Committee Room,  
Austin, Texas,  
February 19, 1941.  
Hon. Coke R. Stevenson, President of  
the Senate. 
Sir: We, your Committee on Nomi­  
nations by the Governor, to whom were referred the following nominations:  
To be Members of the Board of Veterinary Medical Examiners for two year terms to expire January 17, 1943:  
Paul P. Bouriskie, Port Arthur, Jefferson County (reappointment);  
A. C. Burns, Cleburne, Johnson County (reappointment);  
M. A. Peck, Fort Worth, Tarrant County (reappointment);  
Archie Stalling, Houston, Harris County (reappointment);  
O. E. Wolfe, Big Spring, Howard County (reappointment);  
R. L. Rhea, San Antonio, Bexar County (reappointment);  
W. R. Younger, Whitesboro, Grayson County.  
Have had the same under consideration, and do recommend that they be in all things confirmed.  
MARTIN, Chairman. 

After Executive Session  
The President Pro Tempore called the Senate to order at 12:40 o'clock p. m. 

Adjournment  
Senator Metcalfe moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.  
Senator Moffett moved that the Senate recess until 10:00 o'clock a. m. tomorrow.  
The motion to adjourn prevailed; and the Senate, accordingly, at 12:45 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.  

TWENTY-SIXTH DAY  
(Wednesday, February 26, 1941)  
The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.  
The roll was called, and the following Senators were present:  
Aikin  
Beck  
Brownlee  
Chadick  
Cotten  
Fain  
Formby  
Graves  
Hazelwood  
Hill  
Isbell  
Kelley  
Lanning  
Lovelady  
Martin  
Mauritz  
Metcalfe  
Moffett  
Moore  
Ramsey  
Shivers  
Smith  
Stone  
Su lak  
Van Zandt  
Vick  
Weinert  
Winfield  
York  

Absent—Excused  
Lemens  
Spears  

A quorum was announced present.  
Rev. S. B. Culpepper, Chaplain, offered prayer.  
On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.  

Leaves of Absence Granted  
Senator Lemens was granted leave of absence for today on account of important business, on motion of Senator Aikin.  
Senator Spears was granted leave of absence for today on account of important business, on motion of Senator Graves.  

Reports of Standing Committees  
Senator Mauritz submitted the following report:  

Floor Committee,  
Austin, Texas,  
February 25, 1941.  
Hon. Coke R. Stevenson, President of  
the Senate. 
Sir: We, your Committee on Public Buildings and Grounds, to whom was referred  
S. C. R. No. 13, Providing for the loan of certain discarded guard wire.  
Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.  
MAURITZ, Chairman.
Senator Formby submitted the following report:

Austin, Texas,
February 26, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

H. B. No. 69, A bill to be entitled "An Act to amend Section 5, Chapter 136, Acts of the Thirty-ninth Legislature providing that anyone may construct on his own property a dam or reservoir to contain not to exceed fifty (50) acre-feet of water for domestic and livestock purposes without securing a permit therefor; and declaring an emergency."

Have had the same under consideration, and do hereby recommend that the same do pass and be not printed.

FORMBY, Chairman.

Senator Weinert submitted the following reports:

Austin, Texas,
February 26, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 84, A bill to be entitled "An Act creating the 94th Judicial District Court for Nueces County; defining its jurisdiction; adjusting business of the 28th District Court of Nueces County and the 117th District Court of Nueces County with the court created hereby; prescribing the duties of the district clerk with respect thereto; and fixing the time during which said court shall exist; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senator Smith submitted the following report:

Committee Room,
Austin, Texas,
February 26, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 386,

Have had the same under consideration and beg to report back to the Senate with the recommendation that it do pass and be not printed.

SMITH, Chairman.
Senator Lanning submitted the following report:

Committee Room,
Austin, Texas,
February 26, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 422, A bill to be entitled "An Act authorizing the commissioners' court in certain counties to allow each county commissioner certain expenses in connection with the performing of the duties as road commissioner in addition to the duties as county commissioner; providing for the payment of the same; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RAMSEY, Chairman.

Senator Moore submitted the following reports:

Senate Chamber,
Austin, Texas,
February 25, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 102, A bill to be entitled "An Act fixing a time within which any person having a claim against the State of Texas based on any disbursing order issued, prior to October 1, 1936, for general or transient relief purposes, by the Texas Relief Commission or the Texas Relief Commission Division of the State Board of Control, or any of their authorized representatives, agents, or employees, shall present the same to the State Department of Public Welfare for approval and payment, of such claim shall be forever barred; etc.; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senate Chamber,
Austin, Texas,
February 25, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 169, A bill to be entitled "An Act amending Article 4357 of the Revised Civil Statutes of 1925 as amended by H. B. No. 495, Chapter 243, Acts of the Regular Session of the Forty-second Legislature, relating to the system of lists of claims to be kept and filed by the State Comptroller of Public Accounts; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendment and be printed.

MOORE, Chairman.

Senate Chamber,
Austin, Texas,
February 25, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 76, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes that were delinquent on or before July 1, 1940, due the State, any county, common school district, road district, levee improvement district, water improvement district, and water control and improvement district, irrigation district, and other defined subdivisions of the State, provided same are paid on or before November 1, 1941; etc.; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senate Chamber,
Austin, Texas,
February 25, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 5, A bill to be entitled "An Act granting and donating to..."
each respective county of this State for a period of five (5) years, beginning with the taxable year 1942, all of the State ad valorem taxes for general revenue purposes not heretofore donated or appropriated, collected for general revenue purposes upon the property and from persons in each respective county, including ad valorem taxes on rolling stock belonging to railroad companies; providing that taxes shall be levied, assessed and collected as now provided by law; etc.; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senate Chamber, Austin, Texas, February 25, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 330, A bill to be entitled "An Act amending S. B. No. 355, same being Chapter 338, Acts of the Forty-fourth Legislature, as amended by S. B. No. 309, same being Chapter 341, Acts of the Forty-fifth Legislature, as amended by S. B. No. 99, Acts of the Regular Session of the Forty-sixth Legislature, by adding a new Section prescribing the procedure to be followed by the Assessor and Collector of Taxes of Coleman County, Texas, in paying over to the Central Colorado River Authority the moneys granted said Authority under the provisions of Section 17-a of S. B. No. 99, Acts of the Regular Session of the Forty-sixth Legislature; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Report of Special Committee

Senator York submitted the following report: Austin, Texas, February 26, 1941.


Sirs: This is a joint report of the three representatives that you gentlemen sent to the Fifth Annual Conference of the Council of State Governments in Washington, D. C., of January 21, 1941. It is my privilege to present to you the joint report of Representative Alsup of the House, Representative Kersey as representative of Governor O’Daniel and myself as representative of the Senate.

As representatives from the various States began to assemble together, my first reaction of the subject uppermost in their minds was defense against the possibility, if not indeed the probability, and nearness of war to the Western hemisphere.

Their opinions were tempered somewhat by their geographical location with respect to the two oceans. For example, representatives from the states along the Atlantic seaboard in their talks were plainly jittery. This state of mind was reflected by the speakers from those sections before the conference.

In talking with two representatives from California, one from San Francisco and one from Los Angeles, both seemed to agree that the United States in now engaged in a defensive war on the Pacific. In our opinion that sizes up the state of mind as it existed at the conference, which was composed of legislators, governors, attorneys general and secretaries of state from every section, from the Pacific to the Atlantic, from Canada to the Gulf.

Governor Harold E. Stassen, president of the Council, made the opening address in which he declared that, "all Democracies at this hour are in danger of destruction by totalitarian dictators," and spoke in a matter-of-fact way when he said, "When the lease-lend bill now before Congress is passed, all federal, state and local government will wholeheartedly support the President."

Governor Lehman of New York, who followed Governor Stassen, spoke in the same taken-for-granted vein. In speaking on the subject "The States
in the Present Emergency," he told the conference that New York was progressing nicely in their extensive program of building bomb-proof cellars to ward off the blows from German bombs. Governor Lehman was very deliberate, specific, and positive in his declarations and seemed quite familiar with the details of the defenses needed by the state of New York.

Among other speakers who spoke on national defense were Sidney Hilman, Governor O'Connor of Maryland and Mr. Biddle, solicitor general of the United States. In our opinion the most valuable address delivered to the conference was by the Honorable William S. Knudsen, chief of the production division of the Council of National Defense. It was not the usual run of the mill political address, but very practical and definite, and everyone seemed to be determined not to miss a word. The main point that he brought out in his speech was the part that the various State governments were to play in the National defense set-up, and he made this closing remark, "Do not forget, gentlemen, that even though you have materials and tools and factories, you must have skilled men to operate them. We do not need experts because experts, after all, are just ordinary mechanics away from home, but we do need skilled workmen who are willing to give their best to this government of free people."

The second main topic of the conference related to the subject of relief and its administration. The main point of controversy being whether or not the program should continue as now administered, partially by the Federal Government, partially by the states and partially by the local officials, or whether the government should withdraw entirely from the Works Relief administration. A resolution was finally adopted stating that the Federal Government should withdraw entirely from any part in the administration of the works relief program, but that the government might continue to contribute on the basis of not less than fifty percent nor more than seventy-five percent of the amount contributed by the states. We were informed before we left Washington that the President did not approve this part of the committee resolutions.

In closing we wish to thank you Lieutenant Governor Stevenson, Governor O'Daniel, and Speaker Leonard for granting us the opportunity to attend the Fifth Annual Conference with the Council of State Governments.
Respectfully submitted,
YORK,
On the part of Senate.
KERSEY,
ALSUP.
On the part of the House.

Senate Bills on First Reading

The following bills were introduced, read severally first time and referred by the President to the committees indicated:

By Senator Lovelady:
S. B. No. 186, A bill to be entitled "An Act amending Article 8308, Part III of Title 130 Revised Civil Statutes of 1925, by providing for self insurance by employers, requiring deposits, bonds and method of redeeming deposits by substitution of compensation insurance; and declaring an emergency."
To Committee on Insurance.

By Senator York:
S. B. No. 187, A bill to be entitled "An Act to facilitate the cooperation of this State with other units of government, determining the membership of the Board, and establishing the Texas Commission on Interstate Cooperation; describing the functions and operations of said commission; providing for the establishment of delegations and committees; providing for reports; providing titles for the committees and the commission; declaring the Council of State Governments a joint governmental agency of this State and of the other states; stating the intent of a fund to be appropriated by the Legislature; providing a saving clause; and declaring an emergency."
To Committee on Interstate Cooperation.

By Senator Stone:
S. B. No. 188, A bill to be entitled "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas the sum of Seventeen Thousand Two Hundred ($17,200.00) Dollars, not otherwise appropriated, to cover taxes due by the State of Texas to Fort Bend County, covering the years 1939 and
1940, inclusive, and the taxes to become due for the years 1941 and 1942; and declaring an emergency."

To Committee on Finance.

Senate Resolution 44

Senator Fain offered the following resolution:

S. R. No. 44, Relative to investigating the Prison System.

Whereas, In the Annual Report of Texas Prison Board of the Texas Prison System, fiscal year ending December 31, 1940, and in newspaper accounts based on said report, there exists conflicting differences in the reports of the Chief Accountant, Cashier, and General Manager, to-wit:

The Chief Accountant reports an operating loss of $157,133.68; the General Manager reports an operating loss of $313,085.63; and, the Cashier reports a cash expenditure of $2,298,015.63, with a net cash income of $981,783.40, which shows a net cash operating loss of $1,276,232.23, in the Texas Prison System; and

Whereas, These amounts are irreconcilable and contradictory and confusing; and

Whereas, Appropriations have been made by the Legislature of the State of Texas during the past six years to erect buildings on the various prison farms and at the Huntsville Unit; and

Whereas, These buildings have been constructed at a cost much higher than the amount of money appropriated; that is, these buildings have been placed on the inventories far in excess of their cost, in as much as the annual reports for the past five years show these new buildings have been valued at $1,383,153.00 as against appropriations made in amounts approximating $300,000.00, which results in misleading the Governor, the Legislature, and the people of Texas in the actual losses of the Texas Prison System; and

Whereas, Other similar increases were made on other items on the inventory, with results as stated above; and

Whereas, Rumors exist that funds are being diverted from the General Fund into the erection of buildings in sums not authorized by the Legislature by moving material purchased under an appropriation to unauthorized locations for unauthorized purposes; and

Whereas, Convict labor is listed in said annual report as cash income, when in truth and in fact it is not; and

Whereas, Rumors of great waste and extravagance abound in the prison system not revealed in but covered up by said annual report; now, therefore, be it

Resolved by the Senate of Texas, That the general manager, the chief accountant, and the cashier of said prison system be called before the Committee on Penitentiaries in the Senate to explain such conflicts in their respective reports as published in the Annual Report of the Texas Prison Board, and as released to the newspapers of Texas, and to answer such other and further questions as may be propounded to them by said committee as an investigative body in the interests of the taxpayers of the State of Texas.

The resolution was read and was transmitted to the President's table.

Senate Concurrent Resolution 26

Senator Formby offered the following resolution:

S. C. R. No. 26, Authorizing the Highway Department to lend a certain quantity of guard wire to the State Parks Board.

Whereas, The State Highway Department of Texas has a large quantity of discarded wire mesh guard fence in its various warehouses; and

Whereas, The Texas State Parks Board is trying to preserve a large Prairie Dog Colony in Mackenzie State Park for public benefit since prairie dogs are rapidly being exterminated under a government poisoning program; and

Whereas, It is deemed necessary to fence the entire colony to protect it from public intrusion and damage to plantings; and

Whereas, It will be a great accommodation to the State Parks Board if said Highway Department permits said State Parks Board the use of the discarded wire mesh guard fence hereinabove mentioned for the purpose of fencing the grounds of one of the last large Prairie Dog Colonies; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the State Highway Department of Texas be authorized to loan to the Texas State Parks Board seven thou-
sand (7,000) feet of the discarded wire mesh guard fence hereinabove mentioned for the purpose as hereinabove set out, said State Parks Board to return such wire upon request of the State Highway Department, and it is so resolved.

The resolution was read and was referred to the Committee on Public Buildings and Grounds.

**Senate Concurrent Resolution 13**

On motion of Senator Cotten and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. C. R. No. 13, Authorizing the loan of certain guard wire to the Forney Independent School District.

The President laid the resolution before the Senate, and it was read and adopted.

**Message from the House**

The President recognized Mr. Worth Ware, a Clerk of the House, to present the following message:

Hall of the House of Representatives, Austin, Texas, February 26, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a Conference Committee on S. B. No. 36 and the following are appointed on the part of the House: Messrs. Phillips, Taylor, Kelley, Murray and Donald.

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

**Bill and Resolutions Signed**

The President signed in the presence of the Senate, after their captions had been read, the following enrolled bill and resolutions:

S. C. R. No. 18, Relative to contract between the Board of Control and the San Jacinto Museum of History Association.

H. C. R. No. 18, Relative to contract between the Board of Control and the San Jacinto Museum of History Association.

H. C. R. No. 43, Authorizing the State Highway Department to loan discarded guard rails to the School Board of the Nocona Independent School District.

H. C. R. No. 48, Authorizing the Enrolling Clerk to make necessary insertion in House Bill No. 266.

H. B. No. 266, A bill to be entitled "An Act amending Section 9, Chapter 14, of the Acts of the Thirty-seventh Legislature, Special Laws of the First Called Session, S. B. No. 79, so as to give compensation to the members of the Board of Equalization of the Mineral Wells Independent School District; and declaring an emergency."

**Bill Re-referred**

On motion of Senator Aikin and by unanimous consent, H. B. No. 3 was re-referred from the Committee on Finance to the Committee on Public Debt, Claims and Accounts.

**Advance Printing of Proposed Substitute for Senate Bill 69**

On motion of Senator Lovelady, and by unanimous consent, it was ordered that a proposed substitute by himself for S. B. No. 69 be printed in advance of its consideration in committee.

**Senate Resolution 44**

The President laid before the Senate for consideration at this time (the resolution having been introduced and read today):

S. R. No. 44, Providing for an investigation of the Prison System.

Senator Aikin moved to refer the resolution to the Committee on Penitentiaries.

Senator Fain moved to table the motion to refer, and the motion to table was lost.

Question recurring on the motion to refer, it prevailed.

**House Bill 83 on Second Reading**

Senator Kelley moved that Section 5 of Article 3 of the Constitution be suspended to permit consideration by the Senate of H. B. No. 83 at this time.

The motion prevailed by the following vote:

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An Act making an appropriation out of any funds in the State Treasury not heretofore otherwise appropriated, the sum of Two Thousand ($2,000.00) Dollars, which may be withdrawn from time to time on warrant signed by the Chairman of the Board of Directors and the Treasurer of the said Lower Concho River Water and Soil Conservation Authority.

Sec. 5. That is hereby appropriated for the use of the Nueces River Conservation and Reclamation District, a conservation and reclamation district created by virtue of an Act of the Forty-fourth Legislature, out of any funds in the State Treasury not heretofore otherwise appropriated, the sum of Fifteen Thousand ($15,000.00) Dollars which may be withdrawn from time to time on warrant signed by the Chairman of the Board of Directors and the Treasurer of the said Nueces River Conservation and Reclamation District, and shall be repaid to the State of Texas by the Lower Concho River Water and Soil Conservation Authority from the first revenue of the Authority.

Sec. 6. That is hereby appropriated for the use of the Nueces River Conservation and Reclamation District, a conservation and reclamation district created by virtue of an Act of the Forty-fourth Legislature, out of any funds in the State Treasury not heretofore otherwise appropriated, the sum of Twelve Thousand ($12,000.00) Dollars, which may be withdrawn from time to time on warrant signed by the Chairman of the Board of Directors and the Treasurer of the said Nueces River Conservation and Reclamation District, and shall be repaid to the State of Texas by the Nueces River Conservation and Reclamation District from the first revenue of the Authority.
created by virtue of an Act of the Forty-fifth Legislature, out of any funds in the State Treasury not heretofore otherwise appropriated, the sum of Six Thousand ($6,000.00) Dollars, which may be withdrawn from time to time on warrant signed by the Chairman of the Board of Directors and the Treasurer of the said Panhandle Water Conservation Authority.

Sec. 10. This appropriation shall be treated as a loan from the State of Texas to the Panhandle Water Conservation Authority, and shall be repaid to the State of Texas by the Panhandle Water Conservation Authority from the first revenue of the Authority.

Sec. 11. There is hereby appropriated for the use of the Pease River Flood Control District, a conservation and reclamation district created by virtue of an Act of the Forty-fourth Legislature, out of any funds in the State Treasury not heretofore otherwise appropriated, the sum of Six Thousand ($6,000.00) Dollars, which may be withdrawn from time to time on warrant signed by the Chairman of the Board of Directors and the Treasurer of the said Pease River Flood Control District.

Sec. 12. This appropriation shall be treated as a loan from the State of Texas to the Pease River Flood Control District, and shall be repaid to the State of Texas by the Pease River Flood Control District from the first revenue of the District.

Sec. 13. There is hereby appropriated for the use of the Lower Neches Valley Authority, a conservation and reclamation district created by virtue of an Act of the Forty-third Legislature, out of any funds in the State Treasury not heretofore otherwise appropriated, the sum of Ten Thousand ($10,000.00) Dollars, which may be withdrawn from time to time on warrant signed by the Chairman of the Board of Directors and the Treasurer of the said Lower Neches Valley Authority.

Sec. 14. This appropriation shall be treated as a loan from the State of Texas to the Lower Neches Valley Authority, and shall be repaid to the State of Texas by the Lower Neches Valley Authority from the first revenue of the Authority.

Sec. 15. There is hereby appropriated for the use of the Upper Guadalupe River Authority, a Reclamation District, and conservation and reclamation district created by virtue of an Act of the Forty-sixth Legislature, out of any funds in the State Treasury not heretofore otherwise appropriated, the sum of Three Thousand Six Hundred ($3,600.00) Dollars, which may be withdrawn from time to time on warrant signed by the Chairman of the Board of Directors and the Treasurer of the said Upper Guadalupe River Authority and Reclamation District.

Sec. 16. This appropriation shall be treated as a loan from the State of Texas to the Upper Guadalupe River Authority and Reclamation District, and shall be repaid to the State of Texas by the Upper Guadalupe River Authority and Reclamation District from the first revenue of the Authority.

Sec. 17. There is hereby appropriated for the use of the Upper Red River Flood Control District, a conservation and reclamation district created by virtue of an Act of the Forty-fifth Legislature, out of any funds in the State Treasury not heretofore otherwise appropriated, the sum of Five Thousand ($5,000.00) Dollars, which may be withdrawn from time to time on warrant signed by the Chairman of the Board of Directors and the Treasurer of the said Upper Red River Flood Control District.

Sec. 18. This appropriation shall be treated as a loan from the State of Texas to the Upper Red River Flood Control District, and shall be repaid to the State of Texas by the Upper Red River Flood Control District from the first revenue of the District.

Sec. 19. The importance of this legislation and the necessity of making adequate surveys in order to obtain aid from the Federal Government create an emergency and an imperative public necessity requiring the suspension of the constitutional rule that bills be read on three several days in each House, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

METCALFE,
WEINERT,
SHIVERS,
HAZLEWOOD,
KELLEY,
MAURITZ,
MOFFETT,
WINFIELD.
The amendment was adopted.

Senator Moffett offered the following amendment to the bill:

Amend the caption of the bill to read as follows:

“A bill to be entitled

“An Act making appropriations for the use of the Guadalupe-Blanco River Authority, the Upper Colorado River Authority, the Lower Concho River Water and Soil Conservation Authority, the Nueces River Conservation and Reclamation District, the Panhandle Water Conservation Authority, Pease River Flood Control District, Lower Neches Valley Authority, Upper Guadalupe River Authority, Reclamation District, and the Upper Red River Flood Control District; providing these appropriations shall be repaid to the State of Texas; and declaring an emergency.”

The amendment was adopted.

The bill as amended then passed to third reading.

House Bill 83 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 83 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Nays—1
Isbell

Absent—Excused
Lemens Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senator Van Zandt moved to reconsider the vote by which the bill was passed.

The motion to reconsider prevailed.

The bill was passed by the following vote:

Yeas—28

Nays—1
Isbell

Absent—Excused
Lemens Spears

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 97, A bill to be entitled “An Act authorizing navigation districts created under any of the provi-
sions of the Constitution or laws of this State in addition to the powers heretofore conferred by law to acquire, extend, construct, repair, build, develop and maintain certain improvements in aid of deep water navigation without taxation and to borrow money therefrom from the Federal Government or any other source and to issue and deliver evidences of such indebtedness payable only out of the net revenues of the district and to encumber any of the properties and facilities and revenues of the district including those for which the funds are borrowed, all as additional security providing remedies in case of default, to grant to the purchaser of said properties at foreclosure sale a franchise under stipulated terms and for not more than twenty years, and to enter into all necessary agreements to carry out the provisions hereof, providing that this Act shall not be construed as repealing any other laws of this State applicable to the subject matter hereof, providing for methods of procedure in creating the indebtedness and encumbering the properties to secure the same; and declaring an emergency."

The amendment was adopted.

The bill was passed to third reading.

House Bill 97 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 97 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Absent—Excused
Lemens  Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29
Aikin  Beck  Brownlee  Chadick  Cotten  Fain  Formby  Graves  Hazlewood  Hill  Isbell  Kelley  Lanning  Lovelady  Martin  Mauritz  Metcalfe  Moffett  Stone  Sulak  Van Zandt  Vick  Weinert  Winfield  York
Message from the House

The Assistant Reading Clerk of the House was recognized to present the following message:

Hall of the House of Representatives, Austin, Texas, February 26, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 19, A bill to be entitled "An Act to amend H. B. No. 30, Chapter 4, Acts of 1933, First Called Session, Forty-third Legislature, as amended by H. B. No. 122, Chapter 387, Acts of 1935, First Called Session, Forty-fourth Legislature, as amended by H. B. No. 54, Chapter 510, Acts of 1936, Forty-fourth Legislature, Third Called Session, and repealing all laws and parts of laws in conflict herewith; providing a saving clause; and declaring an emergency and providing the Act shall take effect from and after its passage."

S. B. No. 28, A bill to be entitled "An Act to repeal the Bosque County Fish Law, being Chapter 43, page 792, H. B. No. 957, in the Special Laws of the Forty-sixth Legislature; and declaring an emergency."

S. B. No. 101, A bill to be entitled "An Act amending H. B. No. 438, Regular Session, Forty-sixth Legislature, with reference to the employment of a stenographer or clerk by the county judge of certain counties so as to make the Act applicable in counties having a population of not more than seven thousand, eight hundred (7,800) and not less than seven thousand, seven hundred (7,700), and in counties of not more than thirteen thousand, two hundred ninety-nine (13,299) and not less than thirteen thousand, one hundred ninety-nine (13,199) inhabitants, according to the last preceding Federal Census; fixing salary of same; providing for payment of salary; providing for removal; and declaring an emergency."

S. B. No. 104, A bill to be entitled "An Act authorizing the appointment by the District Attorney or Criminal District Attorney of assistants and a stenographer in judicial districts composed of and confined to one county only and in which judicial district and county the population as determined by the last preceding Federal Census is not less than fifty thousand, five hundred (50,500) and not more than fifty-five thousand (55,000) inhabitants and in which said judicial district and county the tax value exceeds Seventy Million ($70,000,000) Dollars according to the last approved tax roll, fixing the compensation of said assistants and the stenographer and providing for the manner in which same shall be paid; and declaring an emergency."

H. B. No. 399, A bill to be entitled "An Act authorizing eligible cities as defined herein to issue two classes of refunding bonds, providing the methods of paying and securing such bonds, enacting other provisions relating to the subject, making this Act cumulative of other laws, providing that it shall take precedence over other laws general or special, and all charter provisions in conflict or inconsistent herewith, and declaring an emergency."

H. B. No. 20, A bill to be entitled "An Act providing for licensing of operators, commercial operators and chauffeurs; defining certain terms; providing for certain exemptions; prohibiting issuance of licenses to certain persons making it unlawful for certain persons to operate a school bus or any motor vehicle while in use as a public or common carrier of persons; providing for application for operators', commercial operators' and chauffeurs' licenses; providing for signing of application of minors and cancellation of minors' license upon application, and/or death of signatory; providing for examinations of applicants for operators', commercial operators' and chauffeurs' licenses; providing for the issuance of restricted operators', commercial operators' and chauffeurs' licenses, and duplicates thereof; providing for the issuance of restricted operators', commercial operators' and chauffeurs' licenses, providing a penalty for a violation of the restrictions imposed and for the revo-
ation or suspension of restricted licenses; relating to the carrying of a license by the licensee and exhibiting same; prescribing the amount of fees and providing for the collection of same by the Department of Public Safety and the disposition of same; providing for the time of expiration of licenses and for renewal of same; providing for notice to the Department of changes of address or name of licensee; providing for certain records to be kept by the Department of Public Safety; relating to the authority of the Department of Public Safety to suspend, revoke or cancel licenses; providing for time, place and manner of holding hearings before the Department of Public Safety; providing for the period of suspension by the Department; providing for the automatic suspension of licenses upon conviction of certain offenses; providing for the surrender and return of license to the Department upon suspension; providing for court to forward license to Department and report convictions and defining 'conviction' and providing that a suspended sentence shall not mitigate against automatic suspension of license on conviction of certain offenses; prohibiting the operation of motor vehicle under foreign license during suspension or revocation in this State; providing authority of the Department of Public Safety to suspend or revoke license and to suspend privileges of non-residents and report convictions, and to suspend resident license upon conviction in another state; providing for the cancellation of licenses under certain conditions; providing for the right of appeal when license denied or canceled, suspended or revoked by Department, except where such suspension or revocation is automatic; prohibiting the driving of motor vehicle while license or privilege is canceled, suspended or revoked; and making it unlawful to commit certain other acts; providing authority of the Department of Public Safety to require accident reports and providing a penalty for failure to report; providing for forms of accident statistics and reports and making such reports confidential; providing for a penalty for violation of the Act; and providing for a maximum fine in certain instances; repealing all laws and parts of laws in conflict herewith, and particularly S. B. No. 15, Chapter 466, page 1785, General Laws, Second

Called Session, Forty-fourth Legislature, as amended by H. B. No. 16, Chapter 369, page 752, Regular Session Forty-fifth Legislature; providing a saving clause, declaring an emergency, and providing the Act shall take effect from and after its passage.”

Respectfully submitted,
E. R. LINDLEY,
Chief Clerk, House of Representatives.

House Bills on First Reading

The following House bills received from the House today, were laid before the Senate, read first time and referred to the committees indicated:

H. B. No. 399, to Committee on Towns and City Corporations.

H. B. No. 20, to Committee on Highways and Motor Traffic.

House Bill 165 on Second Reading

Senator Kelley moved that Section 5 of Article 3 of the Constitution be suspended, to allow consideration by the Senate of H. B. No. 165 at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin
Beck
Brownlee
Chadick
Cotten
Pain
Formby
Graves
Hazewood
Hill
Isbell
Kelley
Lanning
Lovelady
Martin
Mauritz
Metcalfe
Moffett
Moore
Ramsey
Shivers
Smith
Stone
Sulak
Van Zandt
Vick
Weinert
Winfield
York

Absent—Excused

Lemens
Spears

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 165, A bill to be entitled “An Act granting to the City of Corpus Christi, Texas, all right, title, and interest of the State of Texas, to certain land hitherto submerged by the waters of Corpus Christi Bay; ratifying and confirming exchanges
and conveyances of property within the area to certain private owners; reserving the minerals unto the State; declaring that the Act shall be cumulative of former grants and authorities; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 165 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 165 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin  Beck  Brownlee  Chadick  Cotten  Fain  Formby  Graves  Hazlewood  Hill  Isbell  Kelley  Lanning  Lovelady

Martin  Mauritz  Metcalfe  Moffett  Ramsey  Shivers  Smith  Stone  Sulak  Van Zandt  Vick  Weinert  Winfield  York

Absent

Moore

Absent—Excused

Lemens  Spears

Committee Report on House Bill 399

Senator Hill, by unanimous consent, submitted at this time the following report:

Committee Room, Austin, Texas, February 26, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred H. B. No. 399, have had the same under consideration, and beg to report same back to the Senate with the recommendation that it do pass and be not printed.

HILL, Chairman.

Bill Re-committed

On motion of Senator Smith, H. B. No. 399 was re-committed to the Committee on Towns and City Corporations.

House Bill 216 on Second Reading

Senator Hazlewood moved that Section 5 of Article 3 of the Constitution be suspended, to allow consideration by the Senate of H. B. No. 216 at this time.

The motion prevailed by the following vote:

Yeas—28

Aikin  Beck  Brownlee  Chadick  Cotten  Fain  Formby  Graves  Hazlewood  Hill  Isbell  Kelley  Lanning  Lovelady

Martin  Mauritz  Metcalfe  Moffett  Ramsey  Shivers  Smith  Stone  Sulak  Van Zandt  Vick  Weinert  Winfield  York

Absent

Moore

Absent—Excused

Lemens  Spears
The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 216, A bill to be entitled "An Act amending Section 1 of H. B. No. 160, Acts of the First Called Session of the Forty-first Legislature, Chapter 83, page 209, by removing certain restrictions on the number of acres of land which may be owned by cities and counties for airport purposes; and declaring an emergency."

The bill was read second time.

Senator Martin offered the following (committee) amendment to the bill:

Committee Amendment No. 1

Amend H. B. No. 216 by striking out all of Section 1, and inserting in lieu thereof the following:

"Section 1. That Section 1 of H. B. No. 160, Acts of the First Called Session of the Forty-first Legislature, Chapter 83, page 209, be and the same is hereby amended so as hereafter to read as follows:

"Section 1. That the governing body of any incorporated city in this State may receive through gift or dedication, and is hereby empowered to acquire, by purchase without condemnation or by purchase through condemnation proceedings and thereupon maintain and operate as an airport, tracts of land either within or without the corporate limits of such city and within the county in which such city is situated, and the commissioners' court of any county may likewise acquire, maintain, and operate for like purpose tracts of land within the limits of the county."

Senator Moffett offered the following amendment to the amendment:

Amend the amendment by inserting the words, "or lease to the Federal Government," in line 13 page 2, after the comma in said line, and before the word "tracts."

The amendment to the amendment was adopted.

The amendment as amended was adopted.

The bill was passed to third reading.

On motion of Senator Martin and by unanimous consent, it was ordered that the caption of the bill be amended to conform to the body of the bill as amended.

The bill then was passed to third reading.

House Bill 216 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 216 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin  Martin
Beck  Mauritz
Brownlee  Metcalfe
Chadick  Moffett
Cotten  Ramsey
Pain  Shivers
Formby  Smith
Graves  Stone
Hazlewood  Sulak
Hill  Van Zandt
Isbell  Vick
Kelley  Weinert
Lanning  Winfield
Lovelady  York

Absent

Moore

Absent

Lemens  Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin  Martin
Beck  Mauritz
Brownlee  Metcalfe
Chadick  Moffett
Cotten  Ramsey
Pain  Shivers
Formby  Smith
Graves  Stone
Hazlewood  Sulak
Hill  Van Zandt
Isbell  Vick
Kelley  Weinert
Lanning  Winfield
Lovelady  York

Absent

Moore

Absent—Excused

Lemens  Spears
House Bill 109 on Second Reading

Senator Lovelady moved that Section 5 of Article 3 of the Constitution be suspended, to allow consideration by the Senate of H. B. No. 109 at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin
Beck
Brownlee
Chadick
Cotten
Fain
Formby
Graves
Hazlewood
Hill
Isbell
Kelley
Lanning
Lovelady
Martin

Absent—Excused

Lemens
Spears

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 109, A bill to be entitled "An Act to amend Article 2955 of the Revised Statutes of the State of Texas, 1925, relating to qualifications to vote."

The bill was read second time and was passed to third reading.

House Bill 109 on Third Reading

Senator Lovelady moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 109 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin
Beck
Brownlee
Chadick
Cotten
Fain
Formby
Graves
Hazlewood
Hill
Isbell
Kelley
Lanning
Lovelady
Martin
Stone
Sulak
Van Zandt
Vick

Absent—Excused

Lemens
Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin
Beck
Brownlee
Chadick
Cotten
Fain
Formby
Graves
Hazlewood
Hill
Isbell
Kelley
Lanning
Lovelady
Martin
Stone
Sulak
Van Zandt
Vick

Absent—Excused

Lemens
Spears

House Bill 318 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 318, A bill to be entitled "An Act amending Article 2831 of the Revised Civil Statutes of the State of Texas by adding a new Section to be known as Article 2831a, and providing for certain school fund balances not expended for the current year to be placed in the School Equalization Fund in certain counties in Texas having a population of not less than three hundred and ninety thousand (390,000) and not more than five hundred thousand (500,000) according to the last preceding Federal Census; repealing all laws and parts of laws in conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 318 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 318 be
placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Martin

Absent—Excused

Lemens       Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin       Mauritz
Beck        Metcalfe
Brownlee    Moffett
Chadick     Moore
Cotten      Ramsey
Fain        Shivers
Formby      Smith
Graves      Stone
Hazlewood   Sulak
Hill        Van Zandt
Isbell      Vick
Kelley      Weinert
Lanning     Winfield
Lovelady    York
Meeting of Senate on Tuesday, February 27, 1945, at 1:30 p.m.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 142, A bill to be entitled “An Act making it unlawful to kill or attempt to kill bear, fox or wild turkey or molest same in Hardin County for a period of five years; providing a penalty; repealing all conflicting laws; and declaring an emergency.”
son on the taking of wild deer for a period of five years in the Counties of Motley, Floyd, Briscoe, Cottle, Hall, Childress, Dickens, Borden, Stonewall, Garza, Kent and Scurry; repealing all laws insofar as they conflict with this Act; providing for a suitable penalty; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 212 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 212 be placed on its third reading and final passage.

The motion prevailed by the following vote:

<table>
<thead>
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<th>Yeas</th>
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<td>Aikin</td>
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<td>Lovelady</td>
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<td>Martin</td>
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</table>

Absent—Excused

Lemens Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
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<tr>
<td></td>
<td>Aikin</td>
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<td>Lovelady</td>
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<td>Martin</td>
</tr>
</tbody>
</table>

Absent—Excused

Lemens Spears

House Bill 4 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 4, A bill to be entitled "An Act repealing all local or special laws regulating the taking, possession, or sale of fur bearing animals in so far as they apply to Panola County, Texas; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 4 on Third Reading

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 4 be placed on its third reading and final passage.

The motion prevailed by the following vote:

<table>
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<th>Yeas</th>
<th></th>
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Absent—Excused

Lemens Spears

The president then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

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Absent—Excused

Lemens Spears
The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 12, A bill to be entitled "An Act repealing H. B. No. 26 of the Acts of the Regular Session of the Forty-fourth Legislature; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 12 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 12 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—29**

Aikin  Mauritz  Stein
Beck   Metcalfe
Brownlee Moffett
Chadick Moore
Cotten Ramsey
Fain Shivers
Formby Smith
Graves Stone
Hazlewood Sulak
Hill Van Zandt
Isbell Vick
Kelley Weinert
Lanning Winfield
Lovelady York
Martin

**Absent—Excused**

Lemens Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—29**

Aikin  Brownlee
Beck   Chadick

House Bill 138 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 138, A bill to be entitled "An Act repealing H. B. No. 945 and H. B. No. 946, enacted by the Forty-sixth Legislature of the State of Texas, pertaining to hunting and trapping on inclosed or uninclosed land of another in counties having a population of not less than fifteen thousand, one hundred forty-nine (15,149) and not more than fifteen thousand, three hundred (15,300) inhabitants according to the last preceding Federal Census; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 138 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 138 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—29**

Aikin  Lovelady
Beck   Martin
Brownlee Mauritz
Chadick Metcalfe
Cotten Moffett
Fain  Moore
Formby Ramsey
Graves Shivers
Hazlewood Smith
Hill  Stone
Isbell Sulak
Kelley Van Zandt
Lanning Vick
Weinert   York
Winfield

Absent—Excused
Lemens   Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29
Aikin   Mauritz
Beck    Metcalfe
Brownlee   Moffett
Chadick  Moore
Cotten   Ramsey
Fain    Shivers
Formby  Smith
Graves  Stone
Hazlewood  Sulak
Hill    Van Zandt
Isbell  Vick
Kelley  Weinert
Lanning  Winfield
Lovelady  York
Martin

Absent—Excused
Lemens   Spears

House Bill 276 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 276, A bill to be entitled "An Act to prohibit the use in all lakes and streams situated in Nolan County, Texas, all certain devices for catching fish; to limit the size and number of fish to be caught; to prohibit the taking of any fresh-water fish during the months of February, March or April; providing the use of minnow seines of not more than twenty (20) feet in length for the purpose of taking minnows for bait; prohibiting persons other than the owner from entering upon or fishing from rafts, piers or boats; providing a penalty; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 276 on Third Reading

Senator Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 276 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29
Aikin   Mauritz
Beck    Metcalfe
Brownlee   Moffett
Chadick  Moore
Cotten   Ramsey
Fain    Shivers
Formby  Smith
Graves  Stone
Hazlewood  Sulak
Hill    Van Zandt
Isbell  Vick
Kelley  Weinert
Lanning  Winfield
Lovelady  York
Martin

Absent—Excused
Lemens   Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29
Aikin   Mauritz
Beck    Metcalfe
Brownlee   Moffett
Chadick  Moore
Cotten   Ramsey
Fain    Shivers
Formby  Smith
Graves  Stone
Hazlewood  Sulak
Hill    Van Zandt
Isbell  Vick
Kelley  Weinert
Lanning  Winfield
Lovelady  York
Martin

Absent—Excused
Lemens   Spears

House Bill 198 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 198, A bill to be entitled "An Act to declare a closed season on the killing of deer and turkey in Throckmorton, Shackelford and Haskell Counties for a period ending February 1, 1946; prescribing a pen-
The bill was read second time and was passed to third reading.

House Bill 198 on Third Reading

Senator Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 198 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin    Mauritz
Beck     Metcalfe
Brownlee Moffett
Chadick  Moore
Cotten   Ramsey
Fain     Shivers
Formby   Smith
Graves   Stone
Hazelwood Sulak
Hill     Van Zandt
Isbell   Vick
Kelley   Weinert
Lanning  Winfield
Lovelady York
Martin

Absent—Excused

Lemens Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin    Mauritz
Beck     Metcalfe
Brownlee Moffett
Chadick  Moore
Cotten   Ramsey
Fain     Shivers
Formby   Smith
Graves   Stone
Hazelwood Sulak
Hill     Van Zandt
Isbell   Vick
Kelley   Weinert
Lanning  Winfield
Lovelady York
Martin

Absent—Excused

Lemens Spears

House Bill 141 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 141, A bill to be entitled "An Act making it unlawful to kill or attempt to kill deer, bear, fox, or wild turkey or trap or molest same in Liberty County for a period of five years; providing a penalty; repealing all conflicting laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 141 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 141 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin    Mauritz
Beck     Metcalfe
Brownlee Moffett
Chadick  Moore
Cotten   Ramsey
Fain     Shivers
Formby   Smith
Graves   Stone
Hazelwood Sulak
Hill     Van Zandt
Isbell   Vick
Kelley   Weinert
Lanning  Winfield
Lovelady York
Martin

Absent—Excused

Lemens Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin    Isbell
Beck     Kelley
Brownlee Lanning
Chadick  Lovelady
Cotten   Martin
Fain     Mauritz
Formby   Metcalfe
Graves   Moffett
Hazelwood Moore
Hill     Ramsey
Shivers Vick
Smith Weinert
Stone Winfield
Sulak York
Van Zandt

Absent—Excused

Lemens Spears

House Bill 23 on Second Reading

Senator Shivers moved that Section 5 of Article 3 of the Constitution be suspended, to allow consideration by the Senate of H. B. No. 23 at this time.

The motion prevailed by the following vote:

Yeas—29
Aikin Mauritz
Beck Metcalfe
Brownlee Moffett
Chadick Moore
Cotten Ramsey
Fain Shivers
Formby Smith
Graves Sulak
Hazlewood Van Zandt
Hill Vick
Isbell Weinert
Kelley Winfield
Lanning York
Lovelady
Martin

Absent—Excused

Lemens Spears

The President then laid the bill before the Senate on its second reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29
Aikin Mauritz
Beck Metcalfe
Brownlee Moffett
Chadick Moore
Cotten Ramsey
Fain Shivers
Formby Smith
Graves Sulak
Hazlewood Van Zandt
Hill Vick
Isbell Weinert
Kelley Winfield
Lanning York
Lovelady
Martin

Absent—Excused

Lemens Spears

House Bill 306 on Second Reading

The President then laid the bill before the Senate on its second reading and passage to third reading:

H. B. No. 306, A bill to be entitled “An Act providing an open season for doves in Lamar County; and declaring an emergency.”

The bill was read second time and was passed to third reading.

House Bill 306 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be sus-
pended and that H. B. No. 306 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29
Aikin  Mauritz
Beck  Metcalfe
Brownlee  Moffett
Chadick  Moore
Cotten  Ramsey
Fain  Shivers
Formby  Smith
Graves  Stone
Hazlewood  Sulak
Hill  Van Zandt
Isbell  Vick
Kelley  Weinert
Lanning  Winfield
Lovelady  York
Martin

Absent—Excused
Lemens  Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29
Aikin  Mauritz
Beck  Metcalfe
Brownlee  Moffett
Chadick  Moore
Cotten  Ramsey
Fain  Shivers
Formby  Smith
Graves  Stone
Hazlewood  Sulak
Hill  Van Zandt
Isbell  Vick
Kelley  Weinert
Lanning  Winfield
Lovelady  York
Martin

Absent—Excused
Lemens  Spears

House Bill 217 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 217, A bill to be entitled "An Act declaring it unlawful to take, hunt, trap, ensnare, kill or attempt to kill by any means whatsoever any wild deer, buck, doe, fawn, or wild turkey in Stephens and Palo Pinto Counties for a period of four

(4) years from and after the passage of this Act; providing a penalty therefor; providing for the protection of crops, pastures and gardens being destroyed by deer; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 217 on Third Reading

Senator Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 217 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29
Aikin  Mauritz
Beck  Metcalfe
Brownlee  Moffett
Chadick  Moore
Cotten  Ramsey
Fain  Shivers
Formby  Smith
Graves  Stone
Hazlewood  Sulak
Hill  Van Zandt
Isbell  Vick
Kelley  Weinert
Lanning  Winfield
Lovelady  York
Martin

Absent—Excused
Lemens  Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29
Aikin  Mauritz
Beck  Metcalfe
Brownlee  Moffett
Chadick  Moore
Cotten  Ramsey
Fain  Shivers
Formby  Smith
Graves  Stone
Hazlewood  Sulak
Hill  Van Zandt
Isbell  Vick
Kelley  Weinert
Lanning  Winfield
Lovelady  York
Martin

Absent—Excused
Lemens  Spears

House Bill 217 on Third Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 217, A bill to be entitled "An Act declaring it unlawful to take, hunt, trap, ensnare, kill or attempt to kill by any means whatsoever any wild deer, buck, doe, fawn, or wild turkey in Stephens and Palo Pinto Counties for a period of four

(4) years from and after the passage of this Act; providing a penalty therefor; providing for the protection of crops, pastures and gardens being destroyed by deer; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 217 on Third Reading

Senator Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 217 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29
Aikin  Mauritz
Beck  Metcalfe
Brownlee  Moffett
Chadick  Moore
Cotten  Ramsey
Fain  Shivers
Formby  Smith
Graves  Stone
Hazlewood  Sulak
Hill  Van Zandt
Isbell  Vick
Kelley  Weinert
Lanning  Winfield
Lovelady  York
Martin

Absent—Excused
Lemens  Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29
Aikin  Mauritz
Beck  Metcalfe
Brownlee  Moffett
Chadick  Moore
Cotten  Ramsey
Fain  Shivers
Formby  Smith
Graves  Stone
Hazlewood  Sulak
Hill  Van Zandt
Isbell  Vick
Kelley  Weinert
Lanning  Winfield
Lovelady  York
Martin

Absent—Excused
Lemens  Spears
House Bill 282 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 282, A bill to be entitled "An Act amending Section 1 of an Act known as H. B. No. 965, of the Regular Session of the Forty-sixth Legislature, page 336, (1939), which latter Act creates the Rockport Wildlife Sanctuary, so as to re-define the boundaries of said sanctuary; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 282 on Third Reading

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 282 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29
Aikin      Mauritz
Beck       Metcalfe
Brownlee   Moffett
Chadick    Moore
Cotten      Ramsey
Fain       Shivers
Formby     Smith
Graves     Stone
Hazlewood  Sulak
Hill       Van Zandt
Isbell      Vick
Kelley     Weinert
Lanning    Winfield
Lovelady   York
Martin

Absent—Excused
Lemens    Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29
Aikin      Hill
Beck       Isbell
Brownlee   Kelley
Chadick    Lanning
Cotten      Lovelady
Fain       Martin
Formby     Mauritz
Graves     Metcalfe
Hazlewood  M'Dore

Absent—Excused
Lemens    Spears

House Bill 386 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 386, A bill to be entitled "An Act amending Section 3 of H. B. No. 12 of the Second Called Session of the Forty-second Legislature, so as to remove the prohibition against catching or taking fish from the waters of Lake Waco and the Bosque Rivers and their tributaries in the Counties of McLennan and Bosque during the month of February; legalizing the catching, taking, and using of shad for bait in said waters; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 386 on Third Reading

Senator Vick moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 386 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29
Aikin      Mauritz
Beck       Metcalfe
Brownlee   Moffett
Chadick    Moore
Cotten      Ramsey
Fain       Shivers
Formby     Smith
Graves     Stone
Hazlewood  Sulak
Hill       Van Zandt
Isbell      Vick
Kelley     Weinert
Lanning    Winfield
Lovelady   York
Martin

Absent—Excused
Lemens    Spears

The President then laid the bill before the Senate on its third reading and final passage.
The bill was read third time and was passed by the following vote:

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House Bill 422 on Second Reading

On motion of Senator Lanning and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 422 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 422, A bill to be entitled "An Act authorizing the commissioners' court in certain counties to allow each county commissioner certain expenses in connection with the performing of the duties as road commissioner in addition to the duties as county commissioner; providing for the payment of the same; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 422 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 422 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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Absent-Excused

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Reports of Standing Committees

Senator York, by unanimous consent, submitted at this time the following report of the Committee on Interstate Cooperation:

Austin, Texas,
February 26, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Interstate Cooperation, to whom was referred

S. B. No. 187, A bill to be entitled "An Act to facilitate the cooperation of this State with other units of government, determining the membership of the board, and establishing the Texas Commission on Interstate Cooperation; describing the functions and operations of said commission; providing for the establishment of dele-
gations and committees; providing for reports; providing titles for the committees and the commission; declaring the Council of State Governments a joint governmental agency of this State and of the other states; stating the intent of a fund to be appropriated by the Legislature; providing a saving clause; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

YORK, Chairman.

Appointment of Special Committee

The President announced the appointment of Senators Hill, Smith, and Ramsey as the committee to arrange for a block picture of the Senate, pursuant to S. R. No. 17.

Adjournment

On motion of Senator Stone, the Senate, at 12:10 o'clock p.m., adjourned until 10:00 o'clock a.m. tomorrow.
In Memory of
Lieutenant Don D. Cascio
and
Sergeant Thomas C. Cobb, Jr.

Senator Winfield offered the following resolution:

(Senate Resolution 45)

Whereas, The history of this nation has proved that whenever an emergency has arisen calling for practical and actual demonstration of that unselfish, patriotic sentiment that is always present in the hearts of all Americans, the people of this nation have invariably responded with spontaneous celerity; and

Whereas, Though this nation is not now actually at war with any powers, it is wisely preparing itself to protect its integrity and its honor, and has called upon the young men of this Country to put America in such a position that no aggressor will have the audacity to make an attempt to conquer her or to crush the democratic principles that are the foundation of this free nation; and

Whereas, Such work of defensive preparation is necessarily dangerous, and, though our young men fully realize such danger, the willingness exhibited by them in responding to the call of their Country is a refreshing exhibition of the real American spirit; and

Whereas, During this work of preparation for defense some of our young men are called upon to perform dangerous duties, and in the voluntary performance of such duties, lose their lives, as recently happened to 1st. Lt. Don D. Cascio and Technical Sgt. Thomas C. Cobb, Jr.; and

Whereas, The Legislature of Texas and all Americans feel that those who die while performing such patriotic duties while helping prepare their Country to defend herself and her ideals are truly patriots and heroes just as much as if they had died in actual combat with an enemy; now, therefore, be it

Resolved by the Senate of Texas, That we and all the citizenship of this State, do hereby solemnly and reverently express our sincere and heartfelt gratitude and admiration for the unselfish giving of their all to and for us by 1st. Lt. Don D. Cascio and Technical Sgt. Thomas C. Cobb, Jr., and all others, who, while having the honor of serving their Country, are called upon to make the supreme sacrifice; and, be it further

Resolved, That this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate forward to the parents of 1st. Lt. Don D. Cascio and Technical Sgt. Thomas C. Cobb, Jr., copies of this resolution.

WINFIELD,
MAURITZ,
LANNING,
WEINERT.


The resolution was read.

On motion of Senator Cotten, the names of all Senators were added to the resolution as signers thereof.

The resolution was adopted unanimously.