

**A C T S**  
**RESOLUTIONS AND MEMORIALS**  
*of the*  
**FIRST SPECIAL SESSION**  
**THIRD LEGISLATURE**  
*of the*  
**STATE OF ARIZONA**



**SESSION BEGAN MAY 21, 1918**  
**SESSION ADJOURNED JUNE 19, 1918**  
**PHOENIX, ARIZONA**

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State of Arizona  
1918.

# CERTIFICATE

STATE OF ARIZONA, }  
Office of the Secretary, } ss.

I, SIDNEY P. OSBORN, Secretary of State of Arizona, do hereby certify that the Acts, Resolutions and Memorials herein contained are printed as passed by the First Special Session of the Third Legislature of the State of Arizona, according to the engrossed copies on file in my office.



Witness my hand and Seal of the State of Arizona, given at Phoenix, the Capital, this 30th day of June, 1918.

*Sidney P. Osborn*

Secretary of State.



# **ORDER OF ACTS**

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# ORDER OF ACTS

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# **ACTS**

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# ACTS

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## CHAPTER I.

(House Bill No. 1.)

### AN ACT

Making an Appropriation for the Current and Contingent Expenses of Carrying on and Conducting and Defraying the Expenses of the First Special Session of the Third Legislature of the State of Arizona, Convening May 21st, 1918.

**Be it Enacted by the Legislature of the State of Arizona:**

Section 1. That the sum of Twenty-Five Thousand (\$25,000) Dollars is hereby appropriated out of the General Fund, now in the hands of the State Treasurer of the State of Arizona, or so much thereof as may be necessary for the several objects and purposes hereafter named.

Subdivision A. The sum of Eleven Thousand and Three Hundred Forty (\$11,340) Dollars, or so much thereof as may be necessary, is hereby appropriated for the payment of the salaries of the members of the State Legislature of the State of Arizona for the First Special Session of the Third Legislature for the year 1918.

Subdivision B. The sum of Seven Thousand Eight Hundred Ninety-Four (\$7,894) Dollars, or so much thereof as may be necessary, is hereby appropriated for the payment of the salaries of the employes of the State Legislature of the State of Arizona for the First Special Session of the Third Legislature for the year 1918.

Subdivision C. The sum of Two Thou-

sand Two Hundred Ninety-Eight Dollars and Twenty Cents (\$2,298.20), or as much thereof as may be necessary, is hereby appropriated for the payment of mileage of the members of the State Legislature of the State of Arizona for the First Special Session of the Third Legislature for the year 1918.

Subdivision D. The sum of Three Thousand Seventeen Dollars and Eighty Cents (\$3,017.80), or so much thereof as may be necessary, is hereby appropriated for the payment of contingent expenses of the State Legislature of the State of Arizona for the First Special Session of the Third Legislature, for the year 1918.

Subdivision E. The sum of Four Hundred Fifty (\$450) Dollars, or so much thereof as may be necessary, is hereby appropriated for paying the necessary expenses of completing the records of the Legislature, indexing the journals of both Houses, and for paying all things necessary and proper to complete the official records of both Houses of the First Special Session of the Third Legislature of the State of Arizona, for the year 1918.

Section 2. All claims for salaries and mileage of the Members of the respective Houses of the Legislature shall be honored by the State Auditor upon the presentation of a certificate, signed by the presiding officer of the respective Houses of the First Special Session of the Third Legislature of the State of Arizona, for the year 1918, whereupon the State Auditor shall issue his Warrant upon the State Treasurer for the payment of the same, and the State Treasurer upon presentation shall pay the same out of the general fund herein provided for.

Section 3. All salaries for clerks and employees of the respective Houses of the First Special Session of the Third Legislature of the State of Arizona, for the year 1918, shall be paid in like manner as provided for in Section 2 of this Act.

Section 4. It is provided that the mileage of the

Members of the First Special Session of the Third Legislature of the State of Arizona, for the year 1918, shall be paid on the first Monday after the convening of the said Special Session, and the said salaries of the said Members of the Legislature, and the salaries of the said employees of the First Special Session of the Third Legislature of the State of Arizona, for the year 1918, shall be payable on Monday of each and every week during the session of the said First Special Session of the Third Legislature of the State of Arizona, for the year 1918; and that the incidental expenses shall be payable whenever the proper claim, duly approved by the Secretary of the House incurring such expense, shall be presented.

Section 5. Whereas an urgent necessity exists for the appropriation of funds to pay the salaries and mileage of the Members of the Legislature, in Special Session assembled, and the salaries of the said clerks, employees and attaches of the said Special Session of the Third Legislature of the State of Arizona; and provide funds for the contingent expenses of the said Special Session of the Third Legislature, and the provisions of this Act are necessary for the expenses and maintenance of the said special Session of the Third Legislature, to keep it intact and preserve the public peace and health, and safety, an emergency is hereby declared to exist, and that this Act shall be in full force and effect from and after its passage and approval by the Governor, and is hereby exempt from the provision of the referendum provided for in the State Constitution.

Approved May 23, 1918, at 12:45.

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## CHAPTER 2.

(Senate Bill No. 6.)

### AN ACT

In Relation to Revenue and Taxation Amending Paragraph 4995, Chapter XIII, Title 49, of the Revised Statutes of Arizona, 1913, Civil Code, Entitled "Inheritance Tax" and Exempting From Taxation the

Property of Observatories Maintained Within the State of Arizona as Educational Institutions for Astronomical Research, and Not Used or Held for Profit.

**Be it Enacted by the Legislature of the State of Arizona:**

Section 1. That Paragraph 4995 of Chapter XIII, Title 49, of the Revised Statutes of Arizona, 1913, be amended to read as follows:

4995. All property within the jurisdiction of this State, and any interest therein, whether belonging to the inhabitants of this State or not, and whether tangible or intangible, which shall pass by will or by statutes of inheritance of this or any other State, or by deed, grant, bargain, sale, or gift, made in contemplation of the death of the grantor or bargainor, or intended to take effect in possession or enjoyment after the death of the grantor, bargainor or donor to any person or persons, or any body or bodies, politic or corporate, in trust or otherwise, or by reason whereof any person, or body politic or corporate, shall become beneficially entitled, in possession or expectation, to any property or income thereof, shall be, and is subject to a tax at the rate specified in the next Section, to be paid to the State Treasurer for the use of the State; and all heirs, legatees, and devisees, administrators, executors, and trustees, and any such grantee under a conveyance, and any such donee under a gift, made during the life of the grantor or donor, shall be respectively liable for any and all such taxes with interest thereon until the shall shall have been paid, as hereinafter provided. Provided, however, that all property left by will or by statutes of inheritance of this or any other State, or by deed, grant, bargain, sale or gift, made in contemplation of the death of the grantor or bargainor, or intended to take effect in possession or enjoyment after the death of the grantor, bargainor or donor to or in trust for the benefit or maintenance of observatories now established and maintained, or which may be hereafter established and maintained, for purposes of astronomical research, wholly at private expense, for the public welfare and not for profit, together with all property, both real and personal, used for the purposes of or in connection with the work or maintenance of such ob-

servatories, including all moneys, funds and property of every sort and nature, held in trust by any corporation, trustee or trustees, or others acting in a fiduciary capacity, for the maintenance of such observatories and the carrying on of their work, shall be and hereby is exempted from the tax herein provided for, and from any and all taxes or inheritance tax, imposed by any law of the State of Arizona, and from the lien of any such tax, so long as such observatories and other property so held in trust shall be used for such purposes only, and not used or held for profit, and any inheritance tax which may have been created or attached to, or become a lien upon, any property so left by will for such purposes, since the first day of November, A. D. 1916, is hereby wholly remitted, so long as such observatory or observatories are maintained within the State of Arizona, and the result of their completed research work and discoveries may be regarded as open to the students of the University of Arizona, or may be published as public documents at the expense of the State as the Legislature may provide, and every such executor, administrator, or trustee is hereby relieved from compliance with the requirements of this chapter, except so far as the same are applicable to the filing of the information required by law of such executors, administrators, or trustees.

Section 2. That all Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

Approved May 25th, 1918.

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### CHAPTER 3.

(House Bill No. 14.)

#### AN ACT

Providing that Officers and Enlisted Men of the National Guard of Arizona Who Were Drafted Into the Service of the United States Shall Be Allowed Credit for Such Services as Continuous Service in the National

Guard of Arizona, During the Time Such Officers and Men Continue in Such Service of the United States.

**Be it Enacted by the Legislature of the State of Arizona:**

Section 1. All officers and enlisted men of the National Guard of Arizona who were drafted into the service of the United States shall be allowed credit for such service as continuous service in the National Guard of Arizona during the time such officers and men continue in service in the National Army of the United States. Provided that said officers and men shall receive no compensation from the State of Arizona during the said service in the United States Army.

Section 2. It shall be the duty of the Adjutant General of the State, and he is hereby empowered and directed, to ascertain the names of all officers and men of the National Guard of Arizona who are entitled to such continuous service as provided in Section 1 hereof, and to enter on the rolls or records of his office such facts and data aforesaid.

Section 3. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

Approved June 8, 1918.

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CHAPTER 4.

(Senate Bill No. 18.)

AN ACT

To Protect the Civil Rights of the Families and Dependents of Arizonans Engaged in the Present War by Discouraging the Evasion of Military Duty.

**Be it Enacted by the Legislature of the State of Arizona:**

Section 1. It shall be unlawful for any person, firm or corporation to give aid, comfort, or employment

or to otherwise abet any person who is a slacker or deserter from military service under the selective service laws and regulations of the Federal government of the United States.

Section 2. The failure of any person, firm or corporation to comply with the provisions of this Act shall be a misdemeanor punishable by the imprisonment of any person so convicted, or the agent of any firm or corporation so convicted, for not less than fifteen nor more than ninety days, and each day's continuation of such violation shall constitute a separate offense.

Section 3. All acts and parts of acts in conflict with this act are hereby repealed.

Section 4. WHEREAS, the early operation of this Act is necessary for the public peace, health and safety, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its approval by the Governor.

Approved June 15, 1918.

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## CHAPTER 5.

(House Bill No. 9.)

### AN ACT

For the Relief of Mrs. Clara McBride, Mrs. Sena L. Kempton, and Mrs. Laura Wootan, Wives of Sheriff R. F. McBride, Deceased; Deputy M. R. Kempton, Deceased, and Deputy Sheriff Kane Wootan, Deceased, Respectively, of the County of Graham, State of Arizona, Killed by Tom Sisson, John Powers and Tom Powers While Engaged in the Enforcement of the Military Registration Laws of the United States, Making an Appropriation Therefor, Providing for a Trusteeship of Said Funds, Providing for the Investment of Said Funds, and Providing for the Distribution of Said Funds.

**Be it Enacted by the Legislature of the State of Arizona:**

Section 1. That, WHEREAS, the United States of America is now engaged in a war for its very existence, and

WHEREAS, one Tom Sisson, John Powers and Tom Powers refused to comply and failed to comply with the laws of the United States pertaining to registration for Military Service of the United States, and

WHEREAS, on the tenth day of February, 1918, Sheriff R. F. McBride of Graham County, Arizona, and Deputy Sheriffs M. R. Kempton and Kane Wootan, of the same county, while acting under and at the request of the United States Marshal of Arizona and in support of the Constitution and Laws of the United States and in conformity with their respective oaths of office, did attempt to place the said Sisson, Powers and Powers under arrest for violation of the said laws of the United States pertaining to registration for Military Service, and while in the discharge of their duty were fired upon by the said Sisson, Powers and Powers and killed, and

WHEREAS, the said McBride, Kempton and Wootan were all married men and heads of large families, and the wives and families are now deprived of their providers and are without the means of support, and

WHEREAS, it is the sense of this Legislature that in the performance of the duties in which the above named persons met their death, said persons were then and there engaged in the present war, it is hereby provided:

Section 2. That there is hereby appropriated, out of the General Fund of the State of Arizona, the sum of Seventeen Thousand Five Hundred Dollars (\$17,500) to be distributed as follows:

To Mrs. Clara McBride, widow of Sheriff R. F. McBride, deceased, the sum of Seven Thousand Five Hundred Dollars, (\$7,500); to Mrs. Sena L. Kempton, widow of Deputy Sheriff M. R. Kempton, deceased, the sum of Five Thousand Dollars (\$5,000); to Mrs. Laura Wootan, widow of Deputy Sheriff Kane Wootan, deceased, the sum of Five Thousand Dollars (\$5,000).

Section 3. The State Auditor is hereby authorized and instructed to draw his warrant on the General Fund of the State of Arizona, payable to the Superior Judge of Graham County, Arizona, in the amount provided for in Section 2 of this Act, and the State Treasurer is hereby authorized and instructed to pay the said sum out of any money remaining in the State Treasury not otherwise appropriated, said funds to be used and supervised by said Superior Judge in the manner provided for in Sections 4 and 5 of this Act.

Section 4. The Superior Judge of Graham County is hereby made the Trustee for the funds herein provided, and said funds shall be invested by him in property or in approved securities that will provide a permanent income for the benefit of the families herein mentioned.

Section 5. It is further provided that the funds herein appropriated and the investment of said funds, shall remain under the supervision and control of said Superior Judge or Court until the respective children in each family have attained their majority, and thereafter any remaining funds or property held by either of said widows under the supervision of said Judge or Court, shall thereupon become the property of each respective widow in fee, clear of any supervision by the Court or claim on the part of the children, but in case of the death of either widow prior to the children in her family reaching their majority, the said fund or property shall remain under the supervision of said Judge or Court until such majority, and thereupon shall be distributed in equal portion to said children in fee, or their heirs.

Approved June 17th, 1918.

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## CHAPTER 6.

(House Bill No. 20.)

### AN ACT

To Provide for the Enforcement of the Prohibition Laws of the State of Arizona and Providing for the Con-

fiscation of any Automobile, Wagon or Vehicle of Any Kind Used for the Introduction or Transportation of Intoxicating Liquors and Beverages.

WHEREAS, under the existing laws of the State of Arizona it is unlawful to transport, sell or dispose of any intoxicating liquors, and

WHEREAS, the conservation of the resources of the State are necessary in the prosecution of the war,

NOW THEREFORE, for the purpose of better conserving the resources of the State and further prohibiting the transportation, sale and disposal of intoxicating liquors, and for the further purpose of preserving better order within the State of Arizona, and protecting the civil rights of its citizens;

**Be it Enacted by the Legislature of the State of Arizona:**

Section 1. It shall be unlawful for any automobile, carriage, wagon or vehicle of any kind, or any other means of transportation to be used in the transport of intoxicating beverages or liquors of any kind to or from any person or place in the State of Arizona, and upon conviction of any person for the misdemeanor prescribed by the prohibition articles of the Constitution of the State of Arizona, who shall have used any such means of transport, such automobile, carriage, wagon or vehicle of any kind, or any other means of transportation so used, shall be confiscated to the State of Arizona.

Section 2. Within thirty (30) days from the rendition of final judgment in such case the Sheriff of the county in which such conviction is made shall sell, at public auction, any such means of transportation so confiscated and the proceeds therefrom shall be deposited with the County Treasurer of the county in which the confiscation is made.

Section 3. This act shall be construed as supplementary to the provisions of law now existing, and the penalty provided shall be cumulative.

Section 4. WHEREAS, an early operation of this

Act is necessary to preserve the public peace, health and safety of the State, an emergency is hereby declared to exist and this Act shall be in full force and effect from and after its passage and approval by the Governor.

Approved June 18th, 1918.

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CHAPTER 7.

(House Bill No. 26.)

AN ACT

Creating the Arizona State Council of Defense; Providing for the Appointment of the Members Thereof; Defining the Powers and Duties of Such Council; Prescribing a Penalty for Disobedience of the Lawful Rules and Regulations Thereof; Providing for the Destruction of Predatory Animals; for the Americanization of Aliens; Making Appropriations Therefor, and Declaring an Emergency.

**Be it Enacted by the Legislature of the State of Arizona:**

Section 1. There is hereby created a Council to be known as the "Arizona State Council of Defense", which shall consist of the Governor and fourteen other members, one member of which shall be appointed from each county in the State by the Governor and shall be approved by the Board of Supervisors of such county. Ten members shall be qualified before the Council can organize for the performance of the duties herein provided for. Eight members of the Council shall constitute a quorum.

In the event of a vacancy existing in the Council, from death, resignation, or any other cause, that vacancy shall be filled from the county wherein the vacancy exists, in the same manner as the original appointment. The Council of Defense shall be non-partisan and shall represent, as far as practicable, the various activities, industries and resources of the State.

Section 2. ORGANIZATION—The Governor shall be chairman of the Council. He shall call the first meeting of the Council at the State Capitol as soon as practicable after the passage of this Act, and the Council shall select from among its members a vice-chairman. The Council shall adopt rules and regulations for its government. It shall have power to employ and pay out of the appropriation hereinafter provided, an executive secretary at a salary not to exceed Three Thousand Dollars (\$3,000) per annum, and such clerks, stenographers and other assistants as may be necessary to enable it to perform its duties. It shall have power to appoint subordinate bodies and committees from and outside of its own membership.

Section 3. POWERS AND DUTIES—The Council shall have the power, and it shall be its duty to initiate and carry on within the State, all necessary or proper means and measures to co-ordinate the war activities of the State with those of the National Government or of other states; to co-operate by all necessary or proper means and methods with the National Council of Defense and with other national agencies for aiding in the prosecution of the war; to promote and assist in carrying on within the State the plans and activities of the National Council of Defense and of similar national agencies; to confer and co-operate with the Councils of Defense and with similar agencies of other states; to supervise the solicitation of funds for patriotic or benevolent purposes within the State, by voluntary organizations or committees, and to prohibit such solicitation when deemed by it to be detrimental to the highest efficiency for the prosecution of the war; to require State, county, city or town and other public officials to aid and co-operate in the carrying on of the war activities within the State; to enlist the aid and co-operation of private citizens in the carrying on of such war activities within the State; to enlist such war activities; to make all rules and regulations necessary or proper for carrying out the powers herein conferred upon it, and to do or cause to be done all things not in conflict with the Constitution and laws of the United States, and of the State of Arizona, necessary and advisable to meet emergencies arising within this State because of the existence of the war, or to bring about the highest efficiency within the State in relation to the war.

Section 4. INVESTIGATIONS—The Council shall, at the request of the National or State Government, or may, on its own initiative, investigate any matters relating to the safety or welfare of the Nation or State in time of war. In furtherance of such investigation, it shall have the power to require any person to appear before it for examination under oath or affirmation, administered by its presiding officer or other member designated for such purpose, and shall likewise have power to require any person, association or corporation to produce for examination any books, documents or papers in his or its possession. The Council shall have power to direct the information obtained from any such investigation to be made public, or to be treated as confidential.

Section 5. COUNTY COUNCILS OF DEFENSE—The State Council shall establish in each county of the State a County Council of Defense; such County Council shall consist of not less than three (3) nor more than seven (7) members. The chairman or a member of the Board of Supervisors shall be the chairman of such County Council. The other members thereof shall be appointed by the State Council from among the civilian electors of the county nominated by the Board of Supervisors. The membership of such County Councils shall be non-partisan and shall represent, as far as practicable, the various activities, industries and resources of the county. All vacancies shall be filled by the State Council by appointment in the same manner as the original appointments.

Section 6. REPORTS—The Council shall report, in writing, to the Governor at regular intervals, and through the Governor to the Legislature at each regular and special session thereof. It may, on its own initiative, report to the Governor or to the Legislature, at any time, and shall recommend such legislation as it may deem advisable for the prosecution of the war and the welfare of the Nation and State with relation to the war. A complete financial statement shall be furnished to the Governor every six (6) months.

Section 7. DISOBEDIENCE OF REGULATIONS—Any person violating or refusing or failing to obey any lawful rule, regulation or order of the Council shall be deemed guilty of a misdemeanor, and upon conviction

thereof by a Court of Competent Jurisdiction, shall be punished by a fine not exceeding Three Hundred Dollars (\$300), or by imprisonment in the County Jail for a period not exceeding six (6) months, or by both such fine and imprisonment.

Section 8. RULES AND REGULATIONS—The Council shall adopt such rules and regulations as may be necessary to carry out the provisions of this Act. It shall have the right to form advisory or other committees from outside its membership and organize subordinate bodies for its assistance and for the making of special investigations, either by the employment of experts or by the creation of committees of especially qualified persons, or may form such committees from among its own members. All such committees, bodies or combinations thereof shall act together or separately in such manner as the Council may direct, and shall serve without compensation unless specifically ordered to the contrary by the Council.

Section 9. EXPENSES—Each appointed member of the Council shall receive his actual expenses, not exceeding the sum of Five Dollars (\$5) per day, and traveling expenses, while actually engaged in the work of the Council, at the rate of ten cents (10c) per mile, one way.

Section 10. TERM OF EXISTENCE—The Arizona State Council of Defense shall continue for the duration of the war, and for such reasonable period thereafter,—not exceeding six months,—as may be necessary to bring the business of the Council to a close.

Section 11. APPROPRIATIONS—For the purposes of carrying out the provisions of this Act, to the 30th day of June 1919, there is hereby appropriated from any moneys in the State Treasury not otherwise appropriated, the sum of Twenty-Six Thousand Dollars (\$26,000), or so much thereof as may be necessary; and for the purpose of defraying the deficit of the existing Council of Defense there is hereby appropriated the sum of Five Hundred Dollars (\$500). Upon the presentation of claims, duly approved by the Council, the State Auditor is hereby authorized and directed to draw his warrant, and the State Treasurer is hereby authorized and directed to pay the same.

For the purpose of co-operating with the United States Government in the destruction of predatory animals and rodents, there is hereby appropriated the sum of Twenty-Five Thousand Dollars (\$25,000), to be expended under the supervision of the Biological Survey of the United States Government, and contingent upon the appropriation of a like amount for the said purpose by the United States Government. Upon the presentation of claims by the Biological Survey, duly approved by the State Council of Defense, the State Auditor is hereby authorized and directed to draw his warrant, and the State Treasurer is hereby authorized and directed to pay the same.

Section 12. AMERICANIZATION—For encouraging and putting a premium on the Americanization of all aliens within the State, and for the further purpose of co-operating with the United States Government in securing such Americanization, there is hereby appropriated, from any moneys in the State Treasury not otherwise appropriated, the sum of Three Thousand Dollars (\$3,000) or so much thereof as may be necessary for the Council to make a proper survey of the State, as to the needs of Americanization and to report the result of such survey to the next Legislature. And the State Auditor is hereby authorized to draw his warrant and the State Treasurer is hereby directed to pay the same.

Section 13. Provisions Separable—the provisions of this Act are separable and not dependent and if any section, provision, or part of either is held unconstitutional, the same shall not effect any other part thereof.

Section 14. WHEREAS, in order to preserve the public health, peace and safety, an emergency is hereby declared to exist and the provisions of this Act are hereby exempt from the referendum provision of the State Constitution.

Approved June 18, 1918.

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## CHAPTER 8.

(Senate Bill No. 2.)

## AN ACT

To Create the Office of State Dairy Commissioner and to Fix the Salary, and Define the Duties and Powers of Such Officer; to Provide for the Inspection of Creameries, Cheese Factories, Dairy Barns and Utensils used in the Handling and Manufacture of Dairy and Creamery Products; to Establish Regulations for the Dairy and Creamery Industries; to Regulate the Production, Sale and Shipment of Milk, Cream, Butter and Cheese; to Provide Penalties for the Violation of this Act, to Make an Appropriation for the Carrying Out of Its Provisions, and Declaring an Emergency.

**Be it Enacted by the Legislature of the State of Arizona:**

Section 1. The office of State Dairy Commissioner is hereby created. As soon as this Act becomes effective the Governor shall appoint a State Dairy Commissioner, who shall hold office until February 1st, 1919, or until his successor shall have been duly appointed and qualified. Following the first term, as hereinbefore provided, the term of office of said Commissioner shall be two years. The salary of the said Commissioner shall be Three Thousand Dollars (\$3,000.00) per annum, to be paid as the salaries of other State officers are paid. No one shall be eligible for appointment to said office unless he shall have a practical and technical knowledge of and experience in the production, manufacture, care and handling of dairy products. Before entering upon the duties of his office said Commissioner shall execute his official bond in the sum of Five Thousand Dollars (\$5,000) and file his oath of office as required by law of other State officers.

Section 2. It shall be the duty of the Commissioner to inspect all places where cows are kept for dairy purposes, cream separator stations, creameries, butter, cheese or other dairy product factories, stores, ware-

houses, and other places where dairy products are made, stored, prepared for delivery or shipment, or exposed for sale, with a view to ascertaining such conditions as may effect the purity, wholesomeness and fitness of the products of any such place for human consumption, and make and file in the office of the Commissioner written reports of the results of such inspections. Whenever the Commissioner shall deem necessary he may call upon the health officers of the several counties to make, or to assist in, such inspection, and said health officers are hereby required to perform such duties.

Section 3. Said Commissioner shall make and promulgate rules and regulations to be observed by the owners of cows, the milk wherefrom is to be offered for sale for human consumption, either in its natural state or as a manufactured product, relating to the feeding, care and treatment of such cows, the maintenance of the place where they are kept and milked, and the appliance used in connection therewith for the storage or transport of such milk or any product thereof; and as well relating to cream separators, creameries, cheese and butter factories, store houses and all other places where milk or any of the products therefrom are produced, manufactured, stored, kept, exposed for sale or transported, to secure the proper standard of such product, its purity, fitness and wholesomeness for human consumption. Any person, firm or corporation violating any of the rules or regulations of the Commissioner shall, upon conviction thereof, be adjudged guilty of a misdemeanor.

Section 4. Every person, firm or corporation, selling or offering for sale any milk or product thereof produced or manufactured in violation of any of the rules and regulations prescribed by the Commissioner under the provisions of the preceding section, shall, upon conviction thereof, be deemed guilty of a misdemeanor; and each day on which such milk or product thereof is sold, or offered for sale shall constitute a separate and distinct offense.

Section 5. To carry out the provisions of this Act the Commissioner or any county health officer named by him for such purpose, shall have free and unobstructed access to all places where cows are kept and milked, and to all parts of the premises and to the implements and

appliances used in connection therewith, and in connection with the care and preservation and transport of the milk, and to all places where milk products are manufactured, stored, preserved or prepared for sale, delivery or transportation. Any one who shall obstruct or hinder the Commissioner or any county health officer deputized by him, in the performance of their duties as set forth in this Act shall, upon conviction, be deemed guilty of a misdemeanor.

Section 6. The Commissioner shall have power to investigate the manner, practices, processes and methods adopted or employed by any person, firm or corporation, in the production of milk or milk products for sale. For the purpose of any such investigation, the Commissioner may require the attendance and testimony before him of witnesses and the production of books and papers insofar as they relate to the matter under investigation. Failure to regard the subpoena of the Commissioner shall subject the offender to the penalties prescribed by law for disobedience in the taking of depositions in civil cases. The Commissioner shall have the power to administer oaths to witnesses and to affiants whose affidavits may be taken under the provisions of this Act.

Section 7. If, upon investigation as provided for in the last preceding section, the Commissioner shall find that any person, firm or corporation, has adopted or is employing any practice, process or method in the production of milk or milk products, which render or tend to render such milk or milk products impure, unsanitary, unwholesome or unfit for human consumption, he shall serve upon such person, firm or corporation, a written order directing the abandonment of such practice, process or method, and to adopt and use such practice, process or method as shall insure the purity and wholesomeness, and the fitness of such product for human consumption. Any failure to comply with the provisions of this section and with any order of the Commissioner issued thereunder, shall be deemed a misdemeanor, and each day that shall elapse without obedience to or compliance with any such order shall constitute a separate and distinct offense.

Section 8. The Commissioner shall, from time to time, collect, compile, and publish in convenient form,

statistics relating to the dairy business in the State and such other information relating thereto as may be of value to those engaged therein, and keep for ready reference in his office the original data so collected by him.

Section 9. It shall be the duty of the Commissioner, by himself or any county health officer duly appointed by him for that purpose, from time to time as it may in his opinion be necessary or proper to protect the public health, to take samples of and make tests for quality, character, purity and wholesomeness of the milk or milk products produced or manufactured for human consumption and for that purpose may demand of any person, firm or corporation engaged in the dairy business such samples as he may designate; and it shall be the duty of such person, firm or corporation to deliver at once to, or permit said Commissioner or county health officer to take such samples. Any person, firm or corporation refusing, upon such demand, to deliver to or permit said Commissioner or county health officer to take such samples shall be, upon conviction thereof, guilty of a misdemeanor.

Section 10. The Commissioner shall keep in his office, a record of all analyses and tests of milk or milk products, which shall have been made under his direction, in a book to be kept there for that purpose, in which shall be noted the source whence the sample was taken and from whom, of what the sample consisted, the date when taken, and the date of the analysis or test, and the details of the result thereof in terms usual to the industry. A copy of such record relating to such sample certified to by the Commissioner shall be taken in any court as prima facie evidence of the facts therein stated.

Section 11. Special dairy inspectors may be appointed by the Dairy Commissioner for any factory or plant which buys or receives milk or cream, or for a group of such factories or plants, or for any organization which produces or handles dairy products, provided that the State shall not be liable for any compensation for any such special dairy inspector. Such special dairy inspector shall have all powers conferred by law upon dairy inspectors, and shall be under the supervision of the Commissioner and make such reports as the said Commissioner may require. He may supervise and inspect the

weighing and testing of milk, cream, butter, cheese or condensed milk, and for such purpose may use any or all necessary apparatus in such factory or plant.

Section 12. The standards for purity for dairy products shall be those prescribed by the Arizona Pure Food Law.

(1) Whole milk is the lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within fifteen days before and five days after calving, and contains not less than three and one-fourth per cent of butter fat;

(2) Milk for butter making or cheese making, or for condensed milk, may contain less than three per cent of butter fat, but must be delivered pure, sweet and clean. Whole milk for consumption as a beverage shall contain not less than three and one-fourth per cent butter fat. Cream is that portion of milk rich in butter fat which rises to the surface of the milk on standing or is separated from it by centrifugal force, and contains not less than eighteen per cent butter fat; cream to be used in the manufacture of butter that is not delivered to point of shipment within twenty-four hours after milking must contain not less than thirty per cent of butter fat and shall be delivered in wholesome condition. No part of any shipment of milk or cream to be used in the manufacture of food products shall be more than two days old when delivered at the point of shipment during the months of May to October, inclusive, and three days old during November to April, inclusive. Such milk or cream must not be delivered at the point of shipment more than one hour before the schedule time of train or other vehicle on which it is to be shipped, unless kept in a protected, cool and sanitary place, free from foul odors. Butter is the product made by gathering, in any manner, the fat of fresh or ripened milk or cream into a mass which also contains not less than eighty per cent of butter fat and less than sixteen per cent of water, or such tests as shall be established by the Department of Agriculture of the United States, and shall contain sixteen ounces in every pound package; provided, that the amount of butter fat or water in the product of any manufacturer, or in any given quantity of butter, shall be determined as hereinafter provided with reference to

renovated or process butter; butter may also contain a harmless vegetable coloring matter. Renovated or process butter is the product made by melting butter and reworking, without the addition or use of chemicals or any substance except cream, milk or salt, and contains not less than eighty per cent of butter fat and less than sixteen per cent of water, or such test as shall be established by the Department of Agriculture of the United States; before being offered for sale shall be stamped "renovated butter". Provided, that the amount of butter fat or water in the product of any one manufacturer, or in any given quantity of butter, renovated or process butter, shall be ascertained in the following manner, to-wit: five samples shall be taken from five different packages of any one manufacturer, or from any one tub of churning of butter, and a careful analysis made by the official method adopted by the Association of Agricultural Chemists. If this analysis shall show less than eighty per cent of butter fat or sixteen per cent or more of water, butter or process butter thus analyzed shall be deemed adulterated butter, and shall be condemned for food purposes by the Commissioner. Renovated or process butter may also contain a harmless vegetable coloring matter. Cheese is the solid and ripened product made by coagulating the casein of milk by means of rennet or acids, with or without the addition of ripening ferments or seasoning; cheese may also contain harmless vegetable coloring matter. Whole milk or full cream cheese is cheese made from milk from which no portion of the fat has been removed, and contains not less than fifty per cent of butter fat in proportion to total solids. Skim-milk Cheese is cheese made from milk from which any portion of the fat has been removed, and must be stamped on cloth and containing box. Ice cream is a frozen product made from cream and sugar, with or without natural flavoring, and contains not less than fourteen per cent of milk fat; fruit ice cream, is a frozen product made from cream, sugar and sound clean mature fruits, and contains not less than twelve per cent milk fat; nut ice cream is a frozen product made from cream, sugar and sound non-rancid nuts, and contains not less than twelve per cent of milk fat.

Section 13. It shall be unlawful for any person, firm or corporation to engage, in this State, in the manufacture or preparation for sale for human consumption

of cheese, butter, or condensed or evaporated milk or other milk product, at any factory in this State, without having a license therefor, as hereinafter provided. The Commissioner shall grant a license to any applicant therefor to manufacture or otherwise prepare milk products at a creamery, evaporated or condensed milk factory, cheese or butter factory, or any continuation thereof within this State upon the conditions:

(a) That the factory at which the business is to be carried on in all its appointments, equipment and surroundings are in compliance with the rules and regulations of the Commissioner to insure cleanliness, sanitation, purity and wholesomeness;

(b) That the method, processes and practices adopted and used therein are in accordance with the rules and regulations prescribed therefor by the Commissioner;

(c) That the applicant has not so repeatedly violated the rules and regulations prescribed by the Commissioner as to make it appear that he is unfit to be allowed to carry on said business. The application for license shall be in writing in form to be prescribed by the Commissioner. It shall state the name, residence and postoffice address of the applicant; if the applicant be a firm it shall state the names, residence and postoffice address of each of the incorporators. If the applicant is a corporation, it shall state the full corporate name, the amount of its authorized capital stock; the name of the State under the laws of which it was organized. If it is a foreign corporation the fact that it has complied with the laws of this State relating to foreign corporations; the exact location of the factory, with a general description of it, and the character of the business proposed to be carried on therein. The license shall contain a statement of all the facts recited in the application and shall be for a term expiring on the first day of January next following after the date of the license, and shall otherwise be in form prescribed by the Commissioner. Before receiving such license, the applicant shall pay to the Commissioner a license fee of Twenty-Five Dollars (\$25.00). Provided, no fee shall be required of any person who manufactures or sells only products from his own dairy. The Commissioner may revoke any license issued

under this section, if the licensee shall repeatedly and persistently violate any of the provisions of this Act or the rules and regulations applicable to such license or his business made and promulgated by the Commissioner under the provisions of this Act.

Section 14. The testing, weighing, and sampling of milk, or cream or other dairy products purchased on the basis of the amount of butter fat contained therein shall be done by licensed and bonded testers, who shall be responsible for the operation of the Babcock test in the testing of such dairy products. The license shall be issued by the Dairy Commissioner upon application accompanied by a certificate of proficiency and the payment of a license fee of \$1.50. The certificate of proficiency shall be granted by the dairy division of the University of Arizona upon satisfactory evidence of ability to accurately operate the Babcock test. Examinations will be given at stated times and places to applicants for such licenses. Each license shall expire on January first of the year following the date of issue, but may be renewed without examination by the Commissioner. Application for such license shall be made upon a blank furnished by the Dairy Commissioner. No license or renewal shall be transferrable. Each license shall be subjected to revocation by the Dairy Commissioner upon reasonable notice that the licensee has violated any of the rules and regulations prescribed by the Commissioner or has violated any of the laws of the State relating to milk or cream or other dairy products. The bond to be given by tester required in this section shall be in the sum of One Thousand Dollars (\$1,000.00) in form and to be approved by the Commissioner.

Section 15. Any person, firm or corporation engaged in the business of buying milk, cream or butter fat for the purpose of manufacture, either by himself or another who shall, with the intention of destroying or injuring the business of a competitor or restraining in any manner an open competition in said business, discriminate between the different sections, localities, communities or cities of this State by purchasing or offering to purchase such commodity at a higher price in any one locality than is paid or offered for the same commodity by such person, firm or corporation in any other locality, after making due allowance for the difference, if any, in

the grade or quality of the commodity or conditions locally affecting its production and in the actual cost of transportation from the place of purchase to the place of manufacture, sale or storage, shall be deemed guilty of a misdemeanor and punished as herein provided.

Section 16. It shall be unlawful for any hauler of milk or cream or any other dairy product, or any person, firm or corporation receiving or purchasing milk or cream or other dairy product by weight or test or both, or by measure or test, or by both, or any agent of such purchaser, to fraudulently manipulate the weight, measure or test of such product, or to take unfair samples thereof, or to fraudulently manipulate such samples. The hauler or other agent of the purchaser shall thoroughly mix the milk or cream of each patron by pouring or stirring until such milk or cream is uniform and homogenous in quality and contents before a sample for test is taken. The same rule shall apply when sampling is done at a creamery, cheese factory, condensory or shipping station. It shall be unlawful for any person or persons to use any test, tube, bottle, pipette or instrument in connection with testing which is not perfectly clean; and for the purpose of this Act any unclean test bottle or other instrument is declared inaccurate. All tests made by the purchaser shall be maintained at a temperature of at least one hundred and twenty (120) degrees F. for ten minutes before the reading of the per cent of butter fat is made.

Section 17. The term "Standard Babcock Testing Glassware" shall apply to glassware and weights complying to the following specifications:

(a) Standard Milk Test Bottles;

Graduation for Milk Test Bottles—The total per cent graduation shall be eight (8). The graduation portion of the neck shall have a length of no less than 63.5 millimeters, the graduation shall represent whole per cent, five-tenths per cent, and tenths per cent. The whole percent graduation shall extend at least one-half way around the neck to the right and projecting two millimeters to the left of the tenths per cent graduations. Each percent graduation shall be numbered, the number being placed on the left of the scale. The error at any point of the scale shall not exceed one-tenth per cent.

Neck. The neck shall be cylindrical and the cylindrical shape shall extend for at least nine (9) millimeters below the lowest, and nine (9) millimeters above the highest graduation mark. The top of the neck shall be flared to a diameter of not less than ten (10) millimeters.

Bulb. The capacity of the bulb up to the junction of the neck shall not be less than forty-five (45) c. c. (Cubic Centimeters). The charge of the bottle shall be eighteen (18) grams. The total height of the bottle shall be between one hundred and fifty (150) and one hundred and sixty-five (165) millimeters.

(b) Standard Cream Test Bottles:

Three types of bottles shall be accepted as standard cream test bottles; a fifty (50) per cent nine (9) gram short-neck bottle, a fifty (50) per cent nine (9) gram long-neck bottle, and a fifty (50) per cent eighteen (18) gram long-neck bottle.

Fifty per cent nine-gram Short-neck Bottle Graduation.—The total per cent of graduation shall be fifty (50). The graduated portion of the neck shall have a length of not less than 63.5 millimeters. The graduation shall represent five per cent, one per cent, and five-tenths per cent. The five per cent graduation shall extend at least half way around the neck to the right. The five-tenths per cent graduations shall be at least three (3) millimeters in length, and the one per cent graduations shall have a length intermediate between the five per cent and the five-tenths per cent graduations. Each five per cent graduation shall be numbered, the number being placed on the scale. The error at any point of the scale shall not exceed five-tenths per cent.

Neck. The neck shall be cylindrical, and the cylindrical shape shall extend at least nine (9) millimeters below the lowest, and nine (9) millimeters above the highest graduation mark. The top of the neck shall be flared to a diameter of not less than ten (10) millimeters.

Bulb. The capacity of the bulb up to the junction of the neck shall not be less than forty-five (45) c. c. The charge of the bottles shall be nine (9) grams. All

bottles shall bear on the top of the neck above the graduations in plainly legible characters, a mark defining the weight of the charge to be used (nine grams). The total height of the bottle shall be between one hundred and fifty (150) and one hundred and sixty-five (165) millimeters, same as standard milk test bottles.

Fifty per cent nine-gram Long-neck Bottles.—The same specifications in every detail as specified for the fifty (50) per cent nine-gram, short-neck bottle shall apply for the long-neck bottle, with the exception, however, that the total height of this bottle shall be between two hundred and ten (210) and two hundred and thirty-four (234) millimeters, and that the total length of the graduation shall be not less than one hundred and twenty (120) millimeters.

Fifty per cent eighteen-gram Long-neck Bottles.—The same specifications in every detail as specified for the fifty (50) per cent nine (9) gram long-neck bottle shall apply, with the exceptions that the charge of the bottle shall be eighteen (18) grams, and the mark defining the weight of the charge placed at the top of the neck shall be eighteen (18). The total length of the Standard Babcock pipette shall be not more than three hundred and thirty (330) millimeters. Outside diameter of suction tube, six (6) to eight (8) millimeters. Length of suction tube, one hundred and thirty (130) millimeters. Outside diameter of delivery tube, 4.5 to 5.5 millimeters. The length of delivery tube one hundred (100) to one hundred and twenty (120) millimeters. Distance of graduation mark above bulb, thirty (30) to sixty (60) millimeters. Nozzle straight. Delivery, 17.6 c. c. of water at twenty (20) degrees Centigrade in five (5) to eight (8) seconds. The sensibility of all scales used for weighing cream samples into the test bottles shall be not more than thirty (30) milligrams, and the standard weights shall be nine (9) grams and eighteen (18) grams.

Section 18. Persons engaged in the business of purchasing milk or cream from producers for manufacturers or resale shall pay the producer thereof on the tenth (10th) and twenty-fifth (25th) days of each month for all milk or cream delivered prior to the first (1st) and the fifteenth (15th) days of each month. If such

purchaser shall fail to pay the amount due to a producer for milk or cream so delivered at the time herein specified, then in any action brought therefor there shall be included in any judgment recovered for the full amount due twenty-five (25%) per centum additional for the amount found due, together with a reasonable attorney's fee to be fixed by the court.

Section 19. For the purpose of carrying into effect the provisions of this Act, there is hereby appropriated, out of any moneys in the State Treasury not otherwise appropriated, for the fiscal year ending June 30th, 1919, the sum of Ten Thousand Dollars (\$10,000.00) or so much thereof as may be necessary. Upon the presentation of duly verified claims for the salary of the Commissioner and for traveling and other necessary expenses, in connection with the carrying out of the provisions of this Act, the State Auditor is hereby authorized to draw his warrant and the State Treasurer is hereby directed to pay the same.

Section 20. Any person, firm or corporation, or any agent of any firm or corporation, violating any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than Twenty-Five (\$25.00) nor more than Two Hundred Dollars (\$200.00) for each offense, or imprisonment in the County Jail for a period of not less than ten (10) days nor more than sixty (60) days.

Section 21. All Acts and parts of Acts in conflict with this Act are hereby repealed.

Section 22. Whereas, the regulation of the manufacture and production of dairy products is a matter of vital importance to the people of the State of Arizona, and whereas, the early operation of this bill is necessary to preserve the public peace and health of the people of the State, an emergency is hereby declared to exist, and this Act shall take effect and be in force from and after its passage and approval by the Governor.

Approved June 20th, 1918.

## CHAPTER 9.

(Senate Bill No. 20.)

## AN ACT

To Protect the Civil Rights of Arizonans Engaged in the Present War by Aiding in the Enforcement of the Selective Service Laws and Regulations of the United States.

**Be it Enacted by the Legislature of the State of Arizona:**

Section 1. Any person who furnishes or signs or aids or assists in furnishing or signing any false affidavit or certificate relating to the physical or financial or domestic relations condition of any person, which affidavit or certificate is used for the purpose of securing a deferred classification under the selective service regulations of the United States, shall be guilty of a felony and upon conviction thereof shall be punished by imprisonment for not less than one year.

Section 2. All Acts and parts of Acts in conflict with this Act are hereby repealed.

Section 3. Whereas an early operation of this Act is necessary for the protection of the public health, peace and safety of the State, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval by the Governor.

Approved June 20, 1918.

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CHAPTER 10.

(Senate Bill No. 19.)

## AN ACT

To Provide for the Americanization of Non-English Speaking Persons and Illiterates; to Provide and

Maintain Night Schools and Providing an Appropriation Therefor.

**Be it Enacted by the Legislature of the State of Arizona:**

Section 1. In any common school district within the State of Arizona where there are fifteen or more persons over sixteen years of age, who either do not read and write the English language, or who do not speak the English language, and who desire to attend a night school, the Board of Trustees of such district are hereby authorized and empowered to establish a night school, for the teaching of the English language, American ideals and an understanding of American institutions.

Section 2. For defraying the expenses of such night schools until June 30th, 1919, there is hereby appropriated out of the General Fund of the State not otherwise appropriated, the sum of Twenty-Five Thousand (\$25,000.00) Dollars. The State Auditor is hereby authorized to draw warrant on the General Fund of the State for Twenty-Five Thousand (\$25,000.00) Dollars, payable to the State Superintendent of Public Instruction, and the State Treasurer is hereby authorized to pay said warrants.

The State Superintendent of Public Instruction shall apportion the said sum of Twenty-Five Thousand (\$25,000.00) Dollars to cover the various counties of the State, according to the daily average attendance of such night schools, which attendance shall be ascertained each month from reports of school trustees to the County School Superintendents, who shall, in turn, transmit the same to the Superintendent of Public Instruction.

Approved June 20, 1918.

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## CHAPTER 11.

(Substitute House Bill No. 3.)

### AN ACT

To Enable Qualified Electors in the Military or Naval

Establishments of the State of Arizona or of the United States in Any Capacity to Exercise the Right of Suffrage While Absent From the State in Such Military Establishments; to Provide Penalties; to Repeal all Acts in Conflict With the Provisions of This Act; and to Declare an Emergency.

**Be it Enacted by the Legislature of the State of Arizona:**

Section 1. Notwithstanding any more general law respecting the time or manner of voting for candidates for office at any general or primary election, ~~or the time or manner of voting on any question submitted,~~ ~~to a popular vote,~~ at a general election, or at any primary or general election where registration of votes is required by law, all qualified electors, in war time or after peace, in the actual military or naval establishments of this State, or of the United States in any capacity as defined by Congress, and by reason thereof absent from the State on any election day, shall be entitled to exercise the right of suffrage and to vote at such elections in the manner and form provided for in this Act and by the general and primary election laws now in effect in this State.

Section 2. The County Recorders of their respective counties shall immediately prepare a military register on which shall be entered the names of voters of his county, who are now absent or may hereafter be absent from their respective election precincts in time of war serving in the army, navy or other part of the military establishment of this State or the United States. The said register of voters shall be arranged in alphabetical order. Such register shall contain the name of the voter, as it appears on the records of the Army or Navy Department, his post office address, the county, precinct or city in which said voter has a legal residence; if he resides in a city, his street or residence number, or such other description as will identify the place of his residence. Said register shall contain the name or number or other designation of the Division, Regiment, Company, Troop, Vessel or other command in which the absent voter is serving at the time of such entry, so far as the Recorder can ascertain the same. If there are military reasons why any of this information should not be

placed on the register, a record of the same shall be kept in the Recorder's office. The Recorder shall obtain from the proper military or naval authorities of the nation, or from any other source that is available and expedient, the information required to carry out the provisions of this Act. In the future the Recorder shall keep a complete military register in accordance with the provisions of this section, which shall be a public record, not only of those who are now in the army or navy of the United States, but also of those who may, in future, enter the military service of the State or of the United States in any capacity. The Recorder shall file with the Clerk of the Board of Supervisors at least fifty (50) days before a statewide general or primary election, a copy of the military register as shown by the records of said office as revised and corrected to the date of its filing. Every public officer and every citizen shall furnish to the Recorder such information as he may possess relating to absent voters who are in the military establishments of the State or of the United States. Any person who shall refuse to furnish said information or shall willfully furnish false information with reference to such absent voter shall be deemed guilty of a felony and shall, on conviction thereof, be punished by imprisonment in the State Penitentiary not less than one nor more than three years.

Section 3. The said Board of Supervisors shall provide all necessary ballots, records, forms, blanks, envelopes, stationery, postage, blank forms, as may be necessary for the proper administration of the provisions of this Act. The said Clerk shall transmit to the proper places and to the proper persons all necessary papers, ballots, and instructions in strict compliance with the provisions of this Act, and the laws of primary and general elections, and shall administer the provisions in such a way as to carry out this Act according to its true intent and purpose; the Clerk shall prepare and print at least one official envelope for each absent voter for each primary or general election. Said envelope shall be

made out of substantial paper of a blue color. Hereafter, in this Act, said envelope shall be referred to as the "blue envelope." Upon one side of the said envelope shall be printed substantially the following:

OFFICIAL WAR BALLOT FOR PRIMARY OR  
GENERAL ELECTION.

Date ....., 19.....  
Name of voter .....  
Residence .....  
County of .....  
City or Town of .....  
Precinct or Ward of .....  
Present location.....

.....  
(Clerk, Board of Supervisors.)

Upon the other side of the said blue envelope shall be printed substantially the following:

**INSTRUCTIONS TO VOTERS:** Before signing the affidavit read these instructions carefully:

(1) Insert in the blank space the name of the precinct in which the voter resided at the time of his enlistment. If the voter resides inside a city, insert the name of the city in the proper space and give the street number of his residence, or such description as will identify his place of residence.

(2) Insert in the proper space the Division, Regiment, Company, Troop, Vessel or other command to which the voter is attached at the time of signing this affidavit.

(3) The venue of this affidavit may be omitted if there are military reasons why it should be. The acknowledgement of this affidavit must be signed by a commissioned officer of the Army or of the Navy of the United States, who is acquainted with the voter. The officer signing the same shall add the rank of his com-

mission; whether Lieutenant, Captain, etc., and the sub-division to which he belongs.

OATH OF ABSENT ELECTOR

(VENUE)

I do solemnly swear, or affirm, that I am a citizen of the United States; that I am of age of at least 21 years; that I am a resident of the State of Arizona; that my post office is \_\_\_\_\_, Arizona; that I have been for more than one year last preceding this election a resident of said State; that immediately prior to my enlistment I resided for more than thirty (30) days in the county of \_\_\_\_\_ in \_\_\_\_\_ Precinct or City of \_\_\_\_\_; that I am in the military or naval service of the United States or of the State of Arizona; that I have inclosed in this envelope my ballot and that the same has been marked by me.

I hereby certify that on this day \_\_\_\_\_ of \_\_\_\_\_, 19\_\_\_\_, the affiant subscribed and swore to the foregoing affidavit in my presence and hearing; that I am personally acquainted with the affiant and know that he is the identical person who signed the foregoing affidavit.

\_\_\_\_\_  
(Officer.)

\_\_\_\_\_  
(Rank.)

Section 4. The said Clerk, at least forty (40) days prior to any statewide primary or general election, shall fill in the proper spaces, in the blanks provided for on the outside of the blue envelope, the information that appears on the general register with reference to the name, residence, county, city, precinct, and home post office address of the absent voter, who at the time is in the naval or military service of the United States in some capacity and also the information with reference to the present address of said absent voter.

The information filled in these blank spaces shall be substantially what appears on the records in the Clerk's

office unless there is some military reason for not giving it in detail, but sufficient information shall be given to identify the residence of the voter in this State and his approximate location in the army or navy of the United States. After filling out these blanks on the blue envelope the same shall be signed by the Clerk of the Board of Supervisors, and the official seal of the Board shall be impressed on said envelope.

Section 5. The Clerk of the Board of Supervisors shall mail, by registered mail, taking receipt therefor, to every qualified voter whose name appears on the military register in the Clerk's office at least forty (40) days prior to any statewide primary or general election, one official ballot for each of the various political parties at any primary that polled 10 per cent or more, of the total vote cast at the previous general election and two official ballots for any general election. If the Army or Navy Department make any rules or regulations relating to the right of franchise and to the delivery of mail to persons in the military or naval service of the United States, the said Clerk shall comply with the regulations and be directed by the rulings of said Army or Navy Department. The Clerk shall also enclose with said ballots the blue envelope heretofore referred to, and a second envelope, addressed to "the Clerk, Board of Supervisors, ....., Arizona"; also a letter of instructions in substantially the following form:

TO THE ABSENT VOTERS OF THE STATE OF ARIZONA  
IN THE MILITARY SERVICE OF  
THE NATION OR STATE:

In accordance with the provisions of the laws of Arizona, I am sending you herewith official primary (or general election, as the case may be), ballots for the following political parties: (Here insert the names of parties whose ballots are inclosed.) I am also enclosing a blue envelope and a second envelope, which is addressed to "the Clerk, Board of Supervisors, ....., Arizona," and this letter of instructions. It is of the utmost importance that you carefully read and understand these instructions and the affidavit on the outside of the blue envelope. In voting at the primary you are to use only one official primary ballot. Destroy the ballots

that are not used. Mark on the ballot of the political party, to which you are affiliated, your preference for office. In voting at a general election you are to use only one official ballot. The extra ballot is sent you to be used by you in case the other is spoiled; destroy the ballot not used by you. Do not return any but the ballot marked. You can write in on these ballots the name of the person for whom you desire to vote and whose name is not printed on the ballot; and you should place a cross in the square to the right of such name so written in. Place the ballot that you have marked in the blue envelope. Subscribe and swear to the affidavit on the outside of said envelope before any commissioned American officer, who is acquainted with you. **A FAILURE TO RETURN THE BLUE ENVELOPE WILL PREVENT YOUR VOTE FROM BEING COUNTED.** You are at liberty to make inquiry as to the proper way to cast your ballot, but in casting it you should do so privately. No one has any right to see or know how you vote. After enclosing your ballot in the blue envelope, seal said envelope up securely, enclose it in the other envelope which is addressed to the Clerk, Board of Supervisors, ....., Arizona. Seal up said envelope and place the necessary postage thereon. Do not make any identification marks of any kind on the outside of the envelope addressed to the said Clerk. As your vote must be canvassed on the day of election at ....., Arizona, the ..... day of ....., 19....., it is important that you return your ballot immediately.

.....  
 (Clerk, Board of Supervisors.)

Section 6. The method of voting at a primary or general election under the provisions of this Act shall be the same as that provided for by the general laws of this State. The instructions given to voters with reference to general election, except as modified by this Act, shall govern and control. The voter may write on the ballot the name of any person for whom he desires to vote, making a cross (X) on the square to the right thereof. The general method for marking the ballot, both on candidates and constitutional amendments, laws initiated and laws referred, shall be the same as that provided by the general election laws of this State. A voter shall

have the right to make inquiry of any source he may deem proper for information as to the proper method of casting his ballot. No one has any right to see or know how the voter cast his ballot. He shall not mark his ballot in the presence of anyone unless he is physically unable to mark his ballot. In that instance, he may require assistance. After he marks his official ballot he shall insert it in the blue envelope. Thereafter he shall swear and subscribe to the affidavit on the back of the blue envelope, before an American Commissioned Officer who is acquainted with him. He shall then securely seal the blue envelope, insert in it the envelope addressed to the said Clerk, seal up the outside envelope addressed to the Clerk and place sufficient postage thereon. There shall be no identification marks placed on the outside of the envelope so addressed. The ballot not used shall be destroyed. The said Clerk shall ascertain what postage is necessary to carry said envelope and shall insert the amount in the instructions sent to the voter. All votes cast at a primary or general election held under the provisions of this Act by absent voters, who at the time of the election are in the military service of the United States or of the State of Arizona, must be returned to and received by the said Clerk on election day, before the closing of the polls. The Board of Supervisors shall count and canvass all votes received by it up to the hour of closing of the polls on election day from absent voters, and shall not canvass or count any ballots which are received by said Board after said polls are closed on election day.

Section 7. The Board of Supervisors and Clerk shall sit on primary or general election day as an Election Board for the purpose of depositing the ballots cast under the provisions of this Act; in depositing the votes on the day of election cast under the provisions of this Act the Board of Supervisors shall open, in the presence of each other, the envelope addressed to the Clerk of said Board and shall thereafter examine the name and affidavit of the voter that appears on the blue envelope. If the voter has signed the affidavit in compliance with the provisions of this Act and it appears to the Board that he is entitled to cast his ballot, said Board, in the presence of each other, shall open the blue envelope and examine the ballot, being careful not to open said ballot or disclose the secrecy of the vote, therein inclosed for

the purpose of ascertaining whether or not said ballot is one sent out by said Clerk. If the ballot inclosed is one that has been sent out by the Clerk, the Board shall deposit the same in a suitable sealed ballot box. It is not necessary that all the ballots be placed in the same ballot box, but the Board shall proceed so as to protect the absolute secrecy of the ballot. In canvassing the votes cast under the provisions of this Act, the law relating to the duties and powers of judges, and clerks of election and election boards generally, shall, in so far as applicable, apply to the said Clerk and Board of Supervisors sitting as an election board on said election day. In case there is a conflict, the provisions of this Act shall govern. All envelopes addressed to the Clerk of the Board of Supervisors containing ballots cast at any primary or general election shall be, from the time of delivery until the votes are cast and canvassed, under the absolute and exclusive control of the said Clerk and Board. Said Board shall make whatever provision is necessary to properly care for said ballots and to prevent the loss of any of said ballots or any tampering therewith.

Section 8. No informality in the manner of carrying out the provisions of this Act shall invalidate the election held under the same or rejection of the returns thereof, and this Act shall be liberally construed for the purposes herein expressed. All elections held under the provisions of this Act shall be subject to contest and inquiry in the same manner as elections held within this State.

Section 9. All the provisions of the penal laws relating to crimes against the elective franchise shall be deemed to apply to all elections held under the provisions of this Act. Any person who shall violate any such provisions shall be subject to the penalties prescribed by the laws of this State. The duties imposed upon officers under the provisions of this Act are mandatory and any officer who shall fail or neglect to perform the duties imposed upon him by the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding Five Hundred Dollars (\$500). Where no other penalty is imposed, any person violating any of the provisions of this Act shall be fined not to exceed One Hundred Dollars (\$100) or

be imprisoned in the County Jail not to exceed three (3) months.

Section 10. All Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

Section 11. WHEREAS, in order to preserve the public health, peace and safety, an emergency is hereby declared to exist and the provisions of this Act are hereby exempt from the referendum provision of the State Constitution.

Approved June 20, 1918.

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## CHAPTER 12.

(Senate Bill No. 11.)

### AN ACT

Entitled: "An Act to Extend Protection to the Civil Rights of Members of the Military and Naval Establishments of the United States Engaged in the Present War," With an Emergency Clause.

Be it Enacted by the Legislature of the State of Arizona:

### ARTICLE I.

#### General Provisions.

Section 1. That for the purpose of enabling the United States the more successfully to prosecute and carry on the war in which it is at present engaged, and for the purpose of enabling the State of Arizona to lend full and vigorous aid to the Federal Government in the prosecution of said war, protection is hereby extended to persons in the military service of the United States, in order to prevent prejudice or injury to their civil rights during their term of service, and to enable them to devote their entire energy to the military needs of the Na-

tion, and to this end the following provisions are made for the temporary suspension of legal proceedings and transactions which may prejudice the civil rights of persons in such service during the continuance of the present war.

Section 2. (a) That the term "persons in military service," as used in this Act, shall include the following persons and no others; all officers and enlisted men of the Regular Army, the Regular Army Reserve, the Officers' Reserve Corps, and the Enlisted Reserve Corps; all officers and enlisted men of the National Guard and National Guard Reserve recognized by the Militia Bureau of the War Department; all forces raised under the Act entitled "An Act to Authorize the President to Increase Temporarily the Military Establishment of the United States", approved May eighteenth, Nineteen Hundred and Seventeen; all officers and enlisted men of the Navy, and Marine Corps, and the Coast Guard; all officers and enlisted men of the Naval Militia, Naval Reserve force, Marine Corps Reserve, and National Naval Volunteers recognized by the Navy Department; all officers of the Public Health Service detailed by the Secretary of the Treasury for duty either with the Army or the Navy; any of the personnel of the Lighthouse Service and of the Coast and Geodetic Survey transferred by the President to the service and jurisdiction of the War Department or of the Navy Department; members of the Nurse Corps; field clerks who have taken the oath as members of the Military forces of the United States; and members of any other body who have heretofore or may hereafter become a part of the military or naval forces of the United States. The term "Military Service", as used in this definition, shall signify active service in any branch of service heretofore mentioned or referred to, but reserves and persons on the retired list shall not be included in the term "persons in military service" until ordered to active service. The term "active service" shall include the period during which a person in military service is absent from duty on account of sickness, wounds, leave, or other lawful cause.

(b) The term "period of military service", as used in this Act, shall include the time between the following dates: For persons in active service at the date of the approval of this Act it shall begin with the date of approval of this Act, for persons entering service after the

date of this Act, with the date of entering active service. It shall terminate six months after the date of discharge from active service, or six months after death while in active service, but in no case later than the date when this Act ceases to be in force.

(c) The term "person", as used in this Act, with reference to the holder of any right alleged to exist against a person in military service, shall include individuals, partnerships, corporations, and any other forms of business association.

(d) The term "court", as used in this Act, shall include any court of competent jurisdiction within this State, whether or not a court of record.

(e) The term "termination of the war", as used in this Act, shall mean the termination of the present war by the Treaty of Peace, as proclaimed by the President.

Section 3. (a) That the provisions of this Act shall apply to all persons in the military service of the United States, as hereinbefore defined, either residents or non-residents of this State, who were inducted into such service at the date of the approval of this Act, or who shall be inducted into such service after the date of the approval of this Act, by voluntary enlistment, draft, or any other lawful method of recruiting the military service of the United States, against whom proceedings are commenced in any court of the State of Arizona, and on behalf of whom proceedings are commenced in any court of the State of Arizona, and to all real or personal property within the State of Arizona, held or owned by such persons, or in which such persons own or have any interests, legal or equitable, and shall be enforced through the usual forms of procedure obtaining in such courts and under such regulations as may by them be prescribed.

(b) When under this Act any application is required to be made to a court in which no proceeding has already been commenced with respect to the matter, such application may be made to any court of competent jurisdiction.

## ARTICLE II.

## General Relief.

Section 4. (a) That in any action or proceeding commenced in any court, if there shall be a default of an appearance by the defendant, the plaintiff, before entering judgment, shall file in the court an affidavit setting forth facts showing that the defendant is not in military service. If unable to file such affidavit, plaintiff shall, in lieu thereof, file an affidavit setting forth either that the defendant is in the military service or that plaintiff is not able to determine whether or not defendant is in such service. If an affidavit is not filed showing that the defendant is not in the military service, no judgment shall be entered without first securing an order of court directing such entry, and no such order shall be made if the defendant is in such service until after the court shall have appointed an attorney to represent defendant and protect his interest and the court shall, on application, make such appointment. Unless it appears that the defendant is not in such service the court may require as a condition before judgment is entered that the plaintiff file a bond approved by the court conditions to indemnify the defendant, if in military service, against any loss or damage that he may suffer by reason of any judgment, should the judgment be thereafter set aside in whole or in part. And the court may make such other and further order, or enter such judgment, as in its opinion may be necessary to protect the rights of the defendant under this Act.

(b) Any person who shall make or use an affidavit required under this section, knowing it to be false, shall be guilty of a misdemeanor and shall be punishable by imprisonment not to exceed six months, or by a fine not to exceed Five Hundred Dollars (\$500), or both.

(c) In any action or proceeding in which a person in military service is a party, if such party does not personally appear therein or is not represented by an authorized attorney, the court may appoint an attorney to represent him; and in such case a like bond may be required and an order made to protect the rights of such person. But no attorney appointed under this Act to protect a person in military service shall have power to

waive any right of the person for whom he is appointed, or bind him by his acts. Any attorney appointed under the provisions of this Act shall serve without cost to the defendant or his estate.

(d) If any judgment shall be rendered in any action or proceeding governed by this section against any person in military service during the period of such service, or within thirty days thereafter, and it appears that such person was prejudiced by reason of his military service, in making his defense thereto, such judgment, may, upon application, made by such person or his legal representative, not later than six months after the termination of such service, be opened by the court rendering the same, and such defendant or his legal representative, let in to defend; provided, it is made to appear that the defendant has a meritorious or legal defense to the action, or some part thereof. Vacating, setting aside, or reversing any judgment, because of any of the provisions of this Act, shall not impair any right or title acquired by any bonafide purchaser, for value under such judgment.

Section 5. That at any stage thereof any action or proceeding commenced in any court against a person in military service during the period of service or within sixty days thereafter may, in the discretion of the court in which it is pending, on its own motion, and shall, on application to it by such person or some persons in his behalf, be stayed as provided in this Act, unless, in the opinion of the court, the ability of the defendant to comply with the judgment or order sought is not materially affected by reason of his military service.

Section 6. That when an action for compliance with the terms of any contract is stayed pursuant to this Act no fine or penalty shall accrue by reason of failure to comply with the terms of such contract during the period of such stay, and in any case where a person fails to perform any obligation and a fine or penalty for such nonperformance is incurred a court may, on such terms as may be just, relieve against the enforcement of such fine or penalty if it shall appear that the person who would suffer by such fine or penalty was in the military service when the penalty was incurred and that by reason of such service the ability of such person to pay or perform was thereby materially impaired.

Section 7. That in any action or proceeding commenced in any court against a person in military service, before or during the period of such service, or within sixty days, thereafter, the court may, in its discretion, on its motion, and on application to it by such person or some person on his behalf shall, unless in the opinion of the court the ability of the defendant to comply with the judgment or order entered or sought is not materially effected by reason of his military service:

(a) Stay the execution of any judgment or order entered against such person, as provided in this Act, and

(b) Vacate or stay any attachment or garnishment of property, money or debts in the hands of another, whether before or after judgment, as provided in this Act.

Section 8. That any stay of any action, proceeding, attachment, or execution ordered by any court under the provisions of this Act, may, except as otherwise provided, be ordered for the period of military service, and ninety days thereafter, or any part of such period, and subject to such terms as may be just, whether as to payment in installments of such amounts, and at such times, as the court may fix, or otherwise. Where the person in military service is a codefendant with others, the plaintiff may, nevertheless, by leave of court, proceed against the others.

Section 9. That the period of military service, and such additional periods as may be prescribed by the provisions of this Act, shall not be included in computing any period now and hereafter to be limited by any law for the bringing of any action by or against any person in military service, or by or against his heirs, executors, administrators, or assigns, whether such cause of action shall have accrued prior to or during the period of such service.

### ARTICLE III.

#### Rents, Installment Contracts, Mortgages.

Section 10. (a) That no eviction or distress shall

be made during the period of military service in respect of any premises for which the agreed rent does not exceed Fifty Dollars (\$50) per month, occupied for dwelling purposes by the wife, children or other dependants of a person in military service, except upon leave of court granted upon application therefor, or granted in an action affecting the right of possession.

(b) On any such application or in any such action the court may, in its discretion, on its own motion, and shall, on application, unless in the opinion of the court the ability of the tenant to pay the agreed rent is not materially affected by reason of such military service, stay the proceedings for not longer than three months as provided in this Act, or it may make such other order as may be just.

(c) Any person who shall knowingly take part in any eviction or distress otherwise than as provided in subsection (a) hereof shall be guilty of a misdemeanor, and shall be punishable by imprisonment not to exceed six months, or by fine not to exceed Five Hundred Dollars (\$500) or both.

(d) The owner, renter, lessor, or other person having the renting or leasing of any such premises, as the case may be, is hereby empowered to apply to the Secretary of War, or the Secretary of the Navy, as the case may be, for an order allotting the pay of a person in military service, in reasonable proportion, to discharge the rent of premises occupied by dwelling purposes by the wife, children or other dependants of such person, subject to such regulations as the Secretary of War, or the Secretary of the Navy, may prescribe, provided, that assent to such application must be given in writing by such wife, child or other dependant.

Section 11. (a) That no person who has received, or whose assignor has received, under the contract for the purchase of real or personal property, or of lease of bailment with a view to purchase of such property, a deposit or installment of the purchase price from a person or from the assignor of a person who, after the date of payment of such deposit or installment, has entered military service, shall exercise any right or option under such contract to rescind or terminate the contract

or resume possession of the property for non-payment of any installment falling due during the period of such military service, except by action in a court of competent jurisdiction.

(b) Any person who shall knowingly resume possession of property which is the subject of this section otherwise than as provided in subsection (a) hereof shall be guilty of a misdemeanor and shall be punished by imprisonment not to exceed six months, or by fine not to exceed Five Hundred Dollars (\$500) or both.

(c) Upon the hearing of such action the court may order the repayment of prior installments or deposit or any part thereof, as a condition of terminating the contract and resuming possession of the property, or may, in its discretion, on its own motion, and shall, on application to it by such person in military service or some person on his behalf, order a stay of proceedings as provided in this Act unless, in the opinion of the court, the ability of the defendant to comply with the terms of the contract is not materially affected by reason of such service; or it may make such other disposition of the case as may be equitable to conserve the interests of all parties.

Section 12. (a) That the provisions of this section shall apply only to obligations originating prior to the date of approval of this Act and secured by mortgage, trust, deed, or other security in the nature of a mortgage upon real or personal property owned by a person in military service at the commencement of the period of the military service and still so owned by him.

(b) In any proceeding commenced in any court during the period of military service to enforce such obligation arising out of non-payment of any sum thereunder due or out of any other breach of the terms thereof occurring prior to or during the period of such service, the court may, after hearing, in its discretion, on its own motion, and shall, on application to it by such person in military service or some person on his behalf, unless in the opinion of the court the ability of the defendant to comply with the terms of the obligation is not materially affected by reason of his military service—

- (1) Stay the proceedings as provided in this Act;  
or
- (2) Make such other disposition of the case as may be equitable to conserve the interests of all parties.

#### ARTICLE IV.

##### Taxes.

Section 13. (a) That the provisions of this section shall apply when any taxes or assessments, whether general or special, falling due during the period of military service in respect of real property owned and occupied for dwelling or business purposes by a person in military service, or his dependents at the commencement of his period of military service, and still so occupied by his dependents or employees, are not paid.

(b) When any person in military service, or any person in his behalf, shall file with the County Treasurer, or other officers whose duty it is to enforce the collection of taxes, or assessments, an affidavit showing (1) that a tax or assessment has been assessed upon the property which is the subject of this section; (2) that such tax or assessment is unpaid; (3) that by reason of such military service the ability of such person to pay such tax or assessment is materially affected, no sale of such property shall be made to force the collection of such tax or assessment, or any proceeding or action for such purpose commenced except upon leave of court granted upon an application made therefor by such County Treasurer or other officer. The court thereupon may stay such proceedings or such sale, as provided in this Act, for a period extending not more than six months after the termination of the war.

(c) When by law such property may be sold or forfeited to enforce the collection of such tax or assessment, such person in military service shall have the right to redeem or to commence an action to redeem such property at any time not later than six months after the termination of such period in military service, as hereinbefore defined, but in no case later than six months after the termination of the war; provided, however, that this

shall not be taken to shorten any period now or hereafter established by the laws of this State for such redemption.

(d) Whenever any tax or assessment shall not be paid when due, such tax or assessment due and unpaid shall bear interest until paid at the rate of six per centum per annum, on and after the period of military service, and no other penalty or interest shall be incurred by reason of such non-payment. Any lien for such unpaid taxes or assessments shall also include such interest thereon.

(e) If the assessed valuation of the property of any person in military service, together with the assessed valuation of the property of the wife of such person in military service, if married, at the date of his entering military service shall not exceed Three Thousand Dollars (\$3,000), then in that case no tax whatsoever shall be levied against the property of such person in military service or his wife, if married, during the period of military service. All persons in military service shall be exempt from any poll or school tax during the period of military service.

## ARTICLE V.

### Administrative Remedies.

Section 14. That where in any proceeding to enforce a civil right in any court it is made to appear to the satisfaction of the court that any interest, property or contract has since the date of the approval of this Act been transferred or acquired with intent to delay the just enforcement of such right by taking advantage of this Act, the court shall enter such judgment or make such order as might lawfully be entered or made, the provisions of this Act to the contrary notwithstanding.

Section 15. (a) That in any proceeding under this Act a certificate signed by the Adjutant General of the Army, or by the Adjutant General of the State of Arizona, or by the Chairman of any Local Draft Board, as to persons in the Army or in any branch of the United States service while serving pursuant to law with the army, or by the Chief of the Bureau of Navigation of the

Navy Department as to persons in the Navy or in any other branch of the United States Service while serving pursuant to law with the Navy, and signed by the Major General, Commandant, United States Marine Corps, as to persons in the Marine Corps, or in any other branch of the United States service while serving pursuant to law with the Marine Corps, or signed by an officer designated by any of them, except the Chairman of any Local Draft Board, respectively, for the purpose, shall, when produced, be prima facie evidence as to any of the following facts stated in such certificate.

That a person named has not been, or is, or has been in military service; the time when, and the place where, such person entered military service, his residence at that time, monthly pay received by such person at the date of issuing the certificate, the time when and place where such person died in or was discharged from such service.

Any certificate when purporting to be signed by any one of such officers or by any person purporting upon the face of the certificate to have been so authorized, shall be prima facie evidence of its contents and of the authority of the signer to issue the same.

(b) Where a person in military service has been reported missing, he shall be presumed to continue in the service until accounted for, and no period herein limited which begins or ends with the death of such person shall begin or end until the death of such person is in fact reported to or found by the Department of War or Navy, or any court or board thereof, or until such death is found by a court of competent jurisdiction; provided, that no period herein limited which begins or ends with the death of such person shall be extended hereby beyond a period of six months after the termination of the war.

Section 16. That any interlocutory order made by any court under the provisions of this Act may, upon the court's own motion or otherwise, be revoked, modified or extended by it upon such notice to the parties affected as it may require.

Section 17. The provisions of this Act are separa-

ble and not dependent, and if any provision, section or part of either, is held unconstitutional, the same shall not affect any other part of this Act.

Section 18. That this Act shall remain in force until the termination of the war and for six months thereafter.

Section 19. That this Act may be cited as the "Arizona Civil Rights Emergency Act for Members of the Military and Naval Establishments of the United States."

Section 20. That all Acts and parts of Acts in conflict with herewith are hereby made subject to this Act.

Section 21. That, whereas, the United States Government is now engaged in war and it is necessary to preserve and protect the civil rights of her soldiers and those engaged in military pursuits during the existence of such war, and whereas, the early operation of this Act is necessary to preserve the public peace, health and safety of the State of Arizona, an emergency is hereby declared to exist, and this Act shall take effect and be in full force from and after its passage and approval by the Governor.

Approved June 20th, 1918.

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MESSAGE FROM THE GOVERNOR ACCOMPANYING  
THE FILING OF SUB. SENATE BILL NO. 3.

"SABOTAGE BILL."

Phoenix, Arizona, July 2, 1918.

Sir:

There is transmitted herewith Sub. Senate Bill No. 3, an Act:

"Defining the Crime of Sabotage and Prescribing a Penalty Therefor; Prohibiting the

Teaching or Advocacy of the Doctrine of Sabotage and Prescribing a Penalty Therefor; Prohibiting the Assembling for the Purpose of Advocating the Doctrine of Sabotage and Prescribing a Penalty Therefor."

The bill, after remaining with me ten days, Sundays excluded, after final adjournment of the Legislature, and not having been filed with objections or approval, thereby becomes a law.

Although this law is exceedingly poorly drawn and vague in its term, I am unwilling to disapprove it, as its fundamental principle is sound and as old as law itself. It is, however, unfortunate that such hasty and loosely prepared legislation, such as this Act and others passed the First Special Session of the Third Arizona State Legislature, should become a part of our laws. Legislative bodies and universities throughout the country are alert to all current lawmaking and such a bill as this, not only reflects upon the legislative body that framed it, but reacts unfavorably upon the entire State. We are fighting for the ideals of preservation of our Democratic form of Government and it is to be gravely questioned whether we are living up to those ideals in passing laws such as this one, but, since disapproving it might be construed to mean the approval of unlawful acts, which would be equally against the theory of true Democracy, I am reluctantly constrained to allow this bill to become a law.

Very Respectfully yours,

(Signed) GEO. W. P. HUNT,

Governor of Arizona.

Hon. Sidney P. Osborn,  
Secretary of State,  
State House.

## CHAPTER 13.

(Sub. Senate Bill No. 3.)

## AN ACT

Defining the Crime of Sabotage and Prescribing a Penalty Therefor; Prohibiting the Teaching or Advocacy of the Doctrine of Sabotage and Prescribing a Penalty Therefor; Prohibiting the Assembling for the Purpose of Advocating the Doctrine of Sabotage and Prescribing a Penalty Therefor.

WHEREAS, it is necessary to provide effective means of defense and preserve order within the State and to insure the maximum output of agricultural and industrial products and the maintenance of vital enterprises during the period of the war in which the United States is now engaged, in order that the families and dependents of Arizonans engaged in the war may not suffer want or privation, and their civil rights may be protected.

**Be it Enacted by the Legislature of the State of Arizona:**

Section 1. Every person, corporation, association or organization who wilfully and maliciously injures or destroys the property or violates the constitutional or statutory rights of another as a means of accomplishing industrial or political ends, is guilty of sabotage.

Section 2. Sabotage is punishable by imprisonment in the penitentiary for not less than five nor more than twenty years.

Section 3. Every person who by word of mouth or writing advocates or teaches the duty, necessity or propriety of crime or sabotage or of violating the constitutional or statutory rights of another, as a means of accomplishing industrial or political ends, or prints, publishes, edits, issues or knowingly circulates, sells, distributes or publicly displays any books, paper, documents or written matter in any form, containing or advocating, advising or teaching the doctrine that indus-

trial or political ends or of violating the constitutional or statutory rights of another, should be brought about by crime or sabotage or by the violation of the constitutional or statutory rights of another, or openly, wilfully, and deliberately justifies by word of mouth or writing, the commission or attempt to commit crime or sabotage, or of violating the constitutional or statutory rights of another, is guilty of a felony and punishable by imprisonment in the penitentiary for not more than five years or by a fine of not more than One Thousand Dollars (\$1,000.00) or both.

Section 4. Wherever two or more persons assemble for the purpose of advocating or teaching the doctrine that industrial or political ends should be brought about by crime or sabotage, or of violating the constitutional or statutory rights of another, such assemblage is unlawful and every person voluntarily participating therein by his presence, aid or instigation, is guilty of a felony and punishable by imprisonment in the penitentiary for not more than ten years, or by a fine of not more than Five Thousand Dollars (\$5,000.00), or both.

Section 5. The officers or agents of any association, corporation or organization who do or perform, or cause to be done or performed any of the unlawful acts herein defined, shall be deemed guilty of the commission of any such act or acts the same as any other person.

Section 6. All Acts or parts of Acts in conflict herewith are hereby repealed.

"This bill having remained with the governor ten days, Sundays excluded, after the final adjournment of the Legislature, and not having been filed with his objections, has become a law this 2nd day of July, 1918."

(Signed) SIDNEY P. OSBORN,  
Secretary of State.

(Signed) By R. E. MCGILLEN,  
Assistant Secretary.

# **RESOLUTIONS**

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RESOLUTIONS

## SENATE RESOLUTION No. 2.

WHEREAS, the Senate of the Third Legislature of the State of Arizona note with regret the absence of the Hon. Noble H. Getchell, on account of a serious illness,

THEREFORE, BE IT RESOLVED by the Senate, that we regret his illness which makes his absence imperative in this time of crisis, and hope his early restoration to health will be accomplished so that he may be present at an early date to lend his aid and counsel to our deliberations, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded by the Secretary to Senator Getchell.

Passed the Senate May 24th, 1918.

## SENATE RESOLUTION No. 3.

WHEREAS, our country is now engaged in the most stupendous war that has ever been waged; and

WHEREAS, our State has sent thousands of her brave sons to give up their lives if need be, that the world may be made safe for Democracy; and

WHEREAS, there has sprung into existence an organization known as the I. W. W. affiliated with and acting in co-operation with pro-German agitators that threatens to destroy that very democracy in our own glorious land and to tear down patriotism and service and thus bring contempt to the name of our fair State throughout the entire country;

BE IT RESOLVED, that the Legislature of the State of Arizona here assembled views with concern the activities of the said I. W. W. and its pro-German affiliations and believes it to be a lawless organization composed of persons who are a menace to the safety and honor of the State and whose presence and propaganda within the State is a reflection upon our brave soldier boys and a hindrance to the united stand that we, the people of the State of Arizona are taking as a second army behind our boys; therefore be it further

RESOLVED, that the Legislature of the State of Arizona, in special session assembled, calls upon every official, from the highest to the lowest, to place Arizona in the lead in this Nation in patriotism by denouncing the I. W. W. and all its works, and pro-Germanism of every class and form, and to pledge himself to do everything within his power to rid the State of Arizona of all organizations which are a menace to our Government and a stain upon the fair name of our State and Nation, and an insult to the beloved Flag of our great and glorious country.

Passed the Senate May 28, 1918.

# **JOINT RESOLUTIONS**

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CONFIDENTIAL

## SENATE JOINT RESOLUTION No. 1

A Joint Resolution Ratifying a Proposed Amendment to the Constitution of the United States of America Relating to the Manufacture, Sale, and Transportation of Intoxicating Liquors.

WHEREAS, both Houses of the Sixty-Fifth Congress of the United States of America, by a Constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America in the following words, to-wit:

“Joint resolution proposing an amendment to the Constitution of the United States.

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein). That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the Legislature of the several States as provided by the Constitution:

## ARTICLE .....

“Section 1. After one year from the ratification of this Article, the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2. The Congress and the several States shall have concurrent power to enforce this Article by appropriate legislation.

Section 3. This Article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.”

THEREFORE BE IT RESOLVED by the Senate of Arizona, the House of Representatives Concurring:

Section 1. That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the Legislature of the the State of Arizona.

Section 2. That certified copies of this preamble and Joint Resolution be forwarded to the Governor of this State, to the Secretary of State at Washington, to the presiding officer of the United States Senate, and to the Speaker of the House of Representatives of the United States:

Passed the Senate May 23, 1918.

Passed the House May 24, 1918.

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### SENATE JOINT RESOLUTION No. 3.

WHEREAS, the most important task before the United States is to win the war; and

WHEREAS, the war will not be won until the peaceful development of all free peoples is guaranteed by the strength of their own will; therefore be it

RESOLVED by the Legislature of the State of Arizona (both Houses concurring), that the State of Arizona pledges all its resources to the vigorous prosecution of the war until Prussian autocracy has been defeated; and be it further

RESOLVED, that certified copies of these resolutions be sent by the Secretary of the State to the President and to the presiding officers of both branches of Congress and to each of the Senators and Representatives from Arizona.

Passed the Senate May 25th, 1918.

Passed the House May 28th, 1918.

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### SENATE JOINT RESOLUTION No. 5.

WHEREAS, there has come a tide in the affairs of

mankind which threatens to sweep away the very foundations, established through the toil and travail, the blood and sacrifice of centuries, upon which are erected the temples of freedom, equality, justice and humanity; to demolish those sacred structures and to rear in their stead a throne whereon would sit in world dominion the power of military autocracy; and

WHEREAS, this tidal wave, sweeping shoreward from the sea of absolutism, constitutes a profoundly grave and very present menace to those ideals of liberty and right in the struggle for which our country was born and which, by the grace of God, have been preserved and developed through a long line of American patriots and statesmen, and with the brave and steadfast support of the American People; and

WHEREAS, our great nation, which typifies at once the never-darkened light-house and the impregnable fortress of democracy—its guide and its defense in this critical hour, has, under the leadership of the acknowledged world's spokesman for the cause of human rights, our illustrious President, laid its all upon the altar of freedom—a sacrifice if need be—contributed the full weight of its moral influence, and placed its national wealth, its limitless resources, the talents and the lives of its noblest women and its fittest men at the disposal of the forces that are battling for the right, and

WHEREAS, no loftier inspiration to sublime self-sacrifice and dauntless achievement has ever been offered to any people of any time, than that which comes of the deep and controlling calmness, the judicial fairness and the compelling clearness of our President in disclosing to the world this Union's war aims, and in solemnly reminding the loyal and courageous citizens of America, that the fundamental principles upon which this Government was founded must at all costs be kept inviolate and preserved in all their pristine purity; and

WHEREAS, it is the sacred duty of every State in the Union and of every loyal citizen thereof, to accord to the President and to the Nation, in this time of unparalleled trial, whole-hearted and unselfish devotion, not only in the winning of the war, but during its progress.

in the preservation at home of those ideals for which the struggle is being waged; therefore, be it

RESOLVED, that the State of Arizona, speaking through its Third Legislature, in Special War Session assembled, unreservedly pledges its undivided support to the prosecution of the war, places its unlimited natural resources, essential to the winning of the war—its minerals, its fertile lands, its ranges and its forests—at the disposal of the National Government, without condition or reservation; offers its men to the last one, for service on the high seas, in the trenches, in the fields, the shops, the mines, or wherever they may be needed, and its capital to the last dollar, on terms of equal totality; declares its acquiescence in and advocacy of the principle and theory of conscription, whenever that policy becomes necessary, of labor, of knowledge, or money and material resources, on the basis of even-handed and impartial completeness; that it deploras every evidence of slackening, every sign of selfishness, every lack of whole-hearted devotion to the cause of the war, whether the guilt rest upon the high or the low, the rich or the poor; that it depreciates all attempts to create, to fan or inflame class strife or prejudice by whomsoever such attempts may be made, which will hinder the full utilization of any and every agency and element needed in the prosecution of the war; that it views with contempt any effort or disposition toward profiteering, to employ the war for the gaining of excessive profit or to secure undue advantages either by capital or labor; that it unfalteringly adheres, in this hour of darkest trial to the fundamental principles upon which this Nation was founded, and for the vindication and preservation of which the present war was entered; that it condemns every criminal act, every transgression of the laws of the State or of the Nation, whether they be the acts of the low and ignorant or of the high, the rich and the mighty, and expresses its unfeigned horror of all such crimes as may be committed in the name and under the cloak of patriotism; that it most severely denounces all invasions of constitutional rights, all exhibitions of mob rule, all violations of the sacred principles of the immortal Declaration of Independence, all applications of the despicable Germanic theory that might makes right, all rejections of the principles of humanity and liberty for the re-

pugnant Hun ideal that the strong shall rule the weak; and be it further

RESOLVED, that the Third Legislature, ambitious that Arizona may stand at the forefront of all the States in patriotic devotion to the Union, unswerving allegiance to the cause of democracy and in unfaltering steadfastness to the principles which gave life to the Nation and lustre to its fame throughout the world, calls upon every citizen of the State to ratify, by act and utterance, this reiteration of a solemn and unavoidable obligation, this renewal of allegiance to an imperishable and unconquerable cause; and be it further

RESOLVED, that copies of this resolution be transmitted to the President of the United States, the President of the Senate and Speaker of the House of the United States Congress, and to the Attorney General of the United States.

Passed the Senate June 4th, 1918.

Passed the House June 5th, 1918.

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#### SENATE JOINT RESOLUTION No. 6.

BE IT RESOLVED, by the Third Legislature of the State of Arizona that Col. Chas. W. Harris, Adjutant General of the State of Arizona be, and he hereby is, granted a leave of absence from the State during the period of the present war.

Passed the Senate June 13th, 1918.

Passed the House, June 13th, 1918.



# HOUSE RESOLUTIONS

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1944

## HOUSE RESOLUTION No. 1.

WHEREAS, Almighty God in His wisdom has seen fit to remove from the earthly sphere of activity and usefulness the Honorable Sam P. Briscoe of Cochise, and the Honorable Sheldon S. Reed, of Pima, Members of the Second State Legislature.

WHEREAS, Sam P. Briscoe and Sheldon S. Reed were known by their personal associates and friends, their co-workers in public life and all who were familiar with their characteristics and achievements, as men of unimpeachable integrity, keen intellect, force of character and untiring industry, and as men possessed of a deep and abiding sympathy for mankind and an unfaltering interest in the needs and rights of humanity.

THEREFORE, BE IT RESOLVED, by the House of Representatives of the Third Legislature in Special Session assembled, that the State of Arizona has suffered in the death of two of her most valuable and most highly respected and most patriotic citizens, whose passing is contemplated with the most poignant regret.

BE IT FURTHER RESOLVED, that this resolution be spread upon the Journal of the House and that an engrossed copy be sent to the families of the late Representatives.

Passed the House May 21, 1918.

## HOUSE RESOLUTION No. 2.

## AN ACT

WHEREAS, our Country is now engaged in the most stupendous war that has ever been waged, and

WHEREAS, our State has sent thousands of her brave sons to give up their lives if need be, that the world may be made safe for Democracy, and

WHEREAS, there has sprung into existence an or-

ganization known as the I. W. W. that threatens to destroy that very Democracy in our own glorious land and to tear down patriotism and service and thus bring contempt to the name of our fair State throughout the entire country, now,

BE IT RESOLVED, that this House of Representatives here assembled views with concern the activities of the I. W. W.'s and believes it to be a lawless organization composed of men who are a menace to the safety and honor of the State and whose presence and propaganda within the State is a reflection upon our brave boys and a hindrance to the united stand that we the people of this State are taking as a second army behind our boys, now

THEREFORE, BE IT FURTHER RESOLVED, that this House of Representatives, in Special War Session assembled, calls upon every official from the highest to the lowest to place Arizona in the lead in this Nation in patriotism, by denouncing the I. W. W.'s and all its works, and to pledge himself to do everything within his power to rid the State of an organization which is a menace to our government and a stain upon the fair name of our State and our Nation, and an insult to the beloved flag of our grand and glorious Country.

Passed the House May 22, 1918.

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### HOUSE RESOLUTION No. 3.

WHEREAS, the members of the House of Representatives of the Third Legislature of the State of Arizona, note with regret the absence of the Honorable Mrs. Rosa McKay on account of illness, and have learned with sorrow of the passing beyond of her brother:

THEREFORE, BE IT RESOLVED by the House of Representatives, that we mourn with Mrs. McKay the passing of her beloved brother, and extend to her our sympathy in her grief.

That we regret her illness which makes her absence

imperative in this time of crisis, and hope her restoration to health will be accomplished so that she may be present at an early date to lend her aid and counsel to our deliberations.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded by the Speaker to Mrs. McKay.  
Passed the House May 22, 1918.

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#### HOUSE RESOLUTION No. 4.

BE IT RESOLVED by the House of Representatives of the Third State Legislature:

WHEREAS, Sam W. Proctor, the Chief Clerk of the House of Representatives at the first session of this Legislature, discharged all his duties in such office in a most efficient and satisfactory manner; and

WHEREAS, owing to his having accepted the position of Secretary of the Corporation Commission of Arizona, he resigned as Chief Clerk of this House after serving in such capacity on the opening day;

THEREFORE, BE IT RESOLVED, that in accepting the resignation of Mr. Proctor, the members of this Legislative Body extend to him their thanks for the services which he has rendered in his official capacity as Chief Clerk of this House, and extend to him their best wishes for his future prosperity and happiness.

RESOLVED, FURTHER, that this resolution be spread upon the minutes of this House, and that an engrossed copy thereof be forwarded to Mr. Proctor by the proper officers.

Passed the House May 24th, 1918.

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#### HOUSE RESOLUTION No. 5.

WHEREAS, on the Twenty-second day of August,

1917, the Messenger of Death, summoned to the throne of grace, Lillian Crutchfield, the beloved wife of our Chaplain, the Reverend Seaborn Crutchfield; therefore be it

RESOLVED, that for the great affliction which has thus been visited upon Chaplain Crutchfield the House of the Third State Legislature, feels the keenest grief, and extends to the sorrowing husband its deepest and sincerest sympathy, while expressing the thought that in the death of his loyal wife and faithful helpmate our beloved Chaplain has suffered a loss in degree only greater than that which is sustained by the State; in the departure, to that bourne from which no traveler returns, of a citizen so worthy, so able and so useful to society as the deceased has proven herself to be.

Passed the House May 28, 1918.

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#### HOUSE RESOLUTION No. 7.

WHEREAS, two of our ablest and most highly regarded members of this House are in the service of the Nation in this great struggle for the liberty of mankind, and

WHEREAS, these men are serving the people of Arizona with their lives as well as their knowledge, and

WHEREAS, these men, the Hon. Clifford C. Faires and the Hon. Harold Baxter have been excused while in such service, and

WHEREAS, they are not present for the purpose of signing for their compensation as members of this House,

BE IT RESOLVED, by this House, that the State Auditor is hereby authorized and directed to draw his warrants in their favor respectively, and the State Treasurer is hereby authorized and directed to pay same, and the Honorable A. A. Johns, Speaker of this House, is hereby authorized and directed to sign for their compensation and forward same to them wherever they may be found and to convey to them the best wishes of every

member of this House and bid them Godspeed in their noble endeavor on behalf of this Nation, and that copy of this resolution be sent along with the compensation herein referred to, and we, on behalf of each and every member of this House and the citizenship of the great State of Arizona, pledge to them our best efforts in standing behind them and the other boys who are with them.

Passed the House June 14, 1918.

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### HOUSE RESOLUTION No. 8.

WHEREAS, legislators come and legislators go, but attaches go on forever, and it is due to the efficiency and effectiveness of these workers behind the scenes, that legislative action progresses to the final stage as inevitably as the flow of the river into the ocean, and

WHEREAS, in this extraordinary session, convened for the lofty purpose of aiding the people of the United States in waging successful war against the maddened assaults of a degenerated race, the attaches of the House, by their loyalty and devotion to duty, by their efficiency and special fitness for the tasks assigned, and by their patriotically inspired working spirit, have enabled the House to accomplish much, though the number of attaches was small, and

WHEREAS, throughout the long, heated, daily sessions, the attaches have performed with eagerness and skill their assigned tasks, lending encouragement to the members by their unfailing energy and good nature,

THEREFORE, BE IT RESOLVED by the House of Representatives of the Third Legislature of Arizona, in Special Session Convened:

That it acknowledges with gratefulness its obligation to the attaches of the House, for the efficient co-operation and unflagging devotion to duties well performed which enabled the House in turn to do its bit in these trying times.

That it appreciates fully the splendid executive ability and the cordial geniality, of the Chief Clerk, Mr. Hugh Callahan, who has filled the position to the satisfaction and gratification of all members of the House, and

That it owes especially thanks to the Assistant Chief Clerk, Mrs. Nellie Hayward, for the charming and gracious manner in which she so cheerfully and pleasantly performed the arduous tasks assigned to her.

That it is the sense of the House of Representatives, that no Legislature of Arizona has ever been more loyally served.

Passed the House June 19th, 1918.

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#### HOUSE JOINT RESOLUTION No. 2.

WHEREAS, the genius of President Wilson has made America the leader of democratic countries in this battle of the Nations for the enfranchisement of mankind; and

WHEREAS, the objects of the war and the terms upon which peace will be made as defined by our great President, have been accepted by our Allies, and it is determined that the war must continue until autocracy is overthrown and the bonds that bind in abject slavery the people of middle Europe to the military despots who control them are broken and forever destroyed; and

WHEREAS, Woodrow Wilson, with extraordinary foresight and exceptional ability, has succeeded in uniting in support of this war for humanity and the rights of subject races all the elements composing the industrial and intellectual strength of a nation of one hundred million of freemen, so that the workingmen and the multimillionaire are unselfishly and patriotically supporting the war, therefore

BE IT RESOLVED, by the House of Representatives of the State of Arizona, the Senate concurring, in extra session assembled, that Arizona recognizes in our Presi-

dent the man of the hour, to whom Fate has given the direction of the world's destinies in this struggle, when civilization trembles in the balance, and pledge to him our wealth, our manhood, and the undivided patriotic support of all our citizens until the battle is won and the world is made safe for democracy; that we also declare that Arizona, working through her legally constituted authorities will suppress all violence, and punish every criminal violation of any law of Congress or of the State, while protecting every citizen or resident of the State in all his legal rights.

RESOLVED, FURTHER, that this resolution be engrossed and, when engrossed, that the Governor be instructed to send a certified copy to the President of the United States, the President of the United States Senate, and the Speaker of the United States House of Representatives.

Passed the House June 3rd, 1918.

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### HOUSE JOINT RESOLUTION No. 3.

WHEREAS, the conservation of food is essential when civilization is in a death grapple with an enemy that threatens its destruction, and

WHEREAS, America is the only self sustaining Nation engaged in the present struggle, and it is from her resources, eked out by those of neutral states that the sustenance of Europe must be drawn during the continuance of the great war,

THEREFORE BE IT RESOLVED by the House of Representatives of the State of Arizona, the Senate Concurring:

That the most practical form of patriotism is to devote our energies to the conservation of food supplies, to the end that our gallant and heroic allies may not suffer from want and its attendant disease;

That to accomplish this purpose, and in a measure

protect those who are patriotic in thought and deed, as well as those who are patriotic in thought but not in deeds, we recommend the extension of the card system of food rationing now used in the City of Phoenix, throughout the State of Arizona, and urge the Federal Food Administration, or the Council of Defense of Arizona, should such a body be constituted with legal powers, to extend and co-ordinate such a system, not only to include wheat products, but sugar and other essentials as well.

We further recommend that the conservation of flour be accomplished by and through such card system and that the forced sale of substitutes be discontinued.

We further recommend the modification of the order pertaining to sugar to be used for canning and preserving purposes by housewives, to the extent that they may be permitted to purchase a maximum of one hundred (100) pounds at one time.

That we would impress upon the Food Administration at Washington, the immediate necessity of the control of the selling price of substitutes for wheat products. We will bear our share of the burdens placed upon us by changed conditions, cheerfully, patiently, and without complaint, but the increase in price of wheat substitutes from fifty to seventy-seven per centum, above their former market value, is too apparent a profiteering movement to be submitted to in silence. The hardships inflicted by a state of war are sufficiently exacting, and a duty is imposed upon the Government to protect its people from an untimely effort to increase private profit.

BE IT FURTHER RESOLVED, that a copy of these resolutions be forwarded to the Food Administrator at Washington, the Federal Food Administrator of this District, and to each of the executive officers of the counties, cities, towns and villages within the State of Arizona.

Passed the Senate June 13th, 1918.

Passed the House June 3rd, 1918.

## HOUSE JOINT RESOLUTION No. 4.

WHEREAS, the commanding officer of the Fortieth Division, United States Army, has granted a furlough to the official band of the 158th Regiment, United States Infantry, for the purpose of touring the State of Arizona prior to the departure of this regiment for service in France; and

WHEREAS, the 158th Regiment comprises the entire National Guard of Arizona and numbers its men from every city and county in our State; and

WHEREAS, it has been demonstrated that this band is a splendid stimulant to the martial spirit in Arizona, evoking enthusiastic, practical patriotism by promoting the sale of War Savings Stamps and materially assisting in all branches of war work.

WHEREAS, the large communities throughout the entire State should have the benefit of this patriotic stimulus and a chance to get close to Arizona's own regiment before its departure to the field of battle; and

WHEREAS, due to the military exigencies of the United States Government it was impossible to foresee this trip and to provide for co-operation by the various cities and counties in advance; be it, therefore.

RESOLVED, by the House of Representatives, Third Legislature of the State of Arizona, the Senate concurring, that the Adjutant General is directed and the Governor requested to approve requisitions against the Military Department on the General Fund for the necessary expenses of the 158th Infantry Band while touring the State in the interest of the War Savings Stamp Campaign; to this end, be it further

RESOLVED, that the said service of the 158th Infantry Band shall be considered as military service under the laws of the State of Arizona governing the National Guard.

Passed the House June 5th, 1918.

## HOUSE JOINT RESOLUTION No. 5.

WHEREAS, the public press has announced to us the death of the honorable, Charles W. Fairbanks, former Vice President of the United States of America, and

WHEREAS, Mr. Fairbanks was a useful, benevolent, and estimable man, and has finished his destined course in honor. He was well gifted by nature, well educated, and well principled. His native sagacity, sound judgment and decision, and purity of purpose, made him what he was, a capable and honest public agent. The brave, generous, open, and manly qualities of his nature, secured him the confidence and affection of the American people, and made it their delight to honor him;

THEREFORE BE IT RESOLVED by the House of Representatives of the State of Arizona, the Senate Concurring:

That Arizona mourns the passing of Charles W. Fairbanks whose memory will survive, embalmed in the kindly regards of the people of the United States who knew and appreciated his noble and manly qualities. He died, as he had lived, deserving and possessing the warm hearted esteem of many, and the ill will of none.

Passed the Senate June 6th, 1918.

Passed the House June 5th, 1918.

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HOUSE JOINT RESOLUTION No. 7.

WHEREAS, Alexander O. Brodie, a former Governor of the Territory of Arizona, is now no more, and his body has been laid in its resting place, and

WHEREAS, his amiable manner, his mild and benevolent disposition, his sound sense, and untiring devotion to his executive duties while here, and his brave and unflinching courage in the field of war, have made a lasting impression upon all who knew him, and

WHEREAS, he had a heart that responded to every advance of sympathy and benevolence; a heart formed of the most ardent attachments; and was a loyal citizen, an affectionate husband, a kind parent, an honored soldier, and a valued friend;

THEREFORE, BE IT RESOLVED by the House of Representatives of the State of Arizona, the Senate concurring: That though the dust of Alexander O. Brodie now sleeps with that of his fathers, he still lives in the hearts of the people of Arizona who, with sincerity, deplore his death.

RESOLVED, that an engrossed copy of these resolutions be placed in the hands of Mrs. Brodie through the courtesy of the Governor's office.

Passed the House June 10, 1918.

Passed the Senate June 10, 1918.

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#### HOUSE JOINT RESOLUTION No. 8.

WHEREAS, the Federal Government has indicated that the necessities of the war require that all railroad passenger travel be reduced to a minimum, and has also implored that all effort possible be made to save and conserve, and

WHEREAS, nearly all the people of Arizona can reach Arizona resorts either by a shorter railroad haul or by a shorter automobile drive than they can outside resorts, and the expenses of a vacation in Arizona resorts are less than expenses in outside resorts, and

WHEREAS, at least one vacation spent in the Arizona mountains will prove just as beneficial as a vacation spent anywhere else, and

WHEREAS, it has come to the notice of this Legislature that vacationists are leaving the State in such numbers as to seem almost a mockery at this time;

THEREFORE, BE IT RESOLVED, by the Senate

and House of the Third Legislature of Arizona in Special War Session assembled, that the attention of Arizona vacationists be called to the fact that Arizona possesses nature in its most sublime and in its softest and sweetest manifestations of any subdivision on the continent and all in a summer climate that passes description; that Arizona vacationists be requested to visit Arizona resorts this year in order that the Government may have greater use of the railroads for war purposes and that the savings in money thus made may be turned into Thrift Stamps; that all who break long established habits and stay within Arizona this year for these patriotic reasons will do an act that will mark them well; that because our own flesh and blood is suffering and dying on the battle fields of France, they be reminded that it is therefore meet and proper for us all to seek secluded places and commune with God rather than rush to places where crowds are heedless and life is too artificial, and

BE IT FURTHER RESOLVED, that every publisher in the State be furnished with a copy of this resolution and be requested to publish the same immediately.

Passed the Senate June 18th, 1918.

Passd the House June 18th, 1918.

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#### HOUSE JOINT RESOLUTION No. 9.

WHEREAS, the Legislature has been rendered the most invaluable assistance by the Assistant Attorney General McBride in his formulation of Legislative Measures, which have been presented to this Third Arizona Legislature, First Special Session, in Extraordinary Session, and his expert criticism of measures otherwise prepared, a task for which he admirably fitted both by long and arduous application to the science of law as well as by an inherent and natural adaptability, which may be regarded as "endogenetical".

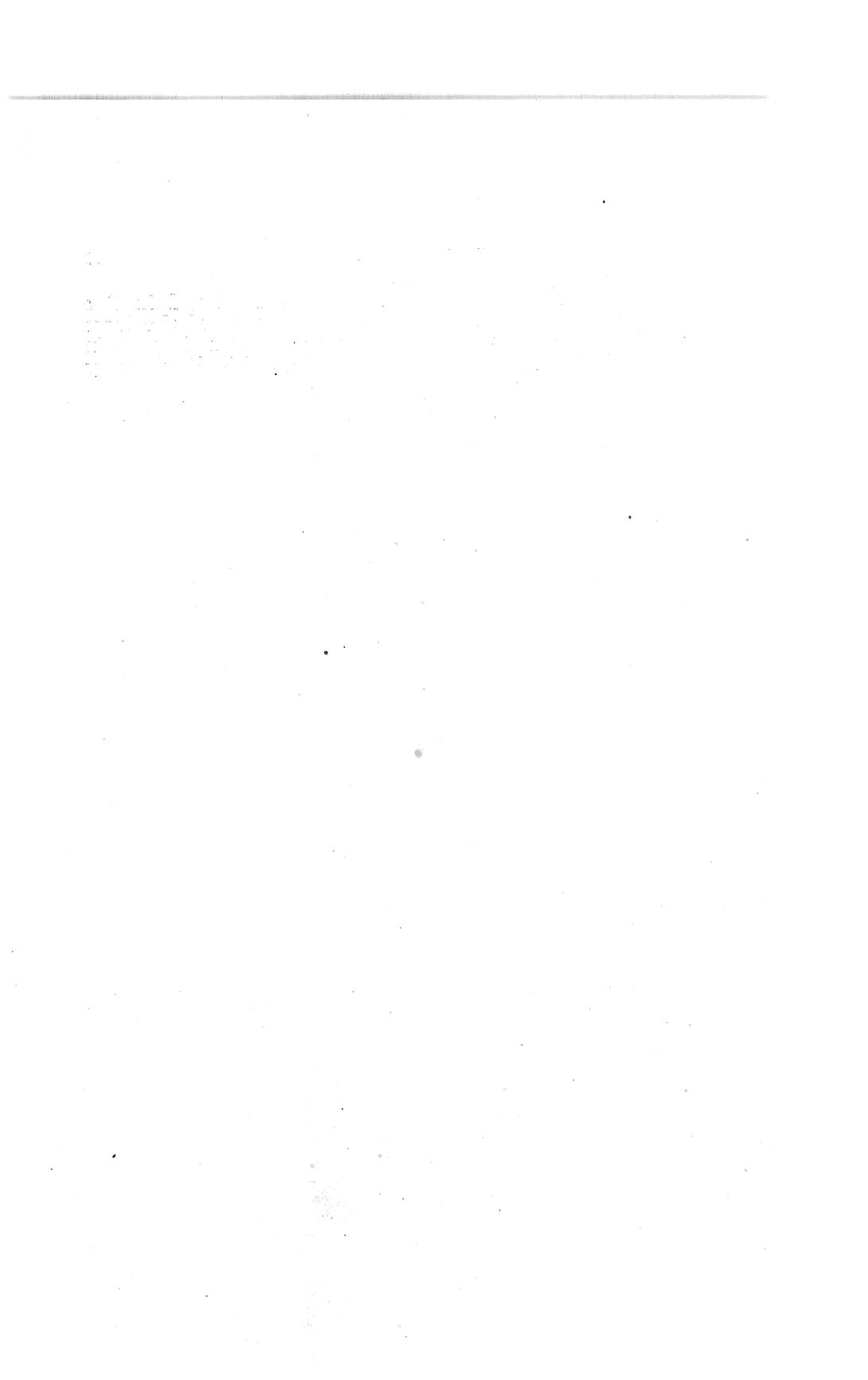
RESOLVED, by the House of the Third Legislature of Arizona, First Special Session, the Senate concurring, that we hereby express the deep obligation we feel to the said J. F. J. McBride, Assistant Attorney General

of Arizona for the aid which he has rendered in this War Session assembled, in the preparation of the laws which give to Arizona full scope to perform its part in the struggle to make Safe and establish Democracy throughout.

Passed the Senate June 17th, 1918.

Passed the House June 18th, 1918.

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**HOUSE CONCURRENT  
RESOLUTIONS**

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THE UNION OF INDIA  
MINISTRY OF DEFENCE

**HOUSE CONCURRENT RESOLUTION No. 2.**

Providing for the transfer of a certain sum of money from the Contingent Fund of the First Special Session of the Third Legislature as created by subdivision D of House Bill No. 1 to the funds created by Subdivisions B. and E. of same for the purpose of paying the salaries of the Attaches and providing for the completion of the records of the said First Special Session.

WHEREAS, the funds created by Subdivisions B. and E. House Bill No. 1, First Special Session, Third Legislature are insufficient to pay the salaries of the Attaches and to complete the records of the present Special Session;

THEREFORE, BE IT RESOLVED by the House of Representatives, the Senate concurring, that the sum of \$132.00 is hereby transferred from the Contingent Fund of the First Special Session, Third Legislature, created by Subdivision D. of House Bill No. 1, to the funds created by Subdivisions B. and E. of same, and the State Auditor is hereby instructed to Debit the funds created by said Subdivision D. and Credit the funds created by said Subdivisions B. and E. in the following amounts: \$32.00 to Subdivision B. and \$100.00 to Subdivision E.

BE IT FURTHER RESOLVED, that any balance remaining in any of the funds created by Section 1, and the Subdivisions thereof, of House Bill No. 1, above referred to, after payment of all the expenses of said Special Session, revert to the General Fund of the State of Arizona.

Passed the Senate June 19th, 1918.

Passed the House June 19th, 1918.



# MEMORIALS

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## SENATE MEMORIAL No. 1.

WHEREAS, on the second day of December, 1917, the Messenger of Death summoned to the throne of grace the beloved wife of our fellow-member, Senator Fred Sutter of Cochise; therefore, be it

RESOLVED, that for the great affliction which has been visited upon Senator Sutter the Senate of the Third State Legislature feels the keenest grief, and extends to the sorrowing husband its deepest and sincerest sympathy, while expressing the thought that in the death of his loyal wife and faithful helpmate our fellow-member has suffered a loss in degree only greater than that which is sustained by the State in the departure, to that bourne from which no traveler returns, of a citizen so worthy, so able and so useful to society as the deceased had proven herself to be.

Passed the Senate May 22nd, 1918.

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SENATE MEMORIAL No. 3.

To the Honorable Franklin D. Lane, Secretary of the Interior for the United States of America; the Honorable Marcus A. Smith, the Honorable Henry F. Ashurst, United States Senators, and the Honorable Carl Hayden, the United States Representative from Arizona:

Your Memorialist, the Senate of the State of Arizona, Third Legislature, in Special Session convened, respectfully represents:

WHEREAS, in pagan antiquity, the state and the law were the end and the object, and man the only means; but, since the Christian era, man, by reason of the divine and immortal in his nature has become the recognized end and object, and the State and the law are but means through which the good of man is to be realized, and

WHEREAS, in the County of Mohave, in the State

of Arizona, north and east of the Colorado River lie vast stretches of empty lands capable of being brought by frugal industry to a high state of agricultural development and extraordinary fertility; and

WHEREAS, in this section lie mines of wealth immeasurable, employing many miners in the production of minerals useful to the United States not only in times of war, but in the industrial growth of times of peace; but dependent upon far distant sources of sustenance, and

WHEREAS, as stated by Secretary Lane, a duty devolves upon the United States to care for the material welfare of those citizens now in arms against the enemies of the Republic; and it has been the custom heretofore to reward our soldiery by grants of homestead rights in Public Lands, and

WHEREAS, the acreage of Public Lands capable of being developed without the expenditure of vast sums straining the resources of even the Federal Government to the breaking point, is limited in extent; and

WHEREAS, if these lands were thrown open to entry, it would stimulate the agricultural development of that part of the State, and tend to make Arizona self supporting with reference to food stuffs; and

WHEREAS, if these lands are opened to entry and Congress so provides, those now dependent upon men engaged in military service, could enter upon, improve and cultivate this land, preparing it for patent to issue to such soldier, and

WHEREAS, the people living in that district, and especially the women of Mohave, have with a self sacrificing patriotism encouraged their sons, their brothers, and their husbands to go forth to battle in defense of our Flag, and have organized their aid societies to furnish supplies and minister to the necessities of our sick, wounded and dying soldiers; and

WHEREAS, the agrarian question is most serious, and from time to time shakes the foundations of the most conservative governments, and strength of Nations has been found to rest upon the widely distributed ownership of land; and

WHEREAS, the cultivation of land is one of the

highest and most ennobling acts of citizenship by which the unfortunate are fed, the naked clothed, and comfort spread among those now wretched; and

WHEREAS, in this mining region a market already exists into which could pour the garnered fruits of this fertile soil upon which God has so bountifully spread His blessings, but which now lies idle and wasted instead of being covered to the common welfare and happiness of us all;

THEREFORE, we petition the Secretary of the Interior to recommend to the President of the United States, the opening to entry of Townships 17, 18, 19, 20, North of Ranges 21 and 22, West of Gila and Salt River Base and Meridian, and we further petition our representatives in Congress to lend their aid in the consummation of this worthy deed.

Passed the Senate May 31st, 1918.

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#### SENATE MEMORIAL No. 4.

To the Honorable, Marcus A. Smith and Henry F. Ashurst, United States Senators:

Your memorialist, the Senate of the Third Legislature of the State of Arizona, in special session convened, respectively represents:

That one of the most essential sources of economic development and its resultant communal prosperity, is the production of a fuel supply;

That indications point to the location of vast oil fields in the State of Arizona;

That the development of these Arizona oil fields will be facilitated, if not dependent, on the successful adoption of the provision in Senate Bill Number 2812, providing for the issuance of letters patent on six hundred and forty acres to the permittee who discovers oil;

That the adoption of the House Bill provision allow-

ing only a lease of such lands would tend to discourage the investment of the necessary capital;

THEREFORE, your memorialist, earnestly urges upon you the necessity of supporting the Senate Bill now before the Senate of the United States, in order to further the development and prosperity of the people of the State of Arizona.

RESOLVED, that a copy of this memorial be forwarded to the United States Senators from Arizona.

Passed the Senate June 15th, 1918.

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#### SENATE MEMORIAL No. 5.

To the Honorable, the Senate and the House of Representatives of the United States of America, in Congress Assembled:

Your memorialist, the Senate of the Third Legislature of the State of Arizona, in special session convened, respectfully represents:

That gold is the basis of all value, and its production is necessary to give stability to the value of the monetary systems of the civilized world;

That the extraordinary conditions brought about by the World War in which the United States is engaged has wrought no change in the price of gold;

That capital ever seeking the level of the greatest profit is encouraged by existing conditions to engage in industries offering greater returns than the production of gold;

That Congress in its wisdom is seeking to curtail the vicious profiteering which seeks enhancement of wealth from the exploitation of the Nation's need;

That an excess profits law is being considered as a means to that end;

That the attempt to include gold mines and their operation within the provisions of the Act would be a

further deterrent to the production this most essential metal;

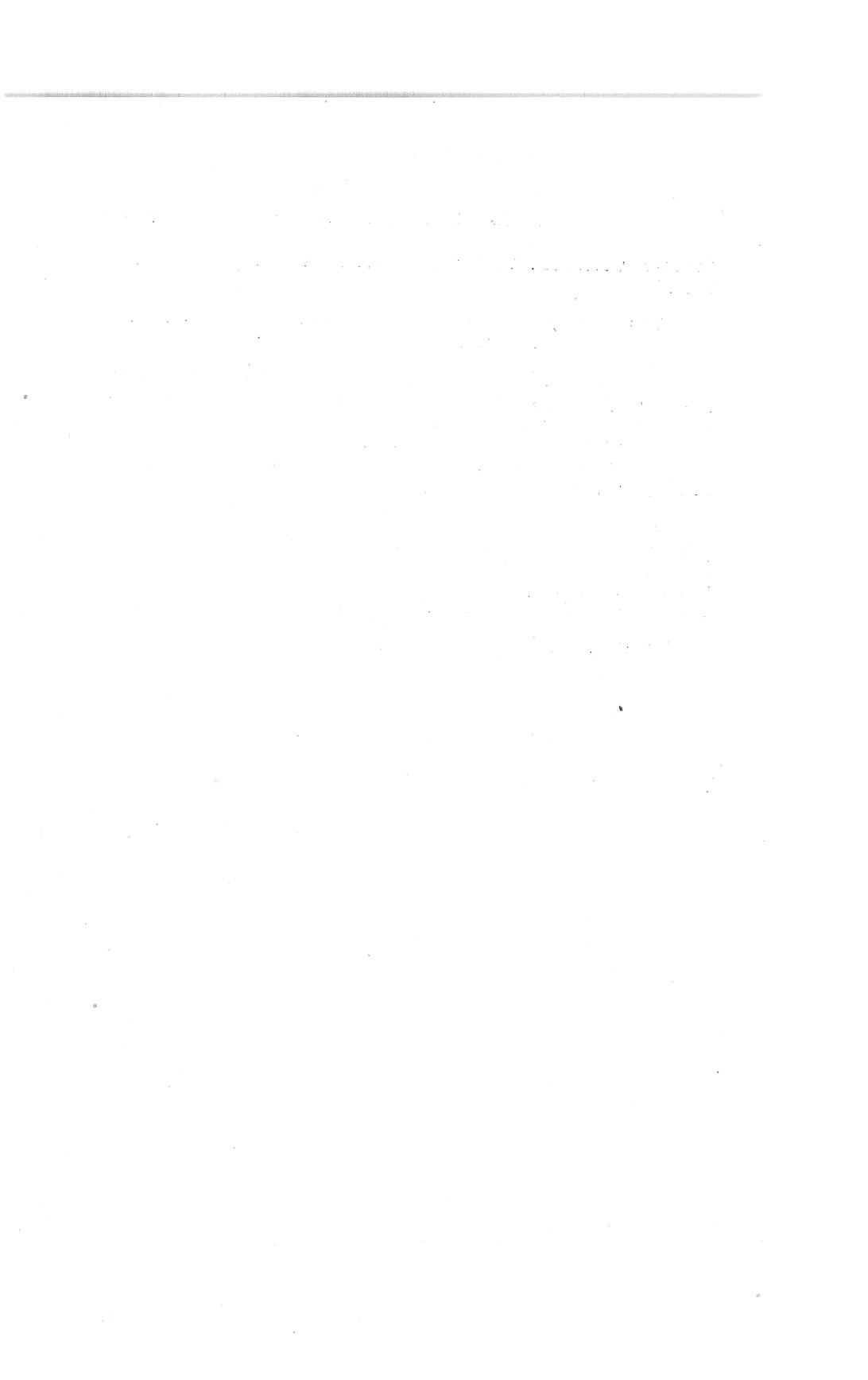
That the production of gold is one of the vital industries of the State of Arizona;

THEREFORE, your memorialist petitions with great earnestness, that the Honorable Congress should exempt from the provisions of the excess profits law, the production of gold, so that this industry may be encouraged, and the necessary capital be employed in gold mining, a legitimate enterprise.

RESOLVED, that copies of this memorial be forwarded to the Secretary of the Treasury, of the United States, the President of the Senate, and the Speaker of the House of Representatives of the United States, and the Arizona Senators and Representatives in Congress.

Passed the Senate June 14, 1918.

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# **JOINT MEMORIALS**

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## SENATE JOINT MEMORIAL No. 1.

To the Senate of the United States:

Your memorialists, the Third Legislature of the State of Arizona, in Special Session convened, respectfully represents, that

This Legislature for the State of Arizona is now ready and anxious to adopt the Woman's Suffrage Amendment to the Constitution of the United States;

That Arizona believes its position on this question wise because it has found Woman's Suffrage an unqualified success and believes it finds evidence to this effect in the almost unequalled record it has made in all branches of war activities;

That the cause of Democracy will be immeasurably advanced when Democracy's greatest exponent again declares its faith and grants to its enlightened and ennobled womanhood full opportunity of its citizenship;

THEREFORE, we beseech you, submit the Woman Suffrage Amendment and let America speak again;

That certified copies of this Joint Resolution be forwarded to the Governor of this State, to the Secretary of State at Washington, to the presiding officer of the United States Senate, and to the Speaker of the House of Representatives of the United States.

Passed the Senate May 23rd, 1918.

Passed the House May 24th, 1918.

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SENATE JOINT MEMORIAL No. 2.

To the Senate and House of Representatives of the State of Utah:

Your memorialist, the Third Legislature of the State of Arizona, in Special Session convened, respectfully represents:

WHEREAS, in that portion of northwestern Arizona and southwestern Utah north of the Colorado River

there has been developed by industrious settlers battling against unfavorable conditions an agricultural region of considerable production; and

WHEREAS, but a number of years ago there was an arid, undeveloped country, the untiring energy of the settlers has resulted in the building up of thriving communities in the Littlefield, Grand Gulch, Mocassin and Hurricane Valley districts; and

WHEREAS, these communities and the entire agricultural section of northwestern Arizona and Southwestern Utah are retarded from further development by the lack of means of egress to transportation facilities; and

WHEREAS, the more densely populated sections of the Southwest are sorely in need of the agricultural products of the sections mentioned and afford a market not now available to this section; and

WHEREAS, the only means of affording relief to this situation and promoting the development of this valuable agricultural region is the construction of a bridge across the Colorado River at a point in Arizona east of Needles, California; and

WHEREAS, not only is most of this section of northwestern Arizona and southwestern Utah settled by residents of Utah, but the building of such a bridge would be of incalculable material benefit to the southwestern part of Utah; it is, therefore

RESOLVED, by the Senate and the House of Representatives of the Legislature of the State of Arizona;

That the Senate and the House of Representatives of the State of Utah be, and are hereby urged to join with the Senate and the House of Representatives of the Legislature of the State of Arizona in enacting legislation which may be necessary to provide adequate appropriations for the construction and maintenance of a bridge over the Colorado River in the vicinity herein mentioned.

RESOLVED, further, that a copy of this Memorial be forwarded to the Senate and the House of Representatives of the Legislature of the State of Utah, and by the Governor of Arizona to the Governor of Utah, and that the members of the Senate and the House of Representatives of the State of Utah, and the Governor of Arizona and the Governor of Utah, are hereby requested to do all

in their power to accomplish the enactment of such legislation.

Passed the Senate May 27, 1918.

Passed the House May 27, 1918.

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SENATE JOINT MEMORIAL No. 3.

To the Senate and House of Representatives of the United States of America, in Congress Assembled:

Your Memorialist, the Third Legislature of the State of Arizona, at its First Special Session Assembled, Respectfully Represents:

That the Colorado River flowing through the north-western portion of the State of Arizona, presents an obstacle to the free passage to that portion of the State lying northwest thereof, and to the States of Utah and Nevada, adjacent thereto;

That during the past few years increased activities in agriculture, mining, and the stock industry in that section of Arizona lying northwest of the Colorado River, has so greatly increased the traffic across the said river as to make the construction of a bridge at some safe and convenient place a matter of vital necessity to the people of the State of Arizona; and

WHEREAS, there has existed from the earliest times a crossing at a point on said Colorado River, in Coconino County, Arizona, known as Lee's Ferry, which crossing is known to be, and is, a safe and logical location for a bridge across said river, and the only safe and logical location therefor; and

WHEREAS, the said Lee's Ferry is located on United States Government Land, which said government land is known and designated as the Navajo Indian Reservation; and

WHEREAS, it has been ascertained and determined that a suitable bridge can be constructed across the Colorado River at said point for the sum of Three Hundred Thousand Dollars; therefore be it

RESOLVED by the Senate and House of Representatives of the State of Arizona:

That the Congress of the United States is hereby petitioned and urged to enact such legislation as may be necessary to construct a bridge across the Colorado River at a place known and designated on the maps of the State of Arizona, as Lee's Ferry, in Coconino County, Arizona, at a cost not to exceed the sum of Three Hundred Thousand Dollars; be it further

RESOLVED, that a copy of this Memorial and these Resolutions be forwarded to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, the Honorable Secretary of the Interior, and the Representatives of Arizona in Congress; and that our Representatives in Congress be and they are hereby requested to do all in their power to accomplish the enactment of such legislation.

Passed the Senate May 31st, 1918.

Passed the House May 31st, 1918.

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#### SENATE JOINT MEMORIAL No. 4.

To the Honorable Franklin D. Lane, Secretary of the Interior, for the United States of America:

Your memorialist, the Third Legislature of the State of Arizona, in Special Session convened, respectfully represents:

WHEREAS, all the fruits of civilization garnered throughout the ages, will be lost to the world if Germany conquers, and the grim courage to endure unflinchingly until the doom of autocracy has been accomplished, can only be sustained by furnishing to the fighting men of democracy sufficient sustenance to maintain the required standard of physical strength, and

WHEREAS, the growth of food products of the soil is curtailed in Arizona because of the long periods of unbroken drouths, and can be made to yield a full harvest only through the aid of irrigation, and

WHEREAS, it is the desire of the people of Arizona to make their State self supporting in harmony with the Nation's desire to conserve food products of the United States that our army and those of our allies may be fully fed, and the people of this country and those of unfortunate France and Belgium may be supplied with food products during the war, to accomplish which purpose it is necessary that every available acre of tillable soil may be put to beneficial use.

THEREFORE; your memorial, calls to the attention of the Department of the Interior for the United States, that two years have elapsed since by Act of Congress an appropriation of \$175,000.00 was made out of the funds of the Indian Tribes for the construction of a diversion dam on the Gila River, above the City of Florence, in the County of Pinal, State of Arizona, and a second appropriation of \$75,000.00 additional was made, making a total of \$250,000.00 now available;

That surveys, maps, plans and specifications have been completed and are now on file with the engineering department of the United States;

That because the supply of water was inadequate, thousands of acres of wheat failed of fruition and were irreparably lost during the year of 1917, and the danger of a recurrence of this calamity during the current year is imminent;

That the early construction of this diversion dam will make available many thousands of new acres for growing the much needed food stuffs, and, your memorials, the Third Legislature of the State of Arizona, urges upon you the necessity of rendering aid to the ranchers of these valleys in order to avoid a repetition of the crop failures experienced in recent years, by requesting the proper bureau of your Department to begin the construction of this diversion dam without further delay.

It is ordered that copies of this memorial be sent to the Honorable Representatives of the State of Arizona in Congress, that they lend their aid and counsel to the Honorable Secretary of the Interior in obtaining this measure of relief.

Passed the Senate June 3rd, 1918.

Passed the House June 3rd, 1918.

## SENATE JOINT MEMORIAL No. 5.

To the House of Representatives of the Congress of the United States of America:

Your Memorialist, the Third Legislature of the State of Arizona, in Special Session convened, respectfully represents that:

WHEREAS, within the boundaries of the State of Arizona, Nature has wrought her greatest natural phenomenon—the Grand Canyon of the Colorado; and

WHEREAS, travelers by the thousands annually journey to this greatest shrine of nature and are dependent upon private enterprise for all facilities; and

WHEREAS, private enterprise had done much, and under great difficulties, to properly care for travelers, but its field of operations has necessarily been limited and much of this stupendous gorge remains inaccessible to the average traveler; and

WHEREAS, the Senate of the Congress of the United States, on May 16, 1918, passed an Act establishing the Grand Canyon National Park in the State of Arizona, thereby placing the Grand Canyon in the same National category as the Yellowstone National Park, the Yosemite National Park, and other national parks; and

WHEREAS, the said Act makes proper provisions for the rights of the citizens of Arizona and of the individual property owners within the Park boundaries, and at the same time provides a means for making accessible all portions of the Canyon, and also prevents for all time any desecration by man of God's noblest masterpiece; therefore, be it

RESOLVED, by the Senate and House of Representatives of the Legislature of the State of Arizona, that the House of Representatives of the Congress of the United States be, and is hereby urged to enact into law an Act to establish the Grand Canyon National Park in the State of Arizona, as passed by the Senate of the Congress of the United States, May 16, 1918.

RESOLVED, further, that a copy of this Memorial and these Resolutions be forwarded to the President of the United States, the President of the Senate, the Speaker of the House of Representatives of the Congress of the United States, the Secretary of the Interior, and to

the Representatives of Arizona in Congress, and that our Representatives in Congress be, and are hereby requested to do all in their power to accomplish the enactment of such legislation.

Passed the Senate June 11, 1918.

Passed the House June 11, 1918.

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SENATE JOINT MEMORIAL No. 6.

To the Honorable Herbert C. Hoover, National Food Administrator, Washington, D. C.:

WHEREAS, the farmers of Arizona in a patriotic spirit have responded to the appeals for increased wheat production by largely increasing the acreage in wheat within this State, doing this with a full knowledge that other crops, notably alfalfa and cotton, would have yielded them a greater net revenue; and

WHEREAS, Arizona now produces only about one-half of what it consumes in wheat products, it is very essential in order to bring about increased wheat production within the State, that the farmers should be encouraged to continue to increase their wheat acreage;

THEREFORE, we earnestly request that you take such action through the Food Administration Grain Corporation as will result in establishing basic terminal points on wheat within the State of Arizona;

As the wheat crop throughout the State is now being harvested, we urge such prompt action as will result in the establishing of these basic terminal points throughout the State to apply to this year's crop.

The present method of establishing prices for wheat in Arizona on the basis of the Los Angeles terminal price less freight to the point of production, is causing great dissatisfaction and discouragement to our wheat producer, and as this freight rate is soon to be advanced twenty-five (25%) per cent, making a further reduction in the price of wheat to the producer, it becomes very essential that prompt action be taken.

Passed the Senate June 17th, 1918.

Passed the House June 18th, 1918.



# HOUSE JOINT MEMORIALS

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## HOUSE JOINT MEMORIAL No. 1.

To the House of Representatives, the Senate and the President of the United States:

Your Memorialists, the Third State Legislature, in Special War Session, of Arizona, respectfully set forth:

It is now known that this world can no longer remain half Autocratic and half Democratic. Every child of freedom the world around is conscious of that fact, most certainly are they within the folds of the Stars and Stripes. Yet knowing it, we have not fully met the issue involved.

Autocracy sneeringly holds itself to have the advantage because it is able, by the single word of the Autocrat, to wield the body, mind and soul of its subjects into one great irresistible force, while a Democracy endeavoring to crystalize itself through a President and Congress, subservient to the will of a nation of independent minds, will fail utterly in the final test. If this be so, then the struggle of humanity through the ages is lost. If Autocracy wins on the fields of France there will be no human conscience left to dispute its kultur.

Can this be averted? Arizona believes it can if the United States will, through efforts that move with order, determination and precision, organize all its resources, material, spiritual and psychological, and throw them all quickly into the conflict.

In your deliberations of a new revenue bill it will be well to remember that the Government has conscripted all its fighting forces, but it has not yet taken full measure of its supporting forces. The only way to accomplish the latter is for everyone—men and women—for the duration of the war, to give to their country their entire time, efforts and earnings consistent with a healthy existence.

Therefore, the Legislature of Arizona suggests that you call for all citizens to volunteer in the service of their country in the positions they now occupy, or in others, as the country might wish, and after a certain period, to draft all the slackers and misfits; that coincident with this call for a whole hearted response by the people you give that response expression, assurance and

confidence in a tax that will take all the net earnings of the people over and above what is needed to support the industries and a normal and healthy existence.

It is true that such a thing was never done before, but Democracy was never challenged as it is at this hour. We believe the lives of our young men, on the threshold of responsibility, are as valuable to the nation as a few short years of consecrated effort on the part of the rest of us who will soon pass out. Certainly a few years given to our country in the security maintained by our magnificent youth cannot be compared with the sacrifices heroism and patriotism they offer their country.

This is a country, not of blood nor of an idea, but it is an ideal, and as such it must live on ideals. The nobler the ideal that supports it, the more potent it becomes both within and without its confines. Complete service to our country is indeed One Hundred (100) per cent Americanism and nothing short of it is. Such a service would burn all the sordid in our makeup, as a people, to a white ash. It would dissolve all the problems of class. It would exalt us to an efficiency not yet recorded in history. It would reveal to us the true meaning of Democracy, not because we thought it, but because we lived it. It would clarify our vision so that we could point the way to a lasting peace.

Such a service would inspire our armies as no armies were ever inspired before. It would make each soldier conscious that his country had not forgotten him but was behind him in all its intensity and that, if he died, his countrymen would live for the same thing for which he died. It would make him feel that a nation that could show such spiritual heroism must indeed be the revelation of the Divine Plan of the Ages and that to give his all for it would be a privilege sweeter than ever tasted by mortal.

Such a service would convince Autocracy that Democracy was more potent than any other earthly force. It would convince all mankind that Democracy was a living, vital thing that could be comprehended, practiced and sustained. It would teach mankind that we strove for the race and not for ourselves alone. Its psychological effect would be more powerful than all the armies Autocracy could muster.

The blood of our soldier boys calls for nothing short of this, our conscious mission before God and man demands nothing less. We know what justice is. In this supreme test, if we do not do our utmost, we shall prove unworthy of justice and the debasement and butchery of the Hun may be our just reward.

It is ordered that a copy of this Memorial be transmitted to the Governor of Arizona, to the President of the United States, to the Speaker of the House of Representatives, the President of the Senate, and Arizona's delegation in Congress, the Hon. M. A. Smith, Hon. Henry F. Ashurst, and Hon. Carl Hayden.

Passed the House June 7th, 1918.

Passed the Senate June 12th, 1918.

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#### HOUSE JOINT MEMORIAL No. 2.

To the Senate and House of Representatives of the United State of America in Congress Assembled:

Your memorialist, the Third Legislature of the State of Arizona, in Special Session convened, respectfully represents:

That a full comprehension of the fundamental ideals and meaning of American life, citizenship and political institutions, and a genuine allegiance to the principles upon which the government of the United States is founded, are both essential to promote the national unity of the people of the United States, especially among those people of foreign birth resident within the wide spreading domain of the American Nation.

That the triumph of language over ideals and customs pertaining to birth has been beyond question established as complete, and must be our answer to those apologists, the advocates of despotism, who plead for the wisdom of their despotic institutions, and endeavor with sacriligious hands to foist upon our people the dreaded influence of political governments whose fate is already written in the history of the times.

That to insure the success of our great experiment

in free government, it is peculiarly important that this great mass of people under the protection of the government must be fitted to play well their part as citizens of the Republic.

That only by education can a full realization of the benefits of Americanism be brought home to those who have sought refuge and freedom from injustice and violence, in a strange land, whose laws they do not understand, and whose language to them is a foreign tongue, where they are shut out from the family of man.

That it is the duty of the government to offer these people of foreign birth more than sympathy and consolation, by endeavoring to promote their rapid Americanization.

WHEREFORE, your memorialist, urgently urges the passage of bills now pending which provide, in the interest of national unity, for the promotion of the education of resident persons unable to speak the English language, and to that end enable the State and Federal Government to co-operate in the promotion of the education of such persons in the English language and the fundamental principles of the government and citizenship of the United States.

RESOLVED, that a copy of this memorial be forwarded to the President of the Senate, the Speaker of the House of Representatives, and the Senators and Representatives of Arizona in the United States Congress.

Passed the Senate June 17th, 1918.

Passed the House June 14th, 1918.

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