Whereas, It will be necessary and important to said school district to fence the grounds where said athletic events will be held; and

Whereas, It will be a great accommodation to said school district if the State Highway Department were permitted to loan said district the discarded wire hereinabove mentioned for the purpose of fencing grounds; 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 School Board of the Port Neches School District sufficient quantities of discarded wire hereinabove mentioned for the purposes hereinabove set out, said school board to return such wire upon request of the State Highway Department; and it is so resolved.

The resolution was read, and on motion of Senator Shivers and by unanimous consent, it was considered and adopted at this time.

Adjournment

On motion of Senator Moore, the Senate at 12:20 o'clock p. m., adjourned until 10:00 o'clock a. m. to­morrow.

THIRTY-SEVENTH DAY
(Tuesday, March 18, 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  Mauritiz
Beck  Metcalfe
Brownlee  Moffett
Chadick  Moore
Cotten  Ramsey
Fain  Shivers
Formby  Smith
Graves  Spears
Hazelwood  Stone
Hill  Sulak
Isbell  Van Zandt
Kelley  Vick
Lanning  Weinert
Lemens  Winfield
Lovclady  York
Martin

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.

Senate Resolution 63

Senator Aikin offered the following resolution:

Be It Resolved by the Senate of Texas That:

The Lieutenant Governor shall appoint a committee of three members to prepare from time to time a calendar for local and non-contested bills. No bills containing appropriations or creating any new departments or subdivisions of departments shall be placed on such calendar. (This provision shall not apply to purely local bills or where the expenditure is not paid out of State funds.)

The calendar shall be prepared and placed on the desks of the members at least six (6) hours before any such session.

On the objection of any three members, no bill on such calendar shall be considered at any such session.

It is hereby declared to be the intention of the Senate that no bills be considered at any such session which have not been placed on such calendar by the committee.

The resolution was read, and by unanimous consent, it was considered at this time.

The resolution was adopted.

Message from the House

The Assistant Reading Clerk of the House was recognized by the President to present the following messages:

Hall of the House of Representatives, Austin, Texas, March 18, 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 resolutions:

H. C. R. No. 69, Expressing regret at the death of the Honorable R. M. (Bob) Johnson.

H. C. R. No. 70, Asking the Board of Control to retain R. L. Nichols in his same or a similar position.
H. C. R. No. 71, Inviting President Franklin D. Roosevelt to address a joint session of the Legislature.

The House refused to concur in Senate amendments to H. B. No. 271 and has requested the appointment of a Conference Committee to consider the differences between the two Houses and appoints Reed of Dallas, Howard, Gilmer, Allison and Kelly.

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

Message from the Governor

The President laid before the Senate, and had read, the following message from the Governor:

Austin, Texas,
March 17, 1941.

To the Members of the Forty-seventh Legislature:

In both of my campaigns, and in my message to the Legislature I have advocated and recommended removing the price tag from the voting privilege of free Texas citizens.

There have been some people who oppose this plan, and I now believe that their objections can be overcome by a plan, in bill form, which I am recommending and submitting with this message as emergency legislation.

This plan contemplates that any person who meets certain qualifications can vote in any State primary by presenting either a poll tax receipt or a registration receipt.

The poll tax receipt will, of course, permit the holder of same to also vote in the general election, while the registration receipt will permit voting only in primaries, but not at the general elections.

While this bill does not give our Texas citizens all that I think they want and are entitled to, yet it may serve as a vehicle by which opposing ideas can be consolidated.

I trust you will give this recommendation your usual prompt and careful consideration.

Respectfully submitted,
W. LEE O’DANIEL,
Governor of Texas.

Senate Resolution 64

Senator York, by unanimous consent, offered at this time the following resolution:

Whereas, Doctor T. O. Walton, President of A. & M. College of Texas, is in the city and present in the Capitol; and

Whereas, A. & M. College is recognized nationally as one of the outstanding institutions of the Nation; and

Whereas, Students from this College have served this State and Nation with honor and distinction; now, therefore, be it

Resolved, That Dr. Walton be permitted the privileges of the floor for the day.

The resolution was read; and on motion of Senator York and by unanimous consent, it was considered immediately.

The resolution was adopted.

House Concurrent Resolution 70

The President laid before the Senate:

H. C. R. No. 70, Requesting Board of Control to give employment to R. L. Nichols.

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

Senate Bill on First Reading

By unanimous consent, the following bill was introduced at this time and was read and referred to the committee indicated:

By Senator Lovelady:

S. B. No. 400, A bill to be entitled "An Act to amend Article 2955 of the Revised Civil Statutes of 1925 providing for qualifications to vote in all governmental and primary elections in the State of Texas, and repealing all laws and parts of laws in conflict herewith."

To Committee on Privileges and Elections.

Reports of Standing Committees

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

Committee Room,
Austin, Texas,
March 17, 1941.

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

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 446, A bill to be entitled "An Act creating a special road law
for Brown County, Texas; providing that said county may fund or refund into coupon bonds the scrip and time warrants outstanding against its road and bridge fund as of the 28th day of February, 1941; setting forth the method of said funding or refunding; validating all acts of the commissioners' court in issuing said scrip and time warrants, validating said scrip and time warrants; providing the General Laws of the State of Texas shall be applicable to Brown County when not in conflict herewith; providing this Act shall be cumulative of all general and special laws not in conflict herewith; 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 printed.

VAN ZANDT, Chairman.

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

Austin, Texas,
March 17, 1941.

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

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 274, A bill to be entitled "An Act amending Article 578 of the Penal Code of the State of Texas of 1925 so as to provide that any person accepting or receiving a rebate or special favor or inducement to insurance shall be fined; providing for immunity from prosecution to any person whose testimony may be incriminating at the trial of any other person charged with the violation of the provisions of this Article; 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.

Metcalf, Chairman.

Signing of Bills and Resolution

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

H. B. No. 445, A bill to be entitled "An Act validating all proceedings prior to February 10th, 1941, by the boards of trustees of independent school districts of the State of Texas authorizing the issuance of bonds of such districts in the amount of not exceeding Twenty-five Thousand ($25,000.00) Dollars, bearing interest at a rate of not exceeding three and one-half per centum (3½%) per annum, payable annually or semi-annually, and maturing serially over a period of not exceeding twenty (20) years from their date, for the purpose of constructing and equipping public free school stadia within such districts; validating the tax levies made for the payment of such bonds; validating all such bonds authorized prior to February 10th, 1941, and which have been approved by the Attorney General, registered by the Comptroller.
and sold prior to the effective date of this Act; enacting provisions incident thereto; providing a saving clause; and declaring an emergency."

H. C. R. No. 11, Relative to leaves of absence for employees of the State Departments who are called into active military training.

Committee Substitute House Bill 19 on Final Passage

Senator Lanning moved to call from the table, for consideration at this time, the motion to reconsider the vote by which C. S. H. B. No. 19 was passed on Thursday, March 13, 1941.

The motion to call from the table prevailed unanimously.

Question—Shall the motion to reconsider the vote on the passage of C. S. H. B. No. 19 prevail?

Yeas and nays were demanded, and the motion to reconsider prevailed by the following vote:

Yeas—23
Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Hill
Kelley
Lanning
Lovelady
Mauritz
Metcalf
Moffett
Moore
Smith
Spears
Vick
Weinert
York
Nays—4
Isbell
Lemens
Stone
Van Zandt
Absent
Cotten
Ramsey
Shivers
Sulak

The President laid before the Senate on its final passage:

C.S.H.B. No. 19, A bill to be entitled
"An Act to amend Section 5 of Chapter 42, General Laws of Texas, passed by the Forty-first Legislature, Second Called Session, as amended by Section 5 of Chapter 282, Acts, Regular Session, Forty-second Legislature; repealing Section 7 of Chapter 282, Acts, Regular Session, Forty-second Legislature, and all laws in conflict herewith, said Acts relating to the operation of vehicles on the public highways of Texas; providing nothing herein shall be construed as authorizing increase in size or dimensions of commercial motor vehicles as now provided by law; and declaring an emergency."

Question—Shall the bill be passed?

At Ease

On motion of Senator Hill and by unanimous consent, the Senate, at 10:35 o'clock a.m., stood at ease subject to the call of the President.

The President called the Senate to order at 10:55 o'clock a.m.

Executive Session

At 11:00 o'clock a.m., the President announced the hour set for an executive session of the Senate had arrived, and he directed the Sergeant-at-Arms to clear the floor and galleries of all those not entitled to attend the executive session and to close all doors leading from the Senate Chamber.

After Executive Session

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following report of the Committee on Nominations of the Governor had been adopted:

Committee Room,
Austin, Texas,
March 5, 1941.

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

Sir: We, your Committee on Nominations by the Governor, to whom was referred the following nomination:

To be a Member of the Game, Fish and Oyster Commission, for a six year term expiring September 1, 1945:

D. K. Martin of San Antonio, Bexar County.

Have had the same under consideration, and do recommend that he be in all things confirmed.

MARTIN, Chairman.

The President called the Senate to order as in legislative session at 12:20 o'clock p.m.

(President Pro Tempore Cotten in Chair)
Senate Bill 401 on First Reading

Senator Weinert moved that Section 5 of Article 3 of the Constitution be suspended to permit his introducing a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31
Aikin
Beck
Brownlee
Chadick
Cotten
Fain
Formby
Graves
Hazlewood
Hill
Ishbell
Kelley
Lanning
Lemens
Lovelady
Martin

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

The following bill then was introduced, read first time and referred to the Committee on Civil Jurisprudence:

By Senator Weinert:
S. B. No. 401, 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, as amended by H. B. No. 216, Acts of the Regular Session of the Forty-seventh Legislature, by eliminating certain restrictions that airports acquired by cities without condemnation proceedings be situated within the limits of the county in which such cities are located; and declaring an emergency."

Committee Substitute House Bill 19 on Final Passage

The Senate resumed Consideration of C. S. H. B. No. 19, the motor truck load limit bill, on its final passage, the vote by which the bill was passed on March 13, 1941 having been reconsidered today.

Senator Lanning offered the following amendment to the bill:

Amend H. B. No. 19, as amended by striking out the figures "475" wherever they occur, and insert in lieu thereof the figures "700."

Question—Shall the amendment be adopted?

Adjournment

Senator Lemens moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed; and the Senate, accordingly, at 12:25 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.
In Memory of

Hon. R. M. (Bob) Johnson

The President laid before the Senate the following resolution, received from the House today:

(House Concurrent Resolution 69)

Whereas, On the 10th day of March, 1941, our Almighty Maker in His superior wisdom, which we mortals can little understand, called from our earthly ranks the Honorable R. M. (Bob) Johnson, a former member of the House of Representatives; and

Whereas, The Honorable R. M. (Bob) Johnson had served his State, county and native city faithfully in the following capacities: He taught in the rural schools of Anderson County from 1901 until 1903, later served faithfully as City Attorney for the City of Palestine for four years, then served justly and wisely in the capacity of City Judge for eight years. During the World War, he served his County, State and Nation as draft officer for his home district. After serving two terms as County Attorney for Anderson County, he was a distinguished and outstanding member of the House of Representatives of the Thirty-ninth, Fortieth, and Forty-third Legislatures; and

Whereas, In his passing, his community and State have lost a good and patriotic citizen, who was loved and respected by his legion of friends in all walks of life, and his memory will be cherished by all who knew him; and

Whereas, His service to his community was of the highest order as a civic leader, and he was one who took part in every enterprise for the public welfare; and

Whereas, He and his good wife, Mrs. R. M. Johnson of Palestine, Texas, were the parents of four children: Mrs. Hal K. Biard of Dallas, Texas; Miss Lois Johnson of Houston, Texas; Miss Mary Johnson of Austin, Texas; and R. M. Johnson, Jr., of Austin, Texas, assistant to the Journal Clerk of the Senate of the Forty-seventh Legislature; now, therefore, be it

Resolved, That the Secretary of the Senate and Chief Clerk of the House of Representatives, send each member of the family of the deceased a copy of this resolution under their respective seals; and when the Senate and House of Representatives adjourn today that they do so in solemn tribute to a man whose name shall live long in the consciousness of his State, and in the affection of his friends and sorrowing family.

The resolution was read and was adopted unanimously.