluter.

Hon. J. D. Woods, of Grayson county, seconded the nomination of Mr. Neff.

Hon. Ferg Kyle, of Hays county, seconded the nomination of Mr. Schluter.

Hon. J. A. Worsham, of Hopkins county, seconded the nomination of Mr. Neff.

Hon. J. R. Sanford, of Maverick county, seconded the nomination of Mr. Schluter.

Hon. Jno. M. Green, of DeWitt county, seconded the nomination of Mr. Neff.

Hon. B. A. Ragland, of Upshur county, seconded the nomination of Mr. Schluter.

Hon. J. Webb Stollenwerck, of Hill county, seconded the nomination of Mr. Neff.

Hon. Jno. E. Linn, of Galveston county, seconded the nomination of Mr. Schluter.

Hon. J. Ras Jones, of Panola county, seconded the nomination of Mr. Neff.

Hon. J. W. Grisham, of Collin county, seconded the nomination of Mr. Schluter.

Hon. H. S. Moran, of Parker county, seconded the nomination of Mr. Neff.

Hon. R. C. Duff, of Jefferson county, seconded the nomination of Mr. Schluter and in seconding the nomination, said:

Mr. Secretary and Gentlemen of the House.

In terms that can but feebly portray the affection which my people feel; in behalf of that great constituency, I rise to give in their adherence to the cause of L. S. Schluter.

From the orient of Texas, where first the sombre mantle of the night is swept away and morning's rosy rays break forth, to beam anon in splendor on this mighty State and people, bring I the message of their love and trust for him whom they delight to honor.

Sir, there be men whom honors sit upon as garments of gauze, only serving to bring into relief the noble proportions of a form which nature wills shall never be concealed; and if perchance the flimzy cloak, by any circumstance, be thrown aside, there stands forth adorned alone, but amply, by great qualities, the true, the pure, the noble man, who honors being honored, and dishonor disowns.

Undazzled by success, undaunted by disaster, the whole world holds no hap nor chance can mar the calm serenity enthroned upon his brow, nor agitate the deep emotions that proceed from his soul. Of such an one it is I am appointed here to speak.

When the constituent elements of society surrender up their integrity and all mutually assent, that liberty of action in men shall be circumscribed by rules of right and wrong that fix civil or criminal responsibility on him who sets aside such rule of action, they, by necessity, from time to time, as nations, states and peoples, are compelled to erect bodies to define these canons of conduct, whose delicate duty it is to preserve as far as may be and limit the least that may be, the primordial condition of absolute and abstract individual liberty. A legislature is but a necessary evil.

In the construction of the legislative body, experience has exemplified the necessity for a president, to whom must be submitted the primary organization and subsequent direction of the whole. To him, more than to any other, it is given to direct, to make or mar, to arrest or facilitate the course of legislation. He is the helmsman.

When some heavy laden craft, freighted with treasures, lives and destinies, puts forth upon the trackless sea, one strong, right arm alone controls the wheel; and whether the mighty deep lie still, lulled by the summer's calm, or whether lashed to foam by hurricanes that howl about his lonely form, maugre the wrack or hurricane, the zephyrs

that whisper or winds that blow, faithful to death, he stands aloft, unmoved, unchanged, his calm, clear eye discerning through the encircling gloom, the star that leads him on through storm and strife, from rock and wreck to a haven where the good ship may ride beside her anchor in safety.

How heavy is the responsibility reposing on him whose duty it is to select one to discharge these duties.

At the inception of the career of these honorable members, there is devolved on them the necessity to exercise the highest function which they can at any time employ during their term, the election of a Speaker. Sir, I approach the discharge of that duty feeling that my State requires of me at this moment, cautious discrimination, predicated upon the most profound and deliberate consideration.

And so, Sir, in her name, and in the name of her great people, who know and honor him; in the name of my counties where the stones are mingled with the bones of those who gave Texas freedom, whose rivers reflect a sky once rendered by the battle cry of "liberty or death;" in the name of the great public institutions of this State, which impartially and alike, he has cherished, fostered and protected; in the name of the bench, which he has adorned and dignified; of the bar, where his greatest honors have been won; and last, but, Oh, not least, in the name of the little remnant of that "thin gray line," who underneath the stars and bars sought death and glory along with Lee, and while all the world stood by and wept, broke, at last, their hearts and hopes on the impregnable heights of Cemetery Ridge in their names, with whom a child in years, he joined to fight the battle of a nation, and for whose declining years, it is his dearest wish, that peace and plenty may comfort them for the cause they lost, but honored; in their names, and in the name of all, I second the nomination of L. S. Schluter.

Hon. Aubrey T. Stell, of Delta county, seconded the nomination of Mr. Neff.

There being no other nominations, the Hon. Secretary directed the tellers to collect the ballots.

MR. ROWLAND TAKES OATH OF OFFICE.

At this juncture, Hon. S. J. Isaacks, of Bastrop county, announced that Hon. J. T. Rowland, of Montague county, who was absent when the House was called to order and the members sworn in, was present and asked that he be sworn in.

The Hon. Secretary then requested Mr.

Rowland to come forward and take the oath of office, which was duly, legally and constitutionally administered by Temporary Chief Clerk, Lee Satterwhite.

RESULT OF BALLOT.

The Honorable Secretary announced that there had been 130 votes cast, as follows:

Hon. L. S. Schluter received 57 votes; Hon. Pat M. Neff received 73 votes.

Mr. Neff having received a majority of all the votes cast, he was declared by the Honorable Secretary, duly, legally and constitutionally elected Speaker of the House of Representatives of the Twenty-eighth Legislature.

Mr. Schluter moved that the election of Mr. Neff be made unanimous, and in making the motion said:

"Permit me, however, to take advantage of this opportunity of expressing my thanks to those friends who have so generously and so unselfishly accorded me their support in this contest, and to assure them and each of them that no matter where my lot may be cast or what the future may hold in store for me, I can never cease to remember with an unfailling and profound gratitude this expression of their confidence and esteem. No man ever had friends more loyal or more zealous than you have proven yourselves to me, and to my cause, and I feel that to you I owe a debt of gratitude which I can never hope to repay in the brief space allotted to man in this life.

"For you and each of you there shall ever be reserved in my heart's affections a large and generous share. * * * If there is aught of personal disappointment to me in the result of this contest, there is ample compensation in the thought and reflection that I have that which I prize above place or power, in the confidence and esteem of my friends.

"And this manifestation of your kindness, this expression of your faith in me, shall be to me a constant inspiration, to that course of conduct and that order of life which shall justify this expression of your confidence and vindicate this manifestation of your esteem.

"And to you, who in the exercise of your personal preference, have seen fit to espouse the cause of my friend from McLennan, permit me to say that there is not in my heart today aught of unkindness or unfriendliness toward you. Not one unkind thought or sentiment finds place in my heart. On the contrary, I have for each of you naught but the best of wishes and the kindest of feeling. In fact, I can but commend you for the unflinching fidelity with which

you have followed him to victory. He is my friend, and in honoring him you have in a measure honored me, and be you assured that in me you, too, may ever have a friend.

"Permit me, too, to invoke for your presiding officer your sympathy and support. His duties are onerous, difficult and important. Let each of us, so far as we can, lend him such assistance as possible, to the end that in our labors here we may accomplish as much good and do as little harm as possible.

The people of Texas expect great things of this Legislature. Let us hope, and so bend our energies and efforts that they may not be disappointed.

"Finally, if during the contest which has just closed, a single discordant note has been sounded, let it be lost in the great harmony and unity of thought, purpose and action which may characterize our work during this session of the Legislature. If there is anywhere a dark, wierd or tortuous line calculated to divide us in principle, antagonise us in policy or alienate us in our friendship, blot it out now and forever, so that, impelled by the common, patriotic purpose of advancing every material interest of our commonwealth, we may stand together under one common banner, bearing no inscription or device save for our country's good, no motto save for the peace, happiness and prosperity of our people."

The motion prevailed without a dissenting vote.

Messrs. Boyd and Glenn were appointed to escort the Speaker-elect to the Speaker's stand, where the oath of office was duly administered by the Honorable Secretary.

Mr. Boyd then introduced Hon. Pat M. Neff to the house as the legally and constitutionally elected Speaker of the House of Representatives of the Twenty-eighth Legislature, and presented to him the gavel as an emblem of authority, whereupon Mr. Neff assumed the chair and thanked the House for the honor conferred, speaking as follows:

"Fellow Members of the House:

"Before assuming the duties with which you have honored me, I desire to express my highest and sincerest appreciation for this evidence of your esteem and trust. This position is appreciated not on account of the authority and power with which it vests in me, but because, against seemingly overwhelming influences, I have been placed here by the untrammled and unintimidated support of those who have deemed me worthy to fill it. No man, in political battle, ever had nobler or truer friends than those

who have won for me this victory. In the pleasant forest fields of memory, the triumph and ovation of this hour will be to me an evergreen whose foliage the frost of the future can not blight and whose boughs the blast of time can never break. Ah, until the silent sentinel of death shall summon me from the walks of men, I shall hold within the pulsing chambers of an appreciative heart an unspeakable gratitude and an undying love for those who, in my aspirations for this position, honored me with their confidence and aided me with their counsel. For him, my distinguished opponent and friend, and for those members who openly and acting for themselves, saw fit to champion his cause and follow his fortunes, I have no words of criticism or feelings of revenge.

"Forgetting the things left behind," and with charity for all and malice toward none, I am ready to clasp hand and link hearts with all who believe in rendering to the citizenship of Texas wholesome and efficient legislation. In this work and warfare in the interest of the people, I sincerely trust, we will allow no passion to poison our purpose, no politician to arouse our prejudices, no power to daunt our patriotism. And now, to the end that our labors here may be both pleasant and profitable, I, with the sanctity of an oath still fresh on my lips, pledge to you my best and truest efforts and with the same sincerity I bespeak from you your hearty co-operation.

"I now declare the House of the Twenty-eighth Legislature ready to perfect its organization."