

*"Ignorance of the Law Excuses No One"*

# TEXAS LAWS MADE PLAIN

LAWS AND LEGAL FORMS PRE-  
PARED FOR THE USE OF  
FARMERS, MECHANICS  
AND BUSINESS MEN

COMPILED BY

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PRESENTED BY

**Carlville State Bank**

**CARLVILLE, TEXAS.**

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**PREFACE**

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This abridgment of the laws of the State of Texas is not designed for the use of lawyers, nor is it the aim of the authors to make every man his own lawyer. The more general provisions of our statutes should be, and are, of interest to the great majority, if not all, of the people of the state, and it is with the idea of assisting them in gaining such information that this compilation was prepared.

It cannot be supposed that in the brief space permitted in a work of this kind, all of the provisions of our laws can be set forth with exact detail or that full and complete information can be given, yet, in so far as it purports to state the law, it can be relied upon. It is hoped that this statement of statutory rights, duties and obligations will prove of service to those for whom it is intended.

It is suggested that a lawyer should always be consulted, where important legal rights are involved, before taking any action leading to an adjustment of such rights.

D. E. SIMMONS,  
D. A. SIMMONS.

Houston, Texas, Feb. 1, 1921.

DEC 22 1921

## THE UTILITY OF BANKING

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A bank is as indispensable in every business community as any other branch of business.

Banks are useful as places of security to deposit money. They are necessary and important to persons who wish to borrow—to the farmer who buys a farm, or who needs money to tide him over from the time of planting to the harvest period; to the business man who needs additional funds in his operations.

The bank acts in this double capacity. It gathers the surplus money of a community; offers its capital as a guarantee of its safe return; loans a part of this money to the active members of the community, stimulating activity in all lines of commerce. To the extent that the bank holds in its custody the funds of its community to that extent it is of value and a benefit in that community.

A bank account is a safe way to keep your money.

Payment by check is convenient, saves time, guards against errors, furnishes a good record of your transactions, is useful when a payment is disputed.

A bank account of an individual is a valuable record of his income and expenditure.

A bank account is an education to the depositor; acquaints him with the value of keeping a record, gives him a better idea of business affairs; keeps him in touch with the affairs of his community; gives him the benefit of the bank's experience, knowledge and advice pertaining to investments and other matters.

A bank account is a great help in saving money. It becomes the one ambition of the man who has a sum of money, large or small, to his credit in the bank, to strive to increase that sum.

The richest men in the country never carry money in their pockets, but put it in the banks. If you have no bank account start one at once, no matter how small the beginning. This bank accords careful consideration to the small as well as to the large depositor.

## TO OUR FRIENDS

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We want our friends to know it is the deep feeling of our appreciation of the liberal patronage they have bestowed upon us that causes us to spare neither pains nor expense when we have an opportunity to render them valuable service. It is this spirit of appreciation that causes us to present to you this useful compilation of "Texas Laws Made Plain." It is intended for the use of those who desire to have at hand some convenient means of reference to the general laws of Texas, without being compelled to resort to the bulky volume of our revised statutes, or to the numerous acts of the legislature. The work is not an abridgment of all the laws of the state, but a compilation of those provisions of the statutes believed to be of most concern to the people in general.

Such topics as arise in the everyday lives of our citizens are discussed by Hon. D. E. Simmons, United States Attorney, Southern District of Texas, formerly Assistant Attorney General of Texas, and Hon. D. A. Simmons, attorney at law, Assistant United States Attorney, Houston, Texas. These topics are clothed in plain language, and can be readily understood by all. This work has been prepared at a large expense, and we present it to our friends, believing that it will give them a fair knowledge of the laws of our commonwealth, and after a careful reading of the same they will prize it as a manual of no little value, and one that can be consulted with pleasure and profit for many years to come.

CARLVILLE STATE BANK,  
CARLVILLE, TEXAS.

READ EVERY WORD ON THIS PAGE.

(Fourth Page of Reading Matter)

## LAWS AND FACTS CONCERNING BANKS AND BANKING

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In every community of importance, the banks form a very useful and essential part in the local business machinery. An attempt to carry on the present volume of business without the use of bank checks and bank drafts would evaporate the national supply of currency before the time for the morning recess, and the remainder of the day would become a holiday, as far as business is concerned.

It is not what people eat, but what they digest, that makes them strong; not what they read, but what they remember, that makes them learned; not what they profess, but what they practice, that makes them good. It is not what they make, but what they save, that makes them rich.

The law-makers have put into the laws such safeguards and restrictions as protect depositors in their transactions with banks.

Under the laws of the State of Texas the commissioner of insurance and banking shall cause a state bank to be thoroughly and fully examined four times a year. The bank commissioner may demand at any time a statement under oath by the president, cashier or secretary, and attested by three of the directors of the actual condition of the affairs of the bank, and he must require such statements twice each year. Said statements must be published in a local newspaper.

The state banking board must be satisfied that each incorporator is worth, over and above his indebtedness, and the exceptions allowed by law, at least double the amount of the par value of the stock subscribed for by him.

The board of directors shall meet at least once each month and pass upon the business of the bank and keep a written record of its approval and disapproval of each and every loan.

The depositors in a state bank, operating under the laws of Texas, have the integrity of the banker and the strong arm of the state to protect them, as well as the double liability of the stockholders.

In the newspapers we often read of money hidden in the home being stolen. Under the banking laws of Texas the farmer, mechanic, merchant and all others can deposit money in a state bank and feel assured of being amply protected against the lawless characters who are seeking opportunities to steal the accumulations resulting from the industry and economy of others.

# Texas Laws

(Abridged)

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## ABANDONMENT OF WIFE AND CHILDREN

**ABANDONMENT DEFINED**—A husband who willfully and without justification deserts, neglects, or refuses to support and maintain his wife, who is in needy circumstances, or a parent who willfully deserts, neglects, or refuses to support his or her child or children under the age of 16 years, such child or children being in destitute circumstances, is guilty of a misdemeanor.

**TEMPORARY ORDER OF COURT**—The court or judge thereof, either in term time or in vacation, at any time before the trial, upon petition of complainant, notice being given to defendant, may enter such temporary orders as are proper providing for the support of the deserted wife or children or both, and refusal to carry out such order may be punished as contempt of court.

**VENUE OF OFFENSE**—The offense may be prosecuted in the county in which the wife, child or children may have been abandoned, or in the county in which such deserted wife, child or children shall have resided for six months next preceding the filing of the complaint.

**PUNISHMENT**—Upon conviction the party shall be punished by fine of not less than \$25 and not more than \$500 or by imprisonment in the county jail not more than one year or by both such fine and imprisonment.

The commissioner's court of the county where the prosecution is maintained shall appropriate sufficient funds to extradite or arrest and return to such county the defendant.

## ACKNOWLEDGMENT

All instruments conveying any interest in real property must be acknowledged before either a clerk of the district court, a judge or clerk of the county court, or a notary public. The officer attaches his certificate to the instrument to be recorded stating that the party who executed same states that he did so for the purposes and consideration therein expressed. The person making the acknowledgment must be personally known to the officer, or must be proved on the oath of some one known to the officer to be the person who executed the instrument.

The acknowledgment of the wife must be separate and apart from the husband and out of his presence.

WE EXTEND THE ACCOMMODATIONS  
OF  
A SOLID, WELL EQUIPPED BANK.

An instrument acknowledged as above set forth is permitted to be recorded in the county clerk's office without further proof of its execution.

## ADOPTION

**HOW HEIR ADOPTED**—A person may adopt another as his legal heir, by a statement in writing to such effect signed and sworn to, or have two witnesses thereto. Such instrument of writing must be recorded in the office of the clerk of the county court. A person so adopted is entitled to all the rights and privileges, both in law and equity, of a legal heir; provided that in case there is a legal heir, either before or after the adoption, the adopted heir can inherit no more than one-fourth of the estate.

**PARENTS MAY TRANSFER AUTHORITY**—The parent or parents of any child who is to be adopted by another, may in the manner above set out transfer the parental authority and care over a child or children to the person adopting such child, and the latter must treat such child or children humanely and give them proper care and support, and cannot transfer their authority to another person.

If such child or children is neglected or ill treated the court may regain control of the adopted person and deliver it to its natural parents or to any other person who may adopt it.

**WHITES AND BLACKS**—No white child may be adopted by a negro person, nor may any negro child be adopted by a white person.

## AFFIDAVIT

An affidavit is a statement in writing of some fact or facts signed by the party making it and sworn to before any judge or clerk of a court of record, justice of the peace, or notary public, who may give a certificate thereof. A notary public or justice of the peace may take an affidavit or acknowledgment anywhere in the county of his residence. An oath is a verbal statement made before a proper officer. Where a person has a religious scruple against taking an oath or making an affidavit, he may make an affirmation. An affidavit, oath or affirmation is made, subject to the penalties of perjury.

## AGRICULTURE

**COMMISSIONER**—A commissioner of agriculture, elected by the people for a term of two years, is charged with the enforcement and general execution of all laws, relating to agriculture. He must be an experienced and practical farmer.

**EXPERIMENTAL STATIONS**—Experimental stations shall be established at such places in the state as the governing board, consisting of the lieutenant governor and three members appointed by the governor, shall decide. These stations shall conduct investigations in the planting and growing of crops, the soils, and breeding, feeding and fattening of live stock.

**COMMERCIAL FERTILIZERS**—No person, firm or corporation shall sell any commercial fertilizer in this state unless it shall first have been inspected by the state chemist, and plainly marked with its weight and contents. It must be tagged showing that the inspection tax has been paid.

**SEEDS**—All seeds sold in lots of ten pounds or more for agricultural purposes shall bear a statement showing: the name, weight, state within which the seed were grown, per cent of germible seed; name of vendor; approximate per cent of pure seed to weed seeds.

**MONEY  
DEPOSITED WITH US  
IS BEYOND THE REACH OF HOUSEBREAKERS.**

**AGRICULTURAL AND MECHANICAL COLLEGE**—The agricultural and mechanical college of Texas is located at College Station, and gives instruction in agriculture, the mechanical arts and the natural science connected therewith.

### APPRENTICES

**WHO MAY BE APPRENTICED**—The county court has jurisdiction over minors in the matter of apprenticeship, just as such court has jurisdiction in the matter of guardianships. The county court may bind a minor as an apprentice: (1) when the minor is an orphan and without sufficient estate for his maintenance and education; (2) when the parents have allowed him to become a charge upon the county; (3) when his parents, by writing signed, filed and entered of record in the court, consent to such apprenticeship. A minor can be apprenticed only in the county of his residence (and must remain in such county) and at a regular term of the court after ten days' notice as in the case of guardianship.

If a minor is 14 years of age or more he may select the person to whom he desires to be apprenticed.

**DURATION OF APPRENTICESHIP**—The duration of apprenticeship shall be in the case of a male until he arrives at the age of 21; and in the case of a female until she arrives at the age of 18 or until she marries in the event she marries before that age.

**BOND TO BE GIVEN**—The person to whom a minor is apprenticed must be legally qualified to act as his guardian, must be a resident of the county and must make bond to be recorded in the minutes of the court payable to the minor in a sum to be not less than \$1,000 fixed by the county judge and the bond approved by him, conditioned, (1) that he will furnish such minor with sufficient food and clothing; (2) treat him humanely; (3) teach him or cause him to be taught some trade or occupation; (4) furnish him with medicine and medical attention; (5) if practicable, send him to school three months each year after he is 10 years old, and while within the scholastic age; (6) will not remove him out of the county without permission of the court; (7) nor remove him from the state. Such person shall have the right to inflict reasonable and proper punishment in the control of the minor, and shall be entitled to his services and the profits arising therefrom. If the minor runs away, he may be brought back. If he is kept out of the county more than thirty days without an order from the court, he is discharged from further service. If there is a breach of the bond, the minor or any one for his use may sue in the proper court, and the damages recovered shall be the property of the minor.

### ARBITRATION

**WHO MAY ARBITRATE**—Individuals, corporations, and, with the consent of the probate court, executors, administrators and guardians may resort to arbitration to settle disputes.

**THE PROCEDURE**—Arbitration under our statutes differs little from a court trial. The parties to the suit, sign, as plaintiff and defendant, an agreement in writing, each naming an arbitrator, over 21 years old, not related to either party, possessing the qualifications of a juror, and not interested in the result of the dispute. According to the amount involved, the agreement is filed with the justice of the peace, county or district clerk, who fixes a day for trial and issues process for whatever witnesses either party desires, and administers all necessary oaths. After hearing the evidence, and argument if any, the arbitrators make their award in writing, which is filed and has the effect of a judgement. If the arbitrators do not agree, they select

WE ACCORD CAREFUL CONSIDERATION  
TO  
SMALL OR LARGE DEPOSITORS.

a third man as umpire, and a new trial is had before the three. If a right to appeal is not reserved in the original agreement, the award is final; otherwise, either party dissatisfied, may take an appeal as in like cases in court.

The method above described does not prevent persons from selecting any other mode for settling their disputes, but after the signed agreement is filed, the above method is binding.

**BETWEEN EMPLOYER AND EMPLOYEE**—Whenever a dispute arises out of the relation of employer and employee, the parties may, by consent in writing, each select two arbitrators who select a fifth, the chairman, which is to constitute the board, to hear, adjudicate and determine, under oath, such dispute. The arbitrators must agree to act as such arbitrators and subscribe an oath to faithfully and impartially discharge their duties in such capacity, which is immediately filed in the office of the clerk of the district court, wherein such arbitrators are to act.

If the employees belong to more than one labor organization, or some whose interests are involved belong to no organization, then the two arbitrators shall be selected by the concurrent action of all such parties. Upon petition by the majority of the board, addressed to the district judge, he shall by a proper order, legalize the board to hear, adjudicate and determine the differences. The matters in dispute must be submitted in writing and must also stipulate, (1) that the parties will carry out the award and same may be enforced in court of equity, so far as rules permit; (2) the award to be filed with the district clerk, and to be final, unless set aside for error of law apparent on the record; (3) that pending arbitration, the existing status prior to any disagreement or strike shall not be changed; (4) that dissatisfied employees will not quit their employment, till thirty days after notice of such intention; (5) that said award will be binding and final for one year.

The chairman has the power to administer oaths and summon witnesses. The board makes rules for its government, fixes the time for its sessions and adjournment, and examines witnesses and admits such proof as is relevant to the inquiry.

The award must be in triplicate, that a copy may be furnished to the district clerk, to the employer and to the employees, or their representatives. After ten days from the filing of the award with the clerk, judgment shall be entered thereon, unless exceptions are filed for matter of law apparent on the record, to be decided by the district court from which an appeal may be taken by either party to the court of civil appeals, whose decision is final.

## **ASSIGNMENT FOR BENEFIT OF CREDITORS**

**INSOLVENT DEBTOR**—Under our state law any insolvent debtor may make an assignment by an instrument in writing signed and acknowledged and should be recorded the same as a deed. An inventory must be filed showing (1) the creditors; (2) their places of residence (if unknown, so state); (3) amount and character of debts; (4) where and how such indebtedness arose; (5) whether secured or not; (6) and a full and true list of the debtor's estate including all kinds of property, and its value. It is unnecessary to set out the details for the reason that under the terms of the federal constitution that Congress "shall have power to establish uniform laws on the subject of bankruptcies throughout the United States," a general bankrupt act passed by Congress in 1898, almost entirely supersedes or suspends our state law of assignment. If a person makes a general assignment for the benefit of his creditors, this is declared by the federal law, "an act of bankruptcy," which authorizes a creditor to take the entire matter before the federal court.

**WE INVITE NEW ACCOUNTS  
UPON OUR MERITS FOR  
STRENGTH AND SAFETY.**

## ALIEN

**DEFINITION**—An alien is a person who is a citizen of a foreign country, of some other country than this state or the United States.

**OWNERSHIP OF REAL ESTATE**—An alien who is a bona fide inhabitant of Texas and so long as he continues to reside in Texas, or who has declared his intention of becoming a citizen of the United States, may own real and personal property the same as a citizen of the United States. An alien may own lots or parcels of land in any incorporated or platted city, town or village in this state. An alien who owned real estate in this state in 1892 (the year in which the legislative act preventing alien ownership of land was passed) may retain such ownership.

**PERSONAL PROPERTY**—An alien may enjoy such rights as to personal property as are accorded to citizens of the United States by the laws of the country to which the alien belongs.

**COLLECTION OF DEBTS**—An alien may acquire lands or an interest therein in the ordinary course of collection of debts or may acquire a lien upon real estate to secure money loaned.

**DISPOSITION OF LANDS**—All non-resident aliens who acquire real estate in Texas after 1892 by devise, descent or by purchase may hold same for ten years; if such be a minor he may hold same for ten years from date of becoming of age.

If any lands are held in violation of this law, it shall be the duty of the attorney general or the district or county attorney (if within his jurisdiction) to bring suit and escheat the same to the state.

## ATTACHMENT AND GARNISHMENT

**BOND REQUIRED**—Before the issuance of the writ of attachment, the plaintiff must file suit and give bond with two or more good and sufficient sureties in a sum not less than double the amount of the debt; bond must be approved by the officer issuing the writ.

**AFFIDAVIT TO BE FILED**—The plaintiff in the suit must file an affidavit in writing stating that the defendant is (1) justly indebted to plaintiff, giving the amount; (2) not a resident of the state, or is a foreign corporation or is acting as such; (3) or is about to remove permanently out of the state, and has refused to pay or secure the debt; or (4) secretes himself so that the ordinary processes of law cannot be served on him; or (5) has secreted his property or is about to secrete same, for the purpose of defrauding his creditors; or (6) about to remove his property or a part thereof out of the county to defraud his creditors, or out of the state without leaving sufficient to pay his debts; or (7) has disposed of his property or about to dispose of same to defraud his creditors; or (8) about to convert his property or part thereof into money so that it cannot be reached by his creditors; or (9) that the debt is due for property obtained under false pretense. The affidavit must further state, (1) that the attachment is not sued out for the purpose of injuring or harassing the defendant; and (2) plaintiff will probably lose the debt unless such attachment is issued.

**WRIT ISSUED**—When the above has been done, the judge, clerk or justice of the peace, as the case may be, shall issue the writ, directed to the sheriff or constable of any county where property of the defendant may be supposed to be, commanding him to attach so much of the property of the defendant as will cover the debt and probable costs of suit. The officer makes the levy at his own risk, unless he requires an indemnity bond. The writ of attachment is levied in the same manner as the writ of execution and upon property

**A BANK ACCOUNT IS A VALUABLE RECORD  
OF  
INCOME AND EXPENDITURES.**

not exempt under the constitution and laws, and remains in the custody of the officer until final judgment unless sooner, (1) replevied by the defendant by giving bond; or (2) by some one claiming the property by making affidavit and giving bond to try the right to same. If the property remaining in the custody of the officer, is in danger of waste or decay, or requires great expense in its preservation, the judge or the justice of the peace may order it sold and the proceeds turned into court within five days, with a statement of the officer, giving the time and place of sale, name of purchaser, amount received and an itemized statement of the expenses of the sale. If the writ has been legally issued and executed, it creates a lien upon the property levied upon, which shall be foreclosed if the plaintiff wins the suit.

**GARNISHMENT**—The general principles of attachment apply to this writ. A writ of garnishment may be issued, (1) where an original attachment has issued; (2) where the plaintiff has a judgment and makes affidavit that the defendant has not within his knowledge property in his possession within this state subject to execution, sufficient to satisfy such judgment; (3) where the plaintiff sues for a debt, and makes affidavit that same is just, due and unpaid, and defendant has not within his knowledge property sufficient to satisfy the debt, and that the writ is not sued out to injure either the defendant or the garnishee. Under the third subdivision, plaintiff must execute bond in double the amount of the debt claimed.

**AFFIDVAIT**—Before its issuance, the plaintiff shall make a sworn application to the proper court or clerk, stating the facts authorizing the issuance of the writ, and that he has reason to believe and does believe that the garnishee, stating his name and residence, is indebted to the defendant, or has property belonging to the defendant, or that the garnishee is an incorporated or joint stock company, and that the defendant owns shares or has an interest in such company.

**CASE DOCKETED**—In this proceeding, the garnishee is defendant, and must answer fully under oath, at the next term of court, whether at the time he is served with the writ, the above allegations are true; otherwise he is held by judgment for the entire debt. If the garnishee is not indebted to, nor has any property of the original defendant, he is discharged by the court with his costs; if he is indebted or has property, judgment is entered against him for same, not to exceed the amount due the plaintiff, together with costs. If the garnishee lives in a county different from that of the plaintiff's and refuses or fails to obey the writ, the court which issued the writ, must on motion of the plaintiff, issue a commission to the district clerk, county clerk, or county judge, justice of the peace or a notary public in the county of the garnishee's residence, commanding the garnishee to answer under oath; whereupon the same proceedings are had as in the first instance. After being served with the writ, the garnishee must not pay defendant or deliver any property to him, unless the defendant replevies in same manner as in case of an attachment. If the garnishee, upon an order from the court to deliver property of defendant to the officer, refuses to obey same, he may be fined or imprisoned for such contempt of court.

An order or judgment of the court will protect the garnishee against the defendant, on account of the payment of any debt or delivery of any property to plaintiff.

Current wages for personal services are not subject to garnishment.

**WE RECEIVE  
DEPOSITS  
SUBJECT TO CHECK.**

## ATTORNEY AT LAW

**WHO MAY BECOME**—Any person, male or female, 21 years of age and of good moral character, may be licensed to practice law. No person convicted of a felony (that is an offense which carries with it a term in the penitentiary) can receive license; or if a licensed attorney is convicted of a felony, the license shall be revoked.

**OATH TO BE TAKEN**—Every attorney must take an oath to support the constitution of the United States and this state; that he will honestly demean himself in the practice of law, and will discharge his duty to his client to the best of his ability. The oath is indorsed upon his license, signed and sworn to, and attested by the officer administering same.

**LICENSE TO PRACTICE**—Every person to be entitled to a license to practice law must take an examination before the Board of Examiners of the Supreme Court, unless the applicant is a graduate of an accredited law school, such as the University of Texas law school, which has a three-year law course and has been approved by the Supreme Court. Every person before taking the examination must show that he is of good moral character, and that he has studied law for at least two years. An examination fee not to exceed \$20.00 must be paid to the clerk of the Supreme Court. Upon passing the examination conducted by the board, the applicant is entitled to a license upon payment of one dollar to the clerk of the Supreme Court.

No license to practice law in Texas shall be issued by any court or authority except by the Supreme Court of Texas.

**MISCONDUCT**—A lawyer is regarded as an officer of the court and is subject to fine or imprisonment, for misbehavior or contempt of court, but he cannot be suspended or his name stricken from the roll, except for fraudulent or dishonorable conduct or malpractice, after a trial and conviction (by a jury of twelve men, unless a jury is waived).

A lawyer who seeks or obtains employment in any suit, or case at law, or in equity, by personal solicitation, or procuring another to solicit for him, or by promising to pay the debts or liabilities of the person from whom such employment is sought, or to loan or give him money or other valuable thing, before employment in order to induce such employment, is guilty of barratry, and subject to a fine of not more than \$500, and may be imprisoned in the county jail not exceeding three months. Such conduct shall also subject such lawyer to a forfeiture of his license, as in the case of malpractice or fraudulent conduct.

## AUTOMOBILES

**REGISTRATION**—All applicants for registration and license or transfer of motor vehicles shall file such application with the collector of taxes in the county in which they reside, on forms furnished by the state highway department. License fees are payable on the first day of January of each year and for pleasure cars amounts to thirty-five cents per horse power, the minimum fee being \$7.50. The fee for trucks varies according to capacity and reference should be made to the scale fixed in the statute. On payment of the fee, the tax collector will issue a receipt to the owner, and he will be furnished with a seal bearing the words, "Registered Motor Vehicle, Texas," with the year, which is to be displayed conspicuously on the front of the automobile.

The state highway department will assign a number to each car, and will furnish a number plate without further charge which must be attached to the front of the vehicle and a similar plate to the rear.

**PUT YOUR MONEY  
IN A BANK  
AND PAY YOUR OBLIGATIONS BY CHECK.**

**SPEED REGULATED**—No automobile or motor vehicle shall be driven on any public highway at a greater rate of speed than twenty-five miles per hour; nor if the territory is closely built up at a greater rate than 18 miles per hour; nor in the business district of a city having a population of less than 40,000 at more than fifteen miles per hour; nor in the business district of a city larger than 40,000 at more than ten miles per hour.

**LIGHTS**—Every automobile in operation during the period of one-half hour after sunset to one-half hour before sunrise, shall have two white lights in front and one red light in the rear. It is unlawful to carry lights so brilliant as to blind or seriously interfere with the sight of persons approaching.

**RULES OF THE ROAD**—The driver should keep to the right side of the road and pass approaching vehicles on the right. If a vehicle is overtaken going in the same direction on the highway it should be passed to the left. Never pass a train, interurban or street car which has stopped to unload passengers, but stop and only proceed after the passengers have been received or discharged.

**HORN**—Every motor vehicle must be equipped with a bell, gong, horn or other device to give warning of its approach.

**PENALTY**—Any one violating the foregoing provisions is guilty of a misdemeanor and subject to fine of not more than one hundred dollars.

**GLASS, NAILS, TACKS, ETC., IN HIGHWAY**—If any person shall wilfully throw or deposit in or on any public road, street or alley, any glass bottle, glass, nails, tacks, hoops, wire, cans, or any other substance likely to injure any person, animal, automobile or other vehicle, he shall upon conviction be fined not less than \$5.00 nor more than \$200.

## **BANKS**

There are five classes of banking institutions authorized to do business in this state, namely: National bank, state bank, savings bank, bank and trust company, and private bank.

**NATIONAL BANKS**—National banks are such as are organized under the laws of the United States and are capitalized according to population as follows: In cities or towns of less than 3,000, \$25,000; from 3,000 to 6,000 population, \$50,000; from 6,000 to 50,000 population, \$100,000; more than 50,000 population, not less than \$200,000.

A stockholder is liable in an amount double his stock. The business of the bank is managed by its officers under the direction of its board of directors, all of whom are liable civilly and criminally for fraud or mismanagement of the bank's affairs. It is a felony for any person to receive deposits after the bank has become insolvent.

**STATE BANKING BOARD**—A state banking board composed of the attorney general, commissioner of insurance and banking and the state treasurer, receives applications and passes on the necessity for a state bank in a community and investigates the solvency of the incorporators. The board has general supervision and control over all state banks and trust companies.

**STATE BANKS**—Five or more persons, a majority of whom must be residents of the state, may incorporate as a state bank by filing an application with the state banking board on a form prescribed by it. At the time of filing the application the charter fee must be paid to the commissioner of insurance and banking, which is refunded if the charter is refused. The state banking board must be satisfied that each incorporator is worth, over and above his indebtedness and the exemption allowed by law, at least double the amount of the par

**If you make your payments by CHECK  
You Have a Record  
WHICH CANNOT BE DISPUTED.**

value of the stock subscribed for by him. If the charter is granted by the board it must be filed with the commissioner of insurance and banking and after the payment of the franchise tax to the secretary of state he shall deliver to the incorporators a certified copy of such charter.

**CHARTER**—Such charter must give the name of the bank, its location, capital stock divided into shares of \$100 each, the names and places of residence of the shareholders, of the number of shares subscribed by each, the number of directors and the names of those for the first year, the number of years for which incorporated not to exceed fifty.

**CAPITAL STOCK**—The capital stock shall not be less than \$10,000 for banks in towns and cities of less than 2,500 inhabitants; not less than \$25,000 for banks in towns and cities of more than 2,500 inhabitants and less than 10,000; not less than \$50,000 for banks in towns and cities of over 10,000 inhabitants and less than 20,000; not less than \$100,000 in towns and cities having 20,000 inhabitants or more, such population to be ascertained by reference to the United States census. The capital stock of the bank must be fully paid up.

**AUTHORITY AS TO LOANS**—Such bank may loan money upon real estate, and personal property and upon personal securities, provided it shall not loan more than 50 per cent of its securities upon real estate, and loans upon real estate shall not be for an amount greater than 50 per cent of the reasonable cash value of such real estate. Such banks may buy, sell and discount all kinds of negotiable paper and shall not be authorized to transact business in more than one place, except where such bank is a county or state depository in a county other than the place of its domicile or is a county depository not located at the county seat; provided that the ordinary clearing house transactions by the banks are not prohibited by the above.

**BOARD OF DIRECTORS**—A board of directors of not less than five nor more than twenty-five shareholders to be elected annually shall manage the affairs and business of the bank and shall at least once per month pass upon the business of the bank back to the previous meeting and keep a written record of its approval and disapproval of each and every loan. No director shall be permitted to borrow money of his bank in excess of 10 per cent of the capital and surplus without the consent of a majority of the board and such consent recorded; and no officer of the bank shall be indebted to such bank in any sum without the consent of the board of directors obtained and recorded as above.

**CASH RESERVE**—Every state bank which is not a member of the Federal Reserve Bank must keep on hand or due in cash from other banks an amount equal to twenty per cent of its demand deposits if its capital stock is less than \$25,000. If its capital stock is \$25,000 or more it shall keep on hand or due in cash from other banks at least fifteen per cent of its demand deposits. A state bank which is a member of the Federal Reserve Bank, but not located in a reserve city, shall keep a reserve equal to twelve per cent of the demand deposits and five per cent of its time deposits either in its vaults or in the Federal Reserve Bank. A bank in a reserve city shall keep fifteen per cent of its demand deposits and five per cent of its time deposits either in its vaults or those of the Federal Reserve Bank as provided by law.

**BANK AND TRUST COMPANY**—Any five or more persons, a majority to be residents of this state, may incorporate a banking and trust company to transact the ordinary business of a bank and also to do and perform the usual business of a trust company. The articles of association must set out the same facts as are required in the case

THE BEST  
BUSINESS MEN DEPOSIT THEIR MONEY  
IN A BANK.

of the state banks, together with the principles in the nature of the trust business to be performed. The capital stock shall not be less than \$50,000 nor more than \$10,000,000; provided that in cities and towns having a population of 20,000 or more the capital stock shall not be less than \$100,000.

**SAVINGS BANK**—Five or more persons may be incorporated as a savings bank and the articles of incorporation must be set out practically in the same manner as required of other banks, must be signed and acknowledged and filed in the office of the secretary of state. The capital stock of any savings bank shall not be less than \$10,000 in cities having a population of 50,000 inhabitants or under, and not less than \$50,000 in cities having a population of more than 50,000, all of which must be subscribed in good faith and paid up in full; and in no event to exceed \$5,000,000. No dividend exceeding 10 per cent per annum shall be paid on the capital stock. Savings banks may receive deposits of money from persons, corporations or associations, paying interest thereon and may receive as bailee for safe keeping and storage only, jewelry, money, specie, bullion, stocks, bonds and valuable papers of any kind and other valuables and upon such compensation as may be agreed upon.

**INVESTMENTS**—All moneys received, except that held as bailee for safe keeping shall be invested:

- (1) In bonds of the United States.
- (2) In bonds of this state, or any state of the Union that has not within the last five years defaulted in payments of its principal or interest.
- (3) In any city, county, town or school district, bonds of this state, provided there has been no default in the payment of principal or interest within five years previous.
- (4) In first mortgage bonds of steam railroads of this state having an income sufficient to pay operating expenses and fixed charges.
- (5) In bonds secured by deed of trust on unincumbered real estate not to exceed half the value of such real estate; provided, the total of such investment shall not exceed 60 per cent of its total assets.
- (6) In such real estate as is necessary to furnish a place of business for such bank.

**DIRECTORS**—The directors must keep on hand an available cash fund of not less than 15 per cent of the whole amount of assets of the savings bank, which may be deposited in any state or national bank with a paid-up capital stock of \$50,000 or more, approved by the superintendent of banking, provided that not more than 20 per cent of the total deposits, capital and surplus of such savings bank shall be deposited in any one bank or trust company. Savings banks shall not loan money upon, or discount or deal in notes, bills of exchange or other personal security, but may make loans to depositors not exceeding 50 per cent of the amount on deposit by such person and the pass book of such depositor shall be held as collateral security for the payment of the loan.

**PRIVATE BANKS**—A private bank may be organized and managed as any other business concern, and unless such bank adopts the provisions of the state banking law is not subject to such law, in reference to making reports, and submitting to examinations by the superintendent of banking. However, it shall be the duty of private individuals or firms engaging in the banking business to use after its name the word, "Unincorporated."

Institutions which were granted charters by the legislature prior to the adoption of the present constitution of 1876 are not subject to the state banking law.

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AND CAN PLEASE YOU.**

**COMMISSIONER OF BANKING**—The commissioner of insurance and banking shall act as commissioner of banking and shall give a bond in the sum of \$10,000 conditioned upon the faithful discharge of his duties as such. He shall be provided with an official seal by the secretary of state, with which to authenticate all instruments of writing with reference to banks and bank affairs. He shall appoint such clerks and examiners from time to time as may be needed to carry out the provisions of the law in reference to banks and trust companies. No state bank, savings bank, or trust company shall make a voluntary assignment but if in an insolvent condition, must be placed in the hands of the commissioner of banking, and any such deed of voluntary assignment shall be null and void. A bank examiner appointed by the commissioner of banking, must have had practical experience of at least five years in the banking business, must be an expert bookkeeper and bank accountant and must not be an officer or stockholder in any bank organized under the laws of this state, and he shall not be appointed receiver of any bank whose affairs have been examined by him in the pursuance of his duties as such examiner. He shall enter into a bond payable to the State of Texas in the sum of \$10,000, and shall receive a salary of \$2,000 the first year, which shall be increased \$200 per year until it is \$3,000, besides necessary traveling expenses.

No bank or trust company shall loan more than 25 per cent of its capital stock to any individual, corporation or company directly or indirectly, nor engage directly or indirectly in trade or commerce by buying or selling goods, chattels, wares and merchandise, or by owning or operating an industrial plant.

**INSPECTION**—The commissioner of insurance and banking, once in each quarter shall cause each banking corporation organized under the laws of Texas to be thoroughly and fully examined. The commissioner and bank examiners shall have the power to administer oaths to any person in making such examination, and if any irregularities are found such banking institution shall be notified by the commissioner to stop such practice or to rectify mistakes and upon failure so to do, the attorney general shall institute such proceedings as the nature of the case may require.

The commissioner may demand at any time a statement under oath by the president, cashier, or secretary, and attested by three of the directors, of the actual condition of the affairs of such banking institution; and it shall be his duty to require such statements twice each year. The statement shall be published in one or more newspapers published in the town or city where the banking institution is located, if there be such a paper; if the city has a population of over 10,000 inhabitants, the statement shall be published in a daily newspaper; if less than 10,000 population, than in a daily or weekly newspaper.

## BEES

**DISEASE**—The owner or person in possession of honey bees which have foul brood or other contagious diseases must report such fact to the state entomologist.

**AUTHORITY OF ENTOMOLOGIST**—The state entomologist may

(1) Order bees placed in movable frames, within specified time; upon refusal he may order the bees, hives, honey, etc., destroyed without recompense to the owner;

(2) He shall prescribe such rules and regulations as he thinks necessary to eradicate all disease. If party refuses and fails to comply, the entomologist may burn the diseased colony, appliances and honey. The state entomologist may treat such bees and present to

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IN SAVING MONEY.

the owner a bill for the actual cost of such treatment, or in the former, the cost of destruction. Failure to pay the same within thirty days will subject the owner to a suit by the county attorney and all moneys so collected shall be paid into the state treasury to constitute a fund to carry out the provisions of this act;

(3) He shall have the power to search any place, public or private, during ordinary business hours, to inspect bees to determine whether they have any contagious or infectious disease;

(4) He may declare a quarantine against the shipment within certain districts;

(5) He shall require a certificate from the shipper of bees into this state, such certificate giving the name of consignor and consignee and freedom from all disease.

**VIOLATIONS OF THE LAW**—It is a misdemeanor for any person, firm or corporation to violate any of the provisions of this act or to violate any of the rules, quarantines, etc., of the state entomologist, and upon conviction a fine of not less than \$25 nor more than \$200 may be imposed.

### **BILLS, NOTES, ETC.**

The holder of any bill of exchange or promissory note, negotiable by law, may fix the liability of the drawer or indorser, without protest or notice, by suing the acceptor or maker at the first term of the district or county court, or in the justice court within sixty days (according to proper jurisdiction) after the debt becomes due, or at the second term, by showing good cause why suit was not begun at the first term. The just discounts will be allowed, against the holder only, if he obtained such negotiable paper before it was due, and for a valuable consideration, without notice of any defense against it; but if after maturity, then also all just discounts or defenses against him and also the assignor before notice of the defect of the assignment. A person may transfer, by assignment, his interest in a non-negotiable instrument, and the assignee may sue in his own name, but must allow every defense to same which arose in behalf of the assignor before notice of the assignment and the assignee must use diligence to collect, in order to hold the assignor. The owner of an instrument above mentioned, may sue at the same time all parties liable on same, whether primarily or secondarily; or may sue only those secondarily liable when judgment has been obtained against those primarily liable such as maker of note or acceptor of a bill of exchange; or where the latter are out of the state, and cannot be found after reasonable search, or are notoriously insolvent, or dead.

Three days of grace shall be allowed on all bills of exchange and promissory notes assignable or negotiable by law, except one payable on demand.

For the meaning of technical expressions, and for further details, the reader is referred to the Uniform Negotiable Instrument Law, passed by the legislature in 1919.

### **BLACKLISTING**

Any of the following acts discriminating against a person seeking employment comes within the meaning of blacklisting;

(1) Where any corporation or receiver of same, agent or officer shall prevent, or attempt to prevent, by word, printing, sign, list or other means, directly or indirectly, any discharged employes or one who voluntarily quits its service, from obtaining employment with any other person, company or corporation, except by truthfully

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ARE BETTER AND CHEAPER THAN EXPRESS OR  
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stating in writing, on request of said former employee, the reason of his discharge or the reason why he voluntarily quit;

(2) Or communicates to any other person or corporation any information about a person seeking employment and fails to give such person within ten days after request for same a copy of any written communication or a true statement thereof if by any other means and the names and addresses of all to whom such communication was made;

(3) Or fails to furnish within ten days after request a true statement of the reason for such person's discharge or a statement in writing that the employee voluntarily left the service if such be the case or fails to make a statement showing the number of years and months and each and every separate capacity and position in which the employee was engaged and whether his services were satisfactory;

(4) Or fails to furnish a copy within ten days after demand in writing therefor of any communication received about such person asking employment;

(5) Or shall discriminate against any person seeking employment on account of his having participated in a strike;

(6) Or shall give any information or communication about a person having participated in any strike unless such person seeking employment violated the law during such strike or in connection therewith except in compliance with this law in giving such information.

**PENALTIES**—A foreign corporation violating this law shall have its permit to do business in this state cancelled, and a domestic corporation or any person or company shall pay a penalty of \$1,000 for each and every offense.

## BOUNTIES FOR SCALPS

The commissioner's court of the county in which the following animals are killed shall pay the person who kills such animals the sum of \$2 for each wolf and \$1 for each wild cat and 5 cents for each jack rabbit; provided the person killing such animal shall furnish an affidavit stating when and where he killed same and furnish the entire scalp and ears so that the animal may be identified.

The commissioner's court at each regular session shall make an itemized statement of the amount paid out for bounty and send a certified copy to the comptroller of the state, who shall draw a warrant on the state treasury for one-half of the amount.

## BRANDS

Every person who desires an earmark and brand of cattle, horses, hogs, sheep and goats, which shall be evidence in law, must designate same different from that of his neighbors and have it recorded by the county clerk of the county in a well bound book kept for that purpose, where such stock are, or in as many counties as he may think necessary. He shall use only one such brand. An unrecorded brand is no evidence of ownership of cattle, horses and mules. Cattle shall be branded or marked before they are twelve months old; hogs, sheep and goats shall be marked before they are six months old. In case of dispute, the oldest recorded earmark or brand shall prevail. The various counties have what is called a county brand for horses and cattle. It is the duty of the secretary of state to furnish a printed list of the county brands to the county clerk of each county who shall securely post the same in his office.

### READ

**"LAWS AND FACTS CONCERNING BANKS AND BANKING"  
ON FOURTH PAGE OF READING MATTER.**

## CHECKS

**DEFINITION**—The statute has not defined a check. It is a bill of exchange drawn on a bank payable on demand. It should be presented for payment within a reasonable length of time after its issue or the drawer will be discharged from liability thereon in case of a loss caused by the delay.

**SWINDLING**—The offense of swindling has been extended to cover the fraudulent use of checks as follows:

The obtaining by any person of any money or other thing of value with intent to defraud by the giving or drawing of any check, draft or order upon any bank, person, firm or corporation, with which or with whom such person giving or drawing said check, draft or order has not at the time of giving or drawing of such check, draft or order, or at the time when in the ordinary course of business such check, draft or order would be presented to the drawee for payment, sufficient funds to pay same, and no good reason to believe that such check, draft or order will be paid.

**PUNISHMENT**—If a person is convicted of the above offense and the amount of money or other property obtained is of the value of \$50 or more the offense is a felony and punishable by not less than two years nor more than ten years in the state penitentiary. If the money or the value of the property obtained is less than \$50 the party is guilty of a misdemeanor and is punishable by a fine of not more than \$500, and by imprisonment in the county jail not more than two years, or by such imprisonment alone.

## COMMON CARRIERS

**DEFINITION**—Any person, firm or corporation which holds himself or itself out to the public as ready to and engaged in a business of transporting, for hire, goods, wares and merchandise, is known as a common carrier, and the duties and liabilities of such carrier are those fixed by the common law, and cannot be restricted by its bill of lading.

**LIABILITY**—The carrier is liable for goods injured, lost or destroyed, while in his care, from any cause, except the act of God, the public enemy, legal process or fault of the owner. Articles must be hauled without discrimination, and upon request, the carrier must give a bill of lading stating the quantity, character, order and condition of the goods, subject to a penalty of not less than \$5 nor more than \$500 for refusal.

**CERTIFIED BILL OF LADING**—Railroads, steamships and other companies, being common carriers, except express companies and pipe line companies, shall if demanded by the shipper, upon receipt of freight or transportation, give a certified bill of lading showing: (1) the date; (2) shipper; (3) the station; (4) place of destination; (5) whether goods to be delivered to a specified person or to the order of a specified person; (6) description of the goods; (7) signature with pen and ink of the duly authorized agent, at the bottom of such instrument; (8) carrier may add other terms and conditions not inconsistent with the law or rules or orders of the railroad commission.

A bill of lading to a specified person is called a straight bill of lading; where consigned to the order of the specified person it is called an order bill of lading and in the latter case duplicate shall not be issued but copies with the following printed across the face, "Copy—not negotiable."

WE REGARD ALL BUSINESS TRANSACTIONS  
AS  
STRICTLY CONFIDENTIAL.

The carrier must take up the bill of lading upon the delivery of the goods; otherwise it becomes liable to the one who for value in good faith purchases such bill of lading either before or after the delivery of the goods.

**UNCLAIMED FREIGHT**—Where freight is unclaimed by the owner or consignee for ninety days, or charges remain unpaid, it shall be sold at public auction, after thirty days' notice at three public places and on the door of the warehouse, of the time and place of sale and descriptive list of the articles; also same notice in newspaper if one is published in the county. Out of the proceeds, the charges and expenses are paid, and balance, if any, is held subject to the order of the owner any time within five years. Live stock remaining at destination unclaimed for forty-eight hours, may be sold after five days' notice. Perishable property liable to depreciation may be sold on five days' notice.

Where freight is shipped over two or more distinct railroads between points in the state on a through bill of lading, either road may be sued, in case of loss or damage.

## COURTS

We have the following courts:

**SUPREME COURT**—This court consists of three judges, term of office six years, salary \$6,500 per annum. It has one term a year beginning the first Monday in October and closes the latter part of June and is located at Austin.

**COMMISSION OF APPEALS**—Composed of two divisions, A and B, each having three judges, and is organized to assist the Supreme Court with its docket. Judges have the same qualifications and receive the same salary as judges of the Supreme Court.

**COURT OF CRIMINAL APPEALS**—This court has jurisdiction over criminal cases and is constituted as the supreme court for the same length of term, salary, etc.

**COURTS OF CIVIL APPEALS**—These are intermediate courts between the supreme court and the district courts. There are nine of these courts, consisting of three members each, with a term of six years and are paid a salary of \$5,000 per annum. They are located at Galveston, Fort Worth, Austin, San Antonio, Dallas, Texarkana, Amarillo, El Paso and Beaumont.

**DISTRICT COURTS**—There are eighty-eight district courts in the state. The judge is elected for four years, receiving a salary of \$4,000 per annum, has jurisdiction over both civil and criminal business.

**COUNTY COURTS**—Each county has the county court, a probate court, and a commissioner's court; the latter being merely an administrative body and not a court proper.

**JUSTICE COURTS**—A county has usually from one to eight justice courts, presided over by a justice of the peace, who has jurisdiction in both civil and criminal cases of a petty nature.

**CORPORATION COURT**—In cities and incorporated towns there is a corporation court, usually known as the recorder's court, which has jurisdiction only in petty criminal cases.

## CONTRACTS

**REQUISITES OF CONTRACT**—A contract is an agreement to do or not to do a certain thing. It is essential to its existence that there be: parties capable of contracting; mutual consent; a lawful object; a sufficient consideration. All persons are capable of contracting except persons of unsound mind, minors, and persons deprived of civil

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rights. A married woman under the present law can only contract for necessaries. However, she can go into the district court and have her disabilities removed for mercantile or trading purposes and thus have full power of contract in business.

**CONSENT**—Consent is mutual when all parties agree upon the same thing in the same sense. The consent must be free, mutual and communicated by each to the other. An apparent consent is not free when obtained through duress, menace, fraud, undue influence or mistake. Mistake may be either of fact or law. Mistake of law arises from a misapprehension of the law by all parties who supposed that they knew and understood it, all making substantially the same, mistake; or by one party, of which the others are aware at the time, but which they did not rectify.

**OBJECT**—The object of the contract is the thing which the party receiving the consideration agrees to do or not to do; it must be lawful when the contract is made and possible and ascertainable at the time it is to be performed. Where the contract is a single object only, and it is unlawful in whole or in part, or wholly impossible of performance, or wholly unascertainable, the entire contract is void.

**CONSIDERATION**—Any benefit conferred or any detriment suffered other than that which the parties are entitled to receive, or bound to suffer, is a sufficient consideration for a contract. The consideration must be lawful, and if any part thereof is unlawful, the entire contract is void. A written instrument is presumptive evidence of the consideration, and a burden of showing a want of sufficient consideration to support a contract lies with the party seeking to avoid it.

**WHAT CONTRACTS MUST BE IN WRITING**—The following contracts are invalid, unless the same or some note or memorandum thereof be in writing and signed by the party to be charged or his lawfully authorized agent:

To charge any executor or administration to answer out of his own funds for the debts of the deceased.

A promise to answer for the debt, default or miscarriage of another.

An agreement made upon consideration of marriage.

An agreement to sell land or lease same for a period of more than one year.

Any agreement which is not to be performed within one year.

## CONVEYANCES

**INSTRUMENT OF WRITING**—Any interest in land for a term of more than one year shall be conveyed from one to another by an instrument of writing subscribed, and either witnessed by two subscribing witnesses, or be sworn to by the person disposing of such interest or by his properly constituted agent. Such a conveyance shall not be good and effectual against a purchaser in good faith, without notice and for a valuable consideration nor against any creditor, unless such instrument be filed for record in the county clerk's office where the land is situated.

**CHARACTER OF TITLE**—Every estate in lands granted, conveyed or devised, shall be deemed a fee simple title unless otherwise restricted. A person may give a quit-claim deed, that is such interest as a party may have without warranty, or he may insert an agreement of warranty against all persons claiming adversely to the title

WE GIVE PROMPT ATTENTION  
TO  
COLLECTIONS.

or conveyance, or he may insert a clause of special warranty, protecting the purchaser from the claims of anyone who asserts title through such vendor, his heirs and assigns. The conveyance of land by a commissioner appointed for the purpose, sheriff or other officer by virtue of a judgment of the court shall be good to pass the title of all persons against whom judgment was rendered and those claiming under them. An estate of free hold, that is an interest in land, may be made to commence in the future by deed or conveyance, in like manner as by will.

**WHAT ONE WARRANTS**—When one grants and conveys an estate he warrants, (1) that he has not previously thereto conveyed any right, title or interest in this same land to any other person than the grantee; (2) that such estate is at the time free from incumbrances, which means taxes, assessments and all liens upon real property. When the wife's separate real estate is conveyed, her acknowledgement must be made privily and apart from her husband, in the same manner as the homestead must be conveyed.

## CORPORATIONS

**CLASSIFICATION**—Corporations are either public or private. A public corporation is one that has for its object the government of a portion of the state, as a county or an incorporated city or town. Private corporations are of three kinds, (1) religious; (2) for charity or benevolence; (3) for profit, and may be formed by the voluntary association of three or more persons for such purposes as may be permitted by the statutes, which are some seventy-odd in number, governing almost the entire field of human industry.

**REQUISITES OF CHARTER**—A charter must be prepared, subscribed by at least three persons, two of whom must be citizens of the state, and must be acknowledged setting forth, (1) the name of the corporation; (2) the purpose for which it was formed; (3) the place or places where its business is to be transacted; (4) the term for which it is to exist, not to exceed fifty years; (5) the number of its directors and trustees, and the names and residences of those who are appointees for the first year; (6) the amount of its capital stock, if any, and the number of shares into which it is divided. The charter must be filed in the office of the secretary of state at Austin to be recorded and the original kept on file, and a certified copy is evidence of the creation of the corporation which shall date from the time it was filed. Amendments may be made to the charter in the same manner as is required in the case of the original charter. All charters are granted subject to the power of the legislature to alter, reform or amend the same.

**POWERS OF PRIVATE CORPORATIONS**—Every private corporation has under the general law, power (1) to have succession by its corporate name; (2) to sue and to be sued; (3) to have a seal; (4) to hold, buy, sell and mortgage such real and personal estate as the purposes of the corporation shall require, or for the purpose of securing the payment of all indebtedness to the corporation; (5) to appoint and remove subordinate officers and employes; (6) to make by-laws for the management of its property, and regulation of its affairs and the transfer of its stock; (7) to enter into any obligation or contract essential to the transaction of its authorized business; (8) to increase or diminish by proper vote of its stockholders the number of its directors or trustees to be not less than three nor more than thirteen. The corporation may increase the capital stock to any amount by vote of the stockholders, to be carried out by the board.

WE EXTEND THE ACCOMMODATIONS  
OF  
A SOLID, WELL EQUIPPED BANK.

A corporation may convey real estate under the seal of the corporation by deed signed by the president or presiding member or trustee of the corporation and such deed shall be recorded in like manner and effect as other deeds. No private corporation whose main purpose or business is the acquisition or ownership of land, shall hereafter be permitted to obtain any land in this state by lease, purchase or otherwise, and such corporations must dispose of all lands and interests therein, within fifteen years by actual bona fide sale; otherwise such land shall be subject to forfeiture upon suit by the attorney general on behalf of the state.

**BOARD OF DIRECTORS**—The board of directors or trustees shall appoint a secretary and treasurer and such other officers as they may deem necessary, may adopt by-laws, subject to change by the majority vote of the stockholders at an election held for that purpose; shall manage the affairs of the corporation; keep a record of the business transacted subject to inspection by the stockholders; declare and make such dividends of the profits of the business as they may deem expedient or as prescribed by the by-laws; require the subscribers of the capital stock to pay such amount in such manner and in such installments as they may deem best, and upon the failure to pay, to forfeit their stock to the uses of the company after proper notice is given to the stockholders.

**DOMESTIC CORPORATION**—Every corporation organized under the laws of this state is known as a domestic corporation and must keep its principal office within this state. No corporation must employ its means, assets or other property directly or indirectly for any other purposes than the legitimate purposes of its creation.

**LIABILITY OF DIRECTORS AND STOCKHOLDERS**—The directors of the corporation who knowingly declare or pay a dividend when the corporation is insolvent or such dividend as renders it insolvent shall be jointly and severally liable for debts of the corporation to the extent of the dividend so paid. The stockholder is liable for the debts of the corporation to the extent of his unpaid stock and all the property of the corporation is liable for its debts.

**DISSOLUTION**—The corporation may dissolve only (1) by the expiration of the time limited in its charter; (2) by a judgment of dissolution rendered by a court of competent jurisdiction; (3) by unanimous consent of all the stockholders.

**FOREIGN CORPORATIONS**—Any foreign corporation desiring to transact business in this state, or solicit business in this state or establish a general or special office in this state is required to file with the secretary of state a certified copy of its articles of incorporation and he shall issue to such corporation a permit, for a period not exceeding ten years, to transact business in this state, if such corporation is organized for a purpose allowed by the statutes of this state. If a foreign corporation has not complied with the above requirements it cannot bring suit in any of the courts of this state except on matters arising out of interstate commerce. These requirements shall not apply to foreign corporations created for the purpose of constructing, building, operating or maintaining any railroad (see laws governing railroads) or to such corporations as are required by law to procure permits to do business from the commissioner of agriculture, insurance, statistics and history.

## COTTON

**BALING REGULATED**—All persons owning or operating a compress are required to so compress or recompress cotton bales as to

**MONEY  
DEPOSITED WITH US  
IS BEYOND THE REACH OF HOUSEBREAKERS.**

leave no jagged ends exposed or protruding; a violation subjecting the party to a penalty of not less than \$50 nor more than \$200, such amount to be recovered in a civil suit in the name of the State of Texas and paid to the state.

**WEIGHT OF BAGGING AND TIES**—The owners, lessees, operators, or receivers of all cotton gins, shall stamp or write on each bale of cotton ginned by them the weight of bagging and ties, in plain figures not less than four inches in height and three inches in width in indelible ink and the word "tare" shall precede such figures and of the same size.

All compresses shall replace the said words and figures if they are defaced in the process of compressing.

Failure to comply with the above shall be regarded as a separate offense for each bale of cotton baled or compressed.

No person, firm, corporation, cotton exchange or board of trade shall make a greater reduction for tare either from the weight or the price than is shown by the figures as above provided.

**PENALTY**—A violation of the above in any respect constitutes a misdemeanor and subjects the party to a fine of not less than \$10 nor more than \$100.

**LIABILITY OF STORAGE COMPANIES**—Any person receiving for storage, loading for transportation, or transporting such compressed cotton with dangerously exposed ends of bands or buckles shall be liable in damages for injury to any person in the employ of the above parties handling such cotton, while in the discharge of the duties of such employment.

The duties of inspection of such bales of cotton shall be on the employer and not on the employee.

**DUTY OF COMMISSIONER OF LABOR**—It shall be the special duty of the commissioner of labor and his deputies to see that the above law is complied with.

**COTTON CLASSING TO BE TAUGHT**—The state board of education is authorized and instructed to require the teaching of cotton classification in all of the state normal schools, industrial schools, summer normal schools, teachers' institutes and in all public schools; except in independent school districts with a scholastic population of 300 or more or in districts where the cotton acreage is less than 10 per cent of the total acreage planted to farm products, unless such teaching is required by the school board or the trustees.

**GRADES OF COTTON**—The grades so taught of classification shall be those established and provided for by the United States Department of Agriculture and known as official types or "standards."

The various officers of the state and counties are to procure these standards. Examinations are to be held and certificates of proficiency issued provided the applicant can properly grade 60 per cent or more of the samples.

This act shall become operative on and after September 1, 1914.

**BOLL WEEVIL**—Fifty thousand dollars has been set aside in the treasury as a reward for anyone who can discover a practical means of destroying the boll weevil at a cost for such destruction of not more than one dollar per acre.

**PINK BOLLWORM**—By the Act of 1919 a zone is created of the counties bordering the Rio Grande river in which no cotton may be grown or transported whenever the governor proclaims a quarantine, which shall be done when the pink bollworm is discovered within fifty miles of the said zone in Mexico. When any district in this state is found to be infested with the pink bollworm a special quar-

**WE ACCORD CAREFUL CONSIDERATION  
TO  
SMALL OR LARGE DEPOSITORS.**

antine may be proclaimed and, if necessary, the cotton in said district destroyed, and the state will pay the owners for their damage.

## COUNTIES

The legislature has the power to create counties. Since 1876 a county cannot be created with less than 900 square miles in a square form, unless prevented by boundary lines of other counties. All the public domain of the state having been subdivided into counties, a new county can be created only by taking territory from existing counties and must not contain a less area than 700 square miles.

**COMMISSIONER'S COURT**—A county is divided into four commissioners' precincts and justice precincts not exceeding eight, and into school districts or precincts as may be deemed advisable by the commissioners' court.

The commissioners' court consists of the four commissioners and the county judge as presiding officer. It has general control and management of the affairs of the county, looking after the public roads, poor farm, county jail, court house and other buildings, fixing the county tax rate, etc.

**COUNTY OFFICERS**—The county officers are judge, sheriff, district clerk, county clerk, tax assessor, tax collector, county treasurer, all of whom are elected by the people for a period of two years, and qualify by giving bond and taking the oath of office. If a vacancy occurs the same is filled by the commissioners' court until the next general election.

**COUNTY AUDITOR**—In any county of a population of 40,000 or over, or any county having a tax valuation of fifteen million dollars, or over, an auditor shall be appointed for a term of two years at a salary equal to \$100 for each million dollars of valuation, not to exceed \$2,400. He must be of good moral character, competent in business details and a good accountant. His selection is made by the district judge or judges of the county.

**POWERS AND DUTIES OF AUDITOR**—He shall have a general oversight over all the books and records of the county and district officers; the right to examine all the books, accounts, reports and vouchers; at least once in each quarter check the books of all county officers and stamp his approval on their records; shall advertise for the purchase of county supplies and shall examine and approve all claims, bills and accounts against the county before they are paid.

## DAILY BUSINESS LAW

Ignorance of the law excuses no one.

The law requires no one to do any impossible thing.

A contract made with a person of unsound mind is void, except when made in procuring necessities.

A contract made with a minor is voidable but it may be ratified by the minor after he becomes of age.

It is a fraud to conceal a fraud.

Signatures may be legally made with a lead pencil, however the use of pen and ink is safer.

If a note or contract be lost or stolen, the maker is not thereby released, its loss or theft and the amount and consideration may be orally proved.

Principals are responsible for all acts of their agents, acting within the scope of their employment.

Each individual in a partnership is liable for all legal debts of the partnership, whether made with his knowledge or not.

An agreement without consideration is not enforceable.

**WE INVITE NEW ACCOUNTS  
UPON OUR MERITS FOR  
STRENGTH AND SAFETY.**

A contract made on Sunday is not enforceable.

A note obtained by fraud cannot be collected by law.

The acts of one partner bind all partners.

Intoxication is no excuse for the commission of a crime.

No one can be twice tried for the same offense.

He who seeks equity must do equity.

He who comes into equity must come with clean hands.

Equity suffers no wrong without a remedy.

Any contract to be performed not within the year is not binding unless in writing.

You cannot legally condone an offense by receiving back stolen property.

Every man is legally bound to obey the call of a peace officer in making arrest.

A felony is any crime punishable by electrocution or confinement in the penitentiary. A misdemeanor is an offense punishable by a fine or imprisonment in jail or workhouse.

Murder is the taking of human life, with malice aforethought; manslaughter is the taking of human life in sudden heat and passion, or in sudden affray, without malice.

## DENTISTRY

**BOARD OF EXAMINERS**—A board of examiners consisting of six practicing dentists appointed by the governor, shall have authority to issue certificates upon satisfactory examination to any person who desires to practice dentistry or dental surgery in this state. Said board must meet at least twice a year. Each applicant shall pay \$25, which shall constitute a fund to pay the expenses of the board in holding said examinations.

**TEMPORARY LICENSE**—Any member of the board when the board is not in session, may grant a license to a person if found to be qualified, the license to be valid till the next meeting of the board.

**CERTIFICATE TO BE FILED**—Every person to whom a certificate has been issued shall have such certificate recorded in the county in which he or she expects to practice, before beginning the practice of dentistry.

**VIOLATION OF LAW**—Any person who shall practice dentistry without a license shall be guilty of a misdemeanor and liable to a fine of not less than \$5 nor more than \$100, or by imprisonment in the county jail not more than six months, or by both fine and imprisonment.

It is not a violation of the law for a regular practicing physician or surgeon to extract teeth or to make application for relief of pain. However, it shall be unlawful without regular certificate for any other person to extract teeth for pay or for purpose of advertising some medicine, or instrument, or business of any kind.

## DESCENT AND DISTRIBUTION

**WHERE DECEASED LEAVES NO HUSBAND OR WIFE**—When a person dies without a will leaving no marital survivor (that is, neither husband or wife) his estate shall descend as follows: (1) to his children and their descendants; (2) if he have no children nor descendants therefrom, then to his father and mother equally, unless one of them is dead and he has brothers and sisters, in which case one-half shall go to the father or mother and the other half to the brothers and sisters equally; (3) if neither father nor mother be

A BANK ACCOUNT IS A VALUABLE RECORD  
OF  
INCOME AND EXPENDITURES.

living all the estate shall pass to the brothers and sisters and to their descendants; (4) if there be none of the kindred before mentioned the estate shall be divided into halves one of which shall go to the paternal and the other to the maternal kindred.

**WHERE DECEASED LEAVES HUSBAND OR WIFE**—If a person dies without a will and leaves a marital survivor the estate shall descend as follows: (1) if the deceased have a child or children or their descendants the marital survivor shall take one-third of the personal estate and the balance of the personal estate shall go to the child or children and their descendants. A marital survivor shall also be entitled to an estate for life in one-third of the land of the deceased; (2) if the deceased have no child or their descendants the marital survivor takes all the personal property and a fee simple title to one-half of the lands and the other one-half goes to the kindred in the order above mentioned, but if the deceased does not leave surviving either father or mother or brothers or sisters or their descendants the marital survivor takes all of the estate. No distinction is made as to the source of the property.

**SPECIAL CASES**—In case an adopted heir dies leaving no marital survivor nor children, so much of his property as he inherited from the person adopting him shall return to such person and his heirs. Heirs of the half-blood inherit one-half as much as those of the whole blood. Illegitimate children inherit through their mother. Death by accident or suicide does not cause one's estate to be forfeited or change the order of its distribution. If an heir receives a part of an estate as an advancement he must restore such amount to the estate in order to receive his pro rata.

**COMMUNITY PROPERTY**—Community property, upon the death of either husband or wife, goes to the survivor unless there is a child, in which event, the marital survivor takes half and the child or children and their descendants the other half. The community property descends, subject to the debts against it.

## **DRAINAGE BY COUNTIES SEPARATELY OR CO-OPERATING**

**DUTY OF COMMISSIONERS' COURT**—The commissioners' court of any county at a regular or called session, upon petition signed by at least five persons, land owners, whose land will be liable to be affected by or assessed for the expense thereof, said petition setting forth a necessity for drainage with the description of the proposed work, and giving bond in the sum of \$100 may appoint a jury of three freeholders, householders of the county not interested in the proposed work, whose duty it is, with a surveyor, to make an accurate survey of the ditch, drain or watercourse, and report back to the commissioners' court their recommendation on same. The report should be accompanied with a map showing the course of the ditch and making an outline of same, and how much dirt will have to be removed in order to complete it, and whose lands will be benefited by such ditch, assessing the cost of construction accordingly. All parties whose lands may be affected thereby shall receive notice in order that they may be present and object thereto. The commissioners' court will set a date for the hearing of the whole matter and determine whether the proposed work shall be done.

**RIGHT OF APPEAL**—Any person or corporation aggrieved by the action of the commissioners' court, may appeal to the county court within ten days by filing a transcript of the proceedings, and an appeal bond with two or more sureties to be approved by the county.

**WE RECEIVE  
DEPOSITS  
SUBJECT TO CHECK.**

clerk. In such a trial the burden of proof shall be upon the complainant and the issues to be determined shall be (1) whether such ditch will be conducive to the public health, convenience or welfare; (2) whether the route is practicable; (3) whether the assessments made are in proportion to the benefits to be derived; (4) the amount of damages if any to be allowed. After such a trial either party may further appeal to such appellate court as has jurisdiction.

**ASSESSMENTS—HOW PAID**—The assessments made by the jury of view shall be divided into five equal annual installments, and the first installment shall be payable within the same period as provided by law, for the payment of state and county ad valorem taxes, and the other installments in the same manner; provided upon failure to pay any two of the said assessments, the whole sum shall become due and payable. The county tax collector shall collect said assessment in the same manner as in ad valorem taxes. All funds realized from such assessments shall be a special fund for the construction of such drain, ditch or watercourse and to be paid to the contractor performing the work, upon order of the commissioners' court. All damages resulting from such drain or ditch shall be paid out of the county treasury, upon the order of the commissioners' court.

**WORK—HOW DONE**—The construction of such a ditch or drain shall be let to a responsible bidder, as a whole or in sections as may be deemed best; the work to be done under the supervision of an engineer. The contractor must give a bond to be approved by the commissioners' court, in an amount fixed by it. The owner through whose lands the proposed ditch or drain shall pass shall have the preference right to build same, if he applies twenty days before the advertisement and will do the work on as favorable terms as anyone else, and if after giving bond as is required by the contractor.

Corporations may be chartered for constructing and operating canals, drains and ditches outside of the corporate limits of cities and towns, and make contracts for permanent drainage, and fix charges therefor subject to legislative control and their rights therein shall be secured by a lien upon the lands other than homestead, benefited by such drain. Work constructed by a corporation must be reported to the commissioners' court, and approved by same. Such corporation shall have power to acquire lands for the purpose of its business or in payment of its charges, to borrow money for such work and issue bonds, and mortgage its corporate property and franchise for the payment of debts contracted for such work; provided that lands not necessary for the operations of such drains, and ditches must be disposed of in fifteen years from the time they were acquired.

**DRAINAGE BY COUNTIES SEPARATELY—TAXATION**—The procedure in this case is much the same as that outlined above; except the petition must be signed by at least fifteen qualified voters, freeholders and property tax paying citizens of the county. Such petitioners shall give bond not to exceed \$500 to pay all expenses of surveys, etc., in the event the election held fails to carry.

**ELECTION ORDERED**—After the commissioners' court has decided in favor of the advisability of the proposed drainage work they shall order an election to determine not less than twenty or more than ninety days thereafter whether a tax not to exceed 15 cents on the \$100 valuation shall be levied.

If the election carries in favor of the work the drainage tax is levied, and no election for its repeal shall be held in less than five years; if it fails to carry another election may be ordered after one year.

**PUT YOUR MONEY  
IN A BANK  
AND PAY YOUR OBLIGATIONS BY CHECK.**

**DRAINAGE BY DISTRICTS IN ONE OR MORE COUNTIES—**  
**BONDS**—Under this division the general procedure is the same as just given except the petition must be signed by fifty resident property tax payers or a majority whose land shall be affected. A jury of view and surveyor shall be appointed to make survey and file the maps, etc., showing benefits to be derived from the proposed drainage district.

Land owners shall be notified and their protests heard and an appeal may be taken to the county court and be tried as before mentioned.

**ELECTION FOR BONDS**—The commissioners' court if they deem wise may submit the proposition to an election which if carried by a two-thirds vote of the property tax payers, qualified voters and residents within the proposed drainage district shall issue bonds in the payment of the work, which bonds shall never be greater in amount than one-fourth of the assessed value of the real property of the said district. The bonds shall not extend beyond forty years nor draw a rate of interest greater than 6 per cent, shall not be sold for less than par and shall be approved by the attorney general and registered by the comptroller of the state.

**DRAINAGE BY DISTRICTS IN ONE COUNTY SEPARATELY—**  
**BONDS**—The county commissioners' court of the several counties of this state may establish one or more drainage districts in their respective counties upon petition by twenty-five freeholders, resident tax payers, or if there are less than seventy-five freehold resident citizen tax payers in the proposed district, then by one-third of such tax payers whose lands may be affected.

The petitioners shall deposit \$200 to pay the expenses of survey and jury of view in the event the election does not carry. The district may be established if the proposition is carried by a two-thirds majority of the resident property tax payers and the bonds may be issued and the necessary tax levied to pay the interest and create a sinking fund.

**DRAINAGE COMMISSIONERS APPOINTED**—The commissioners' court shall appoint three drainage commissioners, residents of the drainage district, freehold tax payers and qualified voters, and who shall have resided in the county for at least three years. They shall hold office for two years and shall receive not exceeding \$2.50 per day each for the time actually engaged in their work; said drainage commissioners may be elected upon petition to the commissioners' court for such election, said petition signed by a majority of the real property resident tax payers. The commissioners shall take the oath of office and give bond in the sum of \$1,000.

If a majority of the real property tax payers of the district present a petition to the commissioners' court asking for an election of the three drainage commissioners, the election must be called and the three men receiving the highest number of votes will be declared elected.

**BONDS ISSUED**—Bonds shall be issued in the name of the drainage district, signed by the county judge and attested by the clerk of the county court and the seal of the county commissioners' court affixed thereto, such bonds to be for not less than \$100 or more than \$1,000 each, and not to bear interest exceeding 6 per cent per annum, payable annually or semi-annually; time, place and manner and conditions of payment to be stated thereon; said bonds to be approved by the attorney general of the state and registered by the comptroller.

If you make your payments by CHECK  
 You Have a Record  
 WHICH CANNOT BE DISPUTED.

Such bonds shall not be sold for less than face par value and accrued interest.

**WORK—HOW DONE**—Contracts for the work shall be let by the drainage commissioners to the lowest bidder after notice for four consecutive weeks in the newspapers and posted notices in not less than five public places for at least twenty days, one at the court house door and at least two within the drainage district. The contractor must give bond in the amount of the contract price conditioned upon faithful performance of such contract.

Neither the county judge nor county commissioner nor drainage commissioner nor the drainage engineer shall be directly or indirectly interested in the construction of the drainage work.

## ELECTIONS

**QUALIFIED VOTERS**—The following persons are not allowed to vote in this state: (1) persons under 21 years of age; (2) idiots and lunatics; (3) paupers supported by the county; (4) all persons convicted of any felony, except those restored to full citizenship and right of suffrage; (5) all soldiers, mariners and seamen in the service of the army or navy of the United States.

The following are entitled to vote: Every male person subject to none of the foregoing disqualifications, and who is 21 years old or over; a citizen of the United States, a resident in this state one year next preceding the election, and the last six months within the district or county in which he offers to vote; and every male person of foreign birth otherwise qualified, who six months before the election declared his intention to become a citizen of the United States according to the federal naturalization law, a resident of this state one year and the last six months in the county in which he offers to vote. All persons must vote in the voting precinct of their residence, except such as live in an unorganized county who may vote at any election precinct in the county to which such county is attached, for judicial purposes. The residence of a single man is where he usually sleeps; that of a married man where his wife resides. Bona fide residence largely determines where one is entitled to vote.

Under the present primary election law only full citizens are allowed to vote in the primary.

**POLL TAX**—Every voter between the ages of 21 and 60 years and who is a resident within this state on the first day of January of each year must pay a poll tax (unless such person is insane or blind, or deaf and dumb or has lost one hand or one foot or is permanently disabled) and hold a receipt showing the payment of such tax before the first day of February next preceding such election, in order to be entitled to vote; if he has lost or misplaced his receipt he may make affidavit in writing of such fact to be left with the judge of the election and he may then vote.

**EXEMPTION CERTIFICATE**—Every person over 60 years of age or who is blind, or deaf and dumb or is permanently disabled, or who has lost one hand or foot, and who lives in a city of more than 10,000 inhabitants, must receive between October 1 and February 1 following a certificate of exemption from the county tax collector, in order to be entitled to vote. The certificate of exemption must contain practically the same information as does a poll tax receipt.

**VOTER IN CITY OR LOCAL ELECTION**—If an election is held in a subdivision of the county for the purpose of determining a local question or proposition affecting only such subdivision the voter must have resided within such subdivision six months next preceding such election.

THE BEST  
BUSINESS MEN DEPOSIT THEIR MONEY  
IN A BANK.

In city elections one must have resided for six months immediately preceding the election in such city in order to be entitled to vote for city officers, and to be entitled to vote on the question of expenditure of money or assumption of debt or issuance of bonds must be a property tax payer.

**POLL TAX RECEIPT**—The poll tax receipt shall be numbered, giving name of the voter, the date when the tax is paid and the year for which it is paid, giving voting precinct and of what race he is, number of years he has resided in the state, number of years in the county, his occupation and his post office address; if he lives in an incorporated city, it shall show the ward, street and number of his residence, if numbered, length of time he has resided in such city or town. If the voter lives in the country or in a town or city of less than 10,000 inhabitants he may pay his poll tax in person or by some one authorized by him in writing if such person has the information necessary to fill out blanks in the poll tax receipt, provided such person paying the poll tax of another is not a candidate for office, and provided the poll tax receipt shall not be delivered to such agent, but shall be sent by mail to the tax payer or kept by the tax collector and by him delivered in person to the tax payer. If a voter lives in a city of 10,000 inhabitants or more he must pay his tax in person.

**CHANGE OF RESIDENCE**—A citizen shall not be deprived of the right to vote in case he moves to another precinct or county after he has paid his poll tax. If the person residing in a city of 10,000 inhabitants intends to leave the precinct of his residence before the first day of October with the intention of not returning until after the date of the election he shall be entitled to vote by paying his poll tax or obtaining his certificate of exemption through an agent authorized by him in writing, but the poll tax receipt or certificate shall be retained by the collector. If the county collector does not personally know the person who applies to pay his poll tax or secure a certificate of exemption as being a resident in the precinct, the collector shall require proof thereof or of any other fact required to be stated in order to fill out the blanks in the receipt.

**ELECTION PROCLAMATION**—The governor shall order by proclamation all general elections for state and district officers, electors for president, members of congress, members of the legislature and other elective state offices.

The county judge orders the election for county and precinct officers and gives notice for general and special elections.

The general election is held on the first Tuesday after the first Monday in November of even numbered years.

In a city or town the mayor orders the elections for such offices and on all questions pertaining to municipal affairs.

**OFFICIAL BALLOT**—Only the official ballot shall be used containing all the names of the candidates properly nominated and under the title of their respective political parties.

**ELECTION SUPPLIES**—The county judge, county clerk and sheriff constitute a board to buy all election supplies, such as official ballots, instruction cards, poll lists, tally sheets, distance markers, returning blanks, stationery, and in a city of 10,000 population or more voting booths and guard rails; and shall make a written report to the commissioners' court of all the expenses so incurred.

**OFFICERS OF ELECTION**—At the February term the commissioners' court shall appoint the election judges for the various

**WE TRY TO PLEASE OUR CUSTOMERS  
AND CAN PLEASE YOU.**

precincts, to be of different parties if practicable; two judges in a precinct of less than 100 voters and if above that number four judges. The presiding judge shall appoint the clerk. One who is an office holder, or a candidate for office or who has not paid his poll tax, or who has a frank of a public service corporation by reason of his appointment as special policeman or other position with the city or a city employee receiving salary or wages, shall not act as a judge, clerk or supervisor of an election, or as chairman of an executive committee of a political party.

All elections begin at 8 o'clock in the morning and last until 7 P. M. of the same date. The judges and clerks of election shall meet at the polling place one-half an hour before the voting begins. The official ballots shall not be opened until the morning of the election.

**SUPERVISORS APPOINTED**—The chairman of a county executive committee for each political party, having candidates on the official ballot, may not less than five days before the general election nominate a supervisor for each precinct by presenting his name to the county judge, who shall approve same if the supervisor is a reputable citizen, who thereafter may sit near the election judges for the purpose of observing the conduct of the election, but he shall not converse with the judges or clerks regarding the election during its progress except to call attention to irregularities or violation of the law. Before acting as such, he must take an oath to be administered by the presiding judge.

**POWERS OF ELECTION JUDGES**—Judges of the election have the power to administer oaths in order to ascertain all facts necessary to a fair and impartial election. The presiding judge of the election while in the discharge of his duties shall have the power of a district judge to enforce order and keep the peace, appoint peace officers, issue warrants of arrest for felony, misdemeanor or breach of the peace committed at such election.

The judges shall prevent loitering and electioneering within 100 feet of the polling place, while the polls are open. No carriage or other vehicle shall be used by any person to convey voters to the polling places unless the voter is physically unable to reach same.

**VOTERS FREE FROM ARREST**—In all cases except treason or felony or breach of the peace, voters shall be privileged from arrest during the election in going to and returning therefrom.

**METHOD OF VOTING**—The voter must present his poll tax receipt or his certificate of exemption, or in case of loss of same he must make affidavit of such fact. If his right to vote is challenged he shall be examined under oath and if the presiding judge is satisfied about his qualifications, he shall be allowed to vote and the word "sworn" shall be written on the poll list opposite his name. The name of the presiding judge shall be stamped on the outside and the word "voted" and the ballot deposited in the ballot box. Such ballot shall not be examined to see how the voter has voted except as provided in canvassing the votes or in a judicial investigation. No person other than officers of election and the voter shall be allowed within the room and such voter must not loiter.

After the closing of the polls the presiding judge may publicly announce at intervals of two hours at the door the condition of the votes.

**CONTESTING ELECTION**—The district courts of the state have jurisdiction in election contests. The party contesting must within thirty days after the result of the election was declared, give notice

**A BANK ACCOUNT  
IS A GREAT AID  
IN SAVING MONEY.**

to the contestee his intention of contesting the office and set out in such notice the grounds of his contest, to which the contestee must within ten days make written reply, all of which filed with the clerk shall constitute the pleadings and issues to be tried. In order to hold the office the contestee must make bond in an amount not less than double the probable salary for two years, failing therein the contestant may give bond and take the office. If the contestant fails to give bond the contestee will continue to hold the office until the matter is decided by the court. The case shall have precedence over all other cases.

**PRIMARY ELECTIONS**—A state primary shall be held on the fourth Saturday in July of the even years to nominate candidates for office. Such primary may be held by any organized political party which cast 100,000 votes or more at the last preceding general election.

City primaries may be held for nominating city officers. The party executive committees provide for holding such primary elections and also the expenses thereof. The candidates nominated must be certified to the secretary of state or to the county clerk as the case may be.

If there should fail to be a majority of votes cast for any candidate for a state or district office, a second primary will be held on the fourth Saturday in August, and the two candidates who received the highest number of votes in the first primary, shall alone be voted upon in the second primary.

**CONVENTIONS**—County, district and state conventions are held to canvass a vote and certify to the correctness of the tally made by the various executive committees.

**DELEGATES TO NATIONAL CONVENTION**—Delegates to a national convention shall be elected by a state convention held on the fourth Tuesday of May, 1912, and each four years thereafter. The delegates to such state convention shall be elected by the voters of the respective political parties in the various counties of the state at primary conventions held on the first Saturday in May, 1912, and every four years thereafter.

**EXPENSES OF CANDIDATES**—No candidate for any nomination by primary election shall spend any money for expenses except for traveling expenses, fee for placing name on ballot, stenographic help, postage and telegraphs, etc., printing, office rent, newspaper advertising and rental for halls in which to speak.

An itemized account for such expenses must be kept and is open to inspection by the public.

The amount which each candidate may spend is limited by statute, to which reference is made for any particular office.

## ESCHEAT

**DEFINITION**—If any person die, leaving no will and no heirs, and has an estate, or where the owner is gone for seven years and is not known to exist, his estate shall escheat to and vest in the State of Texas.

**PROCEDURE**—The district attorney may bring suit for that purpose, setting out the facts, and have the clerk of the court issue a citation to be published so that any person claiming the property may appear and show his title. If no person appears, or if upon a trial the party fails to show title, a decree shall be rendered for the state and the sheriff shall be ordered to sell the property in the same

**BANK DRAFTS  
ARE BETTER AND CHEAPER THAN EXPRESS OR  
POST OFFICE MONEY ORDERS.**

manner as under execution and the proceeds, less the costs, shall be paid into the state treasury. The party claiming the property of the estate, or district or county attorney, shall have the right of appeal.

**SUBSEQUENT CLAIM**—If an heir, devisee or legatee afterward claims the property he may file his petition in the district court of the county where the property was sold and have the entire matter reviewed, and if he shows title, a certified copy of the judgment of recovery shall be sufficient authority for the issuance by the comptroller of a warrant on the state treasury for the payment of such money.

## ESTATES OF DECEDENTS

**JURISDICTION**—The county court has general jurisdiction over probate matters and all transactions pertaining to the estates of deceased persons, and the district court has appellate jurisdiction over the county court in such matters. A will of a person, who is alive, should not be probated nor administration granted upon the estate of a living person.

**WHAT BOOKS TO BE KEPT**—The clerk of the county court should keep the following record books for probate proceedings, namely: Judge's probate docket; probate minutes; claim docket; and a probate fee book, all of which shall be properly indexed.

**JUDGE'S DOCKET**—The judge's docket should show (1) the name of every deceased person; (2) name of the executor, or administrator; (3) the date of filing the application; (4) a minute of all orders, judgments and proceedings, with the date thereof.

**PAPERS TO BE RECORDED**—The following papers of an estate should be recorded in the probate minutes: (1) all applications for the probate of wills, when the probate has been granted; (2) the citation and return thereon; (3) the will and the testimony; (4) all bonds and the oaths of executors and administrators; (5) the notice to persons holding claims against the estate; (6) all inventories and claims; (7) all exhibits and accounts; (8) all reports of hiring, renting and sale; (9) all applications for the sale of real estate; (10) all reports of commissioners of partition. Papers which have not been approved by the court shall not be recorded. All orders in probate matters shall be rendered in open court at a regular term thereof, unless otherwise specified, and entered on the record during the term.

**APPLICATION FOR LETTERS**—All applications for the grant of letters, testamentary or for administration, must be filed within four years after the death of the testator or intestate, unless it be shown by proof, that the party applying was not in default in failing to file application within four years.

**PROBATE OF WILL**—An application for the probating of a will must have the will attached unless same has been lost or it is impossible to have same in the court, in which case the facts must be stated; also contents of the will, the date thereof, the executor, and the names of the subscribing witnesses, the names and residence of all the heirs at law of the testator and such application must be sworn to.

When the will is produced in court the application must state the name of the testator, that he is dead, the time and place of his death, facts to show jurisdiction, the nature and probable value of the estate, the name and residence of the executor and that such executor or applicant is not disqualified to receive letters as executor or administrator.

### READ

"LAWS AND FACTS CONCERNING BANKS AND BANKING"  
ON FOURTH PAGE OF READING MATTER.

A nuncupative or verbal will may be probated, but the application must show in addition to the above, also (1) the substance of the testamentary words spoken; (2) the names and residences of the witnesses; and (3) the names and residences of the heirs at law, and such application must be sworn to.

A will may be proved by affidavit of a subscribing witness, signed and sworn to by such witness in open court, or by deposition if the witnesses are non-residents of the county, or if the witnesses are not living, it may be proved by two witnesses who know the handwriting of the subscribing witness, and of the testator, or if the will is entirely in the handwriting of the testator, it may be proved by two witnesses who know his handwriting. All the testimony taken in proof of a will must be taken down in writing, and recorded and the court, before probating a will, must be satisfied that the testator at the time of making the will was at least 21 years of age, or was married, that he was of sound mind, and that he is dead; (2) that the court has jurisdiction; (3) that citation has been properly served and returned; (4) that the will was executed as required by law; (5) that it has not been revoked by the testator.

**CITATION TO ISSUE**—The clerk shall issue citation for at least ten days before the term of the court, and cause same to be posted (or by publishing the citation in a newspaper for four successive weeks prior to the term of court in the following cases: (1) when the heirs are not residents of the state; (2) when their names are unknown; (3) or when they are transient persons).

**LETTERS OF ADMINISTRATION**—An application for letters of administration should state (1) the name of the deceased, the time and place of his death and that he died intestate; (2) facts to show jurisdiction; (3) the probable value of the estate; (4) facts showing the necessity for administration; (5) that the applicant is not disqualified to act as administrator.

An administration upon application of a creditor may be avoided (1) by the payment of the claim of such creditor; (2) or by proving that such claim is fictitious or barred by limitation; (3) or by giving bond to pay such claim when it has been established by suit.

**PERSON ENTITLED TO APPOINTMENT**—The following persons, in the order named, are entitled to be appointed as executor, or administrator; (1) person named as such in the will; (2) a surviving husband, or wife; (3) the principal devisee or legatee; (4) any devisee or legatee; (5) the next of kin; (6) creditor; (7) or any person of good character residing in the county; either of the above may waive such right in favor of another.

**BOND AND OATH**—An executor or administrator must subscribe an oath and also give bond within twenty days, payable to the county judge, in an amount not less than double the estimated value of the estate. The executor of a will is not required to give bond, if it is so provided in the will. When an executor or administrator has qualified in the manner stated above, the clerk of the court shall issue letters testamentary or of administration under the seal of the court to such person, which is sufficient authority for him to take charge of the property.

**APPRAISERS**—The county judge shall appoint three or more disinterested persons, citizens of the county, as appraisers, who with the executor or administrator must within sixty days make a full inventory of the property both real and personal, stating which is separate property and which is community property, giving the value which shall be signed, and sworn to. The executor or administrator

**WE REGARD ALL BUSINESS TRANSACTIONS  
AS  
STRICTLY CONFIDENTIAL.**

shall attach to the inventory a full list of all the claims stating the nature thereof due the estate, which list shall be signed and sworn to by him. The court may approve or disapprove the same, and if he disapproves the report he shall cause another appraisement to be made.

**DUTIES OF EXECUTOR OR ADMINISTRATOR**—The executor or administrator shall take charge of the property and carefully manage same, and use diligence to collect all outstanding indebtedness (otherwise he is liable on his bond) and he may upon the approval of the court compromise claims, purchase or exchange any property in settlement of debts. Administration may be provided for in a will and in such case, the directions therein shall be carried out, unless set aside by order of the court in a proceeding instituted for that purpose. It may be provided in a will that no other action shall be had in the county court, in relation to the settlement of the estate, than the presenting and recording of the will and the return of an inventory, appraisement and list of claims, due the estate. Anyone interested in the estate, or that has a claim against it, may require such an executor to give bond when he is wasting or misusing the property; if he shall fail to give such bond within ten days after being so ordered, the court may remove him, and appoint another person, to manage the estate.

**REMOVAL OF EXECUTOR OR ADMINISTRATOR**—An executor or administrator may resign after making a full showing, under oath, of the condition of the estate, after twenty days' notice in a newspaper printed in the county, and upon approval by the court of such exhibit. An executor or administrator may be removed, (1) for neglect to qualify; (2) failure to return inventory, appraisement and list of claims; (3) failure to give the required bond when so ordered; (4) for absence from the state for three months without permission from the court, and in the following cases after being cited to appear: (1) misappropriation of the property or funds; (2) gross neglect and mismanagement; (3) failure or refusal to obey any order of the court; (4) when he becomes of unsound mind, or from any cause, is incapable of performing the duties of the office; (5) failure to make an annual exhibit; (6) failure to make a final settlement for three years after the grant of letters.

**ALLOWANCES TO WIDOW AND MINOR CHILDREN**—At the first regular term or within twelve months after the grant of original letters, the court shall set aside an allowance sufficient for the maintenance of the widow and minor children, for one year, not to exceed \$1,000. No allowance should be made if the widow and minor children have property in their own right, adequate to their maintenance. Such allowances shall be paid, (1) to the widow for the use of herself and children; (2) to the guardian of the minor children if the widow be not their mother; (3) if there be no widow, the allowance shall be paid to the guardian of the minor children, who may take personal property at its appraised value. If they do not take such property, or if there is not funds sufficient to pay the allowance, then property shall be sold, to raise the amount, which shall be paid in preference to all other debts or charges, except for funeral expenses and expenses of last sickness, which claims shall be presented within sixty days after grant of letters.

**SETTING APART HOMESTEAD AND EXEMPT PROPERTY TO WIDOW AND CHILDREN**—At the first term after the return of an inventory, appraisement, and list of claims, the court shall set apart for the use of the widow, minor children and unmarried daughters, remaining with the family of the deceased, all property exempt from

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**On the Most Favorable Terms**

**Consistent with Sound Banking.**

forced sale by the constitution and laws of this state (see exemption); if there be no such specific articles, as are exempt, the court shall make an allowance in lieu thereof, not to exceed \$5,000 for the homestead and not to exceed \$500 for the personal property, exclusive of the allowance for the one year's maintenance. The allowances made may be paid either in money out of any funds, or in such property not exempt, as may be selected by the widow or guardian at the appraised value. If there are no funds, sufficient property may be sold as will raise the amount, which shall be paid by the executor or administrator to the widow or guardian of the minor children. The homestead and other exempt property enumerated under the head of exemptions, is not responsible for debts provided the personal property shall be liable for payment of funeral expenses and expenses of last sickness, if presented within sixty days. The homestead shall not be partitioned among the heirs of the deceased during the life of the widow, or so long as she may elect to use the same for a homestead, or so long as the guardian of the minor children may be permitted, under order of the court to use, and occupy the same; otherwise it may be divided among the respective owners in the same manner as other property. In case of the death of the wife, leaving a surviving husband, the homestead descends and is governed in the same manner as above outlined.

**PRESENTMENT OF CLAIM**—The executor or administrator within one month after receiving letters, should publish in a newspaper printed in the county, if there be one, or otherwise post at the courthouse door, for four successive weeks, a notice of his appointment as such officer, and require all persons having claims to present same under oath within twelve months; otherwise such claims will be postponed until all other claims are paid.

If the claim is secured by a deed of trust, mortgage or vendor's mechanic's or other lien upon land belonging to the testator or intestate and such instrument creating, extending or transferring such lien has been duly recorded prior to the death of such testator or intestate in the county where the land is situated; and the residence and post office address of the holder of such claim is given therein, the executor or administrator shall give such person notice, within four months after qualifying, by registered letter. All claims must be presented to be approved or disapproved by the executor or administrator, and so indorsed on the claim, and after approval entered on the claim docket by the county clerk, to be acted on by the county judge after ten days; thereafter, the approval or disapproval by the court shall have the force and effect of a final judgment; if disapproved, the party may bring suit within ninety days after such rejection in the court having jurisdiction and if such claim is established by judgment, it should be presented within thirty days thereafter and entered on the claim docket by the clerk and shall be approved by the county judge and paid in its order. After proper approval, claims against an estate shall be paid in the following order, (1) funeral expenses, and expenses of last sickness; (2) allowance to the widow and minor children; (3) expense of administration; (4) claims secured by a mortgage out of the proceeds of the mortgaged property; (5) claims exhibited within one year; and (6) claims exhibited after one year.

**HIRE AND RENTING**—An executor or administrator may, if he deems best, hire out or rent any of the personal property or real estate, either at public auction or privately, for cash or on credit, with or without the approval of the court. If he makes such a contract without first getting the approval of the court, he shall be liable for the reasonable value of the hire or rent of such property to be ascer-

**WE GIVE PROMPT ATTENTION  
TO  
COLLECTIONS.**

tained by the court upon satisfactory evidence. The executor or administrator shall, within thirty days after such hiring or renting, report to the court the details of the contract, as made, which may be approved or disapproved by the court at the next regular term thereafter; if disapproved the court may adjudge against the executor or administrator, the reasonable value of the hire or rent of such property.

**SALES**—No sale of property which belongs to an estate, shall be made by an executor or administrator without the order of the court. The court may order a sale to be made for cash or on credit, at public auction, or privately, as may be deemed to the best advantage of the estate. Personal property may be sold on six months' time (except stock, not to exceed twelve months) the purchaser giving his note with good and solvent personal security.

Real estate may be sold after proper application has been filed with the court, and approved by it, and such sale can be made at public auction, after twenty days' notice has been given of such sale, one posted at the court house and the other two in public places in the following cases: (1) to raise the amount for the allowance of the widow and minor children; (2) for the satisfaction of a mortgage or other claim upon such real estate; (3) when so directed in a will, the sale may be for cash or on credit of twelve months, as may seem to the greatest advantage of the estate. A report under oath shall be made of all sales by the executor or administrator showing, (1) the time and place of sale, (2) the property sold; (3) the name of the purchaser and the amount for which sold; (4) the date of the court's order; (5) the terms of the sale and whether at public auction or private sale. At any time after the expiration of five days, the county judge at a regular term shall inquire into and examine such report, and if satisfied that the same was fairly made, and in conformity with the law, he shall approve same; otherwise set the sale aside. In the case of personal property, the decree of court vests the title in the purchaser; in the case of real estate, the conveyance shall be by deed, if the terms of the same have been complied with; if made on credit, the executor or administrator shall take a note from the purchaser with good personal security together with a mortgage containing a power of sale upon the property sold, and have it recorded in the county clerk's office, where the land is situated. If the executor or administrator fails in this respect he and his bondsmen are liable upon the bond.

**PARTITION AND DISTRIBUTION**—After twelve months from the grant of letters, anyone having an interest in the estate may, by application in writing to the county court, ask for a division of the property; citation issues to the executor or administrator and all other parties having an interest in the estate to appear at a certain date, to show cause, if any, why the property should not be divided. The court shall enter an order stating, (1) the names and residences of all who have an interest therein; (2) their proportion of the estate; (3) a full description of the estate to be divided; (4) directing the executor or administrator to retain property sufficient to pay all outstanding debts. If there are minors without guardians entitled to a part of the estate a guardian ad litem shall be appointed to whom such minors' part shall be delivered. If the estate consists of money, and debts due the estate, the court shall distribute the same; if there is also real and personal property, the court shall appoint three or more disinterested persons to properly divide the estate, who shall report the division, and if any property is incapable of division, they shall so report and the appraised value, all of which shall be subscribed and sworn to. Any distributee may take the property incap-

**WE EXTEND THE ACCOMMODATIONS  
OF  
A SOLID, WELL EQUIPPED BANK.**

able of division, at the appraised value for cash or on credit of twelve months, with a lien against the property to secure the payment for same.

**FINAL SETTLEMENT**—If all the debts so far as known have been paid by the executor or administrator, he shall present his account, verified by affidavit, for final settlement, showing (1) the property that came into his hands; (2) the disposition made thereof; (3) the debts paid; (4) debts and expenses if any still owing by the estate; (5) the property of the estate on hand; (6) any persons entitled to receive any part of such estate; (7) the payments made to any such person; (8) proper vouchers showing the items paid; whereupon the clerk shall issue citation to be published twenty days in a newspaper in the county, if there be one, or by posting three notices in the county, one to be at the court house, citing all persons interested in the estate to appear and to be at the court house, and contest the report if they see proper. After hearing the entire matter, the court shall, if the estate has been administered according to law and the orders of the court, enter a decree discharging the executor or administrator, and declaring the estate closed. If any property remains not distributed, the county judge shall order it sold, and all funds not claimed and distributed, to be paid into the state treasury and a receipt taken, filed and recorded by the county clerk.

**ADMINISTRATION OF COMMUNITY PROPERTY**—Community property is property acquired by husband and wife after marriage, and is subject to all debts contracted during marriage. If the husband or wife dies intestate or becomes insane, leaving no child, or children, the community property passes to the survivor. Where the wife dies or becomes insane, leaving a surviving husband and child, or children, the husband shall apply for administration, setting out the facts showing a necessity therefor, shall give bond in a sum equal to the value of the community estate and, after the approval thereof by the court, and after a complete appraisement of the estate by the appraisers, shall have the right to control and dispose of all the property, real and personal, and upon final partition shall account to the heirs of the deceased for their interest together with the increase and profits of the same, after deducting all community debts, unavoidable losses, necessary and reasonable expenses, and a reasonable commission for the management of same. A partition and distribution of the property may be had in the same manner as heretofore shown in the case of other property. Appraisers and commissioners are entitled to \$2 each per day for the time necessarily engaged in the performance of their duties as such. Executors and administrators are entitled to 5 per cent of sums they receive in cash, and 5 per cent on sums paid out in cash in the course of their administration, except the cash on hand at the time of the death of the testator or intestate, and moneys paid to the heirs or legatees in the distribution of the estate; they shall be allowed all reasonable expenses for the safe keeping of the estate, and reasonable attorney's fees necessarily incurred, a report of which must be made under oath and approved by the court.

Any person interested in the estate, not satisfied with any action taken by the county court, may appeal to the district court, where the issues involved may be tried anew.

## EXEMPTIONS

**PROPERTY EXEMPT**—The following property shall be reserved to every family exempt from attachment or execution and every other.

**MONEY  
DEPOSITED WITH US  
IS BEYOND THE REACH OF HOUSEBREAKERS.**

species of forced sale for the payment of debts except as herein-after stated, (1) the homestead of the family; (2) all household and kitchen furniture; (3) all lots in the cemetery held for the purpose of burial; (4) all implements of husbandry; (5) tools, apparatus and books belonging to trade or profession; (6) the family library and all family portraits, and pictures; (7) five milk cows and their calves; (8) two yoke of work oxen and all necessary yokes and chains; (9) two horses and one wagon; (10) one carriage or buggy; (11) one gun; (12) twenty hogs; (13) twenty head of sheep; (14) all saddles, bridles and harness necessary for the use of the family; (15) all provisions and forage on hand for home consumption; (16) all current wages for personal services.

**RURAL HOMESTEAD**—The homestead of a family, not in a town or city, shall consist of not more than 200 acres of land, which may be in one or more parcels and with the improvements thereon. The head of the family may designate 200 acres out of a larger tract and set apart same as the homestead by metes and bounds, and sign and acknowledge such instrument and record same with the county clerk with the deed records.

If there is a judgment against the owner and a levy of execution is to be made the owner shall be requested to designate the homestead and if he fails to do so within ten days the officer shall select three disinterested freeholders and neighbors of the party to designate the homestead, and their report reduced to writing and signed and acknowledged shall be delivered to the county clerk and recorded the same as a deed.

**URBAN HOMESTEAD**—The homestead in a city, town or village consists of a lot or lots not to exceed in value \$5,000 at the time of their designation as the homestead without reference to the value of any improvements thereon; provided that same shall be used for the purpose of a home or as place to exercise the calling or business of the head of the family; provided also that a temporary renting of the homestead shall not change the character of the same when no other homestead has been acquired; provided further that the proceeds of the voluntary sale of the homestead shall not be subject to garnishment or forced sale within six months after such sale.

The homestead, either rural or urban, is liable for purchase money, for taxes due thereon and for work and material used in constructing improvement when the contract for same is in writing, signed and acknowledged by both husband and wife, and the consent of the wife given in the same manner by privy acknowledgment, as in the case of the sale of the homestead.

**EXEMPTIONS TO PERSONS; NOT A FAMILY**—The following property shall be reserved to all persons, who are not constituents of a family, exempt from attachment, execution and every other species of forced sale; (1) a lot or lots in a cemetery held for the purpose of burial; (2) all wearing apparel; (3) all tools, apparatus and books belonging to any trade or profession; (4) one horse, saddle and bridle; (5) current wages for personal services.

One ferry boat, keel or flat boat used as a ferry boat with the necessary tackle for the operation of same, not exceeding in value \$500, is reserved to every ferryman exempt from execution, except for damages through negligence or other improper conduct.

The property of counties, cities or towns used for public purposes is exempt from forced sale.

Personal property is not exempt when the debt is due for rents and advances made by the landlord to his tenants, or for other debts which are secured by liens on such personal property.

**WE ACCORD CAREFUL CONSIDERATION  
TO  
SMALL OR LARGE DEPOSITORS.**

If there is more personal property than is exempt by law the owner may point out portions to be levied upon; but if he fails to do so within a reasonable time after the request the officer may make selections for himself.

## FACTORS AND COMMISSION MERCHANTS

**COMMISSION MERCHANT DEFINED**—Any person, firm or corporation engaged in the business of selling produce or goods, wares, or merchandise of any kind upon consignment for a commission as a commission merchant.

**BOND REQUIRED**—Such commission merchant must give bond in the sum of \$3,000 with two or more good sureties, or a surety company bond payable to the county judge and his successors in office.

The bond requires the commission merchant to carry out all his agreements or contracts with his shippers of produce, etc., to promptly receive and sell such produce, goods, etc., and promptly remit within five days after the sale the full amount, less his commission, and give an itemized account showing the prices received and the dates of sales. Failure in any respect shall subject the merchant and bondsmen to damages, and in addition to a penalty of not less than \$100 nor more than \$500.

The bond shall be made and filed for record in the county clerk's office in the county where the commission merchant has his office.

One who engages in the commission business without first making and filing his bond shall be guilty of a misdemeanor and subject to a fine of not less than \$100 nor more than \$500.

**NOT TO BE INTERESTED IN A SALE**—No factor or commission merchant to whom cotton, sugar, produce or merchandise of any kind is consigned for sale on commission or otherwise shall purchase same or reserve any interest therein, either directly or indirectly, upon the sale of same without express agreement in writing from the owner.

**DUTIES OF SHIPPER**—The owner or consignor shipping same to a commission merchant shall send him a written statement stating the amount, quality or class and the condition of produce, goods, etc., so shipped, and if said commission merchant fails on receipt of such statement to promptly object thereto, stating the objection, then such statement of the owner or shipper shall be prima facie evidence of the facts stated therein; provided, that the commission merchant upon receipt of goods from the railroad shall give to the agent thereof a receipt setting out the quality, quantity, grade and condition of such produce, goods, etc., which receipt shall be kept on file for six months, subject to the inspection of anyone interested in such shipment.

The handling of cotton is not included within the above provision of the law.

**NO CHARGE FOR MENDING, ETC.**—No commission merchant or factor shall make any charge for mending or patching or roping bales or for cooperage, for labor, or hauling, cartage, storage, marking or weighing, unless the same has been actually done and a bill of particulars shall be rendered.

A violation of this shall subject the offender to a penalty of not less than \$100 nor more than \$500.

No drawbacks or rebates of insurance, freight, transportation, etc., shall be allowed to anyone except the owner of the goods.

**LIVE STOCK**—A live stock commission merchant shall give bond in the sum of \$10,000 to be filed in the county clerk's office where he resides or has his principal office.

**WE INVITE NEW ACCOUNTS  
UPON OUR MERITS FOR  
STRENGTH AND SAFETY.**

Failure to give the bond before engaging in the business will subject the offender to a fine of not more than \$5,000 or imprisonment in the county jail for not less than one month nor more than twelve months, or by both such fine and imprisonment.

## FENCES

**GENERAL REQUIREMENT**—Every gardener, farmer or planter shall make a sufficient fence about his cleared land in cultivation at least five feet high, sufficiently close to prevent hogs from passing through same, but no fence shall be more than three miles in length in the same general direction, without a gate at least eight feet wide, to be kept unlocked.

**FENCE WHERE STOCK LAW PREVAILS**—In case an election has been held and carried prohibiting hogs, sheep and goats from running at large in a county or subdivision thereof, then it is not necessary for premises to be fenced against such stock and any fence in said county or subdivision which is sufficient to keep out ordinary stock permitted to run at large shall be deemed a lawful fence. Three barbed wires with posts not more than thirty feet apart and one or more stays between them or pickets four feet high and not more than six inches apart shall constitute a lawful fence. If boards or rails are used then three boards not less than five inches wide and one inch thick or four rails shall constitute a lawful fence provided that such fence be four feet high.

**DAMAGE IN CASE OF TRESPASS**—If stock trespass upon the lands of another, which are lawfully fenced, the owner of such stock shall be liable for the damage done. Upon complaint to the justice of the peace he selects two disinterested land owners and they then view the premises, determine the damage and certify the same in writing. The owner of such stock must make full satisfaction to the party injured; otherwise, to be recovered before any court having jurisdiction thereof. In case of a second trespass by the same stock the owner of the premises may have the stock impounded, and held liable for damages. If the fence is not a lawful one the owner of the damaged premises cannot recover any damages from the owner of the stock, but is himself liable for damages, if he should cause any injury to be done such trespassing stock.

**JOINT FENCE**—When two or more parties are interested in the same fence, or whose fences join, neither can remove such fence except by mutual consent or by giving six months' notice in writing to the other owner, his agent, attorney or lessee that he intends to withdraw or separate his fence from that of the other party.

## FISH AND GAME

**COMMISSIONER**—The commissioner of game, fish and oysters is appointed by the governor for a term of two years, and qualifies as other officers. Personally or by deputy it is his duty to enforce the laws relating to game fish and oysters and for this purpose he possesses the power of a sheriff. He shall keep a record showing all taxes and fees collected, licenses issued, locations of oyster beds, registration of boats engaged in the business and all other information necessary to properly enforce the laws, and shall make an annual report of the above to the governor.

**LICENSE AND TAX**—Only citizens of the United States may register a boat and take out a license to engage in the business of catching fish, turtle, terrapin, shrimp and oysters in the public waters of the state for market. He must pay a license fee and obtain a certifi-

A BANK ACCOUNT IS A VALUABLE RECORD  
OF  
INCOME AND EXPENDITURES.

cate. Any person or domestic corporation who engages in the sale whether as a wholesale dealer or sells by retail must pay a tax. Private oyster beds may be located within the navigable waters of the state at a place not a natural oyster bed or reef. The fee is according to the number of acres, which shall not exceed 100 acres, and the owner is protected against trespass.

**VIOLATION OF FISH LAW**—The following acts are unlawful: (1) To catch fish, green turtle, loggerhead, terrapin or shrimp in any of the bays or navigable waters of this state, within the limits of or within one mile of the limits of any city or town in this state, with seines, drag nets, fykes, set nets, trammel nets, traps, dams or weirs; fine not less than \$25.00 nor more than \$200.00; (2) during the breeding season from June 1 to September 1 to catch any fish or terrapin from the bays or coastal waters of Texas by use of a drag seine, it not being intended to prohibit fishing on the gulf beach outside of one mile of the passes at any time and with any net or seine authorized by law; punishment, fine not less than \$25.00 nor more than \$200.00; (3) to fail to put back into the water all fish, green turtle or terrapin while they are yet alive, according to the size as specified in No. 4 below (except sharks, gars, rays, catfish and sawfish), when such fish are caught with drag seine or set net for sale or market, the size of the meshes being not less than 1½ inches square, not including the bag, nor the seine longer than 1,500 feet; punishment, fine not less than \$25.00 nor more than \$100.00; (4) to have in his possession or to sell or ship redfish weighing over 12 pounds or less than 1½ pounds; trout weighing less than ¾ pound; sheepshead, flounder, Spanish mackerel or pompano weighing less than ½ pound; to sell or ship any green turtle weighing less than 12 pounds, or terrapin of less than 6 inches in length of under shell, or to catch or sell any terrapin except between 1st day of November to the first day of March; (5) to catch or to plant or bed or market oysters from the first day of May to the first day of September in any year, except by permission of the game, fish and oyster commissioner; fine, not less than \$10.00 nor more than \$100.00.

**WILD GAME**—Wild deer, wild antelope, wild Rocky Mountain sheep, and all other wild animals are the property of the state, and cannot be killed except in certain seasons and under strict regulations: Deer: open season from November 1st to December 31st; limit of three buck deer in one season.

There is a closed season on wild antelope and Rocky Mountain sheep from 1919 until 1924.

If a person is a non-resident of the state or has not lived here six months, or being a resident of a county wishes to hunt game or birds outside of his county he must procure a permit and pay a fee therefor.

Rabbit, o'possum, coon and bear are not protected. Squirrels are protected in some counties.

**WILD BIRDS**—All wild birds are the property of the state. The following are designated as game birds: Wild turkeys, wild ducks, wild geese, wild grouse, wild brant, sand hill cranes, wild prairie chickens or pinnated grouse, wild pheasants, wild partridges, and wild quail of all varieties, wild doves, wild pigeons, wild snipe, wild shore birds, wild robbers, and wild Mexican pheasants, known as chacalaca, and wild plover.

Doves: open season December 1st to February 1st. Bob whites, quail, partridges: open season December 1st to February 1st. Limit of 15 birds in one day. Wild turkey: open season March 1st to May 1st. Limit of three gobblers. Wild ducks, wild brant, wild geese, wild

WE RECEIVE  
DEPOSITS  
SUBJECT TO CHECK.

sandhill cranes, wild plovers, wild curlew, wild snipe, and wild shore birds: Open season, October 16th to January 31st inclusive. One day's bag shall not contain more than 25 birds, either mixed or of one kind.

Must not ensnare or trap game birds, or take in any manner except by a gun of ordinary kind, and no bird shall be killed between sunset and one-half hour before sunrise.

The law does not protect English sparrows, hawks, crows, buzzards, blackbirds, rice-birds and owls.

A person is permitted to kill birds that are at the time destroying his growing crops.

## FOODS AND FEED STUFFS

**CONCENTRATED FEED STUFFS**—Concentrated feed stuffs shall include wheat bran, wheat shorts, linseed meals, cotton seed meals, pea meals, cocoanut meals, gluten feeds, maize feeds, starch feed, sugar feeds, dried brewer's grains, malt sprouts, hominy feeds, cerealine feeds, rice meals, rice bran, rice polish, rice hulls, oat feeds, corn and oat chops, corn chops, ground beef, or mixed fish feeds, but shall not include hay or straw, whole grains of wheat, rye, barley, oats, Indian corn, rice, buckwheat, or broom corn or any other whole or unground grains or feeds.

**DUTY OF IMPORTER OR MANUFACTURER**—Any importer, manufacturer or party who sells or offers for sale within this state, to be used for feeding farm live stock in this state, any concentrated feed stuffs, must file with the director of the Texas Agricultural Experiment Station a certified copy of a statement, which is required to be plainly printed and placed on every lot or parcel of such feed stuffs showing the net pounds in such package, the name, brand or trade-mark under which the article is sold, the name and address of the manufacturer or importer, the place of manufacturing, and a chemical analysis showing the percentage of the contents of crude protein, allowing 1 per cent of nitrogen to equal six and one-fourth per cent of protein and of crude fat, and shall deposit with such director a filled glass jar or bottle, containing not less than one pound of such feed stuffs, accompanied by an affidavit that it is a fair average sample thereof, and corresponding within reasonable limits to the feed stuffs, which it represents in the percentage of protein and fat which it contains. Such person must pay an inspector's tax of 10 cents per ton to the director of the Texas Agricultural Experiment Station and fix a tag to each lot shipped in bulk and to each bag, barrel or other package of such concentrated feed stuffs, such tag furnished by the director showing that all charges have been paid. The director shall make an annual analysis or cause same to be made of all concentrated feed stuffs sold or offered for sale in this state.

This shall not be construed to apply to farmers who grind their own feed stuffs and who do not adulterate same.

**ADULTERATED FOODS**—(1) As to drugs they are regarded as adulterated if they differ from the standard strength, quality or purity, laid down in the United States pharmacopoeia; or under some other name, or if it falls below the professed standard under which it is sold.

(2) In the case of confectionery, if it contains certain enumerated substances, such as chrome yellow, other mineral substances or other ingredients detrimental to health, or any vinous, malt or spiritous liquor or compound or narcotic drug.

(3) In the case of food: where the substance has been mixed so as to reduce or so as to affect injuriously the quality or strength of

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AND PAY YOUR OBLIGATIONS BY CHECK.**

the food; if some other substance has been substituted wholly or in part for the article; if any valuable constituent has been wholly or in part left out; if it be mixed, colored or powdered in a manner to conceal any damage or injury; if it contain any substance or ingredient injurious to health; if it consists in whole or in part of decomposed animal or vegetable matter unfit for food either manufactured or not.

It is unlawful to misbrand articles of food or drugs.

Certain acids, such as formaldehyde, boric acid, etc., shall not be used to preserve foods.

Baking Powder shall be properly labeled, giving the ingredients, and also the name and residence of the manufacturer.

Quite a number of things are specially designated as coming within the terms of the pure food laws.

**PENALTIES**—A violation of any of the acts forbidden, subjects the party to a fine of not less than \$25 nor more than \$200.

It shall be unlawful for anyone to hinder or obstruct the dairy or food commissioner or his deputies, and upon conviction for so doing such person shall be punished by a fine of not less than \$25 nor more than \$200 or jail imprisonment for not less than thirty nor more than ninety days, or both such fine and imprisonment.

**FAILURE TO AFFIX TAG**—Any person mentioned above who fails to furnish the statement required or to use the tax tag, shall upon conviction be fined not less than \$100 nor more than \$500 for the first offense, and not less than \$500 or more than \$1,000 for each subsequent offense. The sale or offering for sale of each package shall constitute a separate offense.

**COUNTERFEITING TAG**—Any person who shall counterfeit or use a counterfeit tag shall, upon conviction, be fined in a sum not exceeding \$500, one-half of which fine shall be paid to the person giving the information about such violation.

**STANDARD WEIGHTS**—Mill products shall have a standard weight (see weights and measures), and fractional barrels and sacks shall weight in the same proportion, and the weights shall be net and exclusive of the barrel or sack.

## FORCIBLE ENTRY AND DETAINER

**COMPLAINT**—If any person shall without authority take possession of any real property or shall wilfully or wrongfully keep possession after the termination of his lease, suit may be filed by complaint in writing under oath against him in the justice court, the issues to be determined by the justice of the peace unless a jury has been called for, and a fee of \$3 paid for such purpose, on or before the day set for trial.

A suit for rent may be joined with an action of forcible entry and detainer if the amount is for less than \$200.

If the party suing out the writ shall make bond with two sureties in an amount fixed by the justice of the peace, he shall be placed in possession of the premises, unless the defendant shall execute his bond in double the amount of the plaintiff's bond conditioned that he will pay all damages.

**CITATION**—Citation shall be served on the party and the time set not less than six days nor more than ten from the date of citation for the trial, which shall be executed by the officer reading it to the

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defendant or by leaving a copy with some person over sixteen years of age at the defendant's usual place of abode five days before the return day thereof.

**TRIAL**—The trial shall be had in the same manner as in other cases, but the only issue except as to amount of rent shall be as to the right of actual possession; if tried by a jury the verdict should state whether guilty or not guilty; if guilty, judgment is rendered for restitution of the premises and for costs, and the writ should issue after two days from date of the judgment. Either party may appeal from the decision in the justice's court, and a trial in the county court shall be *denovo* (that is anew), but such trial in the county court shall be final, unless the judgment shall be for damages or rent in an amount exceeding \$100.

## **FRAUD AND FRAUDULENT CONVEYANCES**

**CERTAIN CONTRACTS MUST BE IN WRITING**—See Contracts.

**GIFT OF PROPERTY**—Every gift, transfer or lien made with intent to delay or defraud creditors, purchasers or other persons entitled to property shall be void as to such parties, unless there is enough remaining within the state subject to execution to pay existing debts. No pretended gift of personal property to another person shall be valid, unless possession of such property is delivered or a deed or other written conveyance showing same, properly recorded. Where any loan of personal property shall be pretended to have been made to any person with whom possession remains for more than two years such loan shall be, as to creditors, and purchasers, fraudulent, unless it was proved by some writing, properly signed and recorded.

**TITLE RESERVED**—Where the title is reserved in the seller of personal property for the purchase money such transaction shall be held to be a chattel mortgage, and if possession is delivered to the purchaser such lien shall be void as to creditors, and bona fide purchasers, unless such mortgage is in writing, and signed and filed as required of a chattel mortgage; provided that the above shall not supersede the law in reference to landlord and tenants (see landlord and tenants).

**MERCHANDISE SALES IN BULK**—The sale or transfer of a stock of merchandise in bulk or a portion of such stock not in the usual course of trade shall be void as against creditors unless the purchaser or transferee shall at least ten days prior thereto obtain an affidavit of the seller as to the name and place of residence, and amount owing each and all creditors of the seller; and such purchaser at least ten days before the sale or transfer, in good faith, shall notify personally or by registered mail each and all of such creditors of said proposed sale or transfer.

If the purchaser complies with the above law he will not be held accountable to the creditors of the seller for goods, wares or merchandise coming into the purchaser's possession.

## **FRUIT TREES**

**DISEASES OF TREES**—No person in this state shall knowingly or willfully keep any peach, almond or apricot, nectarine or other trees affected with the contagious disease known as yellows; nor any peach, plum or other trees affected with nematode galls, or crown or root gall; nor any plum, cherry or other tree affected with the contagious disease or fungus known as black-knot, nor any tree, shrub

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or plant infected with or by the San Jose scale, or other insect pests dangerous to or destructive of trees, shrubs or other plants; nor any orange or lemon trees, citrus stocks, cape jasmines or other trees, plants or shrubs infected with "white fly" or any injurious insect pests or contagious diseases of citrus fruits; nor sub-tropical plants, shrubs or evergreen or ornamental China, forest or other trees, shrubs or plants infested with other insect pests or contagious diseases. All such are regarded as public nuisances, and shall be abated by the commissioner or his representative.

**DUTY OF COMMISSIONER**—The commissioner of agriculture or his duly authorized agent shall upon being informed of danger from such diseases mentioned cause an examination to be made of any trees or shrubs, and if such dangerous or contagious diseases are found to exist he shall give notice to the owner or person in charge of the premises to either treat such diseased tree or shrub or destroy same; and if such orders are not carried out the commissioner may proceed to destroy the same at the expense of the owner.

**NURSERY STOCK TO BE EXAMINED**—The commissioner shall cause an examination to be made at least once each year prior to November first of each and every nursery within this state, to determine whether there is any such disease, and shall issue a certificate setting forth that such nursery stock is free of disease, if such is the case, upon the payment of the fee prescribed. Any person who sends out nursery stock, any trees, vines, shrubs, etc., without having a proper certificate and without attaching a copy of certificate shall be subject to a fine of not less than \$100 nor more than \$500.

**IMPORTED NURSERY STOCK**—Nursery stock shipped into this state from outside of the state must be accompanied by a certificate that it has been properly fumigated and also by a certificate showing that a proper inspection has been made by a state or government officer, and that such trees or nursery stock are free from infectious diseases. If such certificate is not attached to such shipment the common carrier must report such fact to the commissioner within twenty-four hours, or be subject to a fine of not less than \$50 nor more than \$200 for such failure. The person receiving such shipment must comply with the rules of the commissioner in reference to fumigation, and must procure a certificate to that effect, otherwise he will be subject to a fine of not less than \$25 nor more than \$200.

The commissioner shall make such rules and regulations for the carrying into effect of this act as he may deem necessary, and shall fix and collect any reasonable fees for inspecting nurseries.

## GAMBLING

**CARD PLAYING**—Persons may play cards at a private residence occupied by a family, but it is unlawful for any person to play at any game of cards at any public house. It is an offense to bet or wager any money or other thing of value on a card game, unless the game is at a private residence and such residence must not be commonly resorted to for the purpose of gaming.

The fine is not less than \$10 nor more than \$25.

**GAMING TABLE, BANK, ETC.**—It is unlawful for any person to keep or exhibit any gaming table, bank, or wheel, etc., for the purpose of gaming. It shall be unlawful for any person to rent any premises, building, room or other place for the purpose of gaming, or to be interested in keeping such a place.

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**PENALTY**—The punishment is confinement in the penitentiary for not less than two nor more than four years.

**OFFICERS TO SUPPRESS SAME**—When any reputable citizen makes affidavit in writing that gambling is carried on in any place the justice of the peace shall issue a search warrant, which will authorize the officer to enter any house, room or place to be searched and use all necessary force therefor, and to seize and take into his possession all gaming tables, devices, etc., and to make report of what articles he has seized. A case shall be docketed in the court and notice given, and if found upon trial that such articles are used for gaming the judge shall order them destroyed.

**BETTING ON BASEBALL OR FOOTBALL**—Is unlawful and subjects the offender to a fine of not less than \$5 nor more than \$100.

**BETTING ON HORSE RACING**—It is unlawful for any person or association of persons to sell pools or engage in book-making, or by means of telegraph or telephone or other device to aid any person in betting or placing a bet on any horse race, either in or out of the state, and upon conviction such person may be fined not less than \$200 nor more than \$500, and by imprisonment in the county jail not less than thirty nor more than ninety days.

**GAMBLING PREVENTED BY INJUNCTION**—Any citizen of this state may sue in his own name and ask for an injunction to prevent the habitual use of any premises, place, building or part thereof for the purpose of gaming or of keeping or exhibiting games which are prohibited by the laws of this state. It is not necessary for a citizen to show that he is personally injured by such acts in order to be authorized to file his petition for an injunction. The district and county attorneys of this state have authority to file such petitions and obtain writs of injunctions to prohibit gambling. The same rules apply as in other cases where an injunction is sought. If upon the hearing the court is satisfied that any building or place is used or that such use is threatened or contemplated for the purpose of gambling he may cause a writ to be issued to prohibit such use, and thereafter any person who violates such order may be punished for contempt.

## GUARDIAN AND WARD

**JURISDICTION**—The county court has jurisdiction in regard to all matters appertaining to the estates of minors, persons of unsound mind, and habitual drunkards. Male persons under twenty-one years of age, and females not married under twenty-one years of age are minors.

**APPLICATION AND NOTICE**—An application for guardianship may be made by any person in the proper county court by stating (1) the name, sex, age and residence of the minor; (2) the estate and probable value thereof; (3) facts to show jurisdiction; thereafter citation shall issue to all persons interested in the welfare of the minor to appear at a certain date, and such citation shall be posted for ten days before the first day of court, one at the court house and the other two at public places, not in the same city or town, and proper return shall be made by the officer. If the minor is 14 years of age or over he shall be personally served and is entitled to make choice of a guardian.

**WHO ENTITLED TO BE APPOINTED**—While the parents of the minor live together the father is the natural guardian, and is entitled to be so appointed; if not living together, either may be appointed,

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according to the best interest of the child. If one parent is dead the survivor is entitled to be appointed guardian. Where the minor is an orphan and no one selected by will to act as guardian the nearest of kin is entitled to be appointed guardian. In case guardianship is not claimed by a relative the court shall appoint some proper person as guardian.

The following persons shall not be appointed: (1) minors, except the father or mother; (2) persons of notoriously bad conduct; (3) persons of unsound mind; (4) habitual drunkards; (5) those involved in a law suit affecting the minor's interest; (6) debtor to the minor, unless he discharge the debt prior to appointment, unless such debtor is the father or mother. The appointment of a guardian shall be made at a regular term of court, and such guardian appointed according to law shall continue in office until the minor arrives at the age of 21 years, or being a female marries, or until such minor shall die; in the case of a person of unsound mind or an habitual drunkard a guardian shall continue in office until the person becomes sane, or is restored to sober habits, or shall die.

**GUARDIAN TO QUALIFY**—The guardian shall take an oath of office, and give bond within twenty days after appointment, and upon the receipt of a certificate from the clerk, attested by the seal of the court, is authorized to take charge of the person and property of the ward. A married woman may be appointed guardian and may either with or without her husband give bond and her estate shall be bound in the same manner as if she were unmarried. The further management of the property as to the inventory and list of claims, payment of debts, renting, leasing or selling property, is about the same as prescribed for executors and administrators. It is the duty of the guardian to take care of the minor and to see that he is educated in a manner suitable to his condition, to look after his property, collect debts, and pay claims, and when in doubt as to the advisability of any action to apply to the county court for proper instructions. Whenever the funds of the ward are loaned out it shall be upon personal security and a mortgage with power of sale upon unincumbered real estate which is not exempt. The guardian shall use reasonable diligence in the performance of his duty, otherwise he is liable upon his bond for any injury or damage resulting from failure in this respect.

He shall make an annual report (unless the estate is less than \$1,000 and unless specially required by the probate judge to make such report), showing the condition of the property and a statement of the receipts and disbursements and all claims allowed or rejected, and all other facts necessary to showing the true condition of the estate.

**SUIT ON REJECTED CLAIM**—When a claim is presented for payment, and rejected, the claimant must bring suit within ninety days thereafter or the same shall be barred. If judgment is recovered thereon a certified copy thereof must be filed with the county clerk of the court in which the guardianship is pending, and the same shall be paid in its order. A non-resident guardian may be recognized by the county court of any county in this state, where there is property of a minor, upon his filing a complete transcript of his appointment and qualification. Thereupon the court may order a resident guardian to deliver any property to such non-resident guardian, provided all the debts known to exist against the estate have either been paid or properly secured.

**MONEY HOW INVESTED**—The guardian shall invest money of his ward, beyond what is necessary for his education and maintenance,

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in bonds of the United States or any bonds of the State of Texas, county, district, etc.

If the money is loaned out at interest the application must be made to the county judge for his approval, and subject to the opinion of a reputable attorney as to the legality and safety of the bonds, notes, etc., which are to be purchased.

If the county judge neglects his duty he may be held liable on his bond for any loss in the ward's property.

**SALE OF REAL ESTATE**—When the money on hand and other personal property is not sufficient to maintain and educate the ward, pay the debts, etc., an application may be made by anyone interested asking for the sale of real estate, which application shall be heard after five days after it has been filed.

Sale may be made either for cash or for part cash and part credit, and either at public auction or private sale.

The order shall state (1) description of property; (2) whether at public or private sale, if a public sale, the time and place of such sale; (3) the necessity and purpose of sale; (4) the guardian must file bond in double the amount for which the real estate is sold; (5) a report of the sale to the court.

**FINAL SETTLEMENT**—When a ward dies or the minor arrives at the age of 21 years, or being a female, marries, or a person of unsound mind, or an habitual drunkard is restored, the guardian may, upon application and after proper citation, be discharged. Upon approval of the court the estate shall be delivered to the ward or the heirs entitled to same after the expenses and commissions have been paid, and an order shall be entered upon the minutes closing the guardianship. Any person interested in the estate may appeal to the district court from any decision of the county court, and the issues determined as in any other cause.

## HOLIDAYS

The following days, and all days appointed by the president of the United States or by the governor as days of fasting or thanksgiving, and every day on which an election is held throughout the state, are declared holidays, on which all the public offices of the state may be closed, and shall be treated and considered as Sunday, so far as presenting for payment, or acceptance, bills of exchange, bank checks and promissory notes, viz.: First day of January, 22d day of February, 2d day of March, 21st day of April, 3d day of June, 4th day of July, 1st Monday in September, and the 25th day of December. The first Monday in September is known as Labor Day; the 22d day of February as Arbor Day.

## HUSBAND AND WIFE

**WHO AUTHORIZED TO MARRY**—Males under 16 and females under 14 years of age shall not marry. It is not lawful for white persons to intermarry with negroes.

**WHO AUTHORIZED TO PERFORM CEREMONY**—All regular licensed or ordained ministers of the gospel, Jewish rabbis, judges of the district and county courts, and justices of the peace are authorized to celebrate the rites of matrimony.

**LICENSE NECESSARY**—Any person desirous of marrying must procure license from the county clerk, and if the male is less than 21 years of age or the female less than 18 years of age the consent of the parent or guardian must be obtained before the clerk is

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ON FOURTH PAGE OF READING MATTER.**

authorized to issue the license. The person who solemnizes the rites of matrimony shall indorse that fact on the license and return to the proper county clerk within sixty days thereafter.

**MARRIAGE CONTRACTS**—Parties intending to marry may enter into any character of contract with each other not contrary to good morals, or some rule of law, nor to alter the legal order of descent in reference to the inheritance of the children which either may then have, or in respect to the common children, nor any agreement to impair the legal rights of husband over the person of the wife, or of their children. A matrimonial agreement must be acknowledged and also attested by at least two witnesses, and if it affects real estate must be recorded in the clerk's office of the proper county.

**SEPARATE PROPERTY**—All property, both real and personal, owned or claimed before marriage and that acquired afterwards by gift, devise or descent, as also the increase of all lands thus acquired, and the rents and revenues derived therefrom shall be the separate property of the husband or wife, according as the same was owned before the marriage.

The separate property of the husband shall not be subject to the debts contracted by the wife, either before or after marriage, except for necessities furnished herself and children after her marriage with him. Each shall have the control and management of their separate property, both real and personal.

However, the husband must join the wife in the conveyance of her separate real estate or in an incumbrance of same, and also in the transfer of her stocks and bonds.

If the husband will not join in the conveyance the wife may apply to the district court of the county of her residence, and if she shows that the encumbrance or transfer would be advantageous to her interest the court may enter an order allowing her to act alone.

Neither the wife's separate property nor rents nor interest on bonds and notes nor dividends nor her personal earnings shall be subject to the payment of debts contracted by the husband.

**HOMESTEAD**—The homestead, either separate or community property, must be conveyed by both husband and wife.

**COMMUNITY PROPERTY**—All property acquired by either the husband or wife, during marriage, shall be deemed community property of husband and wife, and during the marriage relations may be disposed of by the husband only (except homestead), except the personal earnings of the wife, the rents from her real estate, interest on her bonds and notes, and dividends on her stocks, shall be under her control, management and disposition, subject to the foregoing, that is, the husband must join in the transfer of her stocks and bonds.

Money on deposit in a bank shall be presumed to be the separate property of the husband or wife in whose name it stands.

**DIVORCE**—One must be an actual bona fide inhabitant of the state and a resident of the county where the suit is filed six months next preceding the filing of the suit. The suit for divorce shall not be heard nor divorce granted until the expiration of thirty days after the petition is filed.

The divorce cannot be obtained by consent of the parties, but must be granted upon a full hearing.

**GROUND FOR DIVORCE**—A divorce may be obtained upon the ground of cruel treatment, if such as to render their living together insupportable; on the ground of adultery; three years' voluntary absence with the intention of abandonment; conviction of a felony, if

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such conviction was not procured by the testimony of the one seeking the divorce, and then not until twelve months after final judgment of conviction.

The husband or wife is a competent witness in a suit for divorce.

If a divorce is granted upon the ground of cruel treatment the parties shall not marry any other person for a period of twelve months after such divorce is granted.

Such disposition shall be made of the children as may be for their best interest. The court may so divide the property as to properly take care of the wife and children.

**DESERTION**—(See abandonment of wife and children).

## INHERITANCE TAX

**TAX ON GIFTS, INHERITANCE**—All property in this state which passes by deed, grant, sale or gift, either absolutely or in trust, to take effect after the death of the grantor or donor shall be subject to an inheritance tax unless the person receiving such gift or grant is the father, mother, husband, wife, or direct lineal descendant of the grantor.

If the property passes to a lineal ascendant or a brother or sister or their descendants, a tax of two per cent is assessed if the gift is \$2,000, and the tax increases proportionately as the amount increases.

If the property passes to an aunt or uncle or their descendants, the tax is three per cent on any excess of \$1,000, with an increase in the tax as the gift is proportionately greater.

If the gift is to any other person, a tax must be paid on all amounts over \$500.

## INTEREST

Interest is a compensation allowed by law or fixed by the parties to a contract for the use of money loaned. Legal interest is such as is allowed by law when not agreed upon the parties, and in this state is 6 per cent. Conventional interest is such as is agreed upon by the parties not to exceed 10 per cent per annum. On all open accounts, when no specified rate of interest is agreed upon, interest shall be allowed at the rate of 6 per cent per annum from the first day of January next after the same were made. Judgments shall bear interest at the rate of 6 per cent per annum, unless such judgment is founded on a contract bearing a specified interest not to exceed 10 per cent.

## JOHNSON GRASS

It is unlawful for any person not the owner of lands to knowingly, willfully and with intent to injure, sow, scatter or place on any land not his own, the seed or roots of Johnson grass, or Russian thistle, or to willfully and knowingly sell or give away any oats, hay, straw or grain, containing or intermixed with the seeds or roots of Johnson grass to any one who is ignorant of the fact. The penalty for such illegal act is a fine not less than \$25 nor more than \$1,000, and it shall not be necessary to prove the name of the owner of the land but that it was not the property of the person accused. It is unlawful for any railroad or railway company or corporation doing business in this state, to permit to go to seed Johnson grass or Russian thistle on any right of way owned, leased or controlled by such companies in this state, and such company shall be liable in damages to any person owning, leasing or controlling lands adjacent to the right of way of such company, provided such person has not permitted any Johnson grass or Russian thistle to mature or go to seed upon

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the land owned or controlled by him adjacent to the right of way of such corporation.

**IRRIGATION COMPANIES**—It shall be unlawful for any person, association or corporation, owning or operating any canal, ditch or reservoir to permit Johnson Grass or Russian Thistle to go to seed within ten feet of the high water line of such reservoir, ditch or canal. A penalty of not less than \$25 and not more than \$500 or imprisonment in county jail for not more than six months is provided for violation of this statute.

## **JURORS AND JURIES**

**QUALIFICATION OF JURORS**—Every male person over 21, in the county, is a juror, provided: (1) he is a freeholder in the state or a householder in the county; (2) he is of sound mind and good moral character; (3) can read and write; (4) he has not been convicted of a felony, or be under indictment.

The following jurors are exempt from service: All persons over 60; civil officers of the state and United States; all road overseers; ministers, physicians and attorneys, newspaper publishers, school masters, druggists, undertakers, telegraph operators, railroad station agents, ferrymen, millers; all presidents, vice-presidents, engineers and conductors of railroads; jury commissioners, militiamen, and city firemen in organized cities.

**SELECTION OF JURORS**—A jury commission of three members is appointed by the district court for each term thereof. The clerk shall furnish them with a list of the available jurors of the district from which they make their selection by drawing the necessary number from the jury wheel or box in which the names of the qualified jurors have been placed. From these a list is made up, sealed and delivered to the judge.

In counties containing a city of more than 20,000, the names of all qualified jurors shall be written on separate cards and deposited in a jury wheel, from which they shall be drawn prior to the term of the court by the clerk and the sheriff under the direction of the judge.

**PETIT JURIES**—The jury in the district court shall be composed of twelve men. The jury in the county court and justice of the peace court shall consist of six men.

In both district and county courts the verdict must be concurred in by all the jurors.

## **LANDLORD AND TENANT**

**LANDLORD'S LIEN**—The landlord has a preference lien for any rent that may become due and for all money and the value of all animals, tools, provisions and supplies furnished by him, being necessary to enable the tenant to make a crop on such premises, and to care, and house and put same in condition for market. Such lien shall apply only to the animals, tools, and other property advanced by the landlord to the tenant and to the crop raised on such rented premises, and shall continue so long as such property remains on the rented premises, and for one month thereafter and is good as against the "Exemption law."

No landlord shall contract to receive more than one-third the value of the grain, nor more than one-fourth the value of the cotton, where he furnishes the land, and if he attempts to make a greater charge, he shall have no lien. The landlord may charge one-half

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of the crop where he furnishes both the land and all supplies, and the tenant furnishes the labor.

If the landlord collects more than the amount provides, the tenant may bring suit and recover double the excess paid.

**DUTY OF TENANT**—The tenant shall not remove such property from the rented premises, without the consent of the landlord while the rent and advances remain unpaid; a removal to prepare the crops for market is not a waiver of the lien. A tenant cannot subrent or lease to another the premises in his possession without first obtaining the consent of the landlord, his agent or attorney.

**DISTRESS WARRANT**—If the crops or property are removed without the consent of the landlord he shall have the right upon making affidavit, and giving bond to have a distress warrant issued and the property seized by an officer; such property may be replevined by the tenant upon giving bond payable to the plaintiff (the landlord) with two or more good and sufficient sureties in double the amount of the debt, or for the value of the property. The affidavit must show that the warrant is not issued for the purpose of vexing and worrying the defendant and that the amount sued for was for rent and advances. The writ shall be made returnable to the court having jurisdiction of the amount involved.

**MUTUAL AGREEMENT**—A landlord and tenant may enter into such contract in regard to rents and advances as they may think proper, and if the landlord without any default on the part of the tenant, fails to comply with his part of the contract he shall be liable for whatever damages may result therefrom and the tenant shall have a lien upon the rent due to the landlord and on the property in such tenant's possession not exempt from forced sale.

**RENT OF RESIDENCE, STOREHOUSE, ETC.**—The landlord has a preference lien upon the property of a tenant in a residence, storehouse or other building rented, for the payment of rents due or that may become due, provided such lien does not extend beyond the current contract year; such lien exists during the occupancy of the premises and for one month thereafter but is subordinate to the law exempting property from forced sale.

## LEGAL DAY'S WORK

**PUBLIC WORK**—On all work of the state, county or municipality or a contract by person or firm with the state, county or municipality, where the work is for the purpose of constructing repairs or improving bridges, buildings, roads, highways, streams, levees or other work of similar character; eight hours shall be a legal day's work. If in case of emergency longer hours are required it shall be on the basis of eight hours a day and wages shall be paid at the current rate for such work at that locality.

Any person or firm entering into a contract with the state, county or municipality or other subdivision, shall enter into a bond to protect person supplying labor and material and such person's rights shall come after the interests of the state, county, etc., have been protected.

A violation as to the hours of labor shall subject the offender to a fine of not less than \$50 nor more than \$1,000 or imprisonment for not more than six months or by both such fine and imprisonment, and each day shall constitute a separate offense.

**FOR FEMALES**—The hours of work of females are placed at not more than fifty-four hours during one week and not more than nine

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OF  
A SOLID, WELL EQUIPPED BANK.

hours consecutively during a period of twenty-four hours for one day and applies to workers in all manufacturing and mercantile establishments, hotels, etc., except registered pharmacists and stenographers, and the hours for working in a laundry are not more than eleven hours in a day of twenty-four hours; provided that in emergencies or in time of great disaster or calamity telephone operators may work longer than specified and shall receive double compensation for such extra time.

Employers must provide seats for their female employees and must permit them to sit down when not engaged in the actual performance of their duties.

**PENALTY**—A violation of the law shall subject the offender to a fine of not less than \$50 nor more than \$200 or imprisonment not less than five nor more than thirty days, or by both such fine and imprisonment.

## LIENS

**JUDGMENT LIEN RECORD**—Each county clerk shall keep a "judgment record" of abstracts of judgment properly authenticated which shall show as to a judgment (1) the parties to the suit; (2) number thereof; (3) the date rendered; (4) amount or amounts still due; (5) and the rate of interest. When such abstract is properly recorded and indexed it shall operate as a lien upon all real estate of the defendant and that afterwards acquired situated in said county and shall continue for ten years from the date it was recorded and indexed, provided execution was issued upon the judgment within twelve months after same was rendered. Satisfaction of any such judgment may be shown by the return upon the execution properly certified by the officer or by receipt or release of the party entitled to receive payment of the judgment or his agent or attorney and acknowledged as required in the case of deeds.

**LIENS OF MECHANICS, CONTRACTORS, BUILDERS AND THOSE FURNISHING MATERIAL**—Any person, firm, lumber dealer or corporation, artisan, laborer, mechanic or sub-contractor, who may labor or furnish material, machinery, fixtures or tools to erect or repair any house or improvement or construction or repairs of levees or embankments to be erected for the reclamation of overflow lands along any river or creek, or furnish material for construction or repair of any railroad or by virtue of the contract with the owner or his agent, trustee, receiver, contractor or contractors, shall have a lien on such house, building, improvements, land reclaimed from overflow, or railroad and all its properties and shall have a lien on the lot or lots of land necessarily connected therewith to secure payment for such labor, material, etc.

The word improvement includes well, cistern, reservoir or artificial pools or lakes made for supplying or storing water, and all pumps, siphons, windmills or other machinery used for raising water for stock, domestic use, or for irrigation purposes.

**LIEN—HOW FIXED**—The contract for labor or for the materials shall be filed in the office of the county clerk of the county in which such property is situated and the same shall be recorded in a book kept for that purpose; as to original contractor to be filed within four months, and in case of journeyman, day laborers or other person, within thirty days after indebtedness is due; provided if such latter named persons have no written contract they shall file an itemized account of their claim under oath showing that it is due and correct, and that all just and lawful offsets, payments and credits known to

**MONEY  
DEPOSITED WITH US  
IS BEYOND THE REACH OF HOUSEBREAKERS.**

the affiant have been allowed; the proper description of the house or the improvements, together with a description of the lot or lots or tract of land shall accompany the statement before mentioned. The owner shall retain 10 per cent of the contract price and for thirty days subsequent to the completion of the job to protect the laborers in their claims, who have fixed the lien as above provided.

The owner or railroad company shall cause the contract to be written and signed by the contractor, and before work is begun under the contract, the contractor must execute a good and sufficient bond. If this is done, the owner shall not be liable to anyone furnishing labor or material beyond the amount due the contractor.

**LIEN ON HOMESTEAD**—When repairs, or improvements are made, or material furnished to a homestead, before any lien shall attach, a written contract must be signed by the married man, and separately acknowledged by the wife, before any labor is performed, or any material furnished.

**AMOUNT OF PROPERTY**—If the lien is against land in a city, town or village it shall extend to the lot or lots upon which such house, building or improvements are situated or upon which such labor was performed; and if the lien is against land in the country, it shall extend to and include fifty acres upon which such improvements are situated or labor performed; and if the lien is against a railroad company, it shall extend to and include all of its property.

**PROCEDURE**—If the amount due is not paid, judgment may be rendered in a court of competent jurisdiction, and the lien foreclosed with an order of sale and such improvements may be sold separately from the real estate and may be removed by the purchaser.

**LIEN OF MATERIAL MAN**—Any person who may furnish any contractor, subcontractor, agent or receiver, material to be used in the erection of any house, building or improvement or the repair thereof or to construct any railroad, by giving written notice to the owner of such property or his agent, of each and every item furnished and the amount due and not paid on each bill of lumber or material furnished, or at any time within ninety days after the indebtedness shall have accrued, may fix and secure a lien as to the material furnished at the time or subsequent to the giving of the written notice before provided for, by filing with the county clerk an itemized account of such claim to be recorded; provided that in no case shall the owner be compelled to pay a sum greater than that stipulated in the original contract.

**MISCELLANEOUS LIENS**—Every person who may furnish supplies, materials, repairs or labor for or on account of any domestic vessel owned in whole or in part in this state shall have a lien on such vessel, its tackle, apparel and furniture for the security and payment of the same.

Proprietors of hotels and boarding houses have a lien upon baggage of persons who are guests.

Proprietors of livery stables or public stables shall have a lien upon all animals for feed furnished and upon carriages, buggies and other vehicles, for care and attention given such articles.

Every carpenter, mechanic, artisan or other workman may retain possession of any article, implement, utensil or vehicle repaired with labor and material or either, until the amount due on same shall have been paid; and if same is not paid within sixty days, he shall give ten days' notice to the owner to come forward and pay the charges and if he fails to do so, the property shall be advertised for twenty days

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TO  
SMALL OR LARGE DEPOSITORS.

and then sold for the payment of the charges, and if there is a balance it shall be paid to the county treasurer, if the person entitled thereto is unknown or has moved out of the county or state.

**CHATTEL MORTGAGE LIEN**—When any personal property is sold and a lien is reserved to secure the purchase money or a part thereof, such lien shall be held to be a chattel mortgage, and such lien, chattel mortgage, deed of trust, or other instrument in writing shall be void as to creditors and subsequent purchasers and lien holders in good faith, if the instrument or a true copy thereof be not forthwith deposited with and filed in the office of the county clerk of the county where such property is situated, unless there is an immediate delivery to the mortgagee followed by actual and continued possession of such property. The county clerk shall indorse on such instrument the day and hour it was received in his office and he shall, in a book kept for the purpose, make an abstract of such instrument, upon which shall also be entered satisfaction of such indebtedness and mortgage when same is paid.

**LIEN OF VENDOR OR DEED OF TRUST**—The seller of real estate may retain a lien for unpaid purchase money, notice of which is given in the deed or by means of a record of the notes in the county clerk's office. A lien may also be created for money loaned, by a mortgage or deed of trust. (See limitation).

**LIEN ON PROGENY**—The owner or keeper of any stallion, jack, bull or boar who keeps same confined for the purpose of standing him for profit, shall have a preference lien upon the progeny of such animal to secure payment for service and a written contract is not necessary nor any character of notice given. Such lien shall remain in force for a period of ten months after the birth of such progeny but shall not be enforced until five months shall have elapsed after such birth.

## **LIMITATION OF ACTIONS**

**ONE-YEAR STATUTE**—Suits for the following causes must be brought within one year after the right of action has accrued, (1) for injuries done to the person of another; (2) for malicious prosecution, or injuries done to character or reputation; (3) for damages for seduction, or breach of promise of marriage; (4) for injuries done where death ensued from such injuries, the date of death being considered the time the right of action accrues. Causes of action for personal injuries other than those resulting in death shall not abate by reason of his death, nor the death of the person causing the injury, but such suit shall survive to and in favor of the heirs or legal representatives of the injured party, and against the person, receiver or corporation, and the legal representatives, causing the injury.

**TWO-YEAR STATUTE**—Suit must be brought within two years for the following causes of action: (1) trespass for injuries to the property of another; (2) for keeping and converting to one's use the personal property of another; (3) a debt not evidenced by a written instrument; (4) open accounts, except mutual and current accounts concerning the trade between merchant and merchant, their factors and agents; and limitation shall run from the time of the delivery of the several articles unless otherwise specially provided by the parties; (5) an action of forcible entry or detainer.

**THREE-YEAR STATUTE**—In order to recover land from a person in peaceable and adverse possession thereof, under title or color of

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UPON OUR MERITS FOR  
STRENGTH AND SAFETY.**

title, a suit must be instituted within three years after cause of action shall have accrued.

**FOUR-YEAR STATUTE**—Suit shall be brought in four years in the following causes of action: (1) upon a debt evidenced by writing; (2) upon the penal clause of a bond to convey real estate, for a penalty or for damages for such failure to convey; (3) for a settlement of one partner against the other, or upon mutual and current accounts between merchant and merchant, their factors or agents, and limitation begins when their business dealings on such matters cease; (4) on a claim against an executor or administrator or guardian; suit on the bond to be brought within four years after the death, resignation, removal or discharge of such person; (5) all actions for the recovery of real estate which does not come within the classes mentioned above; (6) to contest a will four years after it was admitted to probate, or to cancel a will for forgery or fraud, within four years after the discovery of such forgery or fraud; (7) to recover on a vendor's lien note or to recover real estate by virtue of the superior title being in the vendor and purchase money unpaid.

No power of sale in a deed of trust or mortgage shall be enforced after four years from the maturity of the indebtedness secured thereby.

**FIVE-YEAR STATUTE**—The suit must be instituted within five years in order to recover land from a person having "peaceable" and "adverse" possession thereof, cultivating, using or enjoying the same and paying taxes thereon, and claiming under a title or titles duly registered; provided such title or titles are not forged.

**TEN-YEAR STATUTE**—One must bring his suit within ten years to recover lands from a person having peaceable and adverse" possession thereof, cultivating, using or enjoying the same, provided this does not include more than 160 acres with the improvements, or the number of acres actually enclosed; but if the party having such possession relies upon some written memorandum of title duly registered, other than a deed, such person may be held to the boundaries specified in such instrument.

A suit must be brought within ten years in the following cases: (1) upon a foreign judgment against a person who has been a resident of this state for ten years before such suit; (2) for specific performance to convey real estate; (3) to revive judgment obtained in this state, where execution did not issue within twelve months after such judgment.

**DEFINITION**—By "title" is meant a regular chain of transfer from or under the sovereignty of the soil, that is, from the state; and by "color of title" is meant a consecutive chain of transfer without being regular. By "peaceable" possession is meant such as continuous and not interrupted by suit to recover the land. By "adverse" possession is meant the actual and visible appropriation of the land, commencing and continuing under a claim of right, inconsistent with and adverse to the claim of another, though such possession may be through different persons, one claiming from the other in succession.

**AS TO ENCLOSED LAND**—The above rules as to three, five or ten year limitation, does not apply where such land is entirely surrounded by the land of another, unless the owner of such surrounding land has at least one-tenth of such enclosed land in cultivation; nor shall they apply when a tract is enclosed under a fence with 5,000 acres or more belonging to another owner.

**DOES NOT APPLY**—Limitation does not run against the following persons until the disabilities are removed: (1) persons under the

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OF  
INCOME AND EXPENDITURES.**

age of 21 years; (2) persons of unsound mind; (3) persons imprisoned; (4) married women until they arrive at the age of 21; (5) limitation does not run against a person while he is without the limits of the state. When any cause of action has been barred by the statute of limitation or by the release in a court of bankruptcy, no suit shall thereafter be brought, unless the debtor acknowledges in writing the justness of the claim thereafter. Persons cannot contract for a shorter period than two years in which suit must be brought.

Limitation does not run against a member of the military or naval forces in time of war.

Limitation must be specially pleaded in order to be a defense to any cause of action.

## MARRIAGE

**CERTAIN MARRIAGES PROHIBITED**—Males under 16 and females under 14 shall not marry. In case the man is under 21 or the woman under 18, in order to secure a license, they must present to the county clerk a writing signed and sworn to by the guardian or parent, giving consent.

It is unlawful for a person of Caucasian blood or their descendants to intermarry with Africans or the descendants of Africans, and any such marriage is null and void.

No man shall marry his mother, his father's sister or half-sister, his mother's sister or half-sister, his daughter, the daughter of his son, daughter, father, mother, brother, sister, his half-brother or half-sister, his father's widow, his son's widow, his wife's daughter, or the daughter of his wife's son or daughter. The degrees of relationship within which a woman shall not marry are the same. Penalty of two to ten years in penitentiary for violation.

**WHO MAY MARRY**—Any unmarried male person of the age of 21 years and upwards and any unmarried female of the age of 18 years or upward, and legally competent to contract, is capable of contracting and consenting to marriage.

**LICENSE**—Any person desirous of marrying shall apply to the clerk of the county court, and shall receive from him a license directed to all persons authorized by law to celebrate the rites of matrimony, which shall be sufficient authority for any one of such persons to celebrate such marriage.

**WHO AUTHORIZED TO CELEBRATE RITES**—All regular licensed or ordained ministers of the gospel, Jewish rabbis, judges of the district and county courts, and all justices of the peace are authorized to celebrate the rites of matrimony.

**RETURN OF LICENSE**—The county clerk shall record all licenses in a well bound book, and it shall be the duty of the person solemnizing the rites of matrimony to indorse same on the license, and make return to the clerk of the county within 60 days.

**MARRIAGE CONTRACTS**—Parties intending to marry may enter into what stipulations they please, provided they are not contrary to good morals or some rule of law. They cannot contract to alter the legal order of descent.

Any such agreement must be signed and acknowledged, and witnessed by at least two witnesses. No such agreement shall be altered after the marriage.

WE RECEIVE  
DEPOSITS  
SUBJECT TO CHECK.

## MINORS

**DEFINED**—A male person under the age of 21 years, and a female under the age of 21 years, and not married, are minors.

Minors shall bring suit through their legal guardian or their next friend and such next friend must conform to the rules of court in the same manner as other litigants. The next friend cannot collect or recover money or other personal property nor make any agreement or compromise concerning the property of the minor unless approved by the court. If the amount of the money or personal property does not exceed \$500, the court may authorize the next friend upon giving bond in double the amount to take charge of such property subject to be delivered upon the order of the court.

**REMOVAL OF DISABILITIES**—A person over the age of 19 years may present a petition to the district court of the county of his or her residence and for good cause shown, have their disabilities removed, and thereafter shall be deemed in law of full age, except such minor, if a male person, cannot vote until 21 years of age.

**CERTAIN OFFENSES RELATING TO MINORS**—It is a misdemeanor to sell or give or cause to be sold or given any intoxicating liquor to a minor; to knowingly permit a minor without the written consent of the parent or guardian, to remain in a billiard or pool room or tenpin alley; to sell a minor pistol, dirk, etc.; to sell, give or barter, or cause to be sold, given or bartered cigarettes or tobacco of any form to a minor under 16 years of age; to entice a minor away from the custody of its parent or guardian; to employ any child under the age of 15 years to work in any factory, mill, workshop, laundry or theater; to employ any minor under the age of 17 to work in any mine, quarry, or place where explosives are used.

**KIDNAPPING**—If a minor under 17 years of age is falsely imprisoned for the purpose of being concealed or taken from the lawful parent or guardian, the person committing the offense is guilty of a felony and subject to imprisonment in the penitentiary not less than two nor more than five years, or a fine not exceeding \$2,000; if the minor be actually removed out of the state the punishment shall be not less than two nor more than ten years.

**DELINQUENTS**—A short definition of "delinquent" would include every male person under 17 years of age and every female under 18 years of age who violates any law of the state or violates any city ordinance, or is incorrigible. For any act committed such child shall be tried by the county or district court, as a juvenile court, upon complaint sworn to by some one upon information filed by the county or district attorney.

If a male juvenile delinquent is indicted on a felony charge, the judge may order the prosecution dismissed and direct the case to the attention of the juvenile court, which is usually the county court, for trial. If the judge of the district court proceeds to trial upon the indictment and the delinquent is convicted and given a term of confinement for five years or less, he shall be sent to the state reformatory instead of the state penitentiary; provided that such conviction and serving of sentence shall not deprive such defendant of his rights of citizenship when he shall become of legal age.

If he is given a term of more than five years he must be sent to the penitentiary.

If he is tried in the juvenile court and a conviction follows he shall be deemed guilty of being a delinquent child and he shall be

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IN A BANK  
AND PAY YOUR OBLIGATIONS BY CHECK.**

committed to the state institution for not less than two nor more than five years.

A parent or guardian may upon petition and trial have an incorrigible boy under 17 years of age sent to a state institution, if the judge deems it best and provided further that the parent or guardian shall pay all the necessary expenses of such child.

The juvenile court is in session at all times for trial and disposition of such cases.

No minor shall be convicted of any offense committed before he is 9 years of age, except perjury, and for that offense only when it is shown by proof that he had sufficient discretion to understand the nature of the oath; nor of any other offense committed between the ages of 9 and 13, unless it shall appear by proof that he had discretion sufficient to understand the nature and illegality of the act constituting the offense. No minor shall be hung for an offense committed before he arrives at the age of 17 years.

No certificate for teaching shall be granted to a person under 16 years of age.

## NOTARY PUBLIC

**HOW APPOINTED**—A notary public is appointed by the governor and confirmed by the senate and holds office for a term of two years from the first day of June after his appointment. He must execute a bond in the sum of \$1,000 payable to the governor to be approved by the county clerk and subscribe to the oath of office. A justice of the peace is ex-officio a notary public. When he permanently moves from his precinct or a notary permanently moves from the county, his office shall be deemed vacant.

**COMMISSION AND QUALIFYING**—When the appointment of notaries has been made, the secretary of state forwards the commissions to the various county clerks, where the parties reside. The clerk gives the notary notice to appear and qualify within ten days and pay for his commission (unless the party be absent from the county, or is sick), and if the party fails to qualify, within the limited time, the appointment shall be void. After qualifying, a notary public shall have power to take acknowledgments of all instruments of writing, give certificates thereof, to take affidavits and depositions of witnesses and certify all of his acts under his hand and seal.

**SEAL**—Each notary shall have a seal of office, which shall consist of a star of five points, and around the rim thereof the words, "Notary Public, County of \_\_\_\_\_, Texas," the blank space to be filled with the name of the county.

**FEES**—Fees of notaries are regulated by statute. For protesting bill or note for non-payment a fee of \$1.00; taking an acknowledgment to a deed or other instrument, or taking affidavit a fee of 50 cents; all other certificates 50 cents; taking depositions of witnesses, 15 cents per hundred words.

## OIL AND GAS

**REGULATION**—The railroad commission is given power by statute to regulate the production and transportation of oil and gas so as to prevent waste of these resources. The statute provides the following acts constitute waste: (1) allowing gas to escape from a natural stratum into the open air; (2) allowing water from one stratum to drown a producing stratum of oil or gas; (3) allowing gas wells to burn, etc.

The rates and manner of transportation of oil and gas is regulated on the grounds of the pipe line companies being common carriers.

If you make your payments by CHECK  
You Have a Record  
WHICH CANNOT BE DISPUTED.

**RECORDS OF PRODUCERS**—All owners and operators of oil and gas wells are required to keep books showing the amount of stock sold, amount of promotion money paid, amount of oil and gas produced and disposed of, receipts for sales of leases and property, and disbursements in the business.

Every person, firm, partnership, joint stock association, corporation or other organization operating within this state for the purpose of drilling, owning or operating any oil or gas well, or owning or controlling leases, or pipe lines, must file with the railroad commission, the name of the company, the plan under which it was organized, and the postoffice addresses of the trustees, and the names and addresses of the officers and directors.

**LEASES**—We have not the space here to go into a treatise on this technical branch of the law, but simply advise that before executing an oil and gas lease upon real estate, the owner thereof should be satisfied that the terms of the instrument are clearly understood and that the agreement between the lessor and the lessee is plain.

### **PARTNERSHIP**

A partnership may be limited in its nature in such way as to have general partners and special partners; special partners being those who contribute in cash a specified sum as capital to the common stock, but with an agreement not to be liable for debts of the partnership beyond the amount which they contributed. Such a partnership shall be entered into by a written instrument duly signed and acknowledged by all of the parties thereto and filed and recorded in the office of the county clerk, stating: (1) the firm name; (2) nature of the business; (3) names and residences of the general and special partners, designating same; (4) amount of capital each contributes to the stock; (5) the period at which the partnership is to commence and the period at which it is to terminate. At the same time there must be filed an affidavit of one of the general partners to the effect that the amounts purported to have been contributed by the special partners have been actually in good faith paid in cash.

The terms of the partnership shall be published for six weeks and if the terms of the statutes are not strictly complied with the partnership shall be deemed a general partnership.

### **POSTED LANDS**

Any person who enters the enclosed lands of another consisting of less than 2,000 acres, without the consent of such owner, proprietor or agent in charge and therein hunts with firearms or therein catches or takes any fish from any pond, lake, tank or stream, or in any other manner predated on the same, shall be subject to a fine of not less than \$10 nor more than \$100. No posting is necessary for enclosures above mentioned.

If the enclosure contains more than 2,000 acres the owner must place a sign at each entrance stating that it is posted in order to avail himself of the statute relating to posted lands.

The County of Upton is not affected by this law.

### **PRAIRIE DOGS**

By statute all prairie dogs are declared to be a public nuisance, and all land owners are directed to kill all prairie dogs on their land. If they do not do so the county commissioners court is authorized to

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BUSINESS MEN DEPOSIT THEIR MONEY  
IN A BANK.**

notify the sheriff of any such delinquent landowner, and the sheriff shall supervise the killing of such prairie dogs and the expense is a lien on the land.

Commissioner's courts are authorized to provide the necessary poison and apparatus for exterminating prairie dogs, rats, coyotes, wolves, wild cats, gophers, ground squirrels, English sparrows and ravens. Notices shall be posted in all public places and published in a newspaper twenty days prior to the scattering of the poison.

## PRINCIPAL AND SURETY

**DEFINITION**—A principal on a negotiable instrument is the maker of such instrument or the one who receives the benefit from such instrument. The surety is the person who signs at the request of the principal and who agrees thereby to pay such instrument in the event the principal does not pay it, although the surety does not obtain any benefit by so signing.

**RIGHTS OF SURETY**—Any person bound as surety upon a contract for the payment of money or the performance of any act may require by notice in writing when the right of action has accrued, the creditor to institute suit and upon failure to do so at the first term of court thereafter, the surety shall be discharged. If judgment is rendered against two or more persons one of whom is surety, a levy of execution shall be made, first upon the property of the principal and if there is not sufficient property of the principal to pay the indebtedness, then the property of the surety is liable.

If a surety is compelled to pay any judgment or part thereof, the judgment shall not be discharged but shall remain in force for the use of the surety, and he shall have execution in the name of the creditor against the principal debtor in the amount paid out by him.

**RIGHTS OF CO-SURETIES**—One surety who has paid the entire debt may have execution against his co-sureties for a proportionate part of the indebtedness.

**PRINCIPAL SUED WITH SURETY**—No surety shall be sued unless his principal is joined with him unless judgment has been previously rendered against his principal except when the principal is out of the state and cannot be reached by ordinary process of law or his residence is unknown or when he is dead or notoriously insolvent.

## PUBLIC ROADS

**DEFINED AND CLASSIFIED**—All public roads and highways laid out and established according to law are declared to be public roads. Roads are divided into three classes.

(1) A first class road shall be cleared of all obstacles, be not less than forty feet nor more than sixty feet in width, stumps six inches and over in diameter to be cut down within six inches of the surface and rounded off, and all stumps less than six inches in diameter to be cut smooth with the ground.

(2) A second class road is the same as the first class road except it shall not be less than thirty feet wide.

(3) A third class road shall not be less than twenty feet wide.

**NEW ROADS**—It is the duty of the commissioners' court to open up public roads when necessary and no public road shall be changed except for the purpose of shortening the distance unless upon full investigation they find that the change will be in the public interest, and such change shall be made upon unanimous consent of all the

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AND CAN PLEASE YOU.

commissioners. Upon application for a new road made to the commissioners court, and after twenty days' notice given by written advertisement posted at the courthouse door, and that at two other public places near the proposed road, such court shall appoint a jury of view consisting of five persons who with or without the county surveyor may lay out and survey such road and report thereon; they shall assess any damages that may done any owner whose land is appropriated. If the owner is not satisfied with the damages assessed, he may bring suit in the district court for same, provided that such suit shall in no case delay or prevent the immediate opening of such road if the damages assessed by the jury of view have been tendered.

**DUTIES OF COUNTY COMMISSIONERS**—The county commissioners shall be the supervisors of public roads in their respective precincts.

In counties having more than 100,000 inhabitants the county commissioners shall receive a salary of \$2,400 per year; \$1,800 per year in counties having population from 50,000 to 100,000; \$1,500 in counties having 40,000 to 50,000; \$1,200 in counties having 29,000 to 40,000; and in counties having less than 29,000 the commissioners shall receive \$4 per day for each day served in supervising construction or repair of roads, not to exceed \$1,000.

He shall also make a report under oath to each regular term of the commissioners' court, showing (1) the condition of all roads, culverts and bridges in his precinct; (2) the amount of money remaining in the hands of overseers subject to be expended upon the roads in his precinct; (3) number of mile posts, and sign posts torn down; (4) what new roads should be opened and what other improvements made.

The commissioners' court shall divide the county into road precincts and number same and appoint an overseer therefor and designate the hands liable to work on the various roads, in such precinct. If a person is exempt from road work he shall not be compelled to serve as an overseer, nor shall anyone be compelled to serve as an overseer for more than one year in every three successive years.

It shall be the duty of overseers to place sign posts at the forks of public roads stating the name of the place to which such road leads.

The commissioner's court may build bridges, construct grades, or otherwise improve any road either by contract or under the supervision of the superintendent or road commissioner, together with the system of working hands, and may compel the county convicts to labor upon the roads, or where a special tax is levied the court may dispense with the system of working the roads by road hands.

**ROAD HANDS**—All persons between the ages of 21 years and 45 years are required to work on public roads except ministers of the gospel in the active discharge of their ministerial work, invalids, members of militia companies or volunteer firemen in the actual discharge of their duties as firemen, provided no person shall be compelled to work, unless he has been residing in the county for a space of fifteen days immediately preceeding the summons. Any person may select a substitute, or pay the sum of \$1 per day to the overseer. No person shall be compelled to work on public roads more than five days in each year.

**ROAD COMMISSIONER**—The commissioner's court may employ a road commissioner for each precinct who shall give bond and who shall have control over all convicts, hands, tools, and machinery, to be used upon the roads in his district, and shall cause the overseers to order out such number of hands as he may designate; sees that all

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IN SAVING MONEY.**

roads and bridges are kept in good repair; maintain a system of grading and drainage as adopted by the commissioners' court, and shall report to the commissioners' court at each regular term under oath giving the details of all money received and expended and work done.

**ROAD SUPERINTENDENT**—The commissioners' court may appoint a road superintendent for the county who shall take the oath and give bond and shall hold his office for two years, and shall receive such salary as may be fixed by the commissioners' court, but in a county of less than 15,000 inhabitants, the salary not to exceed \$1,000 per annum, and in counties of more than 15,000 not to exceed \$1,200 per annum. Such superintendent shall have the general supervision of all the road work of the county and the construction and repair of culverts and bridges subject to the control of the commissioners' court.

**SPECIAL ROAD LAWS**—Any county may have a road law, passed by the legislature, suitable to its needs, and there are so many special road laws that one must consult the statutes to determine what system any county has.

**ROAD TAXES**—Upon petition of not less than 200 qualified property tax paying voters of the county, the commissioners' court shall order an election not less than twenty nor more than ninety days from the date of making the order, to determine whether there shall be levied a road tax not to exceed 15 cents on the \$100 valuation of all property subject to taxation in said county. Only qualified voters who pay a property tax are allowed to vote at such an election.

**ROAD BONDS**—The commissioners' court of a county, upon petition of fifty, or a majority, of resident property tax paying voters, may order an election to be held to determine whether bonds not to exceed one-quarter of the assessed valuation of the real estate in such defined territory, shall be issued.

Notice in a newspaper for four successive weeks and posted at three public places in the county for three weeks prior to the election shall be given; provided, that no such election shall be held less than thirty days from the date of the order, and the amount of bonds to be issued and the rate of interest and date of maturity shall be given both in the order and notice of election.

A two-thirds majority of the votes cast at such election is necessary for the issuance of bonds. The bonds shall bear a rate of interest not to exceed 5½ per cent and shall run for not less than twenty nor more than forty years; said bonds to be examined and approved by the attorney general of the state and registered by the comptroller.

**OFFENSES RELATING TO**—If any person shall willfully injure or cause to be injured in any manner whatever, any public road or highway or any street or alley, or any public bridge or causeway, he shall upon conviction be fined not exceeding \$200.

If any person shall willfully throw or deposit in or on any public road, street or alley, any glass bottle, glass, nails, tacks, hoops, wire, cans or any other substance likely to injure any person, animal, automobile or other vehicle, he shall upon conviction be fined not less than \$5 nor more than \$200.

**STATE HIGHWAY COMMISSION**—A state Highway Commission, composed of three members appointed by the governor, who shall formulate plans and policies for the location, construction, and maintenance of roads and a comprehensive system of state highways. The Commission shall collect statistics relative to mileage, character and condition of roads, and shall establish standards for construction and maintenance of highways, bridges and ferries.

**BANK DRAFTS  
ARE BETTER AND CHEAPER THAN EXPRESS OR  
POST OFFICE MONEY ORDERS.**

Whenever the Commissioners' court of a county desires to construct roads according to the plans of the Highway Commission upon filing application the county shall be entitled to aid from the State Highway fund.

The money granted to the state for highways by the Federal government shall be expended under the direction of the Highway Commission.

## PUBLIC SCHOOL LAND

**APPROPRIATED LANDS**—The many millions of acres of public domain that were retained by the state when it became a member of the United States have been appropriated and hence no character of certificate can be satisfied by a location nor can one any longer take up a homestead by pre-emption. All public land both surveyed and unsurveyed belongs either to the state university, one of the asylums or to the public school fund.

**DUTY OF LAND COMMISSIONER**—The commissioner of the general land office has the general control of the sale and lease of the public lands of the state except such as belong to the university which are under the control of the board of regents of the university. He may classify or reclassify, value or revalue any such lands as the public interest may require and notify in writing, the county clerk of each county of such classification and valuation of the lands in his county, and in each county attached to it for judicial purposes; he shall also notify the clerk of each and every sale as soon as made and the county clerk shall forthwith make a record of all notices and lists sent to him, and opposite the description of land sold, the name of the purchaser and the date when sold. When leased land comes on the market by reason of expiration or cancellation, the commissioner shall give ninety days' notice of the time applications to purchase may be filed.

Lands shall be classified as agricultural, grazing or timber, and no land classed as agricultural shall be sold for less than one dollar and fifty cents per acre, and no land classed as grazing shall be sold for less than one dollar per acre.

All oil, gas, coal and other minerals in and under such lands is reserved to the state.

After September 1, 1919, all unsold school lands in this state shall be subject to sale. The unsold portions of surveys shall be sold in whole tracts only, and no condition of settlement and residence is required. Not more than eight sections shall be sold to one purchaser.

**APPLICATION TO LEASE**—Application to lease school lands must be made to the commissioner of the general land office, and no such lease shall be made if there is a demand for such lands by actual settlers who wish to purchase. No land shall be leased for less than five cents per acre per year, and no lease shall be for more than five years. The commissioner is authorized to lease lands to the highest bidder, and one year's rent must be paid in advance, and then the commissioner will deliver the lease to the clerk of the county in which the land is situated for recording.

**APPLICATION TO PURCHASE**—A person over 21 years of age, or a married woman, joined by her husband, may make application to purchase any of the surveyed lands of the state, by making a separate application for each tract. He is required to pay one-fortieth of the purchase price with the application and may have forty years' time in which to pay the balance, by paying the interest 5 per cent, annually.

**READ**  
**"LAWS AND FACTS CONCERNING BANKS AND BANKING"**  
**ON FOURTH PAGE OF READING MATTER.**

**UNSURVEYED LAND**—In order to purchase unsurveyed land one must apply to the district or county surveyor where the land is situated, describing the land by metes and bounds as nearly as practicable, and the surveyor surveys and places the value on the land, classifies it and returns all this information with the field notes to the commissioner of the land office. If the commissioner is satisfied and approves the work of the surveyor, the party having same surveyed may make application to purchase same.

## PUBLIC SCHOOLS

**THE BOARD OF EDUCATION**—The governor (ex-officio president), secretary of state, and comptroller shall constitute a state board of education, a majority of which shall constitute a quorum for the transaction of business. The state superintendent is ex-officio secretary of the board and he shall keep a complete record of all its proceedings. The state board shall on or before the first day of August each year make an apportionment of the available school fund among the several counties, cities and towns of this state, according to the scholastic population of each. The state board shall hear all appeals from the rulings of the state superintendent.

**STATE SUPERINTENDENT**—The state superintendent of public instruction shall be charged with the administration of the school law and shall give public rulings to the officers of public schools of the state. He shall hear and determine all appeals from the rulings and decisions of subordinate school officers, and all such officers and teachers shall conform to his decisions unless they are reversed by the state board of education. He shall prescribe suitable forms for reports of subordinate school officers and teachers, giving instructions in reference to the conduct of the public schools and the faithful and efficient execution of the school laws, shall examine and approve all accounts against the school fund, which are to be paid by the state treasurer upon the comptroller's warrant.

**PERMANENT SCHOOL FUND**—All funds, lands and other property set apart for the support of the public schools, all the alternate sections of land reserved by the state out of grants to railroads and other corporations and all the public lands still owned by the state and all sums of money paid to the state in the purchase of the public school lands, constitute a permanent school fund. The board of education is authorized to invest any money on hand in the bonds of the United States, the State of Texas, or of any county, any incorporated city, independent school district, common school district, road precinct, drainage, irrigation, navigation and levee districts of said state.

Such bonds shall be submitted to and approved by the attorney general of the state. They shall be presented to the board of education, together with all bids received for such bonds, and the board of education shall have an option of ten days in which to purchase the bonds at the highest bona fide price offered for same; such bonds to bear a rate of interest not less than 3 per cent per annum and provided that the indebtedness of the county or district (including the bonds offered for sale) shall not exceed 7 per cent of the assessed value of the real estate of such county or district.

**AVAILABLE SCHOOL FUND**—One-fourth of all occupation taxes, \$1 poll tax, the interest on all bonds and notes belonging to the permanent school fund and all moneys arising from the lease of school lands and an annual advalorem state school tax not to exceed 20 cents on the \$100 valuation of all property in this state, constitute

WE REGARD ALL BUSINESS TRANSACTIONS  
AS  
STRICTLY CONFIDENTIAL.

the available school fund. State and county available school funds shall be used exclusively for the payment of teachers and superintendents' salaries and fees for taking the scholastic census.

Any local school fund derived from district taxes, tuition fees and other local charges, may be used for purchasing appliances and supplies, for the payment of insurance premiums, hire of janitors and other employees, for buying school sites or school houses or for building and repairing school houses and for other purposes necessary in the conduct of the public schools to be determined by the board of trustees, the accounts and vouchers for county districts and communities to be approved by the county superintendent. If the state available school fund in any city or county is sufficient to maintain the schools for eight months in the year, any surplus may be expended for the purposes above mentioned.

**COUNTY SUPERINTENDENT**—Every county having a scholastic population of 3,000 according to the preceding scholastic census, shall have a county superintendent of public instruction to be elected at the general election, hold office for two years, and who shall take the oath of office and give bond in the sum of \$1,000.

If the county has less than 3,000 scholastic population, the commissioners' court, upon petition of more than 25 per cent of the qualified voters of the county according to the vote cast for governor at the preceding election, shall order an election to determine whether the office of county superintendent shall be created in said county. A majority vote decides the question.

The superintendent must be the holder of a teacher's first grade or teacher's permanent certificate. He shall confer with the trustees of the county and advise them when necessary, visit schools while in session and spend as much as four days in each week in such work if it is possible for him to do so.

He shall organize and hold within the first four months of the scholastic year, one institute of five consecutive days for white and for colored teachers respectively, and require the attendance of teachers thereon. The superintendent may cancel the certificate of any teacher who willfully and persistently absents himself from attendance upon county institutes. He shall approve all vouchers legally drawn against the school funds of his county, examine and approve if proper all contracts between trustees and teachers, distribute all school blanks and books to the officers and teachers of the public schools, make all reports required by law to the state superintendent and appoint a county board of examiners, consisting of two white teachers holding first-grade certificates.

When a county has no school superintendent, the county judge shall be ex-officio county superintendent of public instruction and shall perform the duties specified above, and shall receive for his services as such a salary not to exceed \$600 per annum.

**TEACHERS' CERTIFICATES**—An applicant for a teacher's certificate must present to the county superintendent a statement of three good and well-known citizens as to his moral character, or furnish such proof otherwise as may be required. Thereupon the superintendent shall give the applicant a written recommendation to the county board of examiners, after the receipt of \$2 as an examination fee. No person shall receive a certificate of any class unless he is of good moral character and understands English sufficiently well to teach all branches prescribed for the class of certificate applied for.

Certificates shall be of two kinds, (1) temporary certificate; (2) permanent certificate.

#### **WE LOAN MONEY**

**On the Most Favorable Terms**

**Consistent with Sound Banking.**

Temporary certificates shall be (1) a second grade certificate, and (2) a first grade certificate.

Permanent certificates shall be (1) a state permanent, and (2) a state permanent primary certificate.

First and second grade certificates, unless legally canceled, are good for four years from the 31st day of August of the calendar year in which the examination is held. The applicant must make an average grade of not less than 75 per cent and on each subject a grade of not less than 50 per cent. If the applicant makes an average grade of not less than 85 per cent and on each subject a grade of not less than 50 per cent, the certificate shall be good until the sixth anniversary of the 31st day of August of the calendar year in which the examination was held.

The order of certificates is second grade, first grade, state permanent primary, and state permanent, the latter being the highest. A person holding a lower may build to a higher certificate by standing an examination on the additional studies and make an average of not less than 85 per cent and on each subject not less than 50 per cent.

The holder of second grade or state permanent primary certificates can teach only in elementary grades below the high school.

The holder of a state permanent or a first grade certificate may teach in any of the public free schools of Texas.

**COUNTY BOARD OF EXAMINERS**—The county board of examiners shall consist of two members, resident teachers of the county holding first grade certificates or certificates of a higher rank, to serve during the pleasure of the county superintendent or county judge as the case may be of the county for which they are appointed. Such board shall meet at the call of the county superintendent, and shall grade the papers of all applicants for second grade county certificates, the papers of applicants for other certificates are sent to the state superintendent to be graded by the state board of examiners, and report under oath to the superintendent the grade of each applicant. The board shall meet if necessary to hold examinations on the first Friday and Saturday in June, July, August, September and December, of each year and conduct the examinations in the English language and in writing and use the questions prescribed by the state superintendent of public instruction and in accordance with the rulings and regulations prescribed by such officers and the board shall not recommend that any applicant receive a certificate unless they are satisfied he is competent to teach the branches prescribed. Examinations for white and colored teachers shall be conducted in separate rooms.

**THE STATE BOARD OF EXAMINERS**—The state board of examiners shall consist of not less than three competent teachers, residents of this state, appointed by the state superintendent, to hold office during his pleasure, to whom shall be referred the examination papers and the report of the county board of examiners thereon, to-

**WE GIVE PROMPT ATTENTION  
TO  
COLLECTIONS.**

gether with a fee of \$1 in order that the state board may examine such papers and if they believe that the papers are fairly and accurately graded, they shall recommend to the state superintendent that the certificate be made valid in all the counties of the state, and the applicant shall be notified and receive a state certificate.

**CITY OR TOWN SCHOOLS**—A city or town of 500 or more scholastic population, which has become an independent school district and levies a local tax for school purposes or maintains free school for nine months in each year and which employes a superintendent of city schools, may have a city board of examiners; to wit, the city superintendent and two persons appointed by him. The city board of examiners may issue certificates valid only in the city where issued and of two kinds, temporary, good for not exceeding four years (second grade, first grade and high school) and permanent certificates (primary, first grade and high school). The permanent city certificate is good during good behavior and is not to be issued except to a teacher of three or more years' experience.

**CERTIFICATES BASED ON DIPLOMAS**—A teacher holding a diploma from any of the following is entitled to a state permanent certificate, namely: From a Texas state normal college; a teacher's diploma of the University of Texas; any person holding a diploma of the degree of bachelor of arts or any equivalent thereof, or higher academic degree from a college or university of the first class and who has completed four full courses in education and pedagogy, or who has taught three years in the state; the holder of a diploma from a state normal college or a life certificate in another state, who becomes a citizen of Texas, provided same is recommended by the state board of examiners to the effect that the requirements are equal in all respects to those of this state.

A person is entitled to a state first grade certificate who holds a first grade certificate from a state normal school, or who has completed four full courses in the college of arts and one full course in the department of education in the University of Texas, or in any other college or university ranked as first class, or who has completed a regular course leading to graduation in the College of Industrial Arts at Denton, and has completed two full courses in education.

No certificate shall be granted to a person under 16 years of age.

**FREE ATTENDANCE**—All children without regard to color, over seven years of age and under seventeen years of age at the beginning of the scholastic year, shall be entitled to the benefits of the public school fund for that year.

There shall be separate schools provided for the white children and for the colored children.

No part of the public school fund shall ever be appropriated for use of any sectarian school.

**COUNTY SCHOOL TRUSTEES**—For each county there shall be five trustees elected for a period of two years, one from each of the

**WE EXTEND THE ACCOMMODATIONS  
OF  
A SOLID, WELL EQUIPPED BANK.**

county commissioners districts and one from the county at large. Two shall be elected on the even years, and the other three on the odd numbered years.

It shall be the duty of the county school trustees to classify the schools of the county, to divide and rearrange school districts, and to apportion to school fund for the county.

**COMPULSORY EDUCATION**—Every child who is eight years of age and not more than fourteen is required by law to attend a public school in his district for a minimum of 100 days per year. Those exempted are such as attend private schools, are mentally or bodily infirm, and those who live more than two and one-half miles from a school.

**FREE TEXT BOOKS**—The State Board of Education is authorized to purchase text books for the use of the free public schools of the state and distribute the books without cost to the pupils attending, said books remaining state property.

**SCHOLASTIC YEAR**—The scholastic year shall commence on the 1st of September of each year and end on the 31st day of August thereafter. Public schools shall be taught for five days in each week, and for not less than seven hours each day, including recesses. Schools shall not be closed on legal holidays unless so ordered by the trustees. A school month shall consist of not less than twenty school days, inclusive of holidays (see holidays).

**COMMON SCHOOL DISTRICTS**—The commissioners' court shall subdivide their respective counties into convenient school districts or reduce the area of any common school district, but to be not less than nine square miles in area, and provided that where there are outstanding bonds of any school district its territory shall not be reduced until said bonds are paid.

There shall be three school trustees who shall serve for a period of two years, and so chosen by lot that part of the board shall be elected on the first Saturday in April of each year.

Upon a majority vote of the property qualified tax paying voters of the district a maintenance tax may be levied by the commissioners' court not to exceed 50 cents on the \$100 for any year. Whatever rate of tax was voted within the limitation above mentioned may be abrogated, reduced or increased at the end of two years upon a vote for that purpose.

School house bonds may upon a majority vote in favor thereof be issued for the purpose of building school houses; such bonds to bear not more than 5 per cent interest per annum nor run for more than forty years on brick buildings and not more than twenty years on frame buildings. Such tax not to exceed 25 cents on the \$100, to pay interest on the bonds and create a sinking fund and together with a maintenance tax not to exceed 50 cents on the \$100.

**MONEY  
DEPOSITED WITH US  
IS BEYOND THE REACH OF HOUSEBREAKERS.**

**INDEPENDENT DISTRICTS**—A town or village may form an incorporation for free school purposes only and the territory shall not exceed twentyfive square miles laid out as nearly in a square as possible.

Such district shall have seven trustees to manage its school affairs.

A tax not to exceed 50 cents on the \$100 may be levied for the purpose of maintenance of the schools therein and may issue bonds to an amount which does not require a tax to exceed 25 cents on the \$100, but both together not to exceed 50 cents on the \$100.

**INDEPENDENT DISTRICTS OF CITIES AND TOWNS**—Any city or town in this state which has heretofore exercised exclusive control or may hereafter determine by vote to exercise exclusive control of its public schools may continue to do so, independent of the action of the mayor and council thereof. The latter body, however, shall submit the question of the issuance of bonds or the levying of a local tax for the support of the schools, and if same carries by a two-thirds majority of those voting, the tax not to exceed one-half of 1 per cent, may be assessed and levied by the said council, and when collected turned over to the school treasurer, to be at the disposal of the board of trustees.

**RURAL HIGH SCHOOLS**—Five county school trustees shall be chosen, two of whom shall hold for one year and three for two years, and thus alternate and be elected regularly on the first Saturday in April of each year at the time of the election of other school trustees. They shall classify the schools of the common school districts into primary, intermediate and high schools, consulting in this work the county superintendent and the county school trustees of the various districts. Such studies shall be taught in the said schools as are now taught, and in addition thereto the subjects of agriculture, domestic economy and manual training may be added. The high schools shall be of the first, second and third class.

First class, one which maintains four grades or four years of work above the seventh grade, may include in its curriculum the first seven years work, and shall employ at least two teachers for high school subjects who hold at least first grade certificates. A high school of the second class is one which maintains at least three years of work above the seventh grade, may include the first seven years work, and must have two teachers of at least first grade certificate rating. A high school of the third class maintains two years work above the seventh grade, may include the first seven years work, and has one teacher of high school work holding a first grade certificate. A year of work shall consist of at least thirty-two weeks of five days each.

Powers heretofore vested in the commissioners' court shall be exercised by the county trustees provided for herein. The said county school trustees shall consult with the common district trus-

**WE ACCORD CAREFUL CONSIDERATION  
TO  
SMALL OR LARGE DEPOSITORS.**

tees, and with the consent of the majority of same consolidated common school districts for the purpose of having a rural high school. Such county school trustees shall constitute a body corporate, to sue and be sued, to receive bequests for educational purposes, and to hold the title to all county school property which has heretofore vested in the county judge. The county superintendent shall act as secretary and executive officer, keeping a true and correct record of all proceedings of their meetings. All appeals from the decisions of the county superintendents shall lie to the county school trustees, and from them to the state superintendent of public instruction, and from him to the state board of education. The county school trustees shall hold meetings on the first Monday in August, November, February and May, or as soon as practicable thereafter, and at such other times when called by the president of the board of trustees.

#### **TEXAS INDUSTRIAL INSTITUTE AND COLLEGE OF ARTS—**

An industrial institute for the education of white girls in the arts and sciences is located at Denton, Texas, is governed by a board of regents of seven, appointed by the governor and confirmed by the senate, and who have the general management and regulation of the school and appoint the president and professors.

**NORMAL SCHOOLS—**The normal schools are under the direction and control of a normal school board of regents composed of the State Superintendent of Public Instruction as president, the chief clerk of the department of education as secretary, and four other members appointed by the governor. There are now eight normals provided for by law; the Sam Houston Normal at Huntsville, North Texas State Normal College at Denton, Southwest Texas State Normal School at San Marcos, West Texas State Normal School at Canyon City, the South Texas State Normal College, the Stephen F. Austin Normal College, the East Texas Normal College at Commerce, and the Sul Ross Normal at Alpine.

No student shall be received into the normal school as a state student who is not a resident of this state, or who is less than 16 years of age, or not of good moral character, and such students shall not be required to pay any tuition. The board may authorize other students to attend said normal schools who shall be required to pay tuition in whole or in part as prescribed by the board. The board appoints the superintendent and secures the teachers of each normal school, and also appoints a local board of three directors for each of the said institutions who shall have the supervision of the buildings and grounds and look after the local needs of the institution. All students under the present management receive tuition free at the state normals.

The Prairie View Normal for colored pupils is located at Prairie View, in Waller County, and it is under the control and supervision of the board of directors of the Agricultural and Mechanical College.

**A. & M. COLLEGE—**The Agricultural and Mechanical college of

**WE INVITE NEW ACCOUNTS  
UPON OUR MERITS FOR  
STRENGTH AND SAFETY.**

Texas is located at College Station, in Brazos County, and is under the control of a board of directors consisting of eight members appointed by the governor from different sections of the state. The board appoints a president and the professors of the college and such other officers as are necessary and make such by-laws, rules and regulations for the government of said college as they may deem proper. Besides a general literary education, consisting of scientific and classical studies, military tactics and branches of learning relating to agricultural and mechanical arts are also taught. A textile department has been established in connection with said school for the purpose of training students in the theory and practice of cotton manufacturing in all its branches from the raw cotton to the finished product.

There is a junior agricultural college at Stephenville, known as the John Tarlton Agricultural College, and the Grubbs Vocational College at Arlington, Tarrant County, Texas, both under the control and management of the directors of the Agricultural and Mechanical College.

**UNIVERSITY OF TEXAS**—At Austin, Texas, is located the main University of Texas, and at Galveston, Texas, is the medical department of said university. A board of regents, consisting of eight members, appointed by the governor and confirmed by the senate, has the control and management of the affairs of the university, the appointment of a president and professors, and has charge of the funds belonging to the institution. Tuition is free, and there is only a nominal charge per annum for matriculating. All the branches of higher education are taught at the university. There is also a law department where a three years' course is required for graduation.

## **RAILROADS**

**RAILROAD COMMISSION**—The railroad commission of this state is composed of three persons, who are elected by the people at a general election for a term of six years. No person under the age of 25 years nor who is directly or indirectly interested in any railroad of this state or in the earnings of any such road shall be a railroad commissioner. The railroad commission may hold sessions at any place in the state when deemed necessary. It is its duty to adopt all necessary rates, charges and regulations to govern and regulate railroad freight and passenger tariffs, correct abuses and prevent unjust discriminations in rates; adopt and enforce such regulations and rules and notices of procedure as may be deemed proper in hearing complaints. The commission in fixing rates or hearing complaints shall have power to administer oaths, certify to all official acts, and to compel the attendance of witness and the production of papers, way-bills, books, accounts, documents, and to punish for contempt as fully as is provided by law for the district or county court. The railroad commission or either of them or such person or persons as they may employ therefor shall have the right at such times as they may deem

**A BANK ACCOUNT IS A VALUABLE RECORD  
OF  
INCOME AND EXPENDITURES.**

necessary to inspect the books and papers of any railroad company, and to examine under oath any officer, agent or employe of such railroad in relation to its business and affairs; and upon failure to permit such examination such railroad company shall be liable to the State of Texas in the sum not less than \$25 nor more than \$500 for each day it shall so fail or refuse such examination. The railroad commission shall have power to fix and establish reasonable charges for the transportation of property by express companies between points wholly in this state, and shall have the same power and in the same manner to enforce its rules and regulations in reference to such express companies.

**SEPARATE COACH**—Every railway passenger train shall have separate coaches or compartments for the accommodation of white and negro passengers; provided nurses may travel in the same coaches with their employers and provided further that such regulations shall not apply to freight trains which may carry passengers in cabooses, nor to street railway cars, nor to sleeping or chair cars; nor to an excursion train run for the benefit of either race. A copy of the separate coach law shall be posted in a conspicuous place in each passenger depot and passenger coach.

## **REGISTRATION**

**KEEPER OF RECORDS**—The county clerk is the recorder of his county and shall keep in his office well bound books, in which he shall record all instruments of writing authorized or required to be recorded, and in the order in which they are deposited for record.

He shall keep an index and a cross-index in alphabetical order of all books of record. It shall be his duty to give certified copies when ordered so to do of all papers recorded in his office under the seal of the county court.

**ACKNOWLEDGMENT NECESSARY**—An instrument in writing in any way affecting land must be witnessed by two or more parties, or same must be acknowledged in order to be entitled to be recorded by the county clerk.

An acknowledgment may be taken before the following officers within this state, before either (1) a district clerk; (2) a county clerk or county judge; (3) a notary public; and outside of this state but within the United States or territories, before either (1) a clerk of some court of record having a seal; (2) a commissioner of deeds duly appointed under the laws of this state; (3) a notary public.

**ACKNOWLEDGMENT OF MARRIED WOMAN**—An acknowledgment of a married woman must be taken separate and apart from her husband, and after the instrument of writing has been shown and fully explained to her, she must acknowledge that the same is her act and deed, that she willingly signed the same, and that she wishes not to retract it.

**WE RECEIVE  
DEPOSITS  
SUBJECT TO CHECK.**

A married woman may present a schedule of her separate property, properly acknowledged, and present same for record to the county clerk of the county where the land is situated, and it shall be conclusive of her right as against all subsequent creditors or a purchaser from her husband.

**PATENTS RECORDED**—A patent from the State of Texas or any grant from the government, executed in pursuance of the laws, may be recorded without further proof or acknowledgment, and together with all other instruments acknowledged or proved according to law affecting an interest in land should be recorded in the county where the land is situated.

If the title is not so recorded it shall be void as to creditors and subsequent purchasers for a valuable consideration without notice. If the owner is in possession by himself or by tenant this is notice.

**BONDS, ABSTRACTS, ETC.**—The county clerk shall also record all official bonds required by law to be recorded in his office.

He shall also record all evidences of titles which are recorded in the general land office when attested with the seal of the general land office; also all judgments and abstracts of judgments presented to him for record if attested under the hand and seal of the clerk of the court where the judgment was rendered.

## STOCK LAWS

**GLANDERS OR FARCY**—Upon affidavit of a credible citizen of his county stating that he has reason to believe that "glanders" or "farcy" exists among any horses, mules, jacks, jennets, naming the owner, if known, the county judge shall immediately appoint three intelligent citizens to make an investigation and report under oath the facts. If they report the existence of glanders the judge shall order the sheriff or constable to take such animals to some secluded place and kill them and bury or burn their carcasses, and the county judge shall order the county clerk to issue a warrant on the county, payable out of the general fund, for the reasonable value of the animal, if it is of any value, as appraised by said citizens.

**PENALTIES**—Any person who knowingly fails or refuses to keep confined and separate from all other stock any horse or mule affected with glanders or farcy belonging to him or subject to his control shall be fined not less than \$25 nor more than \$200 or imprisonment in the county jail not less than ten nor more than ninety days.

It is also an offense to trade or sell any such diseased animal, or to use any such.

Any owner who may allow any such diseased animal to run at large in the open range, or who may drive, ride or lead any such animal along public highways shall be fined any sum not less than \$10 nor more than \$200.

**BUTCHERS**—Any person who engages in the slaughter and sale

**PUT YOUR MONEY  
IN A BANK  
AND PAY YOUR OBLIGATIONS BY CHECK.**

of animals for market must first register his name with the county clerk and file bond in the sum of not less than \$500 nor more than \$5,000, to be approved by the county judge, and shall make a report under oath to each regular meeting of the county commissioners' court, giving the number, color, age, marks and brands of every animal slaughtered and accompanied by a bill of sale or written transfer to the butcher for every such animal, unless the animal slaughtered was raised by himself, in which case it shall be so stated. If a person shall purchase animals, such as horses, mules, jacks, jennets, etc., for the purpose of driving to market out of the county, or out of the state, he shall deposit with the county clerk for record a bill of sale and descriptions as mentioned above.

**ESTRAYS**—When any stray horse, mule, colt, filley, mare, jack or jennet or work ox shall be found on the plantation or land of any citizen or his lessee who has a lease for one year or more, such citizen or lessee may advertise the same (giving description thereof), at three public places in the county, one to be at the court house door, for at least twenty days, after which time if no owner apply the taker up of such animal shall appear before the justice of the peace, and under oath state the facts showing that the animal is an estray and that notice was given, whereupon the justice shall appoint two persons, who shall value the animal and minutely describe same. This report shall be attested by the justice of the peace, who shall thereupon require the taker up to give bond in double the value of the animal.

If the owner appears within twelve months and makes proof that he is the owner of the animal and pays the expenses incurred the taker up shall deliver him the animal. If the mark and brand of the owner was recorded in the county clerk's office and the animal taken up was in such mark and brand, then the taker up is not entitled to the payment of expenses which he incurred in estraying the animal. The animal shall not be used until the person has given bond as provided above. After twelve months the animal shall be sold to the highest bidder at the court house door and within ten days after such sale the taker up shall, after deducting his expenses, pay three-fourths into the county treasury and retain the other one-fourth.

Sheep, goats, hogs or cattle other than work oxen shall be estrayed in the same manner as given above, except as to advertising in the newspaper. At the end of six months one must sell the same at the place where they were taken up, provided there be not less than three adult bidders at such sale besides the family of the taker up. The animals just mentioned must have been running at large and known to the taker up as being estrays for at least four months previous to the date of estraying same.

**ELECTION AS TO HOGS, SHEEP AND GOATS**—Upon a petition of fifty freeholders of any county or of twenty freeholders of any subdivision (describing the boundaries of such subdivision), the com-

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WHICH CANNOT BE DISPUTED.

missioners' court at its next regular term shall order an election to be held in such county or subdivision on the date named in the order, not less than thirty days therefrom, for the purpose of enabling freeholders to determine whether hogs, sheep, or goats shall be permitted to run at large in such county or subdivision.

If there is territory between two subdivisions under stock law and there are less than fifty freeholders therein, an election shall be ordered upon a petition of the majority of the freeholders.

The county judge shall issue an order for the election and cause to be published in the newspaper a notice at least thirty days; if there be no newspaper then by posting copies at the court house door and at a public place in each justice precinct, if an election is for the entire county, or at three public places in the subdivision if the election be for a subdivision.

The constitution provides that only a freeholder who is also a qualified voter shall be entitled to vote at such election. A freeholder is one who owns land or an interest therein. If the majority of the votes cast at such election be for the stock law the county judge shall on or before the 10th day thereafter issue a proclamation declaring the result and post the same at the court house door, and after the expiration of thirty days thereafter it shall be unlawful to permit to run at large within the limits designated any animal of the class mentioned in said proclamation, and the owner or person who permits such animals to run at large shall be subject to a fine of not less than \$5 nor more than \$50.

Such animals may be impounded if they enter upon the enclosed lands or be found roaming about the residence or cultivated lands of another, and such owner shall be liable for the fees for impounding such stock as follows: Ten cents per day for hogs, or for goats, and 5 cents per day per head for sheep, besides any damage which may be done by such stock, such damage to be assessed by three disinterested freeholders appointed by the justice of the peace. The above manner of assessing damages does not deprive the taker up of the stock of the right to enforce by suit in the proper court any claim he may have for such fees and damages. No person within the county or subdivision where the stock law is carried shall be required to fence against stock not permitted to run at large, and a fence sufficient to keep out the class of ordinary stock permitted to run at large shall be deemed a lawful fence.

The freeholders where the stock law prevails may hold an election, and by a majority vote determine whether or not three barbed wires without a board or plank shall constitute a lawful fence in such county or subdivision. The County of Aransas is exempt from the above provisions.

**ELECTIONS AS TO HORSES, CATTLE, ETC.**—Upon a written petition of 100 freeholders of any of the counties named below or upon petition of fifty freeholders of a subdivision of such county the

**THE BEST  
BUSINESS MEN DEPOSIT THEIR MONEY  
IN A BANK.**

commissioners' court at its next regular term thereafter shall order an election to be held in the county or subdivision, as the case may be, to determine whether horses, mules, jacks, jennets and cattle shall be permitted to run at large in such subdivision or county; provided that if there is a petition for an election to include the entire county there shall be not less than twelve freeholders from each justice's precinct of said county as signers of the petition for such election. The election shall be held, returns made and the proclamation issued in the manner given above in reference to the election to prevent hogs, sheep and goats from running at large.

The following counties may hold such elections in reference to horses, cattle, etc.:

Anderson, Archer, Armstrong, Atascosa, Austin, Bastrop, Baylor, Bandera, Bee, Bell, Bexar, Blanco, Borden, Bosque, Brazos, Brewster, Brown, Burnett, Burleson, Chambers, Caldwell, Calhoun, Calahan, Cameron, Camp, Cass, Castro, Clay, Cherokee, Childress, Collingsworth, Coleman, Collin, Colorado, Cooke, Comanche, Concho, Crockett, Coryell, Cottle, Crosby, Cochran, Crane, Dallas, Dallam, Dawson, Deaf Smith, Delta, Denton, DeWitt, Dickens, Dimmit, Donley, Eastland, Ector, Edwards, Ellis, Erath, El Paso, Falls, Fannin, Fayette, Floyd, Ford, Franklin, Fisher, Freestone, Gaines, Gregg, Guadalupe, Garza, Glasscock, Gillespie, Gonzales, Grimes, Grayson, Gray, Hale, Hamilton, Hansford, Harrison, Hays, Haskell, Hall, Hardeman, Hartley, Henderson, Hidalgo, Hill, Hood, Hopkins, Howard, Houston, Hockley, Hunt, Jackson, Jack, Jones, Jefferson, Johnson, Kaufman, Kimble, Knox, Kerr, Keendall, Kleberg, Lamar, Lampasas, Lavaca, Lamb, Lee, Limestone, Liberty, Lynn, Lipscomb, Llano, Lubbock, Madison, Mason, McLennan, Matagorda, McCullough, Menard, Moore, Martin, Maverick, Medina, Midland, Milam, Mills, Mitchell, Montague, Morris, Navarro, Nacogdoches, Nolan, Nueces, Ochiltree, Palo Pinto, Parker, Pecos, Presidio, Rains, Randall, Red River, Reeves, Reael, Robertson, Rockwall, Rusk, Runnels, San Patricio, San Saba, Scurry, Sherman, Smith, Somerville, Sterling, Starr, Sutton, Swisher, Tarrant, Tom Green, Taylor, Terrell, Throckmorton, Titus, Travis, Upshur, Victoria, Val Verde, Van Zandt, Washington, Williamson, Wilson, Wise, Ward, Wharton, Wood, Wheeler, Winkler, Wichita, Wilbarger and Young.

Where the stock law has been put into operation another election can be held not less than two years thereafter to repeal such law, upon the written petition of 200 freeholders of the county of which number there must be twenty-four freeholders from each justice precinct, and if the law is in operation only in a subdivision, then upon the petition of fifty freeholders. It requires two-thirds vote to repeal the law.

**INSPECTOR**—In some counties of the state an inspector of hides and animals is elected by the voters for a term of two years, who takes the oath of office and gives a bond in a sum not less than \$1,000 nor more than \$10,000. Such inspector has a seal with which

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**AND CAN PLEASE YOU.**

to certify his official acts. It is his duty either in person or by deputy to inspect all hides and animals known by him or reported to him as sold, either for sale or shipment or for slaughter. The law does not require an inspector of sheep, goats or swine. There are so many counties exempt from the operation of the law in reference to stock inspectors, and butcher's bonds, that one must consult the statutes in reference thereto.

**LIVE STOCK SANITARY COMMISSION**—A live stock sanitary commission, consisting of three members, is appointed by the governor and confirmed by the senate, for a term of two years from the day of their qualification and until their successors have been appointed and qualified. Such persons shall be practical live stock raisers and actually engaged in such business for at least five years next preceding the date of their appointment. One shall be appointed from the west, one from the south, and one from the eastern part of the state. It shall be the duty of this commission to protect the domestic animals of this state from all contagious or infectious diseases of a malignant character, and upon information to make an examination of animals reported to be affected with any such disease, and if it is found to exist, the commission may direct and enforce such quarantine lines and sanitary regulations as are necessary to prevent the spread of any such disease. It shall have the power and authority to employ a competent veterinary surgeon and to purchase such supplies and materials as may be necessary to carry into effect all quarantine regulations. The commission shall establish a quarantine line against Texas fever (or Splenetic fever) to conform to the federal quarantine line.

**SHEEP SCAB**—It shall be unlawful to import into this state or to move from one county to another, or to move from their accustomed range, onto lands owned or leased by another without his permission, any flock of sheep in which one or more of such animals are infected with scab. Any person who desires to remove a flock of sheep from one county into another must notify the county judge of the county into which he desires to move, and such judge shall appoint two competent persons to examine such flock of sheep to determine whether such sheep are infected with scab; and if such flock is found to be free from any infectious disease they may be moved. A person is not prevented from moving his sheep from his ranch to a railway shipping point or any point designated by the buyer of such sheep.

**QUARANTINE AND DIPPING**—Certain quarantine zones were established by the legislature during the 1917 and 1919 sessions, and no cattle, sheep or other live stock infected with any malignant, contagious or infectious disease shall be driven or moved from said quarantine zones except in accordance with the regulations of the live stock sanitary commission.

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IS A GREAT AID  
IN SAVING MONEY.**

The regulations require dipping of cattle and live stock to eradicate the Texas fever carrying tick which causes splenetic or tick fever, before the cattle can be transported, driven or shipped out of the particular part of the county in which they are located. By direction of inspectors of the commission, to eradicate ticks, any infected cattle or live stock may be subjected to such treatment and dipping as may be required.

The dip authorized is the lime and sulphur dip, made in the proportion of eight pounds of unslacked lime or eleven pounds of commercial hydrated lime (not air slacked lime) and twenty-four pounds of flowers of sulphur to one hundred gallons of water. The dipping bath must at all times be maintained at a strength of not less than one and one-half per cent of sulphid sulphur. The dip to be used in the treatment of cattle for ticks shall be the arsenical dip approved by the United States Bureau of Animal Industry.

**PENALTIES**—Any person who fails to dip cattle and live stock as required by the law shall be fined not less than \$10 and not more than \$200.

Any person who imports into this state any sheep infected with scab shall be fined not less than \$500 and not more than \$2,000.

Any person within this state who drives sheep infected with scab along a public road, or upon the lands of another shall be fined not less than \$100 and not more than \$200.

**ROPING CONTEST**—It is a violation of the law for any person to engage in a roping contest either alone or with other persons, in which cattle or other animals are roped for the purpose of testing the skill or speed of such person, for money, or prize of any character, or for any championship or upon the result of which any money or anything of value is bet or wagered. Upon conviction such person shall be fined not less than \$100 nor more than \$500, and each animal roped or attempted to be roped shall constitute a separate offense.

## TAXATION

**RATE—HOW FIXED**—The legislature, within the restrictions fixed by the constitution, prescribes what occupations shall be taxed and how much. Counties may levy one-half the amount levied by the state; incorporated cities and towns may also levy an amount not to exceed one-half of what the state levies.

The state tax board consists of the governor, comptroller and treasurer, and fixes the amount of the state advalorem tax and also the state school, based upon the total assessed valuation of the state as shown by the reports of the tax assessors of all the counties, furnished by the state comptroller, compared with the appropriations made for all purposes by the legislature.

The county tax rate is fixed by the commissioners' court of the

**BANK DRAFTS  
ARE BETTER AND CHEAPER THAN EXPRESS OR  
POST OFFICE MONEY ORDERS.**

several counties, all members of the court being present, whether at a regular term of a special session called for that purpose. All property, real, personal or mixed, except as stated below, is subject to taxation.

**CERTAIN DEFINITIONS**—Real property includes land, and all the buildings, structures and improvements or other fixtures thereon, and all the rights and privileges belonging or in any way appertaining thereto, and all mines, minerals, quarries and substances in and under the same.

Personal property includes all goods, chattels and effects, and all moneys, credits, bonds and other evidences of debt owned by citizens of the state, whether in or out of the state; all ships, boats and vessels and all capital invested therein belonging to the inhabitants of this state, if registered in this state; all moneys at interest whether within or without this state, due the person to be taxed over and above what he pays interest for, and all other debts due such persons over and above their indebtedness, shall be taxed; all public stock and security; all stock in turnpikes, railroads, canals and other corporations out of the state, owned by residents of this state; all personal estate of moneyed corporations, and the income of any annuity unless the capital of such annuity be taxed within this state; all shares in any bank, organized under the law of the United States. The term "moneys" or "money" includes every deposit which any person owning or holding in trust, and residing in this state is entitled to withdraw in money on demand; the term "credits" include each claim and demand for money or other valuable thing, and every annuity or sum of money receivable at stated periods, due or to become due, and all claims and demands secured by deed or mortgage due or to become due. The term "true and full value" means the fair market value in cash, at the place where the property is at the time of assessment, being the price which can be obtained therefor at private sale and not at forced or auction sale.

**PROPERTY EXEMPT FROM**—The following property is exempt from taxation, (1) public school houses and houses used exclusively for public worship, Y. M. C. A. and Y. W. C. A. building, all public colleges, public academies, and all buildings connected with the same, and the lands immediately connected therewith, the books and furniture therein; all the endowment funds which are not used with a view to profit; (2) all buildings used exclusively and owned by persons or associations of persons for school purposes, all lands used exclusively for graveyards and not held for profit; (3) all property belonging to the United States, this state or any political subdivision thereof; (4) all buildings belonging to a county, precinct or town, used exclusively for the support or accommodation of the poor; (6) all buildings and lands belonging to institutions of purely public charity and used for that purpose and all moneys and credits appropriated solely to sustain such institutions; (7) all fire engines and other

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**"LAWS AND FACTS CONCERNING BANKS AND BANKING"**  
**ON FOURTH PAGE OF READING MATTER.**

implements of towns and cities, used for the extinguishment of fires with such buildings as are used exclusively for the safekeeping thereof; (8) market house, public squares or other public grounds used exclusively for public purposes and other works and machinery or fixtures belonging to any town and used for conveying water to such town; (9) all public libraries and personal property belonging to the same; (10) household and kitchen furniture not exceeding their true and full value, \$250 to each family, which may include one sewing machine; (11) all annual pensions granted by this state or United States; (12) all buffalo and catalo when kept for experimental purposes or for exhibition and not for profit.

**RENDITION FOR TAXATION**—All property shall be listed or rendered for taxation between the first day of January and the thirtieth day of April of each year, by the owner or the person having same in possession or the agent or the guardian or if it belong to a corporation, by an officer thereof, and should be rendered in a county where situated, unless it is specially provided otherwise. The person rendering property for taxation must render such property if he owned or held it on January 1st; property removed out of the state immediately before the beginning of the year and returned soon thereafter, for the purpose of avoiding taxation is nevertheless subject to taxation as other property in the state. In rendering one's "credits," that is, sums due a person, he is required to give such amount as he believes can be collected. Circulating notes of national banks, gold, silver and other coin are subject to taxation.

**ASSESSMENT AND COLLECTION**—An assessor of taxes is elected every two years, who makes out the assessment rolls for the advalorem taxes of the state, county and various districts; he must give bond and take the oath of office; appoints his deputies and may require bond of them; assess all property in his county between the 1st day of January and the 30th of April each year, and must require an oath of all parties rendering taxes.

If the owner of property is absent or sick or refuses to subscribe his oath of assessment, the assessor shall ascertain the amount and value of the property which shall be valid and binding. If he discovers any property not listed he shall assess same to an "unkown owner," such real property to be assessed for the years not assessed and personal property for the preceding two years.

The commissioners' court of a county constitutes what is known as a board of equalization and it has the power to review assessments made by the county assessor. If it desires to increase the value on any property on the rolls, notice must be given to the owner. Its work is final unless fraudulent. After all corrections have been made and the rolls approved, the assessor shall make triplicate rolls, one to be sent to the comptroller, one to the tax collector and one to be filed with the county clerk.

**WE REGARD ALL BUSINESS TRANSACTIONS  
AS  
STRICTLY CONFIDENTIAL.**

In counties of less than 10,000 inhabitants, the sheriff acts as tax collector; otherwise a tax collector is elected for a term of two years, takes his oath of office and enters into bond for both the state and county taxes in an amount equal to 40 per cent of the tax as shown by the past year's assessment, said bond not to exceed \$100,000, giving a separate bond for each.

The assessment rolls are sufficient authority for the collection of taxes, said taxes to be collected between the 1st day of October and the 1st day of the following February. If not paid within such time penalty and interest is added. All taxes upon real property are a lien upon same, however, the homestead is liable only for the taxes assessed against it.

**DELINQUENT TAXES**—If state and county taxes are not paid, a delinquent roll is made up, published in a newspaper and suit is brought by the district or county attorney to foreclose the lien as in other suits. The purchaser at the foreclosure sale shall not be entitled to possession of the property for a period of two years, during which time the owner may redeem same upon payment of double the amount paid by such purchaser at such sale. If no person buys the land, the county attorney or the sheriff shall bid said property in for the amount of taxes and costs and make deed for same to the state, and any time within two years the owner may redeem same upon the payment of all taxes due at such time, together with all costs, penalties and interest.

The same procedure applies in reference to taxes due any city or town.

**POLL TAX**—An annual state poll tax of \$1.50 is levied each year on all male persons between the ages of 21 and 60 years, residents within this state on the 1st day of January of each year (Indians not taxed and persons insane, blind, deaf and dumb, or those who have lost one hand or foot, excepted); provided no county shall levy more than 25 cents poll tax for county purposes.

**GROSS RECEIPTS TAX**—Each and every individual, or company, corporation or association, shall pay a gross receipt tax when engaged in the following business, based upon a sworn report to the comptroller, in most instances quarterly and in some cases report made annually; the tax varies from one-half of 1 per cent to 5 per cent, excepting the case of a dealer in pistols, the tax is made 50 per cent to be prohibitive.

Failure to make report for thirty days after such report should be made carries a penalty not exceeding \$1,000.

Failure to pay the tax for thirty days from the time same is due adds a penalty of 10 per cent upon the amount that is taxed. Failure to pay tax subjects a corporation to a cancellation of its permit to do business until the tax is paid.

#### **WE LOAN MONEY**

**On the Most Favorable Terms**

**Consistent with Sound Banking.**

The state comptroller has the power and it is his duty to inquire into the matter of payment of the taxes and he may examine all books in connection with said business.

Law applies to business carried on by the following companies: Express, telegraph, gas, electric lights, power or water works, collecting or commercial agency, companies furnishing stock cars, refrigerating cars, etc.; pipe lines; sleeping, palace or dining cars; insurance companies (excepting life companies, fraternal life and benevolent life companies, mutual fraternal benevolent life and accident companies doing business on the lodge or assessment plan, and co-operative or mutual fire insurance companies carried on for the protection of their own property and not for profit); wholesale dealers in oils; inter-urban and electric railway companies; text or law book publishers; telephone; oil well, and terminal.

**FRANCHISE TAX**—Each and every private domestic corporation of this state shall on or before the 1st day of May each year pay to the secretary of state a franchise tax as follows: 50 cents per \$1,000 or fractional part thereof of the authorized capital stock up to and including \$1,000,000, thereafter 25 cents per \$1,000 for each additional \$1,000; in the event the outstanding stock surplus and undivided profits exceed the capital stock then a tax of 50 cents per \$1,000 on such aggregate.

In no event is the franchise tax to be less than \$10.

Every foreign corporation authorized to do business in Texas shall pay the following franchise tax: \$1.00 on each \$1,000 of capital up to and including \$100,000; 50 cents per \$1,000 additional from \$100,000 up to and including \$1,000,000; 25 cents per \$1,000 on capital stock above \$1,000,000.

In no event is the franchise tax to be less than \$25.

Failure to pay the tax shall become liable to a penalty of 25 per cent of the amount of such franchise tax due, and if such tax and penalty be not paid July 1st thereafter, such corporation shall forfeit its right to do business in this state.

The following companies shall be exempt from the payment of franchise tax, namely, insurance company; surety, guaranty, fidelity; transportation; sleeping, palace or dining car; and other corporations organized for eleemosynary purposes.

**TAXES UPON INTANGIBLE ASSETS**—The comptroller, secretary of state and state tax commissioner shall constitute a state tax board to ascertain the value of the intangible assets of certain corporations. This shall be calculated from all information gathered by the board, and also by the sworn reports required to be made to the comptroller. The board shall have power to subpoena witnesses and compel any person, officer or agent of any company, corporation or

**WE GIVE PROMPT ATTENTION  
TO  
COLLECTIONS.**

association to appear and testify and bring such books and documents and information as the board may require.

When the values have been ascertained the board shall apportion same to the various counties and certify such amount to the assessor of the county, who shall place same on the tax roll.

The law applies to the following companies: Each and every railroad, ferry, bridge, turnpike or toll, whether incorporated under the laws of this state or another state, or whether the business is carried on by an individual or association; this tax to be in addition to the advalorem tax on their visible properties.

### **TRUSTS, MONOPOLIES, ETC.**

**TRUST DEFINED**—A trust is a combination of capital, skill or acts by two or more persons, firms, corporations or associations of persons or two or more of them, to create or carry out restrictions in trade or commerce, or aids to commerce, or to create or carry out restrictions in the free pursuit of business; to fix, maintain, increase or reduce the price of merchandise, produce or commodities or the cost of insurance or the preparation of any product for market or transportation. There are further specified things giving the details which constitute a violation of the law, such as agreeing to maintain a fixed price of any article of commerce or to undertake to regulate the output of any commodity which may be manufactured, mined, etc.

**MONOPOLY**—A monopoly is a combination or consolidation of two or more corporations, (1) for the purpose of a single management, which tends to create a trust; (2) where a corporation acquires the shares or certificates of stock or bonds, franchises or physical property of another corporation in order to lessen competition.

**CONSPIRACY AGAINST TRADE**—A conspiracy in restraint of trade is, (1) where any two or more persons, firms, corporations or association of persons, enter into an agreement to refuse to buy from or sell to any other person, firm, corporation or association of persons, any articles of merchandises, products or commodities, or (2) agree to boycott or refuse to buy from or sell to any firm, person, corporation or association of persons, because such last named are buying from or selling to certain other persons, firms, corporations or associations of persons.

**PENALTY FOR VIOLATION**—Upon any violation of the above named provisions, the attorney general shall bring suit to forfeit the charter of a domestic corporation, or cancel the permit of a foreign corporation or association of persons, or by recovering a penalty of not less than \$50 nor more than \$1,500 for each and every day of such violation and to inflict punishment by imprisonment in the penitentiary not less than one nor more than ten years.

**WE EXTEND THE ACCOMMODATIONS  
OF  
A SOLID, WELL EQUIPPED BANK.**

## WEIGHTS

**WEIGHTS AND MEASURES, AND HOW DISTRIBUTED**—The standard of weights and measures adopted and used by the government of the United States is the legal standard of weights and measures in this state. Duplicates and copies of the standards of weights when certified as correct by the National Bureau of Standards, shall be kept by the state superintendent of weights and measures as the standard for this state. At the request of any city council or other governing body the state superintendent shall furnish them with certified copies of the standards of weights and measurements.

**PUNISHMENT FOR SELLING BY FALSE WEIGHTS AND MEASURES**—Any person, who, by himself or his agent or employe, shall use, in buying or selling of any commodity, or retain in his possession a false weight or measure shall be fined not less than \$10 nor more than \$200 and each day such misdemeanor is committed shall constitute a separate offense.

**LEGAL WEIGHTS PER BUSHEL**—The following shall be the legal number of pounds per bushel: Buckwheat, 52 pounds; coal, 80 pounds; corn meal, 48 pounds; corn, shelled, 56 pounds; cotton seed, 32 pounds; hemp seed, 44 pounds; Indian corn, 56 pounds; oats, 32 pounds; peaches, 50 pounds; peanuts, Spanish, 24 pounds; potatoes, Irish, 60 pounds; potatoes, sweet, 50 pounds; rice, rough, 45 pounds; wheat, 60 pounds; tomatoes, 56 pounds; walnuts, 50 pounds.

**MILL PRODUCTS**—Mill products shall have the following standard weights; wheat flour, per barrel, 200 pounds; per half barrel sack, 100 pounds; corn meal, per bushel sack, 50 pounds; cotton seed, per ton, 2,000 pounds.

**PUNISHMENT**—The correct name and the true net weight of the contents of each hogshead, barrel, box, cask, sack or package of any of the above mentioned products whether sold in single packages or lots, shall be plainly marked on the outside in legible letters and figures not less than two inches in size. Any product composed of mixed cereals or any cereal adulterated in any manner, must be marked as above, "Adulterated." Any violation of the above subjects the party to a fine of not less than \$25 nor more than \$1,000, and each transaction is considered a separate offense.

## WILLS

**WHO MAY MAKE WILL**—Any person being of sound mind, and 21 years of age or over or who may have been lawfully married, can make a will bequeathing all his estate, right, title or interest in or to any lands or personal property whatever which he may have at the time of his death.

**WRITTEN WILL**—Such will shall be in writing, and if wholly

**MONEY  
DEPOSITED WITH US  
IS BEYOND THE REACH OF HOUSEBREAKERS.**

written by the testator may be signed by him alone, but if not entirely written by him or if same is signed by some other person under his direction, and in his presence, such will shall be witnessed by two or more credible witnesses above the age of 14 years, in the presence of the testator, and at his request. A will may be revoked or a codicil may be added with the same formalities as the original will.

**VERBAL WILL**—A nuncupative or verbal will may be made in the presence of three credible witnesses if such will was made in the time of the last sickness of the testator, and he called on some person to take notice or bear testimony that he then makes his will, which may not be proved until fourteen days after the death of such testator, nor until those interested in his estate have been notified; and after six months from the time of speaking the pretended testamentary words, no testimony to prove the will shall be allowed unless it was reduced to writing within six days after making the will.

**SEPARATE PROPERTY OF HUSBAND OF WIFE**—The husband or wife, may give to the survivor entire control of his or her separate property until the heirs become of lawful age, and under such other restrictions as are not in violation of any statutory provisions.

## RULES OF MEASUREMENT

**GRAIN**—To find the capacity of a bin or a wagon bed: Multiply the number of cubic feet by .8. For greater accuracy, add  $\frac{1}{3}$  of a bushel for every 100 cubic feet.

What is the capacity of a bin 6 feet wide,  $7\frac{1}{2}$  feet high, 14 feet long  $6 \times 7\frac{1}{2} \times 14 = 630$  cubic feet.  $630 \times .8 = 504$  add  $*2 = 506$  bu.—Ans.

\*For 600 cubic feet add 2 bushels.

Of a wagon bed 18 inches, or  $1\frac{1}{2}$  feet deep, 3 feet wide, 10 feet long?  $1\frac{1}{2} \times 3 \times 10 = 45$  cubic feet.  $45 \times .8 = 36$  bu.—Ans.

~~For~~ A wagon bed 3 feet wide, 10 feet long holds 2 bu. for every inch in depth.

**EAR CORN**—Corn in the ear, when of good quality, measured after having been cribbed for several months, will hold out at  $2\frac{1}{4}$  cubic feet to a bu. Inferior corn will require from  $2\frac{3}{8}$  to  $2\frac{1}{2}$  cubic feet.

At  $2\frac{1}{4}$  cubic feet, multiply cubic feet by 4, and divide the product by 9.

At  $2\frac{3}{8}$  cubic feet, multiply by 8 and divide the product by 19.

At  $2\frac{1}{2}$  cubic feet, simply multiply by 4 and point off one figure.

Find contents of a crib  $7\frac{1}{2} \times 9$ , and 16 feet long;  $2\frac{1}{4}$  cubic feet to bu.  $7\frac{1}{2} \times 9 \times 16 = 1080$  cubic feet.  $1080 \times 4 \div 9 = 480$  bu.—Ans.

Capacity of a wagon bed  $10\frac{1}{2} \times 3$ ,  $2\frac{1}{4}$  feet deep,  $2\frac{1}{2}$  cubic feet to bu.  $10\frac{1}{2} \times 3 \times 2\frac{1}{4} = 71$  cubic feet, nearly.  $71 \times .4 = 28.4$  bu.—Ans.

**HAY**—The quantity of hay in a mow or stack can only be approximately ascertained by measurement. Good timothy hay when thoroughly settled, will take about 350 cubic feet to make a ton. If

WE ACCORD CAREFUL CONSIDERATION  
TO  
SMALL OR LARGE DEPOSITORS.

only partly settled, from 400 to 450 cubic feet; while new hay will take 500 cubic feet and over.

How many tons in a mow 20 feet square, 14 feet high; 350 cubic feet to ton?  $20 \times 20 \times 14 = 5600$  cubic feet.  $5600 \div 350 = 16$  tons.—Ans.

**CISTERNS**—To find the capacity of a cistern or tank: Multiply the square of the mean diameter by the depth (all in feet) and this product by  $5\frac{7}{8}\%$ ; and the result will be in gallons—absolutely correct.

To find the contents in barrels. Take  $\frac{3}{8}$  of the product. For greater accuracy, diminish answer  $\frac{1}{2}$  of  $1\%$  of itself.

Find contents in barrels, of a round cistern 6 feet in diameter, 8 feet deep.  $6 \times 6 \times 8 = 288$ ;  $\frac{3}{8}$  of  $288 = 54$  barrels.—Ans.

What is the capacity in gallons of the Bloomington Stand Pipe, which is 8 feet in diameter and 200 feet high?  $8 \times 8 \times 200 \times 5\frac{7}{8}\% = 75,200$  gallons.—Ans.

To find the capacity of a square tank or cistern: Multiply the number of cubic feet by  $7\frac{1}{2}$  (7.48); the result will be in gallons.

To find the contents in barrels: Multiply the cubic feet by  $.2\%$ .

What is the capacity in gallons and in barrels, of a tank 12 feet long, 3 feet wide and 2 feet deep?  $12 \times 3 \times 2 = 72$  cubic feet;  $72 \times 7\frac{1}{2}\% = 540$  gallons;  $72 \times .2\% = 17.1$  barrels.—Ans., 540 gallons, or 17.1 barrels.

**BARRELS**—To find the contents of a barrel or cask: Multiply the square of the mean diameter by the depth (all in inches) and multiply the product by .0034.

Find the contents of a barrel whose mean diameter is 20 inches, depth 32 inches.  $20 \times 20 \times 32 \times .0034 = 43.52$  or  $43\frac{1}{2}$  gallons.—Ans.

**CIRCULAR BIN OR SILO**—To find the capacity of a circular bin or silo. Multiply the diameter by 3.1416 and the result by  $\frac{1}{4}$  the diameter. Multiply this result by the height. For example, find the capacity of a bin or silo 30 feet high with a width or diameter of 10 feet.  $10 \times 3.1416 = 31.416$ .  $\frac{1}{4}$  of 10, the diameter =  $2\frac{1}{2}$ .  $31.416 \times 2\frac{1}{2} = 78.54$ .  $78.54 \times 30$ , the height equals 2,356.2 cubic feet in bin or silo.

Corn on the ear, if good, will run  $2\frac{1}{4}$  cubic feet to the bushel, if poor,  $2\frac{3}{8}$  to  $2\frac{1}{2}$ . Oats and wheat run  $1\frac{1}{4}$  cubic feet to the bushel. To find the number of bushels in the above bin or silo, divide as follows:

$$2,356.2 \div 1\frac{1}{4} = 1,900.1 \text{ bu. oats or wheat.}$$

$$2,356.2 \div 2\frac{3}{8} = 992 \text{ bu. of corn.}$$

**WE INVITE NEW ACCOUNTS  
UPON OUR MERITS FOR  
STRENGTH AND SAFETY.**

**LEGAL FORMS**

**SINGLE ACKNOWLEDGMENT.**

THE STATE OF TEXAS, }  
County of..... } ss.

Before me,.....in and for said County and State, on this day personally appeared.....known to me to be the person... whose name... is (or are) subscribed to the foregoing instrument, and acknowledged to me that...he...executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this.....day of.....A. D. 19.....

(Seal).

.....  
.....

**MARRIED WOMAN'S ACKNOWLEDGMENT.**

THE STATE OF TEXAS, }  
County of..... } ss.

Before me.....(here insert the name and character of the officer) on this day personally appeared.....wife of....., known to me (or proved to me on the oath of.....) to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said....., acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office this.....day of.....A. D. 19.....

(Seal).

.....  
.....

**A BANK ACCOUNT IS A VALUABLE RECORD  
OF  
INCOME AND EXPENDITURES.**

AFFIDAVIT TO CLAIM AGAINST AN ESTATE.

THE STATE OF TEXAS, }  
County of..... } ss.

I do solemnly swear that the attached claim in favor of.....  
against....., deceased, is just and due and that all legal off-  
sets, payments and credits known to the affiant have been allowed,  
and that I am the owner of said claim (if not the owner the affiant  
shall state "and that I am cognizant of the facts above stated.")

.....  
Subscribed and sworn to before me this.....day  
of.....A. D. 19.....  
.....  
.....

AFFIDAVIT TO CLAIM.

THE STATE OF TEXAS, }  
County of..... } ss.

Before me (state the name and style of officer) in and for the  
said county of....., on this day personally appeared.....  
who being duly sworn states on oath, that the foregoing account in  
favor of.....against.....for the sum of.....  
dollars, is within the knowledge of the affiant just and lawful; that it  
is due, and that all just and lawful offsets, payments, and credits have  
been allowed.

Sworn to and subscribed before me this.....day  
of.....A. D. 19.....

Witness my hand and seal of office the day and date above written.  
(Seal).  
.....  
.....

If the affidavit is made by an agent, that fact may be shown as  
follows:

WE RECEIVE  
DEPOSITS  
SUBJECT TO CHECK.

.....“states on oath that he is the authorized agent of.....,” etc. If the affidavit is made by a member of a firm, let that fact be shown as follows:.....“states on oath that he is a member of the firm of.....composed of.....and.....”

ASSIGNMENT.

THE STATE OF TEXAS, }  
 County of..... } ss.

In consideration of the sum of.....dollars to me in hand paid by....., I hereby assign all my right, title and interest in and to the within instrument to him, the said..... and his assigns.

In consideration of the sum of.....dollars to me in hand paid by....., I hereby assign all my right, title and interest in and to the within instrument to him, the said..... and his assigns.

Witness my hand this.....day of.....A. D. 19.....  
 .....

SIMPLE CONTRACT.

THE STATE OF TEXAS, }  
 County of..... } ss.

KNOW ALL MEN BY THESE PRESENTS:

That w.....party of the first part and..... party of the second part enter into the following agreement to wit: for and in consideration of the payment of.....dollars, state whether for cash or whether by notes and describe same or state what is to be done or the promises made by party of the second part) I, ....., party of the first part, hereby agree (state what is to be done).

PUT YOUR MONEY  
 IN A BANK  
 AND PAY YOUR OBLIGATIONS BY CHECK.

For and in consideration of the above, I, .....party of the second part agree ("to the above contract" or set out especially what the contracting parties agree to do).

Signed in duplicate.

.....  
.....

WARRANTY DEED.

THE STATE OF TEXAS, }  
County of..... } ss.

KNOW ALL MEN BY THESE PRESENTS:

That.....of the county of.....state of..... in consideration of the sum of.....dollars, paid and secured to be paid by.....as follows: (state whether for cash or notes and describe them)..... have GRANTED, SOLD AND CONVEYED, and by these presents do... GRANT, SELL AND CONVEY unto the said.....of the county of.....and state of....., all that certain tract or parcel of land situated in .....county, state of.....and described as follows; (describe the land by metes and bounds).

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in any wise belonging unto the said.....heirs and assigns forever. And .....do hereby bind myself (or ourselves), heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said.....heirs and assigns, against every person whomsoever lawfully claiming or to claim any part thereof.

BUT IT IS EXPRESSLY AGREED AND STIPULATED that the VENDOR'S LIEN is retained against the above described property, premises and improvements until the above described notes, and all interest thereon, are fully paid, according to.....face and tenor, effect and reading, when this deed shall become absolute.

WITNESS.....hand... at..... this.....day of ..... A. D. 19.....

**If you make your payments by CHECK  
You Have a Record  
WHICH CANNOT BE DISPUTED.**

(WITNESSED BY TWO OR MORE, or properly acknowledged).

.....  
.....  
.....

QUIT CLAIM DEED.

THE STATE OF TEXAS, }  
County of..... } ss.

KNOW ALL MEN BY THESE PRESENTS:

That I....., of said state and county for and in consideration of.....dollars to me in hand paid by..... of the county of.....in said state, the receipt of which is hereby acknowledged, have bargained, sold and quit-claimed, and by these presents do bargain, sell and quit-claim unto.....all my right, title, interest and claim in and to the following tract of land situated in.....county, State of Texas (here describe land by metes and bounds).

.....  
.....  
.....

With all and singular, the appurtenances and hereditaments thereunto belonging, or in any wise pertaining; to have and to hold the above described premises to the said.....his heirs and assigns forever.

In testimony whereof, I have hereunto set my hand and seal this the.....day of.....A. D. 19.....

(To be witnessed or properly acknowledged).

.....

NEGOTIABLE NOTE.

\$..... Austin, Texas, Jan.....19.....

Sixty days after date, I promise to pay to Rogan and Simmons (insert to whom payable) or order at Austin, Texas.....dollars with interest at the rate of 10 per cent per annum.

To make the note non-negotiable, leave out "or order."

THE BEST  
BUSINESS MEN DEPOSIT THEIR MONEY  
IN A BANK.

To make it negotiable by mere delivery, leave out "or order" and put in the words "or bearer."

RECEIPT.

Austin, Texas.....19.....

Received of.....the sum of.....dollars to apply on his account (or "on his note" or "in full of all indebtedness" as the case may be).

AFFIDAVIT FOR SHIPPING GAME.

THE STATE OF TEXAS, }
County of..... } ss.

Before me, the undersigned authority, on this day personally appeared....., who, after being by me duly sworn, on oath says:

I live....., in the county of..... in the state of....., that I have killed (state the number and kind of game, birds or fowls), which I desire to ship from....., in..... county,..... to my home, which game I killed for my own use and not for sale, and same shall not be sold, and same will be accompanied by me from the point of shipment to the point of destination; that I have not killed or shipped exceeding three buck deer during this hunting season and have not killed or shipped exceeding twenty-five birds or fowls mentioned in Section 1 of this act, except wild ducks, in any one day during the present hunting season; and that I have in no way violated any of the provisions of this bill; (and if such game to be shipped shall be wild duck, then such party shall make further affidavit) that the shipment I offer is wild ducks only, that the number does not exceed seventy-five, that I killed the said ducks in three days, consecutively, and that I did not kill more than twenty-five of same in any one day.

Sworn to and subscribed by.....before me this..... day of.....19.....

(Name and official character of officer).

WE TRY TO PLEASE OUR CUSTOMERS
AND CAN PLEASE YOU.

**FARM LEASE**

THE STATE OF TEXAS, }  
 County of Harris, } ss.

Agreement, made this.....day of ....., A. D. 19....., between....., party of the first part, and....., party of the second part, all of the state and county aforesaid:

Witnesseth: That the said....., party of the first part, has rented unto the said..... party of the second part, .....acres of land in his farm, until the.....day of..... A. D. 19....., said farm being the state aforesaid and the county of....., and said party of the second part binds himself to cultivate.....acres of land in cotton and.....acres in corn, and.....acres in.....wheat, in a farmer-like manner, and to deliver to the nearest gin one-fourth of all the cotton that he may make on said land during the year 19....., to said..... after it has been ginned and baled, he, the said.....paying for one-fourth of all the bagging and ties necessary for the entire crop of cotton; and one-fourth of all the cotton seed. Also, to deliver into the cribs or granary of said party of the first part one-third of all the corn, wheat, oats, blade or stock fodder that he may make on said land during the year 19.....

And the said.....binds himself to assist.....in keeping the stock from destroying any portion of the crop in said farm, and in keeping the fencing up around the entire farm, hereby giving the said.....a lien upon the crop for the performance of the above obligations.

And it is further understood and agreed, that neither the party of the first part, nor the party of the second part, has any right to dispose of any portion of the crop until the terms of this contract have been complied with in all things.

And it is further understood and agreed, that both of the contracting parties to this agreement are hereby prohibited from turning or allowing any stock to run in said farm, or to stake upon the grass therein.

**A BANK ACCOUNT  
 IS A GREAT AID  
 IN SAVING MONEY.**

And it is further understood and agreed, that the said..... party of the second part, hereby agrees and binds himself to use due diligence in preventing the destruction of the houses and fences by fire or any other means, and to turn over the said houses and fences in the same good order and condition that they are at present on the .....day of.....A. D. 19.....

It is further understood and agreed by the above mentioned contracting parties, that if the said party of the second part sows any small grain upon the above mentioned land, that the said party of the second part, shall, at his own expense, break up the stubble before the first day of.....19....., and in default of same, party of the first part may do or have the same done at the expense of said party of the second part. It is further agreed that, in addition to the liens already provided, or to be provided by law, said party of the first part, is hereby fully empowered to take into his possession and sell, at the current market price, the first products of said crops as fast as the same can be prepared for market, to an amount sufficient to repay all advances made by said party of the first part, to said party of the second part, and to pay all rents, due, or to become due, on said land.

In testimony of all the above, we hereunto sign our hands this .....day of....., A. D. 19....., in the presence of the witnesses signing below.

Witnesses:

.....  
 .....  
 .....

**WILL**

THE STATE OF TEXAS, }  
 County of..... } ss.

KNOW ALL MEN BY THESE PRESENTS, That I, A. B., of the County of....., State of Texas, being in good health, and of sound and disposing mind and memory, do make and publish this, my last will and testament, hereby revoking all wills by me at any time heretofore made.

1. I direct that all my just debts shall be paid and that the devises hereinafter given, shall, after the payment of my debts, be paid out of my estate.

2. I hereby devise to my beloved wife, C. D., the following described property, towit: (Describe the property).

3. I hereby devise to my son, E. F., the following described property, towit: (Describe the property).

4. I hereby direct that the remainder of my property, both real and personal, shall descend in accordance with the statute to my heirs.

5. I hereby constitute and appoint my wife, C. D. sole executrix of this my will, and direct that no bond or security be required of her as executrix.

In witness whereof I have hereunto set my hand this the..... day of.....A. D. 19....., in the presence of M. N., and R. S., who attest the same at my request.

(Signature).....

The above instrument was now here subscribed by A. B., the testator, in our presence, and we, at his request and in his presence, sign our names hereto as attesting witnesses.

.....  
 .....

# Index

	Page		Page
Abandonment .....	5	What one Warrants.....	21
Acknowledgment .....	5	Corporations .....	21
Adoption .....	6	Classification .....	21
Affidavit .....	6	Requisites of Charter.....	21
Agriculture .....	6	Powers of Private.....	21
Apprentices .....	7	Board of Directors.....	22
Arbitration .....	7	Domestic .....	22
Who May Arbitrate.....	7	Foreign .....	22
The Procedure.....	7	Cotton .....	22
Employer and Employee.....	8	Baling Regulated.....	22
Assignment .....	8	Weight of Bagging.....	23
Aliens .....	9	Penalty .....	23
Attachment and Garnishment.....	9	Storage Companies.....	23
Bond required.....	9	Cotton Classing Taught.....	23
Affidavit .....	9	Grades of Cotton.....	23
Writ issued.....	9	Boll Weevil.....	23
Garnishment .....	10	Pink Boll Worm.....	23
Affidavit .....	10	Counties .....	24
Case docketed.....	10	Daily Business Laws.....	24
Attorney at law.....	11	Dentistry .....	25
Automobiles .....	11	Descent and Distribution.....	25
Registration .....	11	Leaves no Husband or Wife.....	25
Speed regulated.....	12	Leaves Husband or Wife.....	26
Lights .....	12	Special Cases.....	26
Rules of Road.....	12	Community Property.....	26
Horn .....	12	Drainage by Counties, etc.....	26
Penalty .....	12	Duty Commissioners Court.....	26
Glass, etc., in Highway.....	12	Right of Appeal.....	26
Banks .....	12	Assessments .....	27
Five Classes.....	12	Work, How Done.....	27
National Banks.....	12	By Counties Separately.....	27
State Banking Board.....	12	By Districts in One or More	
State Banks.....	12	Counties .....	28
Charter .....	13	By Districts in One County.....	28
Capital Stock.....	13	Drainage Commissioners.....	28
Board of Directors.....	13	Bonds Issued .....	28
Cash Reserve.....	13	Elections .....	29
Bank and Trust Company.....	13	Qualified Voters.....	29
Savings Banks.....	14	Poll Tax.....	29
Private Banks.....	14	Exemption Certificate.....	29
Commissioner of Banking.....	15	Poll Tax Receipt.....	30
Inspection .....	15	Change of Residence.....	30
Bees .....	15	Election Proclamation.....	30
Bills, Notes, etc.....	16	Officers of Election.....	30
Blacklisting .....	16	Supervisors Appointed.....	31
Bounties for Scalps.....	17	Voters Free From Arrest.....	31
Brands .....	17	Method of Voting.....	31
Checks .....	18	Contesting Elections.....	31
Definition .....	18	Primary Elections.....	32
Swindling .....	18	Expenses of Candidates.....	32
Punishment .....	18	Escheat .....	32
Common Carriers.....	18	Estates of Decedents.....	33
Definition .....	18	Jurisdiction .....	33
Liability .....	18	Papers to be Recorded.....	33
Bill of Lading.....	18	Application for Letters.....	33
Unclaimed Freight.....	19	Probate of Will.....	33
Courts .....	19	Letters of Administration.....	34
Contracts .....	19	Persons Entitled to.....	34
Requisites of .....	19	Duties of Executor, etc.....	35
Consent .....	20	Removal of Executor, etc.....	35
Object .....	20	Sales .....	37
Consideration .....	20	Partition, etc.....	37
Must be in Writing.....	20	Final Settlement.....	38
Conveyances .....	20	Community Property.....	38
Instrument of Writing.....	20	Exemptions .....	34
Character of Title.....	20	Factors and Commission Mer-	
		chants .....	40
		Defined .....	40
		Bond Required.....	40

WE REGARD ALL BUSINESS TRANSACTIONS  
AS  
STRICTLY CONFIDENTIAL.

	Page		Page
Duties of Shipper.....	40	Liens .....	54
No Charge for Mending.....	40	Judgment Lien Record.....	54
Live Stock.....	40	Of Mechanics, Builders, etc.....	54
Fences .....	41	How Fixed.....	54
General Requirements.....	41	Lien on Homestead.....	55
Where Stock Law Prevails.....	41	Procedure .....	55
Damage in Case Trespass.....	41	Of Material Man.....	55
Joint Fence.....	41	Miscellaneous Liens.....	55
Fish and Game.....	41	Chattel Mortgage Lien.....	56
Commissioner .....	41	Lien of Vendor.....	56
License and Tax.....	41	Lien on Progeny.....	56
Violation of Fish Law.....	42	Limitation of Actions.....	56
Wild Game.....	42	One-year .....	56
Wild Birds .....	42	Two-year .....	56
Food and Feed Stuffs.....	43	Three-year .....	56
Concentrated Feed Stuffs.....	43	Four-year .....	57
Duty of Importer, etc.....	43	Five-year .....	57
Adulterated Foods.....	43	Ten-year .....	57
Penalties .....	44	Definition .....	57
Failure to Affix Tag.....	44	As to Enclosed Land.....	57
Counterfeiting Tag.....	44	Does Not Apply.....	57
Standard Weights.....	44	Legal Forms.....	89
Forcible Entry and Retainer.....	44	Marriage .....	58
Complaint .....	44	Certain Prohibited.....	58
Citation .....	44	Who May Marry.....	58
Trial .....	45	License .....	58
Fruit Trees.....	45	Marriage Contracts.....	58
Diseases of .....	45	Minors .....	59
Duty of Commissioner.....	46	Defined .....	59
Nursery Stock Examined.....	46	Removal of Disabilities.....	59
Imported Nursery Stock.....	46	Kidnapping .....	59
Gambling .....	46	Delinquents .....	59
Card Playing .....	46	Notary Public.....	60
Gaming Table, etc.....	46	How Appointed.....	60
Betting on Baseball, etc.....	47	Commission, etc.....	60
Betting on Racing.....	47	Seal .....	60
Prevented by Injunction.....	47	Fees .....	60
Guardian and Ward.....	47	Oil and Gas.....	60
Jurisdiction .....	47	Regulation .....	60
Application, etc.....	47	Records of Producers.....	61
Who Entitled.....	47	Leases .....	61
Guardian to Qualify.....	48	Partnership .....	61
Money, How Invested.....	48	Posted Lands.....	61
Sale of Real Estate.....	49	Prairie Dogs.....	61
Final Settlement.....	49	Principle and Surety.....	62
Holidays .....	49	Definition .....	62
Husband and Wife.....	49	Rights of Surety.....	62
Who Can Marry.....	49	Principle Sued, etc.....	62
License Necessary.....	49	Public Roads .....	62
Marriage Contracts.....	50	Defined, Classified.....	62
Separate Property.....	50	New Roads .....	62
Homestead .....	50	Duties of Commissioners.....	63
Community property.....	50	Road Hands.....	63
Divorce .....	50	Road Commissioners.....	63
Grounds for Divorce.....	50	Road Superintendent.....	64
Desertion .....	51	Special Laws.....	64
Inheritance Tax.....	51	Road Taxes.....	64
Interest .....	51	Road Bonds.....	64
Johnson Grass.....	51	Offenses Relating to.....	64
Jurors and Juries.....	52	State Highway Commission.....	64
Qualifications of.....	52	Public School Land.....	65
Selection of .....	52	Appropriated Lands.....	65
Petit Juries.....	52	Duty of Commissioner.....	65
Landlord and Tenant.....	52	Application to Lease.....	65
Landlord's Lien.....	52	Application to Purchase.....	65
Duty of Tenant.....	53	Unsurveyed Land.....	66
Distress Warrant.....	53	Public Schools.....	66
Mutual Agreement.....	53	Board of Education.....	66
Rent of Residence, etc.....	53	State Superintendent.....	66
Legal Day's Work.....	53	Permanent Fund.....	66
Public Work.....	53	Available Fund.....	66
For Females.....	53	County Superintendent.....	67
Penalty .....	54	Teachers' Certificates.....	67
		County Board of Examiners.....	68

**WE LOAN MONEY**

**On the Most Favorable Terms**

**Consistent with Sound Banking.**

B. F. BROWN, President

C. F. HALL, Cashier

# Carlville State Bank

CARLVILLE, TEXAS.

CAPITAL .....	\$100,000.00
SURPLUS .....	50,000.00
DEPOSITS .....	500,000.00

WE PAY INTEREST ON TIME DEPOSITS.

TREAT ALL BUSINESS TRANSACTIONS AS STRICTLY CONFIDENTIAL.

THE MOST CAREFUL BUSINESS MEN DEPOSIT THEIR MONEY IN A BANK.

WE ACCORD CAREFUL CONSIDERATION TO ALL OUR DEPOSITORS, WHETHER LARGE OR SMALL.

OUR CHIEF AIM IS TO SERVE AND PROTECT THE BEST INTERESTS OF THE PATRONS OF THIS BANK. OUR AMPLE RESOURCES ENABLE US TO DO THIS TO THE ENTIRE SATISFACTION OF OUR CUSTOMERS.

## Let Us Serve You.