

# GOVERNOR WILL NOT

HE FLATLY REFUSED TO SELL SUBMERGED LAND ON GALVESTON BAY TO GOVERNMENT.

# HE HAS NOT THE AUTHORITY

Furthermore, He Thinks the Request for 300 Acres Is Too Much—Maintain State Quarantine.

## SPECIAL TO THE NEWS.

Austin, Tex., Jan. 30.—Governor Campbell will not sell or deed land in Galveston Bay for a Federal quarantine station. He made this plain today to Col. Walter Gresham of Galveston and Dr. G. M. Corput, past assistant surgeon in the Marine Hospital and Public Health Department, which administers the Federal quarantine. These two gentlemen called on his excellency and held a lengthy consultation urging him to sell for a nominal sum or deed for the purposes mentioned. This the Governor flatly refused to do.

Discussing the matter tonight, Governor Campbell said that the Federal Government asks for 300 acres of land in

Galveston Bay and that he did not think he has authority to sell or deed it without an act of the Legislature.

He said he could not dispose of the State's submerged, submerged or other land, so freely. Not only that, he said, but that he would not commit himself to sign a bill at a future session of the Legislature deeding the land, and would certainly veto it if it proposed to deed 300 acres, when he knew that 16 or 20 acres was more than enough. The Governor, however, said that he did not want it understood that he would sign a bill conveying the ten or fifteen acres, as he was not committed to that scheme.

It is evident that the Governor is going to insist upon having the State continue in the control of port quarantine at Galveston and will oppose any effort of the Federal Government to take charge.

Before the conference Col. Gresham said that the Attorney General's Department indicated a ruling that it believed the Governor could make the sale and cession, and Dr. Corput stated that it is proposed to erect a large station on the site. The Governor was not in favor of the idea, it seems, and the question is, what is the Federal Government going to do? It could attempt to operate the quarantine from boats. Col. Gresham and Dr. Corput returned to Galveston tonight.

## MISSOURI STATE LIFE.

Its Investments in Texas More Than Required by Law.

### SPECIAL TO THE NEWS.

Austin, Tex., Jan. 30.—The Missouri State Life Insurance Company of St. Louis, Mo., today filed with the Department of Insurance and Banking the statement required of it under the Robertson law, showing the items of its reserve on Texas business and the total amount of investments in Texas securities.

The statement shows a total reserve on account of Texas policies of \$48,614, \$46,837 of which represents the reserve on business written in Texas prior to July 12, 1907, the date on which the Robertson law went into effect, and the reserve investment of one-fourth of three-fourths, of which amounts to \$3,782. Three-fourths of the \$1,177 reserve on business written since July 12, \$833, makes the amount required to be invested under the law \$9,665.

Loans on the sole security of Texas policies amount to \$8,375.53, which lacks some \$3,627.97 of aggregating three-fourths of the total reserve on account of Texas business, the amount required to

Courtesy 23439

# HEIRS IN CONTROVERS

PROMINENT PEOPLE IN CONTE  
OVER ESTATE OF JUDGE JOHN  
W. HARRIS.

## ESTATE VALUED AT \$500,000

Will Was Made on July 10, 1880—Part  
tion Suit Filed in the District  
Court.

Litigation involving heirship and t  
to property left by Judge John W. H  
ris, who died on April 1, 1887, and wh  
has been valued by attorneys in  
cases at \$500,000, has been inaugura  
in the courts of this county. On acco  
of the prominence of the persons int  
ested in the cases and of the allegati  
made by the several litigants the su  
aside from their money value, are int  
esting.

On Wednesday of last week a suit  
partition was filed in the Fifty-Si  
District Court by Thomas W. Master  
et al, wherein John W. Harris et al w  
made defendants, the suit involving  
large amount of land scattered throu  
out Texas. The contract

Austin, Tex., Jan. 30.—The contract  
Special to THE NEWS.

### Lease of Tank Cars Complete.

ward Wright of Galveston. A  
commission as First Lieutenant to Ed-  
issued to Adison H. Green of Waco, and  
A commission of Second Lieutenant was  
near the Austin dam.  
Cousins, who was drowned last summer.  
He will take the place of Lieut. Albert  
Texas National Guards. Mr. Bickler will  
commission as First Lieutenant in the  
Bickler of Austin a wedding present of a  
General's Department today made Harry  
Austin, Tex., Jan. 30.—The Adjutant  
Special to THE NEWS.

### Bickler's Wedding Present a Commission.

Turnbull, I. R. Amerline and Charles R.  
Incorporators: George R. Sutton, A. M.  
was chartered today; no capital stock.  
temple, of Livingston, Livingston County,  
The new House of Israel, the living  
tion.  
Houston filed a certificate of dissolu-  
Houston Builders' Supply Company of  
S. G. Hodges and H. Lockwood.  
Incorporators: H. C. Meyer, John Hicks,  
dale, Milam County; capital stock, \$3,000.  
The Rockdale Farmers' Fair of Rock-  
day.

Austin, Tex., Jan. 30.—Chartered to-  
Special to THE NEWS.

### Charters.

posed new name.  
The Commissioner has advised the or-  
Department.  
name was acceptable to the insurance  
ored Modern Choppers, provided this  
to reorganize under the name of the Col-  
that the board of directors had decided  
Woodmen of the World, advising him  
Modern Woodmen of America and the  
might not be confused with that of the  
required to change its name so that it  
tion had been notified that it would be  
Woodmen of the World, which organiza-  
Foreign Secretary of the colored Modern  
received a communication from the Sov-  
stoner of Insurance and Banking today  
Austin, Tex., Jan. 30.—The Commis-  
Special to THE NEWS.

### NEW YARD

aware of the fact until two weeks prio  
to the filing of the application to pr  
bate the will that Judge Harris had left  
a will, believing him to have died in-  
testate. That the probate of the will is  
necessary and proper to complete and  
make good the title to their land.

Applicant prays that John W. Harris  
and Branch T. Masterson be served with  
citation upon issuance of the court, and  
to all parties concerned in the estate, to  
show cause, if any, why the will should  
not be probated.

### Copy of Will Filed.

Attached to the application is an al-  
leged copy of the will of Judge Harris.  
It is dated July 10, 1810, but the copy  
does not bear the names of witnesses.

The first provision in the will is that  
to the wife, Annie P. Harris, one-fifth  
of the estate is bequeathed, meaning that  
the wife have one-fifth of the estate ac-  
quired before their marriage and one-  
fifth of that portion which had been ac-  
quired and might be acquired during  
their married life. To her was also  
given the home in Galveston and power  
to her to bequeath it to any one or more  
of their children, Rebecca P., John W.,  
Lillie B. and Cora L. Harris. Certain  
provisions are also made in this section  
with regard to the portion of the wife  
in other matters.

The rest and residue of the estate is to  
be divided equally between the four chil-  
dren named, share and share alike.

Annie P. Harris, John W. Harris and  
Rebecca P. Harris are to advance in  
money or in property, not to exceed  
\$3,000, to Branch T. Masterson, to be  
used by him in the education of the  
children of himself and his wife, Annie  
W. Masterson, formerly Annie W. Dallam.

The wife, Annie P. Harris, son of John  
A. Harris, Branch T. Masterson, and  
daughter, Rebecca P. Harris, are named  
as independent executors without bond.  
It is also nominated that, other than the  
filling of the will, no action be had in the  
courts in the probate of the will and  
handling of the estate.

It is recited that the wife and any two  
of the other executors named can make  
sale of any of said estate at any time

Motion to strike out transcript refused:  
A. W. Monroe vs. Texas Land and Irr-  
gation Company, from Austin.

Motion for additional conclusions re-  
fused: E. W. Brown vs. Orange County,  
from Orange.

Cases submitted: Luling Oil and Man-  
ufacturing Company vs. Lane & Bodley  
Company, from DeWitt; Sophia Lee La-  
cour vs. L. W. Levy & Co. et al, from Lib-  
erty; Gaar, Scott & Co. vs. R. T. Burge  
et al, from Jefferson; George E. William-  
son vs. William P. Heath, from Harris;  
Bank of De Soto vs. T. S. Reed et al, from  
Jefferson; Grand Lodge United Brother-  
hood of Friendship of Texas vs. John  
Williams, from Galveston; Jules Hirsch  
et al vs. Jesse L. Patton et al, from Har-  
ris; Texas & New Orleans Railroad Com-  
pany vs. Texas Tram and Lumber Com-  
pany, from Jefferson; W. A. Morgan &  
Bros. et al vs. Missouri, Kansas & Texas  
Railway Company of Texas et al, from  
Fayette.

### Justice Fontaine's Court.

W. A. Hanna, a young man about 20  
years of age, was given a prelimi-  
nary trial before Justice S. T. Fontaine y-  
esterday morning on a charge of misde-  
meanor theft and bound over in the sum  
of \$100 to the Criminal District Court.  
Hanna is charged with the theft of a  
bicycle from A. W. Fisher.

A. J. Franklin, the negro brought  
back from New York to answer charges  
of burglary and theft placed against him  
upon a statement made by Tom Dela-  
hanty sometime past, is to be given an  
examining trial before Justice Fontaine  
tomorrow morning.

F. Vukanovich, charged with criminal  
assault, is also to be given an examining  
trial in this court tomorrow morning.  
Vukanovich was arrested the first part  
of the week.

### Corporation Court.

M. H. Royston, Recorder.

Lottie Benson, drunk in a public place;  
fined \$5.

Pasquale Mitre, drunk in a public  
place; fined \$5.

George Nelson, drunk in a public place,  
fined \$1.

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wa the avenue. He called to the other rors, it is said, and made the remark: "ook, there is the way those boys ride." This story was told to Judge Calhoun d a new trial was granted. Mr. Rust is re today to attend the trial of the it, which will begin tomorrow.

**NEEDS MORE MONEY.**

**Pure Food Commissioner May Have to Shut Up Shop.**

**SPECIAL TO THE NEWS.**  
 Austin, Tex., Jan. 30.—Dr. J. S. Abbott Dallas, Pure Food Commissioner, was re today in conference with the State Health Officer and the Attorney General's office. Dr. Abbott has discovered at the appropriation made by the Thirtieth Legislature for maintaining the office of Pure Food Commissioner is inadequate and that the office may have to be dispensed with before another Legislature meets to make any additional appropriation.

The pure food law appropriated \$5,000 salaries and for putting the law into effect. The annual salary of the Pure Food Commissioner is \$2,000; he is allowed \$1,200 for his assistant and \$600 for his stenographer. This makes \$3,800 the first year. In addition to salaries he has to buy chemicals and pay his office and traveling expenses. Dr. Abbott assumed his office Oct. 1, and the indications are the appropriation will not be sufficient to run the office more than one year. The plan now is to dispense with an assistant, but even then he says the appropriation will be inadequate. The matter was referred to the Attorney General's Department, but it was felt there that the appropriation was only \$5,000 and that is all that can be had until another Legislature meets to make an appropriation.

**PROTEST AGAINST TAXATION.**

**Fire Insurance Companies Do Not Want to Pay on Reinsurance.**

**SPECIAL TO THE NEWS.**  
 Austin, Tex., Jan. 30.—Ex-Attorney

M. Crane and George A. Carleton, chairman of the State Democratic Executive Committee, were here today and held a consultation tonight with Insurance Commissioner Love and First Office Assistant Attorney General Hawkins in the absence of Attorney-General Davidson. They discussed a matter of tax on fire insurance premiums, seeking to have the Commissioner of Insurance modify his ruling thereon, and to convince the Attorney General's Department, in the event the question should be submitted to it, that the Commissioner had ruled wrong. Mr. Love held that fire insurance companies must pay the gross premium tax on their entire receipts, and the companies are vigorously objecting, claiming exemption for amounts paid out for reinsurance of Texas risks, and where policies were canceled. The companies claim that the amount of credits due them for reinsurance and canceled policies amounts to considerable, and that it would be unjust and burdensome to tax these amounts.

It is not known whether Mr. Love will modify his ruling or submit the question to the Attorney General. The full tax was exacted of the Southern National of Austin, which paid it under protest.

**ONLY A DAY LEFT.**

**This Is the Final Day for the Payment of Gross Receipts Tax.**

**SPECIAL TO THE NEWS.**  
 Austin, Tex., Jan. 30.—Today and tomorrow are the last days for the payment of gross receipts tax. The payments today were heavy, but there are several hundred corporations which have not paid. The penalty for failure to pay before Feb. 1 is 10 per cent of the tax.

The Western Union paid a tax of \$1,824.20 on gross receipts of \$66,334.71, the rate being 2 1/2 per cent.  
 Edward Weil & Co. of Houston, liquor dealers, paid \$243.54 on gross receipts of \$48,708.80.  
 August A. Bush paid a tax of \$165.34 for the Fort Worth agency and \$230.08 for the Dallas agency.  
 Swope & Margold, wholesale liquor dealers of Dallas, paid a tax of \$196.75.  
 The Texas Company of Beaumont paid \$1,429.48 on gross receipts of \$254,578.32 on its oil and pipe line business.

**MODERN CHOPPERS.**

Adopted by the Colored Mod-

the Standard Oil properties, is to lease the cars impounded in this State to the Kansas City Southern Railroad was ratified today and the bond for \$65,000 executed and filed. The sixty-five cars will bring 50c rental each per day.

**Pleaded Guilty to Rifling Mails.**

**SPECIAL TO THE NEWS.**  
 Austin, Tex., Jan. 30.—Bob Martin, the negro arrested several months ago on the charge of taking packages from the United States mails, pleaded guilty in the Federal Court here today. Judge Maxey withheld sentence for a few days.

**BUCKET SHOP MEN ACTIVE**

**While the Farmers' Union Is in Trouble Is Thought a Good Time to Get Favorable Legislation.**

**SPECIAL TO THE NEWS.**  
 Houston, Tex., Jan. 30.—Richard Cheatham, business manager of the Cotton Journal, published at Atlanta, is in Houston today talking for the meeting of the Southern Cotton Association, which is to be held at Dallas Feb. 19 and 20. Mr. Cheatham believes that 5,000 cotton men from all over the South will be present. In conversation with a News man today he stated that the gamblers and speculators had not abandoned their efforts to have the bucket shops reinstated in Texas, and that it would be well for the farmers to have an understanding on the subject from the candidates for the Legislature during the coming campaign. He said that the conspirators were congratulating themselves on the fact that they had the leaders of the Farmers' Union fighting among themselves, and seemed to believe that while the union is divided would be a good time to rush legislation mitigating the harshness of the anti-bucket shop law.

**Heirs Have Withdrawn Proposition to Sell to State.**

**SPECIAL TO THE NEWS.**  
 Austin, Tex., Jan. 30.—It was learned today that the deal by which the State was to have acquired the Ellis plantation in Fort Bend County has fallen through. The heirs to the Ellis estate claim they considered the proposition to the State only as an option, and now they announce they have withdrawn the proposition to the State. The Ellis plantation consisted of a tract of 5,437 acres and adjoined the Riddick and Sugarland plantations. The State was to have bought the plantation for \$160,000.

The failure of the State to secure this plantation will not affect the purchase of the Sugarland and Riddick plantations as the contracts have been closed. The price paid for the Sugarland plantation was \$45,000 and for the Riddick plantation \$40,000.

Chairman Gill of the Board of State Penitentiaries was here today in conference with Governor Campbell about the matter. It is the general impression that the State can do nothing, as no contracts have been signed.

**MESSENGER BOYS HURRIED.**

**Race Between Them Resulted in a New Trial in Damage Suit.**

**SPECIAL TO THE NEWS.**  
 Austin, Tex., Jan. 30.—A race between two telegraph messenger boys was the ground on which a new trial was granted in the Fifty-Third District Court here in the case of R. L. Rust against the Western Union Telegraph Company.  
 Rust was an employee of the House during the last Legislature and one evening he was struck by a messenger boy riding a bicycle. He brought suit and secured a judgment against the telegraph company.

It has been brought to light that while the jury was considering the case one of the jurors was looking out of the window and saw two messenger boys racing

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Galveston Co. st. File

Clipping from "News" (?)  
January 31, 1908,

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